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EQUAL EDUCATIONAL OPPORTUNITY

HEARINGS

BEFORE THE

SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

OF THE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

EQUAL EDUCATIONAL OPPORTUNITY

PART 11—STATUS OF SCHOOL DESEGREGATION LAW

WASHINGTON, D.C., JUNE 15, 1971

Printed for the use of the Select Committee on Equal Educational Opportunity

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U.S. Congress. Senate. Select Committee on Equal Educational Opportunity

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CONTENTS

Page

Opening statement of Senator Mondale, chairman 5391

CHRONOLOGICAL ORDER OF WITNESSES

Chambers, Mr. Julius, NAACP Legal Defense Fund, Charlotte, N.C 5391
Bickel, Alexander M., professor of law, Yale University, prepared statement 5413
Hamilton, Dr. Charles, Department of Political Sciences, Columbia University, New York, N.Y 5418
Fiss, Prof. Owen, University of Chicago Law School, Chicago, Ill:
Prepared statement:
The Charlotte-Mecklenburg Case—Its Significance for Northern School Desegregation 5420
McGovern, Senator George, South Dakota 5440

APPENDIXES

Appendix 1.—Pertinent legislation:
Amicus Curiae Brief for the Classroom Teachers' Association of the Charlotte-Mecklenburg School System, Incorporated 5443
Appendix—Constitutional provisions involved 5460
Supreme Court of the United States:
Swann et al. versus *Charlotte-Mecklenburg Board of Education* et al.:
Certiorari to the United States Court of Appeals for the Fourth Circuit. No. 281. Argued October 12, 1970—Decided April 20, 1971 5462
On Writs of Certiorari to the United States Court of Appeals for the Fourth Circuit. Nos. 281 and 349—October Term, 1970 5464
Moore et al. versus *Charlotte-Mecklenburg Board of Education* et al.:
Appeal from the United States District Court for the Western District of North Carolina. No. 444. Argued October 13, 1970—Decided April 20, 1971 5475
Companion case to No. 498, *ante, North Carolina State Bd.* versus *Swann* 5476
North Carolina State Board of Education et al., versus *James E. Swann et al.*:
On appeal from the United States District Court for the Western District of North Carolina. No. 498 5477
McDaniel, Superintendent of Schools et al. versus *Barresi et al.*:
Certiorari to the Supreme Court of Georgia. No. 420. Argued October 13, 1970—Decided April 20, 1971 5478
Davis et al. versus *Board of School Commissioners of Mobile County et al.*:
Certiorari to the United States Court of Appeals for the Fifth Circuit. No. 436. Argued October 13, 14, 1970—Decided April 20, 1971 5479
United States District Court of New Jersey:
Vivian Spencer, an infant by her guardian Ad Litem, Nancy Spencer and Geraldine Chavis, an infant by her Guardian Ad Litem, Vance Dunlop Chavis, plaintiffs versus George F. Kugler, Attorney General of New Jersey, Carl Marburger, Commissioner of Education and the State Board of Education of the State of New Jersey, defendants 5482

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United States District Court for the Northern District of California:
David Johnson et al., plaintiffs, versus San Francisco Unified School District, et al, defendants ..... Page 5488
Supreme Court of the United States—On appeals from the United States District Court for the Northern District of California:
Ronald James et al., appellants, versus Anita Valtierra et al., appellees. Opinion of the Court 5491
Dissenting Opinion 5493
Appendix 2.—Newspaper articles:
March 8, 1970, from The New York Times:
In the Nation: The Outcry Against Busing 5495
May 1970, from the South Today:
The Busing Myth: Seg Academies Bus More Children, and Further 5496
May 24, 1970, from The New York Times:
School Busing a U.S. Tradition—Program Welcomed for Years Except for Integration 5499
April 30, 1971, from The New York Times:
Housing and Suburbia:
Court's Upholding of Voters' Right To Block Projects Shocks Many 5502
June 12, 1971, from the Washington Post:
Nixon on Housing Program: "It Must Be Results-Oriented" 5503
June 12, 1971, from the New York Journal of Commerce:
The Nixon Watch—More Desegregation 5506

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STATUS OF SCHOOL DESEGREGATION LAW

TUESDAY, JUNE 15, 1971

U.S. SENATE,
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY,
Washington, D.C.

The committee met, pursuant to notice, at 10 a.m., in room 1318, New Senate Office Building, Senator Walter F. Mondale (chairman of the committee) presiding.

Present: Senators Mondale and Ervin.

Also present: William C. Smith, staff director; Bert Carp, associate counsel; Leonard Strickman, minority counsel.

OPENING STATEMENT OF SENATOR MONDALE, CHAIRMAN

Senator MONDALE. The committee will come to order.

This morning we have a series of witnesses to comment on the recent Supreme Court cases of the *Charlotte-Mecklenburg* case, the *Valtierra* case and the *Mobile* case. Mr. Bickel, who was one of the panel, could not be with us this morning. He's engaged in other emergency legal services, and called and asked that he be excused. The committee would like to have him back on another occasion.

Another point I would like to make. Senator Spong cannot be with us this morning. He very much wished to do so, but he is delivering the eulogy at the funeral of Lieutenant Governor Reynolds of Virginia, whose tragic death occurred a few days ago.

Our first witness this morning is Mr. Julius Chambers of the NAACP Legal Defense Fund, Charlotte, N.C. Mr. Chambers has been with us before. We're pleased to have him with us today.

STATEMENT OF MR. JULIUS CHAMBERS, NAACP LEGAL DEFENSE FUND, CHARLOTTE, N.C.

Mr. CHAMBERS. Senator Mondale, Senator Ervin.

I appear today at the invitation of the committee which requested that I discuss the status of the law on school desegregation in view of the recent decisions of the U.S. Supreme Court in *Swann* v. *Charlotte-Mecklenburg Board Of Education*, *Davis* v. *Board of School Commissioners of Mobile County*, *James* v. *Valtierra* and *Lee* v. *Myquist*. My comments are addressed to the impact that these decisions have on school desegregation and the role that local, State, and Federal officials must play to insure that these decisions are fully implemented. I appreciate the invitation of the committee.

Prior to the decisions of the Supreme Court in the *Charlotte-Mecklenburg* and *Mobile* cases, much hue and cry was rampant

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about the uncertainties of the law with respect to the duties of school officials to eliminate past and present practices of discrimination in public education. Many officials questioned the use of transportation—extensive busing, pairing and clustering of schools, the use of satellite zones, affirmative drawings of school attendance areas to promote integration of schools, the duty of school officials in so called de facto segregated school districts to desegregate. The *Charlotte-Mecklenburg* and *Mobile* cases give some answers for most of these questions but leave some questions unanswered.

STATE-IMPOSED SEGREGATION

It is now clear that school officials in State-imposed segregated systems must do all within their power to eliminate the effects of their past and present racially discriminatory practices. They are obligated to achieve the greatest possible desegregation. They must employ all practical techniques to achieve this objective including pairing and clustering of schools with contiguous and non-contiguous attendance zones, satellite zones, establish new attendance districts drawn with the affirmative objective of promoting the greatest possible desegregation, and transportation. As the court noted, the remedy—

> May be administratively awkward, inconvenient and even bizarre in some situations and may impose burdens on some; but all awkwardness and inconvenience cannot be avoided in the interim period when remedial adjustments are being made to eliminate . . . dual school systems.

RACIAL BALANCE

The court states that fixed ratios are not constitutionally required but may be employed within the remedial discretion of district courts in order to dismantle racially segregated schools. The district court in the *Charlotte-Mecklenburg* case put it this way:

> Fixed ratios of pupils in particular schools will not be set. If the board in one of its three trys had presented a plan for desegregation, the court would have sought ways to approve variations in pupil ratios. In default of any such plan from the school board, the court will start with the thought, originally advanced, in the order of April 23, that efforts should be made to reach a 71–29 ratio in the various schools so that there will be no basis for contending that one school is racially different from the others, but to understand that variations from that norm may be unavoidable.

The district court made clear that it was not holding that racial balance was constitutionally required but used the student racial composition of the system as a measuring device to determine whether racially identifiable schools had been eliminated.

ALL BLACK OR ALL WHITE SCHOOLS

The Supreme Court also stated that an all black or an all white school might under some circumstances be constitutionally benign. In State-imposed segregated systems, however, such schools are presumed to be unconstitutional and State officials have the heavy burden of establishing that the racial composition of the schools is not the result of State action. It appears that in all school districts in the South, at least, this is an almost impossible burden. For all

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practical purposes, at least in the South, all black and all white schools or schools having a substantial disproportionate representation of students of a particular race are unconstitutional and must be desegregated.

The Supreme Court makes clear that in drawing plans of desegregation, district courts and school officials must consider not only student assignments but all other aspects of school operations, including teacher assignments, school construction and abandonment, extracurricular activities, transportation, and facilities. The Court reaffirms the obligation of school officials to assign teachers and school personnel so that the percentage of black and white teachers and staff in each school will reflect the percentage of black and white teachers in the system.

DE JURE/DE FACTO DISTINCTION

In fashioning a nationwide policy, the Court, perhaps understandably, left some unresolved questions. One of the unfortunate points of the decision is its perpetuation of the so called de jure-de facto distinction. The Court assumes that some school districts may have racially isolated schools which developed adventitiously. Knowing the history of this country and having the view of State action that I have, it is difficult for me to make that assumption. It seems that one can establish State choices in school locations, State involvement in the development of segregated housing patterns and other State practices which have contributed to racially segregated schools in the North as well as the South. Where such practices are shown, the Court makes clear that the same duty pertains as in the South, where segregated schools are unconstitutional. In a recent decision in *Adams* v. *School District No. 5, Orangeburg, S.C.*, decided June 10, 1971, the Fourth Circuit adopts this position, stating:

> It is now clear, we think that in school systems that have previously been operated separately as to the races by reason of state action, "the district judge or school authorities should make every effort to achieve the greatest possible degree of actual desegregation, taking into account the practicalities of the situation."

This almost per se rule lessens the burdens of plaintiffs in school desegregation cases and shifts the responsibility in southern school litigation to school officials to establish that their segregated schools are not the result of State practices and policies. It seems that that same burden should be imposed on all school officials for, as I previously indicated, it is difficult for me to assume racially segregated schools anywhere in this country just merely happened with no involvement of the State.

SEGREGATED RESIDENTIAL PATTERNS

The Court did not rule on whether segregated schools resulting from State created segregated residential areas are equally unconstitutional and necessitate affirmative action by school officials to desegregate. In the *Charlotte-Mecklenburg* case, we presented evidence to show that city, State, and Federal governmental practices had equally contributed to the resulting segregated schools in addition

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to the practices and policies of the school officials. Our belief then, as now, is that the State acts through all of its agents and must be held accountable for all State practices whether they result from a choice of an urban renewal commission to relocate families on a segregated basis or a deliberate choice of school officials to locate the schools in order to maintain segregation. Again, I should note that racially discriminatory housing practices are equally as prevalent in the North as in the South. And if it is shown that schools have been segregated by practices of governmental agencies other than school officials, I think that the same constitutional obligation should be applied as required in *Swann*.

MAINTENANCE OF UNITARY SYSTEMS

At the end of the decision in the *Charlotte-Mecklenburg* case, the Court noted that neither district courts nor school officials were constitutionally obligated to continue year by year reassignment of pupils in order to eliminate racial concentrations after a unitary system has been established. Many opponents of desegregation have seized upon this language to advocate that once a school district assigns some white and black children to a school to get some racial mix, the school system is then unitary and the school district has no continuing duty to maintain desegregated schools. I think that this position is wrong for several reasons. The position initially assumes that a constitutional, acceptable plan does not require consideration of families moving and other practices which may cause resegregation. School officials generally are familiar with the housing patterns and trends in their communities and in devising a plan must take these matters into consideration. The Supreme Court noted that school practices and policies contribute to residential housing patterns. A constitutional, acceptable plan must, I think, include provisions to prevent resegregation, even though resulting from residential changes. A school system does not become unitary the next day after students are mixed racially in the schools. There is a continuing duty of school officials and district courts to monitor the results of school plans to insure that choices which might result in resegregation are not made because of State practices and policies. The Supreme Court did not overrule the requirement it reaffirmed in *Monroe* v. *Board of Commissioners* that district courts retain jurisdiction in the school desegregation cases to insure that plans approved result in the creation of a unitary school system. The Supreme Court also noted in the *Charlotte-Mecklenburg* case that subsequent practices of school officials after the creation of a unitary system might necessitate further modification of plans of desegregation or the development of a new plan in order to prevent resegregation. The Court further noted that school construction should be monitored to insure that further segregation is not perpetuated.

The Supreme Court expressed an obvious desire of Federal courts to get through with the business of desegrating schools. I think, however, we are a long way from that millenium. Notwithstanding *Swann*, many southern school districts are continuing to argue that their schools are not segregated by State practices; that they may maintain all black and all white or racially disproportionate schools;

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that they had no duty to cluster or pair schools or transport students in order to achieve racial balance. Where some racial mixing of students takes place, some families move out of the school district to the suburbs and acquire their own public school or private school with State assistance. Additionally, black students in racially mixed schools continue to be discriminated against by being assigned to all black classes with black teachers, denied equal rights to participate in student activities, to receive scholarship assistance or are summarily dismissed from school in violation of their constitutional rights. We are told that in *Charlotte-Mecklenburg* over 4,000 students, 90 percent of whom were black, were summarily suspended from school during the 1970–71 school year. Many black teachers and principals are denied employment or promotion or are relegated to insignificant positions. We now have over 150 cases involving dismissal and demotion of black teachers and principals. The only effective entity of government that blacks have been able to call on to achieve equal status in society has been the courts. We do not view the language of the decision in *Swann* as an omen that the courts too are closing their doors. With the myriad of problems that we have in obtaining desegregated schools and in protecting constitutional rights within racially mixed schools, I think that the courts will be in the school business for a long time to come.

JAMES V. VALTIERRA

Many people have viewed the Supreme Court's decision in *James v. Valtierra* with alarm. They question, in view of the decision, the ability of communities to desegregate residentially where the choice is left to a vote of the electorate. As I read the opinion, the Court merely interprets the Housing Act and does not reach the constitutional responsibility of State officials to eliminate practices of discrimination which create residential segregation. Where that is shown, it seems that the same affirmative duty should be imposed on the State as is now imposed to desegregate schools. The decision does make difficult voluntary choices of city and State officials to promote desegregated housing where they must depend on the vote of the electorate. In North Carolina, as a result of the decision, we now have pending in the legislature a bill to require that choice of public housing sites be first approved by vote of the people. We are also told now by the administration that it will not force residential mixing of the races. The U.S. Civil Rights Commission has shown that the Federal Government has not even encouraged programs to desegregate housing. Segregated housing patterns do make difficult the task of school officials to desegregate schools but they do not impose impossible barriers. If schools are properly desegregated, this should tend to stabilize communities for it would eliminate the choice of running to another segregated school and if the choice is to move into the suburbs away from the school district, it is clearly within the jurisdiction of the courts to order that those suburban districts be added to the school district in order to desegregate.

FEDERAL ENFORCEMENT

The *Swann* decision goes a long way in setting the policy for eliminating the remaining vestiges of State-imposed segregation. In

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view of *Alexander* v. *Holmes County Board of Education*, there is little reason for any school system in the South having segregated schools after September 1971. Whether that objective will be accomplished will depend on the determination of the administration to insure that black children are allowed to enjoy their constitutional rights. Very little has been done thus far, however, to indicate that *Swann* will be implemented in the spirit of the court's decisions. When I appeared before this committee in June 1970, I requested that Federal legislation be enacted to insure counsel fees for attorneys of private litigants who were seeking desegregated schools. Such a provision is included in a bill now pending before Congress. I hope that that bill will be enacted shortly for it appears to offer the most effective means presently for insuring that black children in the North and South are permitted to enjoy equal educational opportunities.

Senator MONDALE. Thank you very much, Mr. Chambers, for your very fine statement. Your testimony is very, very helpful to us in the work of this committee.

APPLICATION OF SWANN OUTSIDE SOUTH

How, in your opinion, does the *Charlotte* case apply outside the 17 southern and border States in areas where segregation was not required by State statute, in your opinion?

Mr. CHAMBERS. I think that the opinion applies in any State where one can establish that State agencies have created segregated schools. This can be shown either by the action of school officials in locating schools, in controling grade structure, assigning teachers to various schools.

I think also that it can be shown by practices of other State officials—public housing authorities, urban renewal commissioners—in perpetuating or creating residential segregation.

Senator MONDALE. So that when some seek to characterize these cases as being directed to the South only, that's not your interpretation?

Mr. CHAMBERS. No. I would call to the attention of the committee the decision recently in San Francisco; the court there directed a *Swann*-type order because the court had found State action in creating segregated schools in that system.

There is also pending now in the district court in Detroit a proceeding seeking to establish that state action had created segregated schools in the city of Detroit. It's my understanding that the district court there recently indicated that the parties had made out a prima facie case.

Senator MONDALE. That's my reading of the decision. I don't know why so many have tried to say that it's a South-only judgment. It's really a decision that strikes at the States where it's found.

Mr. CHAMBERS. That is the way that I read the decision. And as I indicated earlier, I think that one can probably establish State action in just about any State in the country.

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FEDERAL COMPLIANCE ACTION

Senator MONDALE. In your opinion, are HEW and the Justice Department obligated to reopen cases decided prior to the *Charlotte* case?

Mr. CHAMBERS. I think they are. The Justice Department should proceed immediately. We've reviewed several plans in North Carolina that have been approved by HEW prior to *Swann* and found over 25 school districts which we think do not comply with the *Swann* decision.

To date, however, Justice has not moved in the school districts.

Senator MONDALE. Do you see any evidence that they are planning to do so?

Mr. CHAMBERS. I haven't seen any action to date by either the Department of Justice or the Department of Health, Education, and Welfare.

Senator MONDALE. And that's one of the reasons you're supporting the Legal Fees Amendment to the Emergency School Aid and Quality Integrated Education Act?

Mr. CHAMBERS. That's absolutely essential if we are going to see that schools are desegregated.

Senator MONDALE. Did you know we lost one version of that amendment in the Senate? We have another, I think it's almost as good, in which the school district is responsible for attorney's fees on behalf of the complainant at the discretion of the Court. That's a permanent law, if it's adopted. The bill, unfortunately, is languishing in the House.

DESEGREGATION ABUSES

Are you concerned with segregated classrooms, discrimination against teachers, and supervisory personnel, discriminatory treatment of students with continuing desegregation next fall?

Mr. CHAMBERS. I think that the practices that have been condoned in many of the so-called desegregated districts are causing many blacks to question integration as the policy to follow. In one school district in North Carolina, several blacks have questioned whether integration of schools would be the right thing to do.

As I indicated in *Charlotte*, we are told that over 4,000 students were suspended during the school year, and of that 4,000, over 90 percent were black. We know that during 1969–70, over 100 black teachers were dismissed from school. In one district that I'm familiar with, we had in 1965 22 black principals. For the 1969–70 school year, had it not been for legal proceedings that we brought, we would have had none, and we had this happening in many districts throughout the South.

And it's really a problem and the Department of Justice and the Department of Health, Education, and Welfare have not shown very much interest in getting into challenging practices of discrimination within integrated or racially mixed schools.

Several districts during the past year were called to the attention of the Department of Justice and to the Department of Health, Education, and Welfare, with no results, and in North Carolina, at least, the only efforts now being made to challenge these practices have been private litigation.

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Senator MONDALE. Have complaints been made to the Justice Department about these practices?

Mr. CHAMBERS. They have been made to the Justice Department and they have been made to the Department of Health, Education, and Welfare. Several practices were called to the attention of the Department of Health, Education, and Welfare in connection with the Emergency Assistance Act.

At present, notwithstanding these matters being called to the attention of the Department, no action has been taken.

Senator MONDALE. Thank you very much.

Senator Ervin?

STATE ACTION IN CHARLOTTE CASE

Senator ERVIN. I was looking over the record in the *Charlotte* case.

What evidence of State action was presented to the Court outside of the question of zoning laws and things of that character, and public housing?

Mr. CHAMBERS. There was evidence of the location of schools by the school officials, the assignment of teachers, showing that certain schools were for black students and other schools were for white students. There was evidence of extracurricular programs that were conducted separately for the black and white schools. There was evidence of the control of grade structure.

Senator ERVIN. The assignment of teachers was corrected to satisfy all concerned, was it not?

Mr. CHAMBERS. Well, the order directed that teachers be assigned so that there would be an equal representation of black and white teachers in each school.

Senator ERVIN. The Court, as I recall, was not about teachers—it was not contested in the Federal decisions at all.

Mr. CHAMBERS. That's in the last stage, yes. That's correct.

Senator ERVIN. In other words, the school board came up with an assignment of teachers which contemplated that teachers should be assigned to each school on substantially the same racial basis, the composition of the faculty, as of the entire district, is it not?

Mr. CHAMBERS. The school board didn't come up with that plan. The Court directed that provision in the order.

Senator ERVIN. Yes. They did come up with that, with a system, whether the school board came up with the system or the Court, it was a system of assignment of teachers based substantially on the proportion of the races in the faculty in each school and that was not subject to review. It was not contested on the appeal to the Fourth Circuit or the Supreme Court.

Mr. CHAMBERS. Not in the *Swann* case. It was not.

GERRYMANDERED DISTRICTS

Senator ERVIN. Now, the school board came up with a plan which provided for gerrymandered districts in order to bring as much of a racial mixture into the schools as could be done by geographic zoning, did it not?

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Mr. CHAMBERS. That's correct.

Senator ERVIN. And it was conceded by plaintiffs, by the school board, and the Court found that in order to desegregate the schools in northwest Charlotte, they would have to bus thousands of children, would they not?

Mr. CHAMBERS. That's correct.

Senator ERVIN. Now, in other words, you take the *Swann* case as a whole, where there's been State action, that it's not sufficient to lay out impartial and nondiscriminatory district lines.

Mr. CHAMBERS. That's the way I read the *Swann* decision, if you are still maintaining some racially identifiable schools as was the case in Charlotte.

Senator ERVIN. Well, don't you take the finding of all parties to the effect that it was impossible to desegregate the schools in northwest Charlotte without busing thousands of children, and the establishment of the fact that the desegregation in Charlotte was largely the result of residential patterns—how do you see these findings?

Mr. CHAMBERS. I think that residential segregation in Charlotte made the use of busing necessary. I also think, however, that in the choice of sites, site selection of schools, and the manner in which the school board had controlled the schools, that this also contributed to the development of the residential segregated housing pattern.

The school board was very much involved in the housing pattern that existed. A developer would go to a particular location and develop a segregated residential area. The school board would follow with a school. The city would indicate the pattern of housing and the school board would follow with schools.

Senator ERVIN. Now, the only way to remedy that would be to have sites of schools torn down every 3 years and new schools built as the population shifted, wouldn't it?

Mr. CHAMBERS. I think the answer that the Court gave in Charlotte was the best answer, namely, that we will take the people where they are and we will disestablish what the school board and other officials have created.

EQUAL PROTECTION CLAUSE

Senator ERVIN. Yes. Now, you agree with me that the interpretation placed on the equal protection clause in the *Swann* case is an orthodox interpretation in the sense that it recognizes that the Federal Government has no power to act on the premises until there has been a State-enforced segregation.

Mr. CHAMBERS. I think that the Court in *Swann* was saying that in order to invoke constitutional remedies under the 14th amendment, that one must show State action.

Senator ERVIN. That's the way I interpret it. I read the decision very carefully and I found that the Court said that, either by implication or expressly. Twenty-two times it said it.

Mr. CHAMBERS. I didn't count them.

Senator ERVIN. Under the recent decisions, the Court in this case was professing to enforce the decision in the recent *Matt* case, was it not?

Mr. CHAMBERS. I think that it was, yes.

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Senator ERVIN. And under the recent decisions, they say that where there has been a dual system of schools in the past supported by State action, that the duty rests upon the school board and the jurisdiction of schools to convert that system of the schools. And to say that a unitary school system is a school system in which no child, no person, is effectively excluded from any particular school on account of his race.

Mr. CHAMBERS. Yes.

Senator ERVIN. Now, there's no requirement for desegregation, you see.

Mr. CHAMBERS. There's no requirement——

Senator ERVIN. There is no decision where there's been discriminatory action that there's any requirement for desegregation of schools.

Mr. CHAMBERS. I don't know of any Supreme Court decision holding that, in the absence of a showing of State action, that school officials have an obligation to dismantle racially isolated schools.

BUSING IN CHARLOTTE PLAN

Senator ERVIN. You tell me how many children actually are bused as a result of the decision of the *Swann* case.

Mr. CHAMBERS. I understand that there are approximately 40,000 students in the system, or 44,000, somewhere in there, being bused this year.

Senator ERVIN. Being bused?

Mr. CHAMBERS. Yes, being bused.

Now, I would point out, however, that, included in that number are additional students who are required to be transported because of a prejudged decision in 1969 or 1970 requiring that inner city students also be afforded transportation. The State law prior to that time required transportation only for students living outside the city, as they existed until 1957.

Senator ERVIN. You have been with this case for a while. The case has been pending since about 1962, wasn't it?

Mr. CHAMBERS. 1965.

Senator ERVIN. Judge Graven first tried it in 1963, if I recall.

Mr. CHAMBERS. In 1965.

Senator ERVIN. Can you tell how many children were involuntarily bused, that is, that are being bused on orders of the Court?

How many are involuntarily bused?

Mr. CHAMBERS. I don't know the Senator's definition of voluntary or involuntary. I can say this, that is 1969–70, we were told that 23,000 students in Charlotte-Mecklenburg were being transported to schools. That did not include approximately 5,000 or 6,000 students in the city who would, under normal circumstances, be offered transportation.

As a result of the Court order, approximately 13,000 additional students were offered transportation to school.

Senator ERVIN. My distinction would be, the way I use the words "voluntary" and "involuntary" in this case, those that are being bused by the school board for the purpose of transporting them to the nearest school, I would consider to be voluntary busing. And

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those that are being bused in order to change a racial composition in the schools and who are being denied the right to go to their neighborhood schools to affect that purpose, that's involuntary.

With that explanation of these terms would you estimate what number would fall in one group and what number in the other?

Mr. CHAMBERS. One of the problems, Senator, that I have with that definition is that many black students would fall in the category of students who are being transported to schools further from their homes than the school they attended the previous year. Many of those black students are interested in going to the other schools in order to obtain a better education. And to attempt to extract from that the exact number of students who fit the situation that I just presented would cause a problem. I would imagine that there are approximately 4,000 or 5,000 white students who are being transported to schools in the inner city in order to desegregate the inner-city schools.

Senator ERVIN. Well, the ones that are being transported merely to change the racial composition of the schools, either by decreasing students of their race in their neighborhood schools or by increasing the students of their race in schools to which they are bused, would run into the thousands, would they not?

Mr. CHAMBERS. Again, I say that approximately 5,000 or 6,000 white students are being transported into the inner city. Knowing the plan, as I'm sure you do, there are some students in the given county who are being transported to schools. I can't give you an estimate of the number of students who would fit the category of involuntary.

Senator ERVIN. Anyway, it was agreed and found as a fact that it would require the busing of thousands of children.

Mr. CHAMBERS. The Court found that the plan would require transportation of an additional 13,000 students.

Senator ERVIN. The Court and the school board disagreed very widely. This is the reason why I was trying to see if we could get some estimate.

Mr. CHAMBERS. We have tentatively scheduled a hearing that would begin on Monday and the board is to present the statistics at that time of the number of students who are being transported. I will point out that even using the board's estimate, that fewer students in Charlotte would be transported than statewide. The statewide average was 54 percent. Under the board's estimate, it was approximately 40 percent of the students in the system to be transported.

STATE ROLE IN SEGREGATED SYSTEMS

Senator ERVIN. In the *Swann* case, this was directed to the states where, up to the *Ramma* case, that had segregated systems, was it not?

Mr. CHAMBERS. I think the *Swann* case was directed to any district where one can establish that the school was segregated as a result of State practices and policies.

Senator ERVIN. But doesn't the Chief Justice lay great emphasis upon the fact that Mecklenburg County had legally established a segregated school system prior to the *Ramma* case?

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Mr. CHAMBERS. The Court mentions that, but the Court also mentions, however, that the school board, through its own admission, had practiced, carried on practices and policies that promoted or created a segregated system, and I think that the State action that the Court referred to, namely, locations of schools, et cetera, if shown in other districts, would require the type of order that was entered in *Swann*.

I'm certain that the decision is not limited to the South or districts where schools were segregated as a result of state action.

Senator ERVIN. I don't see where it says—as I said, it says 20 odd times that if you had school segregation in areas in which the State, rather, the schools existed, had not been guilty of discriminatory practices, that the Federal Government had no power whatever to act in respect to it.

Mr. CHAMBERS. Senator Ervin, I think that in the North, one can establish that schools have been segregated as a result of State action either through the deliberate location of schools, control of school sites, control of grade structure, the assignment of teachers or through practices of other State agencies in creating residential segregation.

Senator ERVIN. Well, from my reading of this case, it's at least four pages on which the Court lays stress on the fact, makes the distinction between areas where they had legally established segregation and areas in which they did not have legally established segregation.

BURDEN OF PROOF

Mr. CHAMBERS. I think that in areas where segregation was required by State law, the burden of proof on the plaintiff in establishing the State action in creating segregated schools is not as great as in an area where we did not have segregated schools compelled by State law. The part in the area where State constitutions did not require segregated schools have a heavier burden in establishing that the schools resulted from State action, but I think it can be shown.

Senator ERVIN. I certainly agree with you on that interpretation. I would put it this way; that a burden of proof rests upon the areas where they had legally established segregation prior to the *Brown* case or *Ramma* case, which is much heavier, and I would say that it's put there because primarily, those areas, the school boards in those areas were not smart enough to precede the Supreme Court in discovering that the separate but equal doctrine would cease to be a part of the law.

Mr. CHAMBERS. I would think, Senator Ervin, that we all know that the all-black and all-whites schools in the South were created by State action. The question is not that clear in many areas of the North and I think that the decision is justified in that regard. If we establish in the North State actions in creating segregated schools, as we have clearly shown in the South, I think that the same burden of proof would pertain in the North as in the South, and I think the same requirements would be applied in the North as in the South.

Senator ERVIN. But this opinion makes a prima facie case in the South it doesn't make in the North.

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Mr. CHAMBERS. I don't think we have made the showing in the North as we have made in the South.

EQUAL PROTECTION LAW

Senator ERVIN. My reading of the equal protection law is that the equal protection law is that the equal protection law prohibits any State agency from treating in a different manner persons similarly situated.

Is that your understanding of it?

Mr. CHAMBERS. That's my understanding.

Senator ERVIN. And while it permits discrimination, it is distinctions in treatment based upon classifications provided everyone falling within the classification is treated alike.

Mr. CHAMBERS. If you're suggesting that the North and the South have the same history, I think that I would have to differ in the sense that we have had in the South, up to 1954, compulsory State laws requiring segregated schools. We have not had that in the North, in many areas, let me put it that way, and we already have evidence for the South that the segregated schools have resulted from State action and if we make a showing in the North that the segregated schools that exist there result from State action, the same law applies.

LEGAL SEGREGATION IN THE NORTH

Senator ERVIN. Yes, but you had segregated schools by law in most of the Northern states until comparatively recent times, using that word in the historical sense rather than in the sense of our generation. If I recall correctly, we had three decisions in the Court of Appeals in New York sustaining laws of New York as late as the early 1900's, which provided for segregated schools.

Mr. CHAMBERS. In many areas of the North——

Senator ERVIN. I just wonder how long we're going to have to get past 1954 before the same rules will be applied to the South as to the North.

UNITARY SCHOOL SYSTEM

Mr. CHAMBERS. I think when we disestablish what we created prior to 1954, that we can then talk about a unitary system.

Senator ERVIN. How do you establish a unitary school system?

Mr. CHAMBERS. I think that, as in Charlotte, we establish a unitary school system when we make assignments of students to all the schools in the system so no school in the system can be looked upon as either a white or a black school.

Senator ERVIN. Well, how did that come about?

Mr. CHAMBERS. By assigning a sufficient number of white and black students to each school.

Senator ERVIN. So you would have to integrate a school in order to have a unitary school system?

Mr. CHAMBERS. We have to integrate a school in order to have a unitary school system.

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Senator ERVIN. And you would have to bus children wherever children of both races weren't available for mixing. You'd have to bus them in those cases.

Mr. CHAMBERS. In some cases, we will have to bus them.

Senator ERVIN. And that is in the South but a unitary school system in the North is different, isn't it?

Mr. CHAMBERS. Is not?

Senator ERVIN. You can have an absolutely white school in the North and an absolutely black school in the North without it being denied the status of unitary school systems.

Mr. CHAMBERS. I think that in the North, if we establish that the black school resulted from State action or the white school resulted from State action, those schools too are unconstitutional.

Senator ERVIN. But if you can't establish that, it's perfectly legal to have the schools—they can be unitary schools in the North although all the children in the school are of one race or the other.

Mr. CHAMBERS. I don't think so; no. I think that there are some limits to the amount of racial mixing that one can effect and where that exists then there will probably have to be some other remedies.

NORTHERN COURT ACTION

Senator ERVIN. They had a suit in New Jersey a few months ago, tried before a three-judge court in which they pointed out that the lines of school districts were terminous with the lines of the municipal districts, the county districts. They said that as a result of that, that the schools had an imbalance and the court established that, the court said that there was no dismissed action and they failed to take action on that basis.

Mr. CHAMBERS. As I recall, the Court did not find the kind of racial discrimination that was shown in *Swann* or that has been in many other school cases in the South. I would call to your attention the decision in San Francisco where the court found State action and directed upon requiring complete desegregation.

Senator ERVIN. I believe the State court found it in Los Angeles.

Mr. CHAMBERS. That's true.

NEIGHBORHOOD SCHOOLS AND CHARLOTTE PLAN

Senator ERVIN. Let's go back to the equal protection clause. Judge Millicent's decree said this: He said many of the black children in the first, second, fourth grades were divided into two classes and he did say the same about white children in certain schools in the fifth and sixth grades, and he said that the school board must deny a proportion of these children their right to attend neighborhood schools, but it can permit the rest of them to attend the nearby schools, did it not?

Mr. CHAMBERS. I think what the Court said was that in some areas one could enforce school districting to get an acceptable racial mix and eliminate racially identifiable schools. In other areas, because of the location of the schools by the school board, it was impossible to obtain racial mixing of schools and we would therefore have to prepare a cluster of schools in those areas. Students were trans-

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ported from the suburban or outer area of the city to the inner city in order to desegregate the schools.

Senator ERVIN. Well, what he did was he said in certain districts, under this judgment, the school board is required to divide children into two groups and are required to say to one group, "You can attend your neighborhood school" and then say to the other group, "You cannot attend your neighborhood school because the school board is going to have to bus you to other geographic zones."

Now, isn't that the effect of the decision?

Mr. CHAMBERS. I think that the Court was saying that the school board was obligated to desegregate all the schools in the system and the school board was given the option of using whatever alternative was available to accomplish that objective. The school board was not ordered to implement that plan only. The Court said that the school board could come up with another plan, but would have to come up with a plan that would eliminate all racially identifiable schools.

The school board opted to utilize the plan directed by the Court for the 1970–71 school year.

Senator ERVIN. But the effect of the carrying out of the plan is this: that thousands of children in Mecklenburg and Charlotte are denied under this decree the right to attend their neighborhood schools and thousands of others are given the right to attend their neighborhood schools, are they not?

Mr. CHAMBERS. I think, Senator Ervin, what you overlook is the decision of the Supreme Court in *Swann* which held that neighborhood schools were not constitutionally acceptable if they preserve segregation.

Senator ERVIN. Absolutely. I understood that. In other words, I could say that, as I construe this opinion, if it were ever established, discriminatory action on the part of the school board, and the Court ordered the school board to adopt a nondiscriminatory plan, and if it adopts a nondiscriminatory plan, children would be assigned to the neighborhood schools by nondiscriminatory attendance zones, the Court can nevertheless reject the attendance zones and if it does not use a form of desegregation satisfactory to the district zone, isn't that so?

Mr. CHAMBERS. I think that the Court says that the school board is obligated to adopt whatever plan is necessary in order to eliminate racially identifiable schools.

EQUAL PROTECTION CLAUSE

Senator ERVIN. But the method by which it is done in this case is that, under this Court decree, this Court decree requires that the Charlotte-Mecklenburg school board say to some of the children in the multitude of districts, "You can attend your neighborhood school," but the other children residing in this geographic zone cannot attend their neighborhood school.

And by doing that, it's treating a person similarly situated in an unlike manner and in my honest judgment, violating the equal protection clause because it prohibits a school board or any State agency from treating in a different manner people similarly situated.

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Mr. CHAMBERS. The point is, as the Supreme Court noted, that they were not similarly situated. The Court was not writing at that time from a clean slate.

Senator ERVIN. What the Supreme Court held in this case, there's no way of escaping. In other words, the order which was affirmed by the Supreme Court violated the equal protection clause. I don't care what the Supreme Court says.

I'm talking about intellectual integrity.

Mr. CHAMBERS. I'm sure that's the Senator's view, but my view is quite different.

Senator ERVIN. Well, my opinion is and there are plenty of cases to sustain it, that Judge Millecent's orders were confirmed by the Supreme Court and violated the equal protection clause in two ways. In the first respect, he took the children in a number of school districts and said, the school board, "Some of you cannot attend your neighborhood schools." "The school board cannot let some of the others attend the neighborhood schools."

So it violated the equal protection clause by treating in a different manner, similar children similarly situated.

Now, I said it violated it a second time. It said that the ones that were denied the right to attend their neighborhood schools: "You cannot attend your neighborbood school because the school board is going to have to bus you from your neighborhood into some other district over here or geographic zone in order to decrease the number of your race in your neighborhood school and in order to increase the number of your race in a school elsewhere."

No amount of legal sophistry can erase the fact that it is denying the children that are bused their right to attend their neighborhood schools on account of their race.

PREVIOUS BUSING HISTORY

Mr. CHAMBERS. Senator Ervin, I don't think that you can classify the black children in the inner city as being similarly situated as the white kids in the suburbs.

Additionally, in *Charlotte-Mecklenburg*, even prior to the order, some kids were being bused as much as 35 and 40 miles each day one way and how you classify that as a neighborhood is beyond me.

In addition, in many districts in the South, black kids are bused all the way across town and white kids are bused all the way across town in order to get to segregated schools. And to say that is similarly situated is beyond me.

Senator ERVIN. That would be a violation of the equal protection clause if you deny a child the right to go to his neighborhood school on account of having to bus him to keep, to get him to a segregated school elsewhere.

Mr. CHAMBERS. What happened in Charlotte, like in many districts of the South, is that the school board had deliberately put the school away from areas in order to preserve segregation. So the only way to integrate was to transport some students to other schools.

Senator ERVIN. In other words, the only way to enforce the equal protection clause was to require the school board to further violate the equal protection clause, isn't that right?

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Mr. CHAMBERS. I don't think that's consistent with what the Court directed in *Swann*. I think that the Court in *Swann* was saying that you have to disestablish what you have deliberately created.

Senator ERVIN. Well, what I say in the *Swann* case, of course, I don't want this discussion to go on too long, but in my mind, the *Swann* case laid down two things, the ultimate effect. It said that where a school board fails to perform its obligations under the equal protection clause to assign school children to schools on a nonracial basis, the Federal court, in rendering a desegregation decree can require the school board to engage more massively in violation of the equal protection clause by assigning children to schools on a racial basis.

Mr. CHAMBERS. I'm sure that that's your opinion of the decision, but, again, I think that when a school official has deliberately created a segregated school, that the school official has to take sufficient steps in order to disestablish it, and it may require, in some instances, transportation of students.

ASSIGNMENT BY RACE

Senator ERVIN. The way the Court enforces the equal protection clause in the *Swann* case because the Charlotte-Mecklenburg School Board had failed to perform its duties under the equal protection clause, to assign children to school on a nonracial basis, is by saying it should violate it further by having children assigned on a racial basis. Well, that's the effect of it and no amount of argument or sophistry can wipe out that fact.

Mr. CHAMBERS. I think the Court did say that the school board and the Court must consider race in order to desegregate schools. It's literally impossible to desegregate them otherwise.

Senator ERVIN. Oh, yes, that's what it says. In other words, it says there is a duty to ignore race in assigning schools, but when you don't ignore race in assigning children to schools, you can be required to consider race as a primary objective in assigning children to schools.

Mr. CHAMBERS. I wonder really how we can desegregate schools without considering race.

Senator ERVIN. That's what I never could understand. That's the reason I say that in the *Swann* case the Supreme Court, in effect, laid down the decision where a school board violates the equal protection clause by assigning children in schools on a nonracial basis. It can be required by the Court to further violate the equal protection clause by assigning them to schools on a racial basis.

Mr. CHAMBERS. I think the Court was saying——

Senator ERVIN. I agree that's the only way to get schools desegregated.

Mr. CHAMBERS. I think the Court said that in order to desegregate schools, it was necessary to consider race. They are segregated now because we have considered race and in order to desegregate them, we must consider race to determine if we have eliminated the racially identifiable schools.

That does not seem to be inconsistent with the Constitution. It's perfectly consistent with the Consitution.

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Senator ERVIN. Well, doesn't the Constitution require that children be assigned, that race be ignored in assigning children to schools?

Mr. CHAMBERS. The Constitution prohibits use of race in order to create segregated schools.

Senator ERVIN. It forbids the assignment of children to schools on the account of race.

Mr. CHAMBERS. In order to create a segregated school, yes.

CIVIL RIGHTS ACT OF 1964

Senator ERVIN. Oh, no. It just says—now, another interesting thing in this, to me, the Civil Rights Act of 1964 can only come into play under the 14th amendment in States which have violated the 14th amendment because otherwise, originally, under the law, the Federal Government had more power to act, or to make its action effective, unless there's been a violation of the equal protection clause. So, the Chief Justice wrote an opinion in which he said that this had no application, the Civil Rights Act of 1964—it had no application except where there had been no violation of the Constitution, didn't it?

In other words——

Mr. CHAMBERS. That's not the way I read the decision.

Senator ERVIN. In other words, to put it more simply, Chief Justice Burger said that the Civil Rights Act of 1964, the findings, what they meant by segregation and what was not meant by desegregation, I mean, and the prohibition on busing didn't apply to the only situations to which it related.

Mr. CHAMBERS. That's not the way I read the decision.

Senator ERVIN. Well, give me your interpretation of it.

Mr. CHAMBERS. The way I read the decision is that the Court was saying the Civil Rights Act of 1964 did not purport to give to the courts additional jurisdiction beyond that which they already had. I would think if the Court were to adopt more reading of the Civil Rights Act of 1964 that we would have possibly an effort by Congress to amend the Constitution without the appropriate procedure.

Senator ERVIN. I'll read from page 13 on the opinion.

The legislative history of Title IV indicates that Congress was concerned that the Act might be read as creating a right of action under the Fourteenth Amendment in the situation of so-called "de facto segregation," where racial imbalance exists in the schools but with no showing that this was brought about by discriminatory action of state authorities.

Then he said that this didn't apply to the Mecklenburg situation. Now, as a matter of fact, the only thing it could apply to, because the only power that Congress had was in the violation of the equal protection clause, and Chief Justice Burger said it didn't apply to the only thing to which it related. That's the effect of the whole thing.

GUIDELINES

Let's see if we can agree on this.

On page 2 of this opinion:

These cases present us with the problem of defining in more precise terms than heretofore the scope of the duty of school authorities and district courts in implementing Brown I and the mandate to eliminate dual systems and establish unitary systems at once.

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Then it proceeds to say further that the courts had therefore been acting without detailed or specific guidelines.

Then doesn't it say before he finishes the opinion, it's impossible to lay down any guidelines?

Mr. CHAMBERS. The Court indicates that it's impossible to establish one set of, one plan, for instance, that would apply to all school districts. I think that's true.

Senator ERVIN. On page 24 of the statement—the effect of the jurisdiction in the case is to lay down some guidelines—then he says on page 24:

> No fixed or even substantially fixed guidelines can be established as to how far a court can go, but it must be recognized that there are limits.

So, I take that to say that it's virtually impossible to lay down any substantial, fixed guidelines. He says there are some limits on how far a court can go, but he doesn't note them.

Mr. CHAMBERS. I think that the Court, in considering the fact that Charlotte-Mecklenburg is an area of 522 square miles, the distance traveled by the students there, the number of students who would be required to be transported, was setting a standard that should apply to any district in the South and should apply to any district of comparable size in the North. There are some problems that might be presented in areas like New York City or Chicago and I think we all must realize that.

Senator ERVIN. He says on page 5 that the conditions in the different localities may vary so widely that no one group can be laid down to govern all situations.

Mr. CHAMBERS. I think what many school districts were asking for was for the Court to set a plan saying that we cannot transport students, for instance, more than 7 or 9 or 10 miles or that we can't pair districts and schools further apart than 5 or 6 miles. It's impossible to set that type of standard that can apply nationwide, but so far as approving and transporting students in order to desegregate or approving pairing of noncontiguous zones, this is constitutionally acceptable and the Court accepted in in *Swann*.

Senator ERVIN. Now, what I'm really getting at is that in the last analysis, doesn't the Chief Justice say, in effect that it's impossible to lay down any fixed or substantially fixed constitutional guidelines to control a district, the assignment of school desegregations, but as a consequence, the district judge can do virtually anything he deems necessary to result in a mixed racial composition of student bodies in the schools in a proportion satisfactory to the district zones.

Mr. CHAMBERS. Doesn't the Court in the Mobile case, as the Fourth Circuit quoted, say that the courts should do everything that's necessary to achieve the greatest possible desegregation, keeping in mind the practicalities of the situation. And that's a definitive standard.

Senator ERVIN. And that is up to the district.

Mr. CHAMBERS. I think that is up to the appellate courts as well.

LIMITATION ON BUSING

Senator ERVIN. There's nothing in this decision, though, the only indication I see of any limit on the power of the district judge in this decision, is that it is conceivable that children should not be bused too great distances.

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Mr. CHAMBERS. The court said that transportation might be limited by the age of the child in the district.

Senator ERVIN. That's the only limitation I see, so, as I see this decision, the district judge can require the—there's no constitutional guidelines to determine exactly what the district judge should do—that the district judge can take such action as will produce a racial composition in the schools in a proportion pleasing to himself.

Mr. CHAMBERS. I don't read it that way.

Senator ERVIN. Is there anything that indicates how many black children or what percentage of black children or how substantial it must be?

Mr. CHAMBERS. I think that the Court is holding that we must eliminate racially identifiable schools. I think the standard of the ratio and percentage of black and white students in the school is accepted as a beginning. I don't think the Court is saying that if it's impossible to accomplish this objective in each school, then it's permissible to vary from it. That is not a constitutional requirement that there be a fixed percentage of black and white students in each school, but the Court has used the ratio as a beginning in order to mix students, to eliminate racially identifiable schools.

Senator ERVIN. It says the judge has the right to take whatever steps he sees fit, by busing, by tearing down the schools, by redrawing school boundaries, that will produce the very maximum amount of racial mixes in the schools.

Mr. CHAMBERS. Keeping in mind the practicalities of the situation.

Senator ERVIN. It leaves the possibilities to whim.

STANDARD FOR LOWER COURTS

Mr. CHAMBERS. I think that the district courts, particularly in the South, have had enough experience in litigation with segregation cases to determine what is practical and what is impractical, and I think the standard is perfectly clear to the district courts and to school officials.

Senator ERVIN. But they're not able to put them down anywhere that you and I can read them out of a law book. It leaves it in the district judge's head instead of putting it in law books.

Mr. CHAMBERS. I think that this standard is perfectly clear and is sufficient. If the Court were to set a fixed rule, many people opposed to segregation would seize upon that in order to limit the amount of integration that would normally take place.

Senator ERVIN. So the Court doesn't lay down any fixed rules. It leaves it at the discretion of the district court, subject to review, of course. But the trial judge has nothing to go on in whether or not he considers it reasonable.

Mr. CHAMBERS. I think the trial courts have sufficient standards to follow. School officials in North Carolina haven't had any problem.

Senator ERVIN. I think they've had many problems.

Mr. CHAMBERS. I think the school board in Charlotte knows what standards to follow and I think the school boards in most of the places in North Carolina know what standards to follow.

Senator ERVIN. Well, I've read all of Judge McMillan's decisions and I read the decisions in the circuit court and I read the *Swann*

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case and I have no idea what the standards are except that it is at the discretion of the district judge to do just about what he pleases.

Mr. CHAMBERS. That is some opinion, isn't it?

NATIONAL POLICY OF ENFORCEMENT

Senator MONDALE. Just a few questions before we go to the next witness.

I believe that in Denver, Los Angeles, and San Francisco, school districts all out of the South, the Federal judges have found the existence of discrimination, have issued orders requiring remedies, indicating that the 14th amendment's proscriptions against school discrimination apply nationally.

Do you think that's a good interpretation?

Mr. CHAMBERS. Yes, but I would add to that listing New Rochelle.

Senator MONDALE. So there have been several examples. What's been missing, in my opinion, is any national policy of law enforcement. We have tried repeatedly to convince the administration to pursue a national policy of law enforcement, but it is my opinion that the Justice Department wishes to pursue a policy of non-law enforcement.

Do you believe that's a fair characterization of the Justice Department's policies?

Mr. CHAMBERS. I think that is quite true. Most of the school desegregation litigation in the South has been brought by private litigants financed principally by the NAACP Legal Defense Fund. Had it not been for the Legal Defense Fund, we would have had very little desegregation of schools, and there was a period from about 1967 to 1968 where Justice did take a more active role in bringing proceedings to desegregate schools. After that period, any interest of Justice, and at HEW, in insuring that schools were desegregated declined tremendously. There is very little funds for private litigation. There was a concentrated effort to try to obtain desegregated schools in the South, and the funds were just not available to bring proceedings in the North, to carry on the same kind of litigation. Justice did not seem to take an interest in bringing proceedings in the North to desegregate schools. I think that accounts for the sparsity of cases now in the North.

Senator MONDALE. And the Legal Defense Fund, having only limited funds, has been required to limit its efforts primarily to the South.

Mr. CHAMBERS. That's right.

MULTIDISTRICT REMEDIES

Senator MONDALE. You mention on the last page of your testimony that you thought the courts had jurisdiction to issue orders with multidistrict remedies to go beyond the outlines of a single school district.

Do you know any court orders that have done that where they haven't first found out if the school lines were drawn discriminately?

Mr. CHAMBERS. There's a proceeding in Richmond, *Bradley* v. *School Board of Richmond*, now having an order enjoining adja-

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cent areas and the Court has scheduled a hearing, I think, for August to determine whether to add these areas to the school districts. I understand that this was considered in Detroit. I don't think any motion to that effect has been filed yet. There are several areas now being considered, but the one in Richmond is the only one I'm familiar with to date that has ordered adjacent districts to be added to the attendance area.

Senator MONDALE. It's still a pending case?

Mr. CHAMBERS. Still a pending case.

Senator MONDALE. Let's see. During the course of trying the Charlotte case, I believe you decided to change law offices, isn't that correct? Would you describe that?

Mr. CHAMBERS. We had to change law offices. Our offices were burned down and we had to relocate in a hotel. We're presently operating out of a hotel.

Senator MONDALE. I believe we will now turn to Dr. Charles Hamilton——

Senator ERVIN. Just one observation on that. The Department of Justice in this particular case—did you know Judge Harding? He used to be a district judge in Charlotte?

Mr. CHAMBERS. Yes.

Senator ERVIN. Well, I read the brief of the Department of Justice in this case and Judge Harding said that one time he tried a very hotly contested murder case and he noticed about the middle of the charge, Mrs. Harding walked out of the courtroom and when he got out of court that afternoon, Mrs. Harding told him: "Well, I never was so ashamed of you before in my life. There was Mr. so-and-so, the defendant's lawyer, he got up and made a speech to the jury for an hour and a half and you could tell from the time he first opened his mouth—you could tell what he thought of this case.

"And that was the solicitor. He followed the lawyer for the defendant and he made a speech and he hadn't proceeded more than 5 minutes and you could tell exactly what he thought about this case, and then you started charging and you talked for about 45 minutes and I got up and walked out. You never said a single thing to indicate what you thought about it." And I read the brief of the Justice Department and I didn't think he was on either side. He used a lot of words, but you couldn't see what he intended to say, if anything.

I'd like to bring into the record a copy of the brief* I filed in that case.

Senator MONDALE. Without objection, that will be included in the record.

We might check with Mr. Bickel, but I think we might place his testimoney in the record. Let's check with him first.

(The prepared statement of Alexander M. Bickel, professor of law, Yale University, follows:)

*See Appendix 1, p. 5443.

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PREPARED STATEMENT OF ALEXANDER M. BICKEL, PROFESSOR OF LAW, YALE UNIVERSITY

I appear at the invitation of the Committee, and I represent neither the institutions I am affiliated with, nor any other group or organization. I am aware that the Committee follows the understandable practice of attempting to balance its proceedings by having both the majority and the minority call witnesses of their respective choice. I am not entirely certain I can tell which is the majority and which the minority. But when I finish testifying, neither may wish to claim me. At any rate, I greatly appreciate, of course, the Committee's invitation and the opportunity to try to assist in its endeavors.

When I was last before this Committee, in September 1970, I said that as the law then stood it was clear that *Brown* v. *Board of Education* was not applicable to "separation without legal compulsion," so-called *de facto* segregation. Certain rules of the administration or implementation of *Brown*, in the area of its application, were also clear, I added. Thus "freedom-of-choice plans superimposed on an essentially dual system, and producing no more than a minor black presence in previously all-white schools," did not constitute compliance. Nor did residential zoning constitute compliance, "to the extent that it uses schools originally located so as to implement a policy of segregation, particularly if they are sub-standard schools; or if pupils are allowed to transfer out of schools into which they have been zoned, but in which they are in a racial minority."

So much was clear, I said last September, but much was still unclear. It had not been authoritatively decided, for example—lower-court cases pointed in more than one direction—whether it was necessary to aim for the dispersal of children of different races throughout a school system in order to achieve the objective of desegregation; whether, on the other hand, it was permissible to allow all-white or nearly all-white, or all-black or nearly all-black, schools to continue to exist; and whether it was necessary to alter school-district and school-zone lines which were now racially neutral, in order to achieve a greater degree of racial dispersal of the school population in a given system.

Now, following decision in the Supreme Court in April of the *Charlotte-Mecklenburg* and *Mobile* cases, and of *North Carolina Board of Education* v. *Swann* and *McDaniel* v. *Barresi*, the law is clearer.

The Court continues to draw a distinction between *de jure* segregation and *de facto* separation in the schools. Indeed, Chief Justice Burger, writing for the unanimous Court in the *Charlotte-Mecklenburg* case, emphasized that it and its companion cases "arose in states having a long history of maintaining two sets of schools in a single school system deliberately operated to carry out a governmental policy to separate pupils in schools solely on the basis of race." Hence it is arguable that the remedy now prescribed in the *Charlotte-Mecklenburg* case and in its companion cases is not necessarily to be applied where one or another discrete instance of *de jure* segregation is discovered in a school system which is otherwise not "deliberately operated to carry out a governmental policy to separate pupils in schools solely on the basis of race."

In any event, the *de jure* distinction remains unchanged, if reaffirmed and perhaps clarified. What is new, and newly formulated as the authoritative law of the Constitution, is the objective to be attained in disestablishing dual school systems. That objective, defined by the Court in exactly the same language in both the *Charlotte-Mecklenburg* and *Mobile* cases, is this: School boards and district judges must "make every effort to achieve the greatest possible degree of actual desegregation." And by actual desegregation, it is perfectly plain in context, the Court means dispersal of the school population through any given system, so that both races may be found together in the typical classroom. That is the objective. It is now the law of the Constitution. The operative phrase, I repeat, is "greatest possible degree of actual desegregation."

Of course, it is up to district judges and presumably also to school boards to estimate the possible, and to practice its art, "taking into account," as the Court remarked in the *Mobile* case, "the practicalities of the situation" facing each of them. But there can be no question any longer about what they must try to achieve.

In more concrete terms, the decisions do not mean that a racial quota must be imposed for each school in a system to reflect the proportion of the races in the general population which the system serves. But the use of quotas as "a starting point in the process of shaping a remedy, rather than an inflexible

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requirement" was approved. Affirmatively, in addition to ensuring that schools are "of like quality, facilities, and staffs," that they are located, constructed, and where appropriate abandoned, so as to promote integration, and that facilities are integrated—in addition to all this, formerly dual school systems must also pair schools, gerrymander school zone lines, create non-contiguous zones, bus children, and otherwise take measures designed to achieve maximum integration.

There are, the Court said, some limits. But it did not indicate many. It is possible, the Court noted, that after "every effort to achieve the greatest possible degree of actual desegregation" has been made, a district will be left with "some small number of one-race, or virtually one-race, schools." But there is a presumption against such schools, and a district that retains any has the burden of showing that it was constrained to do so; and must in any event provide an optional majority-to-minority transfer opportunity, with free transportation. In Mobile, which is divided by a major north-south highway, the Court rejected as inadequate a plan, approved by the Court of Appeals, that retained nine nearly all-black elementary schools in the eastern section of the city. Bus transportation and split zoning should have been employed, the Court held.

Bus transportation, the court also noted, might be foregone if the time or distance of travel is "so great as to risk either the health of the children or significantly impinge on the educational process." But in Charlotte-Mecklenburg, under the District Court's plan, black students from grades one through four are transported to outlying white schools, and white students from the fifth and sixth grades are transported from the outlying white schools to the inner city black schools. Children travel an average of about seven miles for as long as thirty-five minutes. The Supreme Court approved the plan, and vacated a modifying order of the Court of Appeals. The Court of Appeals had feared that the amount of transportation required by the District Court would place an unreasonable burden on elementary school pupils.

I do not say that there is nothing left to litigate. Conceivably the burden of proof concerning the necessity of retaining an all-black school might be met by a showing that any attempt to cluster, pair, or rezone a school would only lead to resegregation in short order. And yet the Court at the end of its opinion in the *Charlotte-Mecklenburg* case voiced the assumption that few communities are likely to remain demographically stable. Nonetheless, "awkwardness and inconvenience" could not be avoided, the Court said, in making the required "remedial adjustments . . . to eliminate the dual school systems." Twice the Court spoke of the devices it was prescribing, such as clustering, pairing, and busing, as "interim" corrective measures, to be taken for an "interim" period. Demographic instability "in a growing, mobile society," the Court seems to me almost explicitly to have suggested, might well undo what these devices would temporarily achieve. And there was no constitutional duty, the Court added, "to make year-by-year adjustmnts of the racial composition of student bodies once the affirmative duty to desegregate has been accomplished." Arguably it follows that the possibility or even the probability of resegregation cannot excuse failure to integrate a school now. For in the same breath in which it imposes the requirement of using devices to achieve integration now, the Court recognizes the possibility of demographic changes which will lead to resegregation. Even if resegregation is shown to be likely to happen, therefore, devices aimed at attaining integration must now be employed. So at least, it seems to me, one can read the Court's opinion.

In both the *Charlotte-Mecklenburg* and *Mobile* cases, the Court dealt with sizeable consolidated school districts. It ordered integration within each. It may be contended that the requirements imposed by the Court within a given school district would not be imposed across district lines. The obligation to achieve "the greatest possible degree of actual desegregation," the argument would go, rests only on school authorities in each district, but not on the state, or on a group of districts in and around a metropolitan area collectively. And yet it is most difficult to see why the duty "to achieve the greatest possible degree of actual desegregation" should stop at a district line, any more than it is stopped at a zone line. School districts are creatures of the state, severally and collectively, and the states, it has been held, as well as districts within them, have the duty to disestablish dual schools.

Not that I would have wished the Court to renege on progress that has been made in the South, and not that I have any doubt of the rightness of *Brown*

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v. *Board of Education* in holding dual school systems unconstitutional, but I do regret the decisions in the *Charlotte-Mecklenburg* and *Mobile* cases. I agree with the Court that few communities are likely to remain demographically stable, and I think the measures the Court prescribes will too often truly prove to be "interim" measures. I think resegregation is a phenomenon of frequent and real incidence, both north and south, although I do not suggest that it necessarily occurs everywhere. Where it does, however, will we be able to look back and say that the investment of moral, political and material resources in the effort now required by the Court, inevitably to the exclusion, for the time being, of alternate attempts to improve the educational process—will we be able to look back and say that this investment was worth while?

A report on schools of high black concentration in the *New York Times* of May 16, 1971 tells of a school in Detroit in which "blackness permeates the classrooms, the halls, the books, the reading lists, the entire life of the school. In a sense black pride is taught as thoroughly as mathematics or music. . . ." And the educational results seem promising. On the other hand, the report goes on, "a visitor in Charlotte-Mecklenburg . . . sees few of symbols of Northern black city schools." A black educator in Charlotte is quoted as saying that perhaps "if we had maintained some all-black schools, there might have been more blackness integrated into regular textbook learning." Willy-nilly, the Supreme Court imposes a choice of educational policy, for the time being at least, when it orders maximum integration, and I don't think we can be sure that the choice is the right one, or everywhere the right one. Wily-nilly, the Court opts against decentralized and diversified schools, that can be more responsive to the needs of cohesive groups of parents and students, that can alleviate the frustrations and sense of powerlessness of such groups, and that can thus, hopefully, improve education because the parents will demand it, and are the first to know whether or not they are getting it. Decentralization is no panacea. Nothing is. But do we know enough to prevent its being tried?

Moreover, there are places where the effort required to implement the Court's decisions will be very great indeed, greater than in Charlotte or even in Mobile. Nearly half of the black population in the country is concentrated in fifty cities, and a third of the total in fifteen. This is not a northern pattern. It is nationwide. The fifty cities include such places of great black concentration as Baltimore, Houston, New Orleans, Atlanta, St. Louis, Memphis, Dallas, Birmingham, Jacksonville, Kansas City, Missouri and Richmond. And of course Washington, D.C.

However, whether I for one welcome or regret these decisions is of no moment. There they are, and with one or another qualification that future litigation may uncover, if the parties concerned press them, the effort to implement them will have to be made. That is the rule of law, and I believe in it, and I think the country believes in it. And so the real question is, what next?

I do not think that the enforcement of a requirement of racial dispersal of school populations in one region of the country but not in other regions is a tenable position for our legal order to assume permanently, and I do not believe the Court means to assume it. I take the Court at its word when it says these are interim measures, not to be imposed in future on a year-to-year basis. I take the Court at its word when it implies that fairly soon it proposes, so to speak, to declare victory in the effort to disestablish dual school systems, and that subsequently, "in the absence of a showing that either the school authorities or some other agency of the state has deliberately attempted to fix or alter demographic patterns to affect the racial composition of the schools, further intervention by a district court should not be necessary."

At that point, I should surmise the rural and the relatively small-city South will have more genuine and stable school integration than any other part of the country. For this, if it is stable and works out to the satisfaction of the black community, the rural and small-city South is not to be commiserated with, but congratulated and envied. It is an achievement to be celebrated, and constitutes the good fortune of that portion of the South. But the South like the rest of the country is increasingly urban and suburban, and the urban South, I venture to surmise, will end up looking very much like the urban North.

All over the nation, in the South as elsewhere, the public schools will be beset, as they are now, by two major problems. They do not educate as well as we would like to see them do, and more particularly, the results they achieve with their black and poor children are below the levels common in the higher socio-

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economic classes. That is one problem. Another is that black and poor children are often concentrated—some say isolated—in certain schools. Neither of these problems is susceptible of resolution, in my judgment, by a categorical national policy. As to the first, because the state of the art is such that we do not know any single answer which we think will be effective everywhere, and which we ought to be willing to impose nationally. As to the second, because we are not certain of its interrelationship with the first, and because the achievement of integration carries not only material costs, but costs in terms of the loss of other values, not least among them the value of the family-related school, and the cognate value that many blacks perceive in the community-controlled school capable of inducing group identity and responding to group needs. But though in my opinion there cannot be a categorical national policy, there has to be movement, and the federal government has a crucial role to play in producing movement.

Congress, I suggest, should pass a National Educational Reform Act. The objectives of such a statute would be, (1) to improve, and to equalize the results of, the primary and secondary educational process in the United States; (2) to encourage, but not require, the elimination of racial isolation in the schools; and (3) to eliminate educational ill-effects of racial concentration in schools in communities in which it persists, or which opt for its retention.

Such a statute, I believe, should include a provision establishing and supporting with public funds a national majority-to-minority transfer right, along the lines of Section 3(a) of S. 4167 (91st Congress, Second Session) (the Preyer-Spong Bill); an equalization of resources provision, along the lines of Section 4 of S. 4167; and a provision giving a statutory basis for both a public and a private (with right to attorney's fees) cause of action in cases of *de jure* segregation, along the lines of Section 7 of S. 4167.

More importantly, such a statute should borrow something of the scheme, though not the sole objective, of S. 4545 (91st Congress, Second Session) (the Ribicoff Urban Education Bill). It should address the states, and in the case of the District of Columbia, Virginia, Maryland and the District as a unit, and require them within the space of no more than two years to present a plan or plans aimed at meeting one or more of the objectives of the Act. No school district in a state would be deemed perfect, free of the need for improvement, or of concern for the problems of neighboring districts. Federal financial assistance would, however, vary not only in accordance with the population of a state, but in accordance also with the number of disadvantaged families. Plans would be reviewable annually as provided in the Ribicoff Bill, and would be geared to achieve their objectives in a maximum of ten years. Acceptable plans would include one or more of such features as:

Redrawing school boundaries, creating unified school districts, pairing and clustering schools, establishing educational parks and magnate schools;

Drawing children from the core city into outlying, suburban schools;

Providing professional and paraprofessional staff for guidance, counseling and special services to minority group children in new environments to which they may be assigned or may have transferred;

Expanding or altering facilities to accommodate students transferred to new schools;

Public education efforts and other community activities in support of new plans, programs or projects;

Work study programs for junior high school and high school children in need of financial assistance to complete their education;

Developing and implementing interracial education programs and projects involving the joint participation of minority group and nonminority group children attending different schools, public or private, including extracurricular activities and cooperative exchanges or other arrangements between schools within the same or different school districts;

Remedial and other services to meet the special needs of underachieving children, including development and employment of new instructional techniques and materials;

Decentralization and diversification of clusters of public schools under community control, provided, however, that the principle of voluntarism is scrupulously observed, so that communities are self-defining, and families that do not wish to form part are supported in transferring their children out;

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Educational voucher projects, such as the pilot project developed at Harvard with OEO support.

Failure to produce a plan or to develop it annually in approved fashion would result in federal fund cut-offs, as provided in the Ribicoff Bill.

Once plans have been produced and approved, new federal funds should be regularly appropriated for their implementation as they mature. Such funds should be made available not only to states and school boards, but also to new agencies that states may create, such as educational voucher agencies, and to private profit and non-profit organizations, including private schools, proposing projects that are aimed at achieving the objectives of the Act, whether or not these projects are approved by state educational authorities. (I have in mind here, among other things, the encouragement of various private ventures such as have cropped up in the black communities in New York and Boston, for example, as well as other forms of private enterprise.) However, nothing in the Act should interfere with the authority of the states to regulate private schooling by imposing general curricular requirements, as well as general quality controls.

I understand the Committee is interested also in the bearing on equal educational opportunity of *James* v. *Valtierra*, decided on April 26, 1971. The case, it will be recalled, held that it was not unconstitutional for California to condition acceptance by any community of a low-rent housing project under the Federal Housing Act upon a referendum in that community approving the project. The argument for the contrary result proceeded from *Hunter* v. *Erickson*, 393 U.S. 385 (1969), which struck down as discriminatory a law requiring a referendum for the approval of ordinances removing restrictions on real estate transactions based on race, color, religion, or national origin. I think the Court was quite correct in saying that to strike down the California referendum law in *James* v. *Valtierra* would have required an extension of the *Hunter* case, and I think the Court was quite right in declining to extend it. Traveling further along the road of *Hunter* would, I believe, lead to absurd results, as the Court indicated. The essential point, however, about *James* v. *Valtierra* is that it is the Federal Housing Act which requires the express permission of local governments before the federal government may engage in slum clearance projects or build low-rent housing. Local permission is a condition that the federal housing law imposes upon its own operation. *James* v. *Valtierra* dealt only with the procedures by which a community or a state may decide to give or not give the permission required by the federal statute.

If the practical result is deemed wrong, if Congress believes that socio-economic, and consequently racial, integration of housing is a national necessity (as, for example, because only housing integration can fully ensure stable socio-economic and racial integration of schools), then all Congress has to do is provide by law for the building of integrated housing. I think there is constitutional power to dispense with local approval. If, in other words, the practical result of *James* v. *Valtierra* is deemed bad, on its own merits, or on its own merits and because of its bearing on the problem of racial isolation in the public schools, then the blame is not properly placed on the Court, but rather on the Federal Housing Act, under which *James* v. *Valtierra* arose.

For myself, I am not at all sure, as a general principle, that a concerted drive for socio-economic integration in housing is a desirable policy. On the other hand, I am clear that communities which harbor, and benefit from industry or public facilities of various sorts, and to that extent give up their "bedroom" or rural character, ought not to be allowed to exclude from their borders housing that would provide convenient shelter for the work forces of such industries or facilities. Hence I would favor such a measure as Senator Ribicoff's Government Facilities Location Act, which is S. 4546 (91st Congress, Second Session).

Senator MONDALE. Dr. Hamilton, if you will proceed.

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STATEMENT OF DR. CHARLES HAMILTON, DEPARTMENT OF POLITICAL SCIENCES, COLUMBIA UNIVERSITY, NEW YORK, N.Y.

Mr. HAMILTON. Thank you, sir. I have about a 2-minute statement which I wish to read.

A considerable difficulty in articulating a position opposed to a busing policy is that one, such as myself, might be misunderstood as giving aid and comfort to those who want to turn the clock back to a pre-1954 period. But this is my position, nonetheless.

One must distinguish—as I suspect the Supreme Court has not done—between a pre-1954 condition and mentality and a post-1965 condition and mentality. In the Swann case, the Court is concerned about "a system with a history of segregation." The Court says "* * * all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation."

Once de jure segregation is ended—which is a necessity—it is necessary to deal with the problems, educational problems, caused by that condition. When social science studies show that black students "do better" in integrated schools, such studies are basing their comparison on schools where the blacks were the deliberate recipients of inferior education. This has to be the case. Such was the intended consequence of de jure segregation.

But it is not sufficient to say that one must always expect this and that an all or predominantly black school cannot be a quality school. If a school system simply will not provide funds and resources to black schools, then the problem is far more serious than mere busing will remedy.

GOAL—QUALITY EDUCATION

In another instance, the Court talks of remedy. A pre-1954 remedy was to end de jure segregation. But now, we must think of the term remedy in the context of developing quality education. Busing, as a device to effect a remedy for a pre-1954 condition is substantially irrelevant.

I submit we should be concerned essentially with quality education, and not with the superficial bringing together of black and white students. The results we apparently want—a viable pluralistic society—are probably better achieved in the long run through other developments in the society.

And I add here parenthetically that I live in New Rochelle and my daughter is a sixth-grade student at an integrated school and has very serious problems that we can get into.

Finally, one can easily imagine that the impact of the Swann and Valtierra decisions is that whites, fearing busing, will move to areas where they will be able to vote down the influx of low-income inhabitants by vetoing low-rent housing projects.

And the multiracial community the Court envisioned by its Swann decision will be substantially out of reach.

Senator MONDALE. My goodness. A short statement.

Mr. HAMILTON. When one has less to say, one should say less.

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Senator MONDALE. Would you counsel against any further activities by the Justice Department or by the legal defense fund or others to prohibit discrimination in the assignment of students in school?

Mr. HAMILTON. No, I would not. I think that one must constantly take action against racial discrimination, yes.

Senator MONDALE. In the schools?

Mr. HAMILTON. Yes.

Senator MONDALE. You're for that.

Now, would you not say, upon examination, much of the so-called de facto segregation would disclose a discriminatory official act?

Mr. HAMILTON. I would say yes.

Senator MONDALE. That in many of these so-called de facto cases, if they were really looked at, you'd find an official public policy or policies which have contributed to the separation of the races?

Mr. HAMILTON. There's no question of that.

Senator MONDALE. And would you wish to see a national enforcement policy that sought to eliminate such official acts?

Mr. HAMILTON. Yes, I would. Not substantially under the schools, I would suspect.

Senator MONDALE. Now, your question, your statement is basically that you think that busing is artificial, an artificial remedy which will not accomplish anything.

Is that correct?

Mr. HAMILTON. Yes.

Senator ERVIN. There's too much emphasis, I think, laid upon the integration of the bodies of the students, rather than their minds.

Mr. HAMILTON. I would agree with that. I think that the physical bringing together of black and white students has been primary in our thinking as a result of the pre-1954 mentality. I think that those who do not focus on something else are failing to adapt to the times.

Senator ERVIN. The real objective of a school system is to educate, is it not?

Mr. HAMILTON. I would assume.

Senator ERVIN. And certainly this Government needs an educated constituency since the powers of the Government ultimately rest in the people.

Now, it's going to be very difficult to eliminate de facto segregation, is it not, unless the Government undertakes to tell people where to reside and see that they reside in those communities in certain racial proportions?

Mr. HAMILTON. I don't think that Government has to tell people. I think that what we should be moving toward is the forceful implementation of policies that overcome restrictive measures where people cannot move precisely because of the existence of certain kinds of conditions or policies.

Senator ERVIN. Well, the Government's going to have to take charge of residential patterns in the United States in order to present the de facto segregation.

Mr. HAMILTON. There's no question about that against zoning for instance, yes.

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Senator ERVIN. And we would wind up with not much of a free society, not if the Government is going to have to tell people where they have to live.

Mr. HAMILTON. Well certainly it will not be, as it has not been, an absolutely free society. That's clear.

Senator ERVIN. It would be less free of the Government tells people where to live wouldn't it?

Mr. HAMILTON. Yes, but perhaps more viable. I see the point you're making and I am—I don't see a way around that.

Senator ERVIN. That's all; thank you.

I want to join the Chairman in commending the length of your statement. It's something we seldom see here.

Senator MONDALE. We never see it.

Dr. Owen Fiss, associate professor of law.

STATEMENT OF PROF. OWEN FISS, UNIVERSITY OF CHICAGO LAW SCHOOL, CHICAGO, ILL.

Mr. FISS. Unfortunately, my statement is somewhat longer than 2 minutes and therefore I would like to have the prepared statement inserted into the record, and to save you the trouble of listening to me read it, I'll summarize it.

Senator MONDALE. We will place the full statement in the record, and you may emphasize those parts which you wish.

(The prepared statement of Mr. Fiss follows.)

PREPARED STATEMENT OF OWEN M. FISS, ASSOCIATE PROFESSOR OF LAW, THE UNIVERSITY OF CHICAGO LAW SCHOOL

THE CHARLOTTE-MECKLENBURG CASE—ITS SIGNIFICANCE FOR NORTHERN SCHOOL DESEGREGATION

Brown v. *Board of Education* stands for the proposition that the Equal Protection Clause prohibits a school board from operating a "dual school system," and that a school board operating a "dual school system" has an obligation to convert it into a "unitary nonracial school system." Under a dual school system, students are assigned to schools on the basis of their race so as to segregate them. That is clearly prohibited. But what is a permissible basis for assigning students to schools under a "unitary nonracial school system"? This seems to be the central riddle of the law of school desegregation.

There is one easy answer to this question: Under a "unitary nonracial school system" students may be assigned to schools on the basis of any criterion other than race. But there is an understandable reluctance to accept this easy answer. This stems from two factors. The first is that, even if race is not the basis of assigning students to schools but instead some seemingly innocent criterion is used, the same segregated patterns of student attendance might result—whites in one set of schools and blacks in another. You do not have to use race in order to get segregation. For example, in the context of racially segregated residential patterns, which is commonplace in any major city, North or South, assigning students to the school closest to their residence will result in segregated patterns of student attendance. Secondly, there are reasons to be concerned with the result—the segregated pattern of student attendance—even assuming that race is not the basis of assignment. One reason for concern is the risk of evasion—the chance that the board would be getting away with something. The result of using any criterion is foreseeable, and there is a fear that, if the school is allowed to use any criterion other than race, the school board might be able to accomplish the same thing as it did under the dual school system, namely,

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have whites assigned to one school and blacks to another. Moreover, the segregated student attendance pattern alone—without regard to the basis for assignment—might be perceived as giving rise to an inequality. It might stigmatize the minority group, the blacks; deprive them of educationally significant contacts with the socially and economically dominant group, the whites; or result in the schools that blacks attend receiving a lesser share of the community's resources simply because they are attended only by members of the minority group.*

A rule that merely forbade the use of the racial criterion for student assginments and permitted the use of any other criterion would contain little promise for challenging the school segregation of the North. For the assumption must be that, by and large, students are assigned on the basis of a seemingly innocent criterion—geographic proximity—rather than race. Instead, what is necessary is an approach that focuses on the result—the mere fact of segregated patterns of student attendance. Such an approach has been adopted by a few courts, but, generally speaking, the courts have shied away from it. This may stem from the uncertainty surrounding the central empirical proposition of this approach, namely, that a segregated pattern of student attendance will itself make the education afforded blacks inferior. Or it might reflect an awareness of the costs involved in any remedial program designed to break up the segregated patterns, as opposed to a remedial order that merely prohibited the use of the forbidden criterion—race—leaving the school board free to assign on the basis of any other criterion, such as geographic proximity. The remedial program will invariably divert financial resources to cover increased transportation expenditures and frustrate the intense associational desires of large parts of the community that are reflected and accommodated in the segregated residential patterns. If a segregated attendance pattern is to be disestablished—not just by sending blacks to white schools but also by sending whites to black schools—and these costs of the remedial program incurred, then the court is likely to feel a need to justify its action in terms that have a moral quality. The order must be a moral imperative. An explanation couched in terms of the wrongness of sorting individuals on the basis of their race—the classic understanding of the concept of racial discrimination—certainly has that flavor. Arguably, an answer primarily cast in terms of the alleged inferiority of racially homogeneous schools does not.

For these reasons, the Supreme Court has not explicitly adopted an approach to school desegregation that focuses exclusively on the result—the segregated patterns of student attendance. Yet it has been moving in that direction. The Court has rejected the easy answer—the view that a "unitary nonracial school system" is one in which the students are assigned to schools on the basis of any criterion other than race. This clearly occurred in 1968 in *Green* v. *New Kent County*. There the criterion for student assignment was individual choice. All students, black and white, were given a choice of schools, and each student was assigned to a school on the basis of his choice. The result was one in which some blacks attended the formerly all-white schools, most blacks remained in the black schools, and no whites attended the black schools. The all-white schools became integrated, but the black schools remained all-black. The Court declared that in the school system before it freedom of choice had not "worked"—had failed to produce a "unitary nonracial school system." The Court did not say that a student assignment plan would be deemed to have "worked" only when it produced an integrated pattern of student attendance, when it eliminated, to the extent possible, the all-black schools. But the importance of *Green* lay in the fact that the Court indicated that it was not prepared to assume that a school board fulfilled its duty to convert to a unitary system by substiuting for a racial criterion one that was innocent on its face. In 1968 this was a considerable achievement, and the necessary condition forever coming to terms with the student segregation of the North.

During his first term on the Court, there was some question, at least in my mind, as to whether the new Chief Justice was prepared to accept

*I am taking the liberty of attaching as an appendix to this statement an early article of mine, surveying these issues at more length: *Racial Imbalance in the Public Schools: the Constitutional Concepts*, 78 Harv. L. Rev. 564 (1965).

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this legacy of the Warren Court. Chief Justice Burger at that time wrote: "The suggestion that the Court has not defined a unitary school system is not supportable. In *Alexander* v. *Holmes County Board of Education*, 396 U.S. 19 (1969), we stated, albeit perhaps too cryptically, that a unitary system was one 'within which no person is to be effectively excluded from any school because of race or color.' "*

In my judgment, that view represents a step back from *Green*. For there was no suggestion in *Green* that, under the freedom-of-choice method of student assignment invalidated there, any student had been *excluded*—effectively or otherwise—from any school because of his race or color. *Green* v. *New Kent County* was decided on the assumption that a student, black or white, went to whatever school he chose, and his choice was a free one. But in the *Charlotte-Mecklenburg* case the new Chief Justice did not pursue his conception of a unitary nonracial school system, or he found himself without the support of the majority of the Court. The Court reaffirms the position it took in *Green* v. *New Kent County*, and hence, at the very least, *Charlotte-Mecklenburg* should be greeted with a sigh of relief.

Charlotte-Mecklenburg not only left the past achievement of *Green* intact but took several additional steps. First, the seemingly innocent criterion held inadequate in *Charlotte-Mecklenburg* was not the freedom-of-choice criterion of *Green*, but instead a more commonplace one—assigning a student to the school closest to his home. This holding was not premised on a finding of 'gerrymandering" in the *Gomillion* v. *Lightfoot* sense, where the limits of attendance zones are explicitly stated in geographic terms, but in reality race was the criterion or basis for assignment. The assumption of *Charlotte-Mecklenburg* is that geographic proximity, not race, was in reality the basis for student assignment but that the use of such a criterion—despite its seeming innocence—did not satisfy the board's duty to convert to a "unitary nonracial school system."

Why was the use of a geographic criterion deemed impermissible? The Court did not answer this question by merely pointing to the segregated pattern of student attendance. The existence of this segregation is an important starting point for the Court's analysis, but the Court added another ingredient. The Court sought to show that the school board was in some sense responsible for the segregation, that the school segregation was "state-imposed." And, in the case before it, the Court predicated this responsibility on the school board's past discrimination—discriminatory conduct which had ceased and is thus not itself the object of the application for injunctive relief. The Court viewed this past discrimination as one of the factors which might causally explain how the use of geographic criteria today results in segregation. The causal connection between this past discrimination and the present segregation has two facets: (1) The past discriminatory conduct of the school board might have played a role in the creation and maintenance of segregated residential patterns, which, when coupled with the present use of geographic criteria, produce segregated schools today. The theory is that the racial designation of a school under the dual system led the respective racial groups to move around "their" particular school or to remain close to it since it can be presumed that a family usually wants to live close to the school to which their children are assigned or that the racial designation of a school also racially designates the area. (2) Under the dual school system, the sites for schools were selected and the student-capacity of schools determined with a view toward serving students of only one race, and these decisions of the past in part explain why the use of geographic proximity as the basis of assignment results in segregation today. Assignment on the basis of geographic proximity will not result in a school attended only by students of one race unless, in addition to the existence of residential segregation, the school is so small that it

Northcross v. *Board of Education*, 397 U.S. 232, 236–37 (1970) (concurring opinion). A similar sentiment appears at one point in his *Charlotte-Mecklenburg* opinion. "Our objective in dealing with the issues presented by these cases is to see that school authorities exclude no pupil of a racial minority from any school, directly or indirectly, on account of race." (p. 19). But this statement does not seem to have any operational significance. Elsewhere he stated the objective somewhat differently: "The objective today remains to eliminate from public schools all vestiges of state-imposed segregation. Segregation was the evil struck down by *Brown I* as contrary to the equal protection guarantees of the Constitution." (p. 10).

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serves only a racially homogeneous area or the school is so situated that it is the closest school to students of only one race.

The second significant advance of *Charlotte-Mecklenburg* lies in the fact that the Court required a significant degree of deviation from the norm of geographic proximity. It did not merely require the substitution of one set of geographic criteria for another—for example, drawing a geographic zone on an east-west axis rather than on a north-south one. The district court ordered, and the Supreme Court affirmed, a massive, long-distance transportation program: Students living closest to the inner-city schools were to be assigned to the suburban ones and students living closest to the suburban schools were to be assigned to the inner-city ones. There is considerable language in the Court's opinion about the inherent flexibility of equity, and broad discretion is entrusted to the district judge in fashioning the remedy. But the range of discretion that the Court envisions must go to the details of the remedial plan (for example, which schools should be grouped for purposes of the transportation program), not to whether there must be a significant departure from the norm of geographic proximity in order for the school board to convert to "a unitary nonracial school system." That is simply a question of law—the question of whether the school board's constituional obligation has been fulfilled—and is not a detail of the remedial order.

Third, the Court in *Charlotte-Mecklenburg* announced an evidentiary presumption that brings it very close to embracing the approach to student assignment plans that focuses on result. The Court quite consciously avoids announcing a rule that segregated student attendance patterns themselves would be tantamount to a denial of equal protection, and emphasizes the role that the past discriminatory conduct played in causing those patterns. But in the next breath the Court says that it is prepared to presume an impermissible cause from the mere existence of the pattern:

"Where the school authority's proposed plan for conversion from a dual to a unitary system contemplates the continued existence of some schools that are all or predominantly of one race, they have the burden of showing that such school assignments are genuinely nondiscriminatory. The court should scrutinize such schools, and the burden upon the school authorities will be to satisfy the court that their racial composition is not the result of present or past discriminatory action on their part." (p. 22)

Concededly, the school board has the opportunity to show that the consequence—the segregated schools—is not caused by its discriminatory action. In that sense the distinction between cause and consequence is preserved. But the distinction is likely to become blurred because the burden cast on the school board is a heavy one. The burden cannot be discharged by establishing that the patterns are produced, given the residential patterns, by assigning sudents on the basis of a seemingly innocent criterion, such as geographic proximity. The school board would also have to show that is past discriminatory conduct—such as the racial designation of schools, site selection, and the determination of the size of schools—did not play any role in this causal chain producing the segregation.

The three advances of *Charlotte-Mecklenburg*—holding the use of geographic proximity impermissible, requiring the near-total abandonment of that criterion, and announcing an evidentiary presumption based on the continued existence of all-black schools—occurred in a case where the school board had maintained in the recent past a 'dual school system." The issue was one of liquidation or conversion. Moreover, the Court further limits the opinion to the South by emphasizing that it is primarily interested in *recent*, not *ancient*, history. There is the suggestion* that this invalidation of

*The pertinent passage, which seems to be abruptly tacked on to the end of the opinion, suggesting that it was exacted in exchange for someone's vote, reads:

"At some point, these school authorities and others like them should have achieved full compliance with this Court's decision in *Brown I*. The systems will then be "unitary" in the sense required by our decisions in *Green* and *Alexander*.

"It does not follow that the communities served by such systems will remain demographically stable, for in a growing, mobile society, few will do so. Neither school authorities nor district courts are constitutionally required to make year-by-year adjustments of the racial composition of student bodies once the affirmative duty to desegregate has been accomplished and racial discrimination through official action is eliminated from the system. This does not mean that federal courts are without power to deal with future problems; but in the absence of a showing that either the school authorities or some other agency of the State has deliberately attempted to fix or alter demographic patterns to affect the racial composition of the schools, further intervention by a district court should not be necessary." (pp. 23–24)

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the use of the geographic criterion and the use of the evidentiary presumption is for even the Charlotte-Mecklenburg system a transitional phenomenon. The point may come when the legacy of past discrimination will be so attenuated that the use of the geographic criterion will be permissible even though its use might result in an identical pattern of student segregation.

This concern with the recent past history of the school district is justified analytically. It is not just an attempt to make the South atone for its alleged sins. The *Charlotte-Mecklenburg* Court requires that the school board be in some sense responsible for the segregation, and in *Charlotte-Mecklenburg* the Court treats the past discriminatory conduct of the school board as a sufficient condition for the attribution of responsibility for the segregation that results from its present policy of assigning students to the school closest to their home. However, I do not believe that this analytic point will be sufficient to contain *Charlotte-Mecklenburg* to the South.

The South has no monopoly on the past discriminatory practices thought by the *Charlotte-Mecklenburg* Court to be sufficient to render the use of geographic criteria impermissible. True, until recently the Southern school districts openly maintained a dual school system, and thus, when such a school system is before a court, the existence of these past discriminatory practices can be established by admission. With Northern systems, there is no admission. But that, of course, does not mean that the past discriminatory practices of the *Charlotte-Mecklenburg* type did not occur. It only means that it is going to be harder—though not impossible*—to prove them. In my judgment, a very close, hard look at the past construction policies of Northern school systems will turn up numerous instances where in the recent past the school board has chosen sites and determined capacity with an eye toward serving a racially homogeneous area—often called a neighborhood. The board may not have formally and openly designated a newly constructed school as the Negro school; instead, it merely called it the Lincoln School or Booker T. Washington School and staffed it with only black teachers.** The same message is conveyed, and it is likely to have the same impact on residential patterns as did the open and formal designation under the dual school system.

Beyond that, one cannot simply say that *Charlotte-Mecklenburg* "outlaws" the school segregation of the North. There will have to be additional steps—so as to move the Court from its fascination with the past discrimination. But I think that, over time, these steps will be taken, and in retrospect *Charlotte-Mecklenburg* will be viewed in much the same way as *Green*, as the way-station to the adoption of a general approach to school segregation that puts increasing emphasis on the result—the mere segregated patterns themselves—and thus is more responsive to the school segregation of the North.

This forecast is in part based on my view that there will be a strong desire to avoid the appearance of picking on the South. This appearance stems from the fact that the segregated patterns of student attendance are no less severe in Northern cities than in Southern ones. A complicated analysis of causation might, under the *Charlotte-Mecklenburg* doctrine, serve to justify the differential treatment afforded these otherwise identical patterns. But such an analysis is not likely to be understood or even believed by most people. And no national institution—the Executive, the Congress, or even the Supreme Court—can afford to be unresponsive to the popular pressures likely to be engendered by such an appearance of differential treatment to certain regions of the country.

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*See, e.g., *United States* v. *School District 151 of Cook County, Illinois*, 286 F. Supp. 786 (N.D. Ill., 1968) (preliminary injunction), 404 F.2d 1125 (7th Cir. 1968) (affirming), 301 F. Supp. 201 (N.D. Ill. 1969) (permanent injunction), 432 F.2d 1147 (7th Cir. 1970) (affirming with modification). Following the *Charlotte-Mecklenburg* decision, the Supreme Court denied the school board's application for certiorari.

**While *Charlotte-Mecklenburg* primarily dealt with student assignments, in my judgment the most difficult part of school desegregation, it also reaffirmed previous doctrine requiring the desegregation plan to liquidate all aspects of the dual system, including faculty segregation. This has considerable significance for the North. The Court wrote: "In *Green*, we pointed out that existing policy and practice with regard to faculty, staff, transportation, extracurricular activities, and facilities were among the most important indicia of a segregated system. 391 U.S., at 435. Independent of student assignment, where it is possible to identify a "white school" or a "Negro school" simply by reference to the racial composition of teachers and staff, the quality of school buildings and equipment, or the organization of sports activities, a *prima facie* case of violation of substantive constitutional rights under the Equal Protection Clause is shown."

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The forecast is also based on my view that the predominant concern of the Court in *Charlotte-Mecklenburg* is with the segregated pattern of student attendance—the simple result itself—rather than the causal role played by the past discriminatory practices. I realize that in *Charlotte-Mecklenburg* the Court attributes responsibility to the school board for the segregation on the basis of these past practices, but this theory for attribution of responsibility strikes me as a gimmick—to be sure, an understandable one—designed to preserve the continuity with *Brown* and to add a moral quality to its decision. It strikes me as a gimmick because, although the existence of these past practcies cannot be denied, the Court makes no serious attempt either to determine what role they played in the causal chain that made the use of geographic criteria today result in student segregation or to tailor the remedial order to the correction of that portion of the segregation that might reasonably be attributable to these past practices. The Court moved from (a) the undisputed existence of past discrimination to (b) the *possibility* or *likelihood* that the past discrimination played *some* causal role in producing segregated patterns to (c) an order requiring the virtual abandonment of the use of any geographic criteria. The existence of these past practices is merely used as a "trigger." That role cannot be rationally explained unless the primary concern is with the segregated patterns themselves, rather than the causal relationship of these patterns to the past discriminatory practices.

The Court is not likely to abandon its insistence in *Charlotte-Mecklenburg* that the school board be responsible for the segregated patterns. However, that need not forclose any doctrinal advance. There is an alternative theory for attributing responsibility which is not regionally confined: The school board should be held responsible for the foreseeable and avoidable consequences of its own action. This theory recognizes that school boards choose the criterion for assignment, such as geographic proximity; that the result of using it is foreseeable; and that in most instances (though perhaps not all—for example, where there are no white students within the public school system) there are reasonable steps that the school board could take, if not to eliminate, at least to mitigate the result. The reach of the theory of responsibility is clear: it means, as it should, that there is no such thing as adventitious segregration.

Admittedly, this theory does not attempt to construct a causal chain that includes a racially discriminatory act in the past. But, analytically, that should be unnecessary. The Equal Protection Clause requires state responsibility for discrimination, and not that the responsibility be predicated on a causal chain involving an earlier discrimination. It does not require double discrimination. The remedy in *Charlotte-Mecklenburg* sought to disestablish the segregated student patterns, not to stop the past school construction practices; and thus it must be these patterns themselves, not the past construction practices, that constitute the denial of equal protection. It only used his past discrimination to attribute responsibility for the segregation, and my point is that there is an alternative theory for attributing responsibility for the segregation that is as intellectually satisfying as the *Charlotte-Mecklenburg* theory requiring a search for the vestiges of past discrimination.*

My forecast about the ramifications of *Charlotte-Mecklenburg* is in part based on the view that the courts will act rationally and take the necessary, and I believe logical, doctrinal steps. Within the past few weeks—those immediately following the *Charlotte-Mecklenburg* case—that is precisely what has been happening in a few lower courts.** However, my remarks are not intended to lull you or local administrative officials into inactivity on the premise that courts will do the job. These doctrinal steps will take time, and

*It should also be pointed out that the very use of geographic criteria may be as responsible for residential segregation as the past discriminatory construction policies of the school board. By rigidly adhering to geographic criteria over a long period of time a school board assures the white parent who does not want his children to go to school with blacks that this desire can be fulfilled by moving into a white neighborhood. The use of geographic criteria also assures the white parent that if he moves out of the neighborhood into which blacks are moving, he will be leaving the blacks behind. They will not follow him to the new school—unless they also change residence.

**See, e.g., *Johnson* v. *San Francisco Unified School District*, No. C-70 131 SAW, N.D. Calif., April 2, 1971; *Davis* v. *School District of the City of Pontiac*, No. 20477, U.S. Court of Appeals for the Sixth Circuit, May 28, 1971.

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they may never come to light. I would therefore like to emphasize that, without regard to my forecast, local agencies are today free to institute the appropriate measures to correct segregated patterns of student attendance in much the same way as the Court ordered the Charlotte-Mecklenburg board to eliminate its segregation. There is no suggestion in *Charlotte-Mecklenburg* that such voluntary remedial measures need be predicated on the discovery of past discrimination. Finally, there can be no doubt that Congress need not wait for these projected doctrinal advances. Congress need not wait until the Supreme Court declares a practice a violation of the Equal Protection Clause before requiring (or inducing) local authorities to correct it. Cases such as *Katzenbach* v. *Morgan* and *Jones* v. *Alfred H. Mayer & Co.* indicate the lengths to which the Court will go to indulge and even encourage Congressional activity on behalf of the cause of racial equality. Under the Civil War Amendments, the national legislature is free to enact a rule of law that would require (or induce) school boards throughout the country to take reasonable steps to eliminate segregated patterns of student attendance—without regard to proof in each instance about past discriminatory practices and their contemporary vestiges. Such legislation can be predicated on a judgment about the inequality that arises from the segregated patterns of student attendance themself. The courts may have shied away from an approach to school desegregation that focuses on the result, rather than the criterion for assignment or the cause, but there is no need for the legislature to do so. If, however, the legislature also insists that the segregation be "state-imposed," then such nationwide legislation can be predicated on a conclusion that the South has no monopoly on past discrimination, that in most school systems throughout the country discriminatory construction policies could be found, or it can be predicated on the theory of responsibility that I have sketched above. In either event, there is no question about the power. The only question is about the will. But conceivably *Charlotte-Mecklenburg*, by imposing such heavy burdens on the South, might be sufficient inducement for such legislation. That might be the most significant aspect of *Charlotte-Mecklenburg* for Northern school desegregation.

Mr. Fiss. Thank you very much.

Brown v. *The Board of Education* stands for the proposition that a dual school system is a violation of the equal protection clause and in its place the school board has an obligation to establish a unitary nonracial school system.

STUDENT ASSIGNMENT UNDER UNITARY SYSTEM

Now, we know what a dual school system is—assigning students to school on the basis of race so as to produce segregation. But the question remains: What is a permissible basis for assigning students to schools under a unitary nonracial school system?

This seems to me to be in the central mystery of the law of school desegregation. It's a very difficult question and I don't think the Court in the *Charlotte-Mecklenburg* case has answered it definitively. What I'd like to emphasize is the direction I believe the court is moving in.

There is a very easy answer to the question what is a permissible basis for assigning students under a unitary nonracial school system. And it's an answer that's very reminiscent of Senator Ervin's remarks this morning. The answer is that you can assign the student to schools under any criteria as long as it's not race. But the courts have shown considerable reluctance to accept that answer and I think there are two reasons for that.

The first reason is that you don't have to use race in order to get segregation. You can use an innocent criterion, whether it be freedom of choice or geographic proximity, and you get the identical segre-

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gated patterns that you did under the dual school system. The result will look exactly the same.

The second reason why I don't think the courts have been willing to accept the so-called easy answer and instead have been looking more and more towards the result, the very fact of segregation, is that regardless of what criterion is used to assign students to schools, the segregated patterns themselves may have a detrimental impact upon blacks. It may stigmatize them. It may deprive them of contacts—educationally significant contacts—with other groups in society. It may mean that their schools are going to be short changed simply because those are the schools of the minority.

Turning to the problem of Northern school desegregation, I think that an approach that focused on the easy answer—that a racial criterion is the only thing forbidden, and you can use any other criterion—would have very little promise. Instead, what I think is necessary in order to deal with Northern segregation or to evolve national policy on school desegregation is to have an increasing emphasis upon the result, the mere pattern of student segregation.

Be that as it may, the courts have been generally reluctant to openly embrace an approach the school desegregation that focused exclusively on the results. And I think that the history of the law of school desegregation is one of trying to shy away from that approach that focused solely on the results, but at the same time to reject Senator Ervin's answer, the answer that you can use any criteria as long as it's not race. The Court has been moving slowly, giving increasing attention and increasing emphasis to the result and decreasing emphasis to the fact of whether or not the assignment would be made on a racial basis.

FREEDOM OF CHOICE

The first significant step in that direction was the *Green* case. There students were assigned to schools, not on the basis of race, but on the basis of a criterion that seemed nondiscriminatory on its face. Each child had a choice to choose what school he went to. And the result, from what we know, is that some blacks went to the white school, most of the blacks went to the formerly all-black school, and no whites went to the all-black school. You had two schools—one that was slightly integrated and the other was all-black. In that context the Supreme Court said that the desegregation plan did not "work." It said that the school board had not converted to a unitary school system—where you don't have black schools and white schols, but you just have schools. Admittedly the Court didn't say—in *Green*—that the only plan that will work is one that will produce integrated patterns of student attendance. On the other hand, it didn't say that this choice system was bad because of procedural deficiencies or because of alleged coercion or intimidation of blacks in the community.

Last term I, as a reader of Supreme Court opinions, found some reason to believe that Chief Justice Burger did not subscribe to the view of the Court that was expressed or intimated in the *Green* case. Indeed, in one opinion, which I quote in my statement, he used a definition of what a unitary nonracial school system is, which is

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precisely the one that has been articulated by Senator Ervin this morning. Namely, a unitary school system is one, he stated, in which no person is effectively excluded from any school because of his race or color. And in my judgment that was not an issue in *Green*. No student was excluded from a school because of his race or color. Every child was given a choice to decide which school he wanted to go to and the court did, however, express the view that just using a seemingly innocent criteria—like choice—would not be sufficient under the Constitution.

Now, one thing that happened in *Charlotte-Mecklenburg* is that *Green* was reaffirmed. Chief Justice Burger did not pursue his conception of what a unitary nonracial school system was. Instead, one of the legacies of the Warren Court was reaffirmed. But I think there is more to *Charlotte-Mecklenburg* which I think moves the Court closer to a position of focusing on the result, the mere pattern of student assignment with less concentration and emphasis upon the racial criterion of assignment.

GEOGRAPHIC CRITERION INVALIDATED

I think there are three significant advances that occur in *Charlotte-Mecklenburg* case. The first one is that the seemingly innocent criterion that is invalidated in *Charlotte-Mecklenburg* is not the freedom-of-choice criterion. Instead it's a much more commonplace one in the North; namely, assigning students to schools on the basis of the residence. There is no finding, as far as I can see, that that criterion was used in the *Gomillion* v. *Lightfoot* sense, as a technique for gerrymandering, that is, where the board would say it is assigning students on the basis of residence, but if you look hard enough it is assigning them on the basis of race. It seems to me, what the Court is saying is that even if the board uses geographic proximity honestly that does not satisfy its obligation to establish a unitary nonracial school system. Given that, how did they ever invalidate the use of the geographic criterion in *Charlotte-Mecklenburg*.

In my judgment the Court answers that question by focusing on the past discriminatory policies of the school system. What it says is that we can look at the past and find past discrimination in the school system which will now make the school board responsible for the segregated patterns of student assignment.

One type of past discrimination that they had in mind was where the school board located a school in a certain area and designated it, for example, as the black school. Blacks moved around it. That produced a residentially segregated pattern so that today, when the board uses the innocent criteria of geographic proximity to the school, it will invariably produce a segregated pattern in that school.

The second type of the past practice the Court referred to was that concerning the decisions relating the student capacity of the schools and to the selection of sites for them. For example, if a school was located in the middle of a ghetto under the dual school system it would obviously produce an all-black student body today when a geographical criterion is used for assignments.

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MASSIVE BUSING

Well, the first significant advance is that the Court invalidated the use of this innocent criterion and it did so on the basis of these past practices. The second significant advance in the *Charlotte-Mecklenburg* case is that the Court requires the abandonment geographic zoning. When people speculated as to what kind of case should be presented to the Court for its first geographic case, the suggestion was always that the first case should be one where integration could be produced by shifting from a North-South axis to an East-West one. That is, where you could still use geographic proximity but impose some obligation on the school board to shift the zones as to reduce segregation. The second striking thing about *Charlotte-Mecklenburg* is not only that it says that you don't satisfy your obligation by using a geographic criterion but that it requires the total abandonment of such criterion. It requires a very long distance massive transportation program, the one that I think Senator Ervin has emphasized this morning.

PRESUMPTION OF PAST DISCRIMINATION

The third significant advance, which I think also emphasizes the point Senator Ervin was making, is the evidentiary presumption that the Court creates in *Charlotte-Mecklenburg*. The court continues its practice of shying away from an approach to school desegregation that concentrates only on the result but in the next breath it creates an evidentiary presumption which brings it very, very close to that position. It says that whenever a school system has maintained a dual system in the past and there is a continuation of schools that are predominantly one race today, the Court will not only presume that there was past discrimination, but it will also presume that those past practices are in some sense, causally responsible for the segregation that results when the board uses geographic proximity as the basis of assignment. There's much to be said for an evidentiary presumption and the Court still preserves the distinction between the cause, racial discrimination, the past discrimination, and the results, the consequence, mere segregation. But the burden of proof is so enormous that I don't think the distinction is going to stand up very long. I mean, it is very, very difficult for the board ever to come out from that burden to prove that its past practices are not causally responsible for desegregation.

These three advances, invalidating geographic criterion, requiring a massive busing program, and the evidentiary presumption, occurred in this case where the school board had maintained in the past a dual school system, and furthermore the Court says that it is interested in recent history, not ancient history. I am referring to the last two paragraphs at the end of the opinion. Nevertheless, this concern with the past—the maintenance of a dual school system in the recent past—will not confine *Charlotte-Mecklenburg* to the South.

In the first place, the very practices that the Court found sufficient to invalidate the use of the geographic criterion in *Charlotte-Mecklenburg* can be found in the North. That is, these are the past

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construction practices in North which so much emphasis is put upon. I have in mind primarily the South Holland case involving the suburb of Chicago, a case begun under the Johnson administration, that has been going through the courts for the last couple of years and in which the Supreme Court just denied certiorari a couple of weeks ago. That case used exactly the same model that is used in *Charlotte-Mecklenburg*, focusing on past discriminatory practices, which the court uses to invalidate the use of the geographic criterion as a basis of assignment and to require a transportation program.

JUDICIAL STEPS BEYOND SWANN

Beyond that, I do not read *Charlotte-Mecklenburg* as outlawing school segregation of the North. I think that additional steps will have to be taken primarily because of the Court's concern or fascination with these past discriminatory policies. But, if I am allowed to make a forecast, it seems to be, for two reasons, that these steps will be taken. The first reason is that under the *Charlotte-Mecklenburg* type of decision, it will appear that the courts are in some sense, picking on the South. True, there is an analytic distinction between the two regions. We can find the past discriminatory practices in one place and perhaps, in the other place, it may be more difficut to find them. But it seems to me that this analytic distinction requires a very difficult, complicated explanation, and over time I have a feeling that what is going to have the predominant impact is simply the appearance; As I think Senator McClellan said, in one of these hearings, "segregation is segregation." I mean, it looks exactly the same in Chicago as it does in *Charlotte-Mecklenburg*. A complicated analysis of causation might serve to justify the differential treatment accorded these otherwise identical patterns, but such an analysis isn't likely to be understood by most people.

Therefore there's going to be considerable popular pressure to move to a uniform rule for the North and the South and I would also like to suggest that, this popular pressure will have the assistance of a good deal of logic. I say this because, in my judgment, the Court's fascination with past discrimination is really a gimick. It may be an understandable gimmick to preserve the continuity with *Brown*, and to add a certain moral flavor to the Court's opinion. But I do not think the board can shoulder the burden the Court gives it in *Charlotte-Mecklenburg*. The Court moves in a three-step analysis.

First, it finds that there were these past practices. That is undenied. To admit to the maintenance of a dual school system is to admit to the existence of these past practices. The second step in this analysis was to say these past practices might have played some role in causing the residential segregation and in causing or explaining why the use of a geographic criterion today results in school segregation. The third step is to say that the board must achieve the greatest degree of actual desegregation. It seems to me this movement, from the first step, where you don't deny the existence of these past practices, through the second, and then to the third, cannot rationally be explained unless the Court is really

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concerned with the result, with integrating the actual patterns of student attendance. In my judgment the Court is using these past practices, as a trigger and it's triggering just a little bit too much. You can't explain that unless the Court is really concerned with the segregated student pattern, and, in my opinion, over time, I think there will be increasing emphasis just upon a result and less emphasis on these past practices.

MOVEMENT AWAY FROM CAUSE TO RESULTS

Now, I would like to address myself to a point that I think Senator Mondale and Mr. Chambers discussed. On one hand, I think, as I have already stated, that we can find past discriminatory practices very comparable to *Charlotte-Mecklenburg* in many many northern cities. I say that on the basis of my experience and my employment in the Department of Justice for several years. But, on the other hand, I think it is necessary to assume you can not find in all situations—or even most—those past triggering practices of the type that are found in *Charlotte-Mecklenburg*. Then the question is: what do you do about the segregated patterns of student attendance? What I'd like to suggest is that, even if you do not find these past practices, of the *South Holland* type or the *Charlotte-Mecklenburg* type, it is still possible to hold the school board responsible for the segregated student attendance patterns and still conclude, as the Supreme Court is interested in doing in *Charlotte-Mecklenburg*, that the school segregation is State-imposed. The appropriate theory for doing that has been referred to in part by Mr. Chambers. It is simply to say that, without regard to whether these practices in the past were discriminatory or not, the very choice by the school board to use geographic criterion, the fact that the outcome of using that criterion is foreseeable, and the fact that there are in most situations alternatives open to the school board to avoid that school segregation, make the school board responsible for that segregation. That is, the next step that I suggest, that would have to be taken following *Charlotte-Mecklenburg* to develop a theory which would be adequate to deal with all of the problems, would be to move away from the theory of responsibility which focuses on past discriminatory practices, and instead places responsibility on the school board because the result of its action is foreseeable and avoidable.

In my judgment, I think the Court will, over time move in that direction. And I view the *Charlotte-Mecklenburg* case as a stopping point along the path, which will place increasing emphasis on the mere results and less emphasis on whether the assignments were made on the basis of the racial criterion.

CONGRESSIONAL ACTION

I do not make this forecast with an intention of lulling you or local administrators into a sense that there is no need for action here. I do not intend to create inactivity on the part of Congress. As probably is true in most cases with academic predictions, there's a chance that I am wrong. And even if I am not wrong, it will

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take time before my forecast comes to fruition. I therefore wish to emphasize that there are significant opportunities that are available to Congress to legislate in this area—to require or induce communities around the country to eliminate the segregated patterns of student attendance. The courts may have shyed away from an approach to school desegregation which placed increasing emphasis on a result but I see no reason why the legislature should do that. If the legislature insists that there be responsibility on the school board's part for the school segregation, and the result, I think they could either find this responsibility in the past practices or it could use the theory of responsibility which holds the school board responsible for foreseeable and avoidable consequences of its own actions. In any event, I think the power for such legislation, as seen from such cases as *Katzenbach* v. *Morgan* and *Jones* v. *Alfred H. Mayer Company*, has existed for a long time. The real question is a question of will. And I would like to suggest, in conclusion, that perhaps if *Charlotte-Mecklenburg* does anything, I think it creates a very powerful incentive for such legislation. If the law stopped at this point and the Court made that decision the outer limit, I think, as Senator Ervin points out, it would place an enormous burden upon one region of the country.

Thank you.

Senator MONDALE. Thank you very much.

MULTIDISTRICT APPROACH

You heard Mr. Chambers suggest that one of the remedies might be multidistrict orders. Do you see that flowing from the 14th amendment, except in cases where past discriminatory practices can be shown.

Mr. FISS. If we mean by multidistrict orders, orders which require school desegregation orders to transcend the municipal boundaries, that is, to have Chicago students assigned to schools with students in Cook County, I think that is very far down the road. I think it is possible to construct a theory whereby that can be done, but I think that is very, very far down the road. I think there's an understandable legitimate basis for having school districts conform to the municipal boundaries or the boundaries of political subdivisions. In some situations, you may find justification for transcending those boundaries, but I would not include that as part of my forecast of what is likely to come about soon.

BUSING

Senator MONDALE. Mr. Chambers, you heard Dr. Hamilton testify against the remedy of busing on the grounds that it was artificial and the real question is the quality of education in the community schools.

Would you care to respond to that?

Mr. CHAMBERS. The only thing that I would say in response to that is that we litigated from the 1930's to the 1950's in proving the quality of education in predominately all-black schools. And I think that the Supreme Court's decision, as I understood Mr.

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Fiss, held the ground that separate schools were inherently unconstitutional.

The litigation during the 20-year period from 1930 through 1950 proved that it was virtually impossible to get equal educational programs in all-black or minority schools and I don't read the change of times today, the change of mentality, as such that would allow for equal educational opportunities for black children in all-black schools. I don't think that those who are now in power would provide the facilities and services that would be necessary in order to accomplish equal educational programs.

As I view it, the only way that we can obtain quality education for all children, black and white, is to accomplish racial mixing of students in the various schools. And I think that busing is the necessary means for accomplishing this result.

Senator MONDALE. Dr. Hamilton——

Senator ERVIN. I was just wondering how you are going to educate the children in Africa where they're all black or the children in some European countries where they're all white. They seem to be educated pretty well.

Mr. CHAMBERS. I think that Africa is an entirely different picture unless you are talking about South Africa.

Senator ERVIN. I would say generally where the population is entirely white, you can produce some of the greatest minds in ages. I think it's an insult to either race that they cannot produce a good education unless they have the companionship of members of the other race.

Mr. HAMILTON. Senator, consistent with my established procedure to be brief, first, I think that clearly, pre-1954 is not the 1970's. I happen to take the view that things have changed substantially. I think that when the Court spoke as it correctly spoke, in the *Brown* v. *Board* case, about separate educational facilities being unequal, I think it had a pre-1954 understanding of this society. And I understand that. I think things are different now. I think they are changing.

Secondly, if, in fact, as I said in my statement, school boards and other forces simply will not give resources to all-black schools, then I would suggest very seriously that the problem is far greater than will be solved by busing.

COLEMAN REPORT

Senator MONDALE. Let me make just one point. As I understand the Coleman theory, he's not arguing that there's something inherent in white children which benefits black children when they get together. It is not a color difference.

What he is saying is if you can have a majority-advantaged school, children with a little head start because of good health, positive outlook, decent income, and good housing, and you introduce into that school system—the earlier the better—children of a disadvantaged background, those children, white or black, brown or red, will do better than they will in a school within which the dominant majority of the school population are children who have been cheated.

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I think he's saying the difference is not racial so much as social and economic.

Would you comment on that?

Mr. HAMILTON. Yes; I recall that aspect of the Coleman report. More specifically, I think the more important part of that report was where it indicated that there is a strong correlation between a sense of efficacy in terms of community control over the school system and performance.

But that aside, I think that there is no question that we are not starting new in this whole issue. We are starting after centuries of deliberate deprivation.

Now, I agree with Congresswoman Shirley Chisholm when she indicated that in the fall of 1969 she had spent a great deal of her time on integration activities, busing of children and so forth, and she came to realize that while they were doing that, there were hosts of people left back in Bedford-Stuyvesant and Harlem who simply could not be bussed out.

Well, what I'm saying is that comes a time in the formulation of public policy when we simply must start to understand that there are several remedies that we can turn to. I do not believe that we are going to be able—assuming Professor Coleman correct—I simply do not believe it's going to be logistically possible to physically mix up or integrate, desegregate hundreds of thousands of black children who are going to remain in those black communities. I believe that it is in a real sense paternalistic to say that a black child cannot learn substantially in an all-black school.

Senator ERVIN. I think that's an insult to the black race to say that.

Mr. HAMILTON. Well, yes but I can't agree with you here Senator Ervin, because that makes my position here very difficult.

Senator ERVIN. That's one of my disadvantages for not obeying Mark Twain's injunction where he says that truth is very previous; use it sparingly. I use it unsparingly.

CONGRESS AND THE 14TH AMENDMENT

I want to ask Mr. Fiss—now, your theory would require the abandonment of not only the language of the 14th amendment, but all interpretations put on the 14th amendment. In other words, before the Court can proceed on the theory that you predict for the future, they would have to abandon the theory that the Federal Government is not empowered by the 14th amendment to interfere in battles covered by the 14th section of the amendment until after predicating Federal action on a State violation.

Mr. FISS. I guess I am reluctant to agree with you also, Senator, but I think you're right. I think *Katzenbach* v. *Morgan* was a new case that expressed a new theory of constitutional law whereby Congress could enact legislation under section 5 of that amendment where it was of the view that there was a violation of the first clause of the 14th amendment, without waiting for the Court to declare that there was a violation.

But I guess I disagree in that I think *Katzenbach* v. *Morgan* is right. I think it's a sound theory of constitutional law.

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Senator ERVIN. I think it's a peculiar opinion that was handed down because the fifth section of the 14th amendment says that Congress shall have the power to enforce by appropriate legislation provisions of this article. But that section of this article says that no State shall deny any person in its jurisdiction equal protection under the laws.

Now, that's the interpretation of the Constitution by the Supreme Court——

Mr. FISS. And Congress.

Senator ERVIN. At the interpretation of the Congress, it is to be binding on the Supreme Court until the *Katzenbach* case.

Now, the result of this case is this—now, I will give you the theory. It says that the fifth section of the 14th amendment, which merely empowers Congress to enforce the equal protection clause by appropriate legislation, that confers upon Congress the power to nullify a State law which is in perfect harmony with the equal protection clause.

And not only that, but to substitute for that State law a Federal law which Congress has forbid in the past by force of the provisions of the Constitution; namely, section 2 of article 1, section 1 in article 2, the 10th amendment and the 17th amendment. That is the effect of the decision in the *Katzenbach-Morgan* case.

Justice Burger said that when Congress undertakes to enforce the equal protection clause by appropriate legislation, that the Court loses its power to interpret the equal protection clause and it becomes a congressional power rather than a judicial power. And that the only judicial power that the Supreme Court has got left is to see whether an act of Congress has the tendency to keep the States from violating the equal protection clause in the future.

Now, under that theory, the Congress could pursue the States and laws with the powers reserved to it by the Constitution because the question of equal protection can arise whenever the State makes or implies or interprets a statement at all, even in the fields where the power to do so is reserved by the Constitution.

So the easiest way that Congress, under Justice Burger's opinion, could prevent any future violation of the equal protection clause is to pass a law denying the States any power to make, to enforce or interpret laws.

CONGRESSIONAL INTENT

Mr. FISS. Well, it's quite conceivable in an Alice-in-Wonderland world that the Congress could pass such a law. It's also quite conceivable that under the commerce clause, you could pass a law preventing States from taking any action which would have any impact upon commerce at all. But I think the Court was appreciating the fact that Congress had some sense of self-restraint. In any event, the applicable language of section 5 is that Congress shall have the power to enforce section 1 through appropriate legislation and obviously, in such a situation, it has to have the power to construe what section 1 prohibits. And the Court in *Katzenbach* v. *Morgan* did not say that once Congress acts, that prevents the courts from doing anything further.

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Senator ERVIN. Oh yes, sir, it did.

Mr. FISS. It most certainly did not.

Senator ERVIN. Whenever Congress acted, that the Court lost its power to interpret the equal protection clause.

Mr. FISS. It said no such thing.

Senator ERVIN. I say it did. And it said that they could not even pass on the question whether the New York literacy test on the English language satisfied the requirement of the equal protection clause. All they could do was to see whether it would have a tendency to prevent New York from violating the clause in the future, and they arrived at the conclusion that it could, because they said if they give the vote to the Puerto Ricans, they would have political power which could keep the New York officials from dismembering the district.

Mr. FISS. I disagree with that interpretation.

Without trying to resolve this dispute, Senator, let's turn to the question of school segregation. I think the point I was making in my statement was that under section 5 of the 14th amendment, Congress has the power today to pass legislation requiring or encouraging that the segregated patterns of school attendance that exist throughout the country, to the extent possible—I don't think we have to disagree with Professor Hamilton that in some situations it may be impossible, but I say to the extent possible—be disestablished.

I don't think you doubt the existence of that power, do you?

Senator ERVIN. I would agree that if the *Katzenbach* v. *Morgan* decision is recognized as law, I would agree with you because I think the Congress—tomorrow it could pass a law abolishing all State control over schools and go into the business of setting up the school boards and the curricula in the schools. But I don't believe that's going to be the law. I think it's just like Justice Frankfurter said in the case of *Darmouth* against *California*, where the majority of the Court held an opinion that established that ignorance of the law wasn't an excuse for a crime. And Justice Frankfurter said that he expected for that case to be lost somewhere, and I think that's what's going to happen to *Katzenbach* case.

In fact, I think it will be like the 18-year-old vote case, because five of them refused to follow it.

FREEDOM OF CHOICE

Now, about the *Green* case, I don't know how you're reading it because I can't see any evidence of discrimination. Discrimination has been abolished. The school board said all schoolchildren are going to have two schools, and you can go to whatever school you want to. I don't see any discrimination whatsoever on the part of the school board.

And as you've pointed out, a few of the colored children went to the white schools and the white children did go to their schools and Mr. Justice wrote an opinion which resulted in the first part, saying that he was concerned about the assignment of children on a nonracial basis.

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And nothing else in this opinion ever really makes any reference to that. He says that sometimes freedom of choice is permissible and sometimes it is unconstitutional. And when you take his decision, and I guess I read it 50 times, it says that black and white children can have freedom of choice provided they exercise their freedom in a manner in which the Supreme Court Justice think they ought to exercise it. If they exercise their freedom of choice in a way that pleases the Justice, then it's constitutional, but if they do not exercise their freedom in a manner in which the Supreme Court Justice thinks they ought to exercise it, then they have no freedom, and the School Board must take their freedom away from them.

I just don't think that's right. I don't think the rights of schoolchildren or anybody else in America should hang upon such an ominous judicial threat.

Mr. FISS. It depends on how much importance you attach to integrating the student bodies. If you think that integration is not only unimportant, but an insult to the black race, I think your views are probably well-founded. But if you start from a different premise——

Senator ERVIN. I said the theory that a child of any race cannot acquire an adequate education without the enforcement of the companionship of a child of another race—this is an insult to any race.

Mr. FISS. I don't think the theory of integration has ever been one that blacks can't be educated unless whites are sitting next to them. The theory of integration, rather, is one in which the education that is being afforded to the black is somewhat worse when they are assigned to all black schools. It's a relative judgment.

INTERPRETATION OF BROWN

Senator ERVIN. I took the *Brown* case to mean not that any segregated school is inherently equal; I understood Warren to say that when you exclude a child, that the injury comes from—State enforced segregation is when you exclude a child from a particular school on the basis of what race he is, you do that child a psychological injury from which it may never recover. And I think that's the basis of the decision in the *Brown* case.

Mr. FISS. Well, I think the point is that there is very little difference in perception when a student is assigned to an all-black school and the school board announces, "We are doing this now because you are black", and a situation in which the school board assigns the students to the identical school, which is all black and announces, "We are doing this because you live in x neighborhood."

I think the courts have found that in those situations, the psychological differences are almost imperceptible, and that the stigma, the badge of inferiority does not flow from the announcement of the school board that it is using race as a criterion as much as it is the fact that black students are assigned to all-black schools. It is the segregation that gives them the stigma, not just the announcement that we're going to do it on the basis of race.

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Senator ERVIN. I noted on page 17 of your statement, that in addition to noting *Katzenbach*, and I certainly agree with you, if that's accepted as the correct interpretation of the 14th amendment, that Congress at any time could take over any State function and could abolish the States for all practical purposes.

And I don't agree with you that you can depend on Congress to practice restraint. In the last 2 years, the Supreme Court Justice has exercised more restraint than Congress has, and they ought not to be subject to the temptation to take over more powers.

You also talked about *Jones* v. *Alfred H. Mayer*. I might confess I'm in a type of argument about this. It is said, at the breakfast table life and language are like sacred. Homocide and burglicide—that is, violate treatment of the words so that it destroys their legitimate meaning, which is its life, are like forbidden. Now, if there ever has been a case of judicial burglicide, it's the *Jones* case.

THIRTEENTH AMENDMENT

The 13th amendment has two sections, unlike the 14th. The first section says, "outlaws slavery and involuntary servitude." The second section says, "Congress can pass laws appropriate to enforce the first section." In the *Harrigan* rent case, it's not only Justice Stewart who ordinarily, who admitted burglicide on history; he admitted burglicide on the Civil Rights Act of 1968, 1966, and that we've committed burglicides on the 13th amendment. He said—I read the first section of the 13th amendment on the outlaws of slavery and involuntary servitude, and, as they say "slavery" and "enforced servitude" are in everybody's dictionary, all decisions before the *Jones* case moved it was enforced labor of one man for another. And that's all that it means—who held in that case that a private realtor, developer out in St. Louis who refused to sell a black man a residential lot in his development and there was no contract to obligate himself to do so, and he said that he was required to do it because they could not practice any private discrimination against the man and they took this from an 1866 Civil Rights Act which holds that black officers of the United States possess the same rights as white soldiers do.

Justice Stewart had never heard of the fact that in some States no white man could prevent anybody from buying land unless he had a contract or memorandum requiring him to do so and here's the power of Congress under section 2 which is strictly for enforcement of section 1, is far broader than section 1.

Well, I agree with you. I'd be glad to say why any private discrimination against any black can be legislated against by Congress. I'll open it up.

Mr. FISS. Well, I——

Senator ERVIN. I don't quarrel with your interpretation. Taking this decision, Congress has as much power as God Almighty.

Mr. FISS. Well, I guess my premise is that those decisions are the law of the land, and moving from that premise, I only suggest that Congress has sufficient power to deal with the problem of an urban school segregation on a nationwide scale, and quite frankly, I don't know why you should resist this decision.

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Senator ERVIN. Because when it says you can pass legislation appropriate to enforce a prohibition against slavery and involuntary servitude which is the forced service of one man to another, it doesn't say that you can legislate about entering into a contract for a sale of land—that committing burglicide on the 14th amendment.

In other words, in my opinion, if I accepted those decisions, I'd have to go along with you to the end of the road and I refuse to accept it because it's contrary to the words of the Constitution. And I think the Constitution, as Chief Justice Marshall said, must be construed to mean what it says.

And so I think that will also be lost. But if I accept those cases as being valid,—I don't believe in the infallibility of Supreme Court Justices or in the ultimate correctness of the Supreme Court decisions. I think those decisions can't be justified with the words of the Constitution. I think that the decision in the *Jones* case is enough to make historical and linguistic and constitutional angels weep.

CHARLOTTE-MECKLENBURG DECISION CONFINED TO SOUTH

Mr. FISS. According to your theory then, should the decision in *Charlotte-Mecklenburg* be confined to the South and then wait until the Court straightens it out?

Senator ERVIN. Well, I think it is confined to the South. I think that Congress, the Federal Government, has no power to act unless there is discrimination by the school board. I think that's correct.

I think that's the only interpretation of the 14th amendment because the first section of the 14th amendment just prohibits the States—it's a prohibition upon the States and says that no State may deny anyone in its jurisdiction equal protection under the law. As long as the State does not deny any person in its jurisdiction equal protection of law, the Federal Government has no power, and I think that Justice Burger is saying that 22 times, and this is on solid ground.

But I don't quarrel with you if you set those decisions aside and say that Congress has absolute power. And I don't know where there's any other provision in the Constitution that would restrict it in any other way. Certainly it wouldn't in the relationship between States and their citizens, the persons in their borders.

So if I accepted those decisions, I'd have to go to the end of the road, but I don't think the Court's going to accept it. I hope not because the Federal system will be ruined, and also the rights of individuals.

But I think you made a most interesting and intriguing presentation.

Mr. FISS. Thank you.

Senator ERVIN. If I didn't just dissent with those two opinions, I'd just might go along with you.

I have just been handed a statement of the Honorable Senator from South Dakota, George McGovern, and it will be made a part of the record.

(The statement follows:)

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STATEMENT BY SENATOR GEORGE McGOVERN, SOUTH DAKOTA

I appreciate having this opportunity to express a few general views on the matters this committee is discussing. And I am pleased to be able to take this occasion to congratulate the chairman and members for the outstanding job they have been doing to press for full compliance with the dictates of the Constitution and laws for equal opportunity in education.

One of the subjects presently before the committee is the use of busing to remove the racial identification of schools where, under law, a dual school system had existed. The Supreme Court has ruled that such busing shall take place and it is now the task of government to see that this decision is implemented quickly and fully.

There were many who thought that the 1954 *Brown* v. *Board of Education* decision would end discrimination in public education. The intervening years have shown how much remained to be done. While the Court said that integrated schooling had to be accomplished "with all deliberate speed," we now know that delay has been the refuge of racism. In the busing decision *Swann* v. *Charlotte-Mecklenburg*, the Supreme Court has shown that it is impatient with those who drag their feet in the name of "all deliberate speed."

Three observations concerning this decision are appropriate. First, busing is nothing unusual in those areas where dual-school systems have been sanctioned by law. Busing has been used consistently to insure the racial homogeneity of public schools. Very often, black children have been driven past schools near their homes—white schools—in order to be taken to their own schools. Now this same technique is to be applied in the name of justice and equality instead of unjust and unreasonable discrimination.

Second, we must recognize that in many areas of the country where dual-school systems have not been sanctioned by law, they have in fact existed. This kind of dual-school system is a reflection of housing patterns. It seems reasonable to say that if we are to breakout of the vicious cycle of poor housing, poor schooling, poor employment opportunities and hence poor housing, we can begin with the schools. Unless we make equal educational opportunity a reality in both North and South, we shall be guilty of the worst kind of hypocrisy.

Third, we must not allow ourselves to believe that busing is all that remains to be done to accomplish equality of educational opportunity. We may have succeeded in integrating the playgrounds and the lavatories, but we have failed to bring about the integration in the classroom, among faculty and coaches and interscholastic or intercollegiate sports.

The plight of black school officials, which will also occupy the attention of this committee, symbolizes the incomplete implementation of the *Brown* v. *Board of Education* decision. We had expected that the demand for qualified black educators would increase as a result of this decision. Instead, they have found themselves pushed out of responsible positions which would have given them administrative responsibility for both black and white students.

And how great would the impact of white and black playing together in organized sports programs. In many respects, athletics

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represents the American tradition of cooperation, fair play and team spirit. If we fail to make sure that all Americans can be a part of that tradition, our athletic programs shall be a mockery of all they are supposed to represent and accomplish.

It is simply unimaginable that segregated classrooms should remain in desegregated schools. There is no excuse for delay by the Federal Government in putting an end to such discrimination.

We hear a lot today about the unwillingness of the administration to support "enforced integration." Yet that attitude usually is only a thin veneer over the real reluctance of the administration to enforce the laws that have been enacted by the Congress and upheld in the Courts.

Full enforcement of civil rights legislation is beyond political strategy and vote-counting in the next election. It is the legal and moral obligation of the Federal Government. The occasional lack of outcry against government failure to enforce the law should not be interpreted as acquiescence. It is a sign of frustration which we can ill afford in our society at this time.

Senator ERVIN. The committee will recess at this time, until further notice.

(Whereupon, at 12:30 a.m. the Senate Select Committee on Equal Educational Opportunity recessed to reconvene at the call of the Chair.)

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APPENDIXES

Appendix 1

PERTINENT LEGISLATION

[In the Supreme Court of the United States, October Term, 1970]

AMICUS CURIAE BRIEF FOR THE CLASSROOM TEACHERS' ASSOCIATION OF THE CHARLOTTE-MECKLENBURG SCHOOL SYSTEM, INCORPORATED*

(No. 281, James E. Swann, et al., *Petitioners*, Charlotte-Mecklenburg Board of Education, et al.; No. 349, Charlotte-Mecklenburg Board of Education, et al., *Petitioners*, v. James E. Swann, et al., on writ of certiorari to the U.S. Court of Appeals for the Fourth Circuit)

INTEREST OF THE AMICUS CURIAE

The Classroom Teachers' Association of the Charlotte Mecklenburg School System, Incorporated, is a non-profit membership organization in corporate form, which includes in its membership a substantial part of the 3,553 classroom teachers in the Charlotte-Mecklenburg School System and which devotes itself to the advancement of public education. The specific objectives of the organization and its members are to promote the interests of classroom teachers in the Charlotte-Mecklenburg School System, and to secure to the students attending the schools of the System opportunities to achieve by quality education their highest potentialities.

The Classroom Teachers' Association of the Charlotte-Mecklenburg School System and its members believe that the execution of the order of the United States District Court for the Western District of North Carolina and the judgment of the United States Circuit Court for the Fourth Circuit affirming such order in part seriously impair the educational opportunities offered by the Charlotte-Mecklenburg School System to the students in its schools and for this reason the organization files this amicus curiae brief in support of the position of the Charlotte-Mecklenburg Board of Education, which harmonizes with this view.

The parties to the proceedings in Nos. 281 and 349 have consented in writing to the filing of this brief, and the writings evidencing such consent have been filed with the Clerk.

The members of the Supreme Court bar who submit this brief in behalf of the organization do so without compensation in the hope that they may aid the Supreme Court to reach a decision which will restore tranquality to much troubled areas of our land and enable the public schools operating in them to function economically and efficiently as educational institutions.

OPINIONS BELOW

The opinion of the Court below consists of the opinion and judgment of the United States Court of Appeals filed May 26, 1970, which are not yet reported and which appear in the Appendix (Volume 3, pages 1262a to 1304a).

In its opinion and judgment, the Court of Appeals reviewed and approved in part and remanded in part for further consideration the rulings and findings made by the United States District Court in the following orders and documents:

*Brief submitted by Senator Ervin, see p. 5412.

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1. Order dated February 5, 1970 (819a–839a), as amended, corrected, and clarified on March 3, 1970 (921a).
2. Supplementary Findings of Fact dated March 21, 1970 (1198a–1220a).
3. Supplemental Memorandum dated March 21, 1970 (1221a–1238a).

JURISDICTION

The Supreme Court has jurisdiction to review this case by writ of certiorari under 28 U.S.C. 1254(1), and has accepted it for such purpose by granting writs to the petitioners in No. 281 and the petitioners in No. 349.

QUESTIONS PRESENTED FOR REVIEW

This case presents the following questions for review:

1. Does a public school board comply with the Equal Protection Clause of the Fourteenth Amendment when it creates non-discriminatory attendance districts or zones and assigns all children, black and white, to neighborhood schools in the district or zone in which they reside without regard to their race?

2. Does the Equal Protection Clause of the Fourteenth Amendment empower a federal court to order a public school board to assign children to the schools it operates to balance the student bodies in such schools racially or to bus children outside of nondiscriminatory attendance districts or zones to effect such purpose?

3. Does Title IV of the Civil Rights Act of 1964, which prohibits the assignment of students to public schools to balance the student bodies in such schools racially and to bus them from some schools to other schools or from some school districts to other school districts to effect such purpose, constitute appropriate legislation to enforce the Equal Protection Clause within the purview of the Fifth Section of the Fourteenth Amendment?

4. Does the order entered by the District Court and affirmed in part by the Circuit Court usurp and exercise the authority of the Charlotte-Mecklenburg Board of Education to devise and implement a non-discriminatory assignment plan conforming to the Equal Protection Clause, and require the Charlotte-Mecklenburg Board of Education to violate the Equal Protection Clause by treating in a different manner students similarly situated and by denying students admission to their neighborhood schools because of their race?

The amicus curiae insists that the first, third, and fourth questions must be answered in the affirmative and that the second question must be answered in the negative.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The case involves the first and second sections of the Fourteenth Amendment; the first and second sections of Article III of the Constitution; and Title IV of the Civil Rights Act of 1964. These constitutional and statutory provisions are printed in the Appendix.

STATEMENT OF THE CASE

A. The Charlotte-Mecklenburg Public School System

The writ in No. 281 and the writ in No. 349 present to the Supreme Court for review the judgment entered by the United States Court of Appeals for the Fourth Circuit on May 26, 1970, in the civil action entitled James E. Swann and others, Plaintiffs, v. Charlotte-Mecklenburg Board of Education and others, Defendants. For ease of narration and understanding, James E. Swann and his associates in this litigation are hereafter called the plaintiffs, and the Charlotte-Mecklenburg Board of Education is hereafter designated as the School Board.

The School Board operates the Charlotte-Mecklenburg Public School System in Charlotte and Mecklenburg County, North Carolina, political subdivisions of North Carolina. Charlotte, which is the county seat of Mecklenburg County, is inhabited by 239,056 persons who are concentrated within the 64 square miles embraced by its city limits, an area larger than the District of Columbia. Mecklenburg County embraces 550 square miles, has an east-west span of

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26 miles, a north-south span of 36 miles, and has a population of 352,006, exclusive of those residing within the area embraced by Charlotte.

In the discharge of its state-assigned duties, the School Board operates 10 high schools, 21 junior high schools, and 72 elementary schools to house and instruct the 84,500 school children residing in Charlotte and Mecklenburg County. Of these school children, 24,000, or 29 percent, are black, and 60,500, or 71 percent, are white. Approximately 95 percent of all the black children who reside within the limits of the City of Charlotte live in predominantly black residential sections in northwest Charlotte, and a substantial portion of the other black children in Mecklenburg County reside in predominantly black residential areas adjacent to it. (293a–298a).

Prior to *Brown* v. *Board of Education of Topeka*, 347 U.S. 483 (1954), the School Board operated the public schools of Charlotte and Mecklenburg County as racially segregated schools in conformity with the interpretation then placed upon the Equal Protection Clause of the Fourteenth Amendment. Subsequent to the *Brown Case* and prior to 1965, the School Board established an effective system of determining admission to its public schools on a non-racial basis. It did this, and thus converted its formerly dual system into a unitary system by establishing non-discriminatory attendance districts or zones, and assigning the school children subject to its jurisdiction to their neighborhood schools irrespective of race.

Inasmuch as some of the attendance districts or zones in rural Mecklenburg County and some of its suburban residential districts or zones in or adjacent to Charlotte are extremely large, the School Board voluntarily established a transportation system for the sole purpose of carrying children residing in these geographically large districts or zones to the nearest available schools. As a consequence, it now uses 280 buses to bus some 23,000 school children to rural and suburban schools. (864a)

In 1965 the plaintiffs brought the instant action against the School Board in the United States Court for the Western District of North Carolina seeking to obtain a compulsory desegregation decree. After hearing the evidence in the case, the District Court found that the School Board had complied with the requirement of the Equal Protection Clause and denied the decree sought by them. *Swann* v. *Charlotte-Mecklenburg Board of Education*, 243 F.Supp. 667 (1965). This ruling was affirmed by the Circuit Court. *Swann* v. *Charlotte-Mecklenburg Board of Education*, 369 F.2d 29 (1966).

B. The plan submitted by the Charlotte-Mecklenburg Board of Education

Subsequent to the decision of *Green* v. *County School Board of New Kent County*, 391 U.S. 430 (1968), the plaintiffs filed a motion in the cause seeking further desegregation. (2a)

Although it found as a fact that the "location of schools in Charlotte has followed the local pattern of residential development, including its de facto patterns of segregation" (305a), and that the School Board members "have achieved a degree and volume of desegregation of schools apparently unsurpassed in these parts and have exceeded the performance of any school boards whose actions have been reviewed in the appellate court decisions" (311a–312a), the District Court resumed hearings in the case on the ground that the *Green Case* had changed "the rules of the game." (312a)

"It is to be noted that subsequently the District Court on its own motion reversed its previous findings that any racial imbalance in the Charlotte-Mecklenburg public schools was the result of de facto segregation by asserting that "there is so much State action imbedded in and shaping these events that the resulting segregation is not innocent or 'de facto' and the resulting schools are not 'unitary' or 'desegregated'." (662a) The amicus curiae submits with all due deference that there is no testimony in the record to sustain this particular finding.

Pursuant to the orders entered by the District Court on April 23, 1969 (285a), June 20, 1969 (448a), August 15, 1969 (579a), and December 1, 1969 (698a), the School Board filed desegregation plans (330a, 480a, 670a) which were rejected by the District Court.

Meanwhile on December 2, 1969, the Court appointed Dr. John Finger, a resident of Rhode Island, as a special consultant to devise a desegregation plan for the guidance of the Court. (819a) Dr. Finger had originally entered the case as a partisan witness for the plaintiffs, and for this reason a good

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case can be made for the proposition that he lacked the impartiality which is desirable in one selected for the task of assisting a judge in keeping the scales of justice evenly balanced between adverse litigants. (1279a)

While the District Court orders and the School Board plans mentioned above shed light on the School Board's devotion to the neighborhood school concept, and its reluctance as an elected public body to engage in excessive and expensive busing of school children, the subsequent School Board plan of February 5, 1970, and the subsequent District Court order of February 5, 1970, relating to it really illuminate the issues which now confront the Supreme Court. (726a–748a, 819a–839a).

By this plan, the School Board proposed that attendance districts or zones should be drastically gerrymandered in such a manner as to include as many blacks as possible in each district or zone, and that all school children subject to its jurisdiction should be required to attend the school appropriate to their educational standings in the district or zone of their residence. The plan would have accomplished a racial mixture of school children in all of the 103 schools in the system, except three elementary white schools located in neighborhoods inhabited exclusively by members of the white race. (726a–748a)

The School Board plan contemplated that from 17 percent to 36 percent of the student body in nine of the ten senior high schools in the system would be black; that not more than 38 percent of the student body in 20 of the 21 junior high schools in the system would be black; and that not more than 40 percent of the student body in 60 of the 72 elementary schools in the system would be black.

Under the School Board plan, the remaining high school, Independence High, would be 2 percent black and 98 percent white; the remaining junior high school, Piedmont Junior High, would be 90 percent black and 10 percent white; and all of the 12 remaining elementary schools, except the three white elementary schools, would be 83 percent to 1 percent black. (726a–748a)

The School Board judged it to be impossible to desegregate the three white elementary schools, and to further desegregate the nine predominantly black elementary schools by geographic districting or zoning because of the de facto segregation prevailing in the residential areas in which the children assigned to these 12 elementary schools lived. (730a–732a) The District Court made a specific finding in its Supplemental Findings of Fact of March 21, 1970, which establishes the validity of the School Board's conclusion concerning Independence High, Piedmont Junior High, and the 9 predominantly black elementary schools, all of which are located in northwest Charlotte or its environs.

The District Court expressly found that "both Dr. Finger and the School Board staff appear to have agreed, and the Court finds as a fact that for the present at least there is no way to desegregate the all-black schools in northwest Charlotte without providing (or continuing to provide) bus or other transportation of thousands of children. All plans and all variation of plans considered for this purpose lead in one fashion or another to that conclusion." (1208a)

The amicus curiae submits that it beggars imagination to conjecture how any plan could have obtained a greater degree of racial integration by gerrymandering attendance districts or zones in a political subdivision where white children outnumber black children 71 to 29, and where most of the black children are concentrated residentially in an area inhabited exclusively by members of their race.

The School Board plan did not stop with proposing such a high degree of racial integration among the student bodies in the schools subject to its jurisdiction. It made these three additional proposals:

1. That the faculty of each school should be assigned in such a manner that the ratio of black teachers to white teachers in each school would be approximately 1 to 3 in accordance with the ratios in the entire faculty of the system (737a);

2. That the School Board should furnish 4,935 additional students in-district or in-zone transportation to the schools in the proposed gerrymandered attendance districts or zones in accordance with the North Carolina law which forbids such transportation within one and one-half mile distances (736a); and

3. That any black child in any school having more than 30 percent of his race in its student body should be allowed to transfer to any school having less than 30 percent of his race; whereas a white child should be permitted

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to transfer to another school only if the school he is attending has more than 70 percent of his race and the school to which he seeks transfer is less than 70 percent white. (734a–735a)

At the same time, Dr. Finger submitted to the District Court his plan of desegregation which contemplated that the School Board should be required by the Court to deny approximately 23,000 additional children admission to the neighborhood schools in the districts or zones of their residence, and to transport them by bus or otherwise substantial distances in order to produce a greater racial mixture in student bodies. (819a, 825a–82.a, 829a–839a, 1198a, 1208a–1214a, 1231a–1234a, 1268a–1269a)

C. The Order of the District Court

On February 5, 1970, the District Court entered an order approving the School Board plan, subject to certain drastic conditions and revisions recommended by Dr. Finger. (819a–839a) By adopting these conditions and revisions, the District Court commanded the School Board to do these things:

1. To deny hundreds of black high school students admission to a nearby high school which would have had a racial composition of 36 percent black and 64 percent white under the School Board plan, and to bus them from their residences in northwest Charlotte through center-city traffic a distance of some 12 or 13 miles to Independence High School, which is located in a white suburban residential area;

2. To deny several thousands of black junior high school students admission to their neighborhood junior high schools in the inner city, and to bus them substantial distances to nine predominantly white suburban schools located in other attendance districts or zones; and

3. To deny thousands of black and thousands of white elementary school children admission to 31 elementary schools located within their respective attendance districts or zones, and to bus them distances approximately 15 miles to elementary schools situated in other attendance districts or zones.

The sole purpose of the District Court in ordering the School Board to dislocate and bus the hundreds of black high school students to Independence High School was to make Independence High less white, and the sole purpose of the District Court in ordering the School Board to dislocate and bus several thousands of junior high school students was to reduce the percentage of blacks in Piedmont Junior High from 90 percent to 32 percent. (825a–826a)

The sole purpose of the order of the Court commanding the School Board to dislocate and bus thousands of elementary school children was to alter the racial composition of the student body in 9 predominantly black inner-city schools and in 24 predominantly white suburban schools. To accomplish this purpose, the District Court commanded the School Board to dislocate and bus thousands of black first, second, third, and fourth grade students from 9 predominantly black inner-city schools to 24 predominantly white suburban schools, and to dislocate and bus thousands of white fifth and sixth grade students from the 24 predominantly white suburban schools to the 9 predominantly black inner-city schools. (826a)

The order of the District Court did not stop with these things. If further ordered the School Board to establish and implement a continuing program of assigning students throughout the school year "for the conscious purpose of maintaining each school * * * in a condition of desegregation." (824a)

The record clearly discloses the reasoning which prompted the District Court to seek to achieve the purposes of its order.

Prior to its order of February 5, 1970, namely, on April 24, 1969, the District Court manifested its disapproval of the School Board's adherence to the neighborhood school concept by this statement: "Today people drive as much as 40 or 50 miles to work; 5 to 10 miles to church; several hours to football games; all over the country for civic affairs of various types. The automobile has exploded the old-fashioned neighborhood * * * If this Court were writing the philosophy of education, he would suggest that educators should concentrate on planning schools as educational institutions rather than as neighborhood proprietorships." (306a)

When it entered its order of February 5, 1970, the District Court justified adding the conditions and revisions recommended by Dr. Finger on the ground that the School Board plan "relies almost entirely on geographical attendance

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zones," while "the Finger plan goes further and produces desegregation of all the schools in the system." (819a)

What has been said makes it manifest that the District Court entertained the opinion that the Equal Protection Clause of the Fourteenth Amendment makes it obligatory for a school board to mix student bodies racially in every school subject to its jurisdiction if children are available for mixing, and that a school board must deny a sufficient number of school children admission to their neighborhood schools and bus them to schools elsewhere either to overcome racial imbalances in their neighborhood schools or in the schools elsewhere regardless of whether such racial imbalances are produced by arbitrary or invidious discrimination on the part of the school board or simply result from adventitous de facto residential segregation or other cause.

The amicus curiae has not undertaken to state with exactitude the number of additional school children which the District Court ordered the School Board to deny admission to their neighborhood schools and to bus from one school to another or from one school district to another, or the additional cost which the carrying out of the District Court's order in this respect will impose upon the School Board.

This action of the amicus curiae has been deliberate because these matters are in serious dispute between the School Board and the District Court.

When the District Court entered its order of February 5, 1970, and thereby adopted the Finger plan in virtually its entirety, the School Board estimated that the order required it to bus 23,384 additional students an average round trip of 30 miles each school day, and that to do this the School Board would have to acquire 526 additional buses and additional parking spaces at an original capital outlay of $3,284,448.94; and thereafter expend each year an additional $1,065,391.98 in employing additional personnel and defraying other operating costs. (853a, 866a)

On March 3, 1970, the District Court modified its order of February 5, 1970. (921a) The School Board then calculated that the order as modified will require it to transport 19,285 additional students and to purchase for such purpose 422 additional buses and additional parking spaces at an original capital outlay of $2,369,100.00; and thereafter to expend each year for additional personnel and operating expenses of such buses $284,000.00. (1269a–1270a)

The Court estimated the the execution of its order as modified would require the School Board to bus 13,300 additional students and to purchase for use 138 additional buses at an original capital outlay of $745,200.00; and to expend thereafter annually $266,000.00 for operating costs of such additional buses, exclusive of what it will have to expend to compensate any additional personnel necessary for their operation. (1259a–1261a, 1269a)

The Court arrived at its figures by suggesting that the School Board could reduce its estimate of the expenses incident to busing the thousands of children affected by its order by drastically staggering school openings and closings. The School Board replied to this suggestion by asserting that the suggested staggering of school openings and closings would require some children to leave home as early as 6:30 a.m. and prevent some of them from returning home before 5:00 p.m. (864a–865a)

D. The Judgment of the United States Court of Appeals for the Fourth Circuit

At the instance of the School Board, the United States Court of Appeals for the Fourth Circuit reviewed the orders of the District Court. On May 26, 1970, the Circuit Court rendered its judgment affirming the orders of the District Court insofar as they related to the assignment and busing of senior high school and junior high school students, and remanding to the District Court for further consideration the provisions of the District Court relating to the assignment and busing of elementary school students. (1262a–1304a)

In making this demand, the Circuit Court adjudged that "not every school in a unitary system need be integrated," and adopted a "test of reasonableness—instead of one that calls for absolutes." (1267a)

The writ of certiorari granted to the School Board presents for review the validity of the Circuit Court ruling approving the orders of the District Court relating to the assignment and busing of senior high school and junior high school students and the writ of certiorari granted to the original plaintiffs presents for review the question of the validity of the ruling of the Circuit Court vacating the order of the District Court relating to the assignment and busing of elementary school students.

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Subsequent to these events, namely, on August 3, 1970, the District Court reinstated and reaffirmed its order of February 5, 1970, in respect to the assignment and busing of the elementary school students. (1320a) While the validity of this particular order may not be before the Supreme Court, the question which it raises is involved in the matter to be reviewed under the writ granted to James E. Swann and those associated with him in this litigation.

The amicus curiae understands that the School Board has filed an yet unprinted motion with the Supreme Court for a stay of the order entered by the District Court on August 3, 1970, after the hearing of the case in the Circuit Court.

SUMMARY OF AGREEMENT

In the final analysis, the questions presented for review in this case do not arise out of any real controversy in respect to the testimony. They arise out of a fundamental disagreement between the School Board, on the one hand, and the District Court and some of the Circuit Court Judges, on the other, with respect to how the Equal Protection Clause applies to the assignment of students to public schools.

The view of the School Board may be epitomized in this fashion:

The Equal Protection Clause applies only to State action which is arbitrary or invidious, and, hence, it leaves a public school board, acting as a State agency, entirely free to assign students to its schools by any method satisfactory to itself if such method is not arbitrary or invidious. A public school board acts arbitrarily or invidiously if it assigns students to its schools for racial reasons, but a public school board does not act arbitrarily or invidiously if it assigns students to its schools for non-racial reasons, such as the promotion of the efficiency of school administration, the economy of school administration, or the convenience of the students or their parents. This being true, the Equal Protection Clause does not impair in any way the power of a public school board to create fairly drawn geographic attendance districts or zones, and to assign all students without regard to their race to neighborhood schools in the respective districts or zones in which they reside even though such action may result in some racial imbalances in the schools serving areas predominantly inhabited by members of one race.

The view of the District Court and some of the Circuit Court Judges may be summarized in this way:

It is highly desirable from an educational viewpoint to mix students in public schools racially in the highest possible degree. Hence, the Equal Protection Clause imposes upon a public school board the positive duty to balance racially all the schools it operates if black and white children are available for this purpose; and to deny school children admission to their neighborhood schools and bus them to other schools in other areas, no matter how distant, in sufficient numbers to effect such racial balancing.

The School Board refutes this proposition by saying that the Equal Protection Clause does not require action which may be desirable; it merely prohibits action which is arbitrary or invidious.

When it is stripped of irrelevancies and surmises, the record discloses a surprisingly simple state of facts which are relatively free of conflict insofar as they relate to the crucial issues.

After the first *Brown Case*, 347 U.S. 483 (1954), the School Board converted its previously dual system of schools into a unitary system of schools within which no child was excluded because of the child's race. The School Board did this by a geographic assignment plan applicable in like manner to all children without regard to their race. Its action in this regard was adjudged to be in compliance with the Equal Protection Clause by both the District Court and the Court of Appeals.

Subsequent to the *Green Case*, 391 U.S. 430 (1968), the District Court ordered the School Board to submit another plan for the desegregation of its schools. Pursuant to this order, the School Board proposed a plan which was reasonably designed to secure the maximum amount of racial mixture obtainable in the student bodies in its schools without abandonment of the neighborhood school concept by restructuring its geographic attendance districts or zones, and assigning all of the children subject to its jurisdiction without regard to their race to their respective neighborhoods schools in the districts or zones in which they reside.

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The Court rejected the School Board plan simply because it did not racially imbalance one senior high school out of the system's ten senior high schools, one junior high out of the system's 21 junior high schools, and nine predominantly black and three predominantly white elementary schools out of the system's 72 elementary schools.

Instead of approving the reasonable plan submitted by the School Board, the District Court, in essence, adopted the Finger Plan which requires the School Board to deny thousands of children admission to their neighborhood schools, and to bus them to other schools in other areas merely to eliminate the racial imbalances in these particular schools. The School Board insists that the action of the District Court was not only inconsistent with the Equal Protection Clause, but violates Title IV of the Civil Rights Act of 1964, and that the Circuit Court erred insofar as it approved the action of the District Court.

ARGUMENT

I

"The Charlotte-Mecklenburg Board of Education has complied with the Equal Protection Clause of the Fourteenth Amendment and the Supreme Court decisions interpreting it by establishing and operating a unitary public school system, which receives and teaches students without discrimination on the basis of their race or color. Any racial imbalance remaining in any of the schools under the jurisdiction of the Board represents de facto segregation, which results from the purely adventitious circumstances that the inhabitants of particular areas in and adjacent to the city of Charlotte are predominantly of one race."

The Equal Protection Clause of the Fourteenth Amendment, which was certified to be a part of the Constitution on July 28, 1868, forbids a state to "deny to any person within its jurisdiction the equal protection of the laws."

By these words, the Equal Protection Clause requires a state to treat in like manner all persons similarly situated. *State Board of Tax Commissioners of Indiana* v. *Jackson*, 283 U.S. 527 (1931); *Maxwell* v. *Bugbee*, 250 U.S. 525 (1919). The clause does not require identity of treatment. *Walters* v. *St. Louis*, 347 U.S. 231 (1934). It permits a state to make distinctions between persons subject to its jurisdiction if the distinctions are based on some reasonable classification, and all persons embraced within the classification are treated alike. It merely outlaws arbitrary or invidious discrimination. *Avery* v. *Midland County*, 390 U.S. 474 (1968); *Missouri Pacific Railway Co.* v. *Mackey*, 127 U.S. 205 (1888).

From July 28, 1868, until May 17, 1954, the Equal Protection Clause of the Fourteenth Amendment was interpreted to sanction the "separate but equal doctrine," which permitted a state to segregate school children in its public schools on the basis of race when it furnished equal facilities for the education of the children of each race. *Gong Lum* v. *Rice*, 275 U.S. 78 (1927); *Cumming* v. *Richmond County Board of Education*, 175 U.S. 528 (1899); *Plessy* v. *Ferguson*, 163 U.S. 537 (1896).

On May 17, 1954, the Supreme Court handed down its historic decision in *Brown* v. *Board of Education of Topeka*, 347 U.S. 483 (1954), adjudging 'that in the field of public education the doctrine of 'separate but equal' has no place" and holding that a state violates the Equal Protection Clause if it denies any child admission to any of its public schools on account of the child's race.

On the same day the Supreme Court handed down *Bolling* v. *Sharpe*, 347 U.S. 497 (1954), ruling that the Due Process Clause of the Fifth Amendment imposes the same inhibition on the public schools of the District of Columbia that the Equal Protection Clause does on the public schools of a state, and one year later the Supreme Court announced its implementing decision in second *Brown*, which is reported as *Brown* v. *Board of Education of Topeka*, 348 U.S. 294 (1955).

Since these decisions the Supreme Court has applied the Equal Protection Clause to varying factual situations arising in various Southern public school districts in the following cases: *Cooper* v. *Aaron*, 358 U.S. 1, 20 (1958); *Shuttlesworth* v. *Birmingham Board of Education*, 358 U.S. 101 (1958); *Bush* v. *Orleans Parish School Board*, 364 U.S. 500 (1960); *Watson* v. *City*

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of Memphis, 373 U.S. 526 (1963); *Goss* v. *Board of Education of Knoxville*, 373 U.S. 683 (1963); *Griffin* v. *County School Board of Prince Edward County*, 377 U.S. 218 (1964); *Bradley* v. *School Board of City of Richmond*, 382 U.S. 103 (1965); *Rogers* v. *Paul*, 382 U.S. 198 (1965); *Green* v. *County School Board of New Kent County*, 391 U.S. 430 (1968); *Raney* v. *Board of Education of the Gould School District*, 391 U.S. 443 (1968); *Monroe* v. *Board of Commissioners of the City of Jackson*, 391 U.S. 450 (1968); *United States* v. *Montgomery County Board of Education*, 395 U.S. 225 (1969); *Alexander* v. *Holmes County Board of Education*, 396 U.S. 19 (1969); *Dowell* v. *Board of Education of the Oklahoma City Public Schools*, 396 U.S. 269 (1969); *Carter* v. *West Felicana Parish School Board*, 396 U.S. 226 (1969); *Carter* v. *West Felicana Parish School Board*, 396 U.S. 290 (1970); and *Northcross* v. *Board of Education of the Memphis City Schools*, 397 U.S. 232 (1970).

Besides, individual Supreme Court Justices, acting as Circuit Justices, have expressed opinions on the subject in these cases: *Board of School Commissioners of Mobile County* v. *Davis*, 11 L. ed. 2d 26 (1963); *Keyes* v. *School District No. 1, Denver*, 396 U.S. 1215 (1970); *and Alexander* v. *Holmes County Board of Education*, 396 U.S. 1218 (1969).

The record in the instant case embraces hundreds of pages of evidence, orders, and judgments, and for that reason, the case lends itself to much writing. But the issues arising in the case are simple, and it would complicate that simplicity to analyze the cited decisions in detail. In their ultimate analysis, they interpret the Equal Protection Clause as follows:

1. The Equal Protection Clause makes it unconstitutional for a state to deny any child admission to any public school it operates on account of the child's race.

2. In consequence, the Equal Protection Clause imposes upon a State, acting through its appropriate agencies, the responsibility to establish a system of determining admission to its public schools on a non-racial basis.

3. A state, which operated a racially segregated system of public schools on May 17, 1954, fulfills this responsibility by converting its dual public school system into a unitary public school system.

4. A unitary public school system is one "within which no person is to be effectively excluded from any school because of race or color."

When the Equal Protection Clause as thus interpreted is appiled to the facts in this case, it is obvious that the School Board has fully converted its *Pre-Brown* dual school system into a unitary school system within which no child is actually excluded from any school because of race or color. The School Board has done this by creating non-discriminatory attendance districts or zones and assigning all children, black and white, to neighborhood schools in the district or zone in which they reside without regard to their race.

These conclusions are explicit in the rulings made by the District Court and the Circuit Court in 1965 and 1966. *Swann* v. *Charlotte-Mecklenburg Board of Education*, 243 F.Supp. 667 (1965), *Swann* v. *Charlotte-Mecklenburg Board of Education*, 369 F.2d (1966). They are implicit in the findings made by the District Court in the order of April 23, 1969, that the School Board had "achieved a degree of desegregation of schools apparently unsurpassed in these parts" and had "exceeded the performance of any school board whose actions have been reviewed in the appellate court decisions," (311a–312a) and that the Schools of Charlotte, in essence, conform to de facto patterns of residential segregation. (305a)

To be sure, the District Court, acting *sua sponte*, undertook to recall these findings in its Memorandum Opinion of November 7, 1969, and to assert that racial imbalances in the Schools of Charlotte are "not innocent or *de facto*." (662a)

The amicus curiae submits in all earnestness that there is no evidence in the record to sustain the District Court's assertion in this respect. Be this as it may, the Supreme Court is empowered in cases of an equitable nature and cases involving constitutional questions to review the evidence and make its own findings. If it follows this course in this case, the Supreme Court will be impelled to the conclusion that there is not a vestige of state-imposed segregation in the Charlotte-Mecklenburg School System.

Besides, the District Court's assertion that racial imbalances in the schools of Charlotte are "not innocent or *de facto*" is totally repudiated by its

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subsequent finding that there is no way to desegregate the black schools in northwest Charlotte without transporting thousands of children by bus or other means. (1208a)

When all is said, the School Board went far beyond the call of any duty imposed upon it by the Equal Protection Clause when it proposed in its plan of February 2, 1970, to gerrymander attendance districts or zones in order to achieve the highest degree of desegregation obtainable without virtual abandonment of the neighborhood school concept. The amicus curiae expresses no opinion as to whether this proposal is repugnant to the constitutional or legal rights of any child.

II

"The Equal Protection Clause of the Fourteenth Amendment does not require or empower a Federal Court to order a public school board to assign children to the schools it operates merely to balance the student bodies in such schools racially, or to bus children outside reasonable geographic attendance districts or zones to effect such purpose. The District Court ordered the Charlotte-Mecklenburg School Board to do both of these things, and the Circuit Court erred insofar as it affirmed the District Court order."

The facts make it clear that the order entered by the District Court on February 5, 1970, requires racial balancing in the Charlotte-Mecklenburg School System and the busing of thousands of children outside their geographic attendance districts or zones to effect such balancing.

Indeed, the District Court virtually admits this to be true by setting forh in its Supplemental Findings of Fact of March 21, 1970, a specific finding that there is no other way to desegregate the black schools in northwest Charlotte. (1208a)

Upon the entire record, the conclusion is inescapable that the District Court fell into error because it honestly believed that the Equal Protection Clause and certain decisions interpreting it impose upon a public school board an absolute duty to do these things:

1. To balance racially to the highest degree possible all the schools subject to its control if black and white children are available for that purpose anywhere within the territory subject to its jurisdiction, no matter how vast such territory may be; and

2. To effect such racial balancing by denying both black and white children admission to their neighborhood schools and busing them to other schools in other areas in sufficient numbers to overcome racial imbalances either in their neighborhood schools or in the other schools, regardless of whether the racial imbalances result from de facto residential segregation or other cause, and regardless of these other factors: the distances the children are to be bused, the time required for their busing, the impact of their hearts, the effect of these things upon the management of the homes which must nurture them, the traffic hazards involved, and the additional expense foisted upon heavily burdened taxpayers.

There is no other rational explanation for the court order which disrupts the lives of thousands of school children and the management of the thousands of homes from which they come, and diverts tremendous sums of tax-raised moneys from the enlightenment of their minds to the busing of their bodies.

The Equal Protection Clause does not require any court to enter any such order. It does not empower any court to enter any such order. Indeed, it forbids any court to do so.

As interpreted in the first *Brown Case*, 347 U.S. 483 (1954), and all subsequent Supreme Court decisions relevant to the subject, the Equal Protection Clause forbids a public school board, which acts as a state agency, to deny any child admission to any school it operates on account of the child's race. A public school board obeys the Clause by maintaining a unitary school system, i.e., a school system "within which no person is to be effectively excluded from any school because of race or color." *Northcross* v. *Board of Education of the Memphis City Schools*, 397 U.S. 232 (1970); *Alexander* v. *Holmes County Board of Education*, 396 U.S. 19 (1969). See also the opinion of Mr. Justice Black, acting as Circuit Justice, in *Alexander* v. *Holmes County Board of Education*, 396 U.S. 1218 (1969).

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The power to assign children to state supported schools belongs to the public school board which operates them. The Equal Protection Clause does not undertake to transfer this power to the Federal Courts. It merely subjects the exercise of the power by the public school board to this limitation: The board must not exculde any child from any school it operates because of the child's race.

If it faithfully observes this limitation upon its power, a public school board has the right to assign children to the schools it operates in any non-discriminatory fashion satisfactory to itself.

The School Board exercised this right when it created nondiscriminatory attendance districts or zones and assigned all children, whether black or white, to neighborhood schools in the districts or zones of their residence without regard to race.

Since the children are similarly situated and the School Board treats them exactly alike, its action is in complete harmony with the Equal Protection Clause. It accords, moreover, with the implementing decision in the second *Brown Case*, 349 U.S. 294 (1955), which expressly recognizes that a school board may employ non-discriminatory geographic zoning of school districts 'to achieve a system of determining admission to the public schools on a nonracial basis."

As is true in respect to virtually every city of any size in our land, the different races are concentrated to a substantial degree in separate residential areas in Charlotte, and for this reason the School Board's non-discriminatory geographic zoning and assignment program necessarily results in some racial imbalances in some schools.

Notwithstanding this, the order of the District Court commanding the School Board to exclude thousands of children from their neighborhood schools and to bus them long distances to other schools to overcome these racial imbalances is without support in the Equal Protection Clause.

This is true for an exceedingly plain reason. The Equal Protection Clause does not prohibit any discrimination except that which is arbitrary or invidious.

It inevitably follows that where school attendance areas are not arbitrarily or invidiously fixed so as to include or exclude children of a particular race, the Equal Protection Clause does not prohibit a state or local school board from requiring that the children living in each attendance area attend the school in that area, even though the effect of such a requirement, in a locality where the different races are concentrated in separate residential areas, is racial imbalance or de facto segregation in the schools.

The conclusion that the Equal Protection Clause does not impose upon a public school board any mandate to remove any racial imbalance in its schools occasioned by de facto residential segregation or non-discriminatory geographic assignments is expressly supported in *Bell* v. *School City of Gary, Ind.* (7 CA–1963), 324 F.2d 209, and *Downs* v. *Board of Education of Kansas City, Kansas* (10 CA–1964), 336 F.2d 998. Moreover, it is compelled by first *Brown*, 347 U.S. 483 (1954), and all the subsequent Supreme Court cases applying its holding, as well as by the language of the Equal Protection Clause itself.[1]

Despite the fact that the Charlotte-Mecklenburg School System is in the South, racial imbalances produced in its schools by de facto residential segregation are just as innocent as racial imbalances produced in the public schools of the North by the same cause, and are equally exempt from federal interference, whether legislative, executive, or judicial, under the Equal Protection Clause, which, as already pointed out, condemns no discrimination except that which is arbitrary or invidious.

The amicus curiae is confident that the Supreme Court will so adjudge. Indeed, it must do so if the United States is truly one nation under one flag and one Constitution.

It no longer comports with intellectual integrity to call all racial imbalances in the public schools of the South de jure, and all racial imbalances in the public schools of the North de facto.

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[1] While such action may not be customary in briefs, the amicus curiae wishes to note that this conclusion is supported by the text writer in 15 Am. Jur. 2d, Civil Rights, Section 39, Page 433, and by one of the most recent commentaries on the Constitution of the United States, i.e., Bernard Schwartz's "Rights of the Person," Volume II, Section 501, Page 593–596.

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There is now no de jure school segregation anywhere in our land. Racial imbalances in public schools are either arbitrary or indivious and, hence, constitutionally, impermissible, both North and South, or innocent and, hence, constitutionally permissible, both North and South. Racial imbalances resulting from de facto residential segregation or non-discriminatory districting or zoning, whether in the North or in the South, are clearly innocent and constitutionally permissible.

Moreover, it no longer comports with reality, common sense, or justice to apply one rule to the North and another to the South because the South did not precede the Supreme Court in discovering that the "separate, but equal doctrine" had ceased to be the law of the land .

III

"The Fifth Section of the Fourteenth Amendment Empowers Congress to Enforce the Equal Protection Clause by Appropriate Legislation, the First Section of Article III of the Constitution Empowers Congress to Regulate the Jurisdiction of United States District Courts and United States Circuit Courts of Appeals, and the Second Section of Article III of the Constitution Empowers Congress to Regulate the Appellate Jurisdiction of the Supreme Court. Congress Exercised all of These Powers in an Appropriate Fashion When it Enacted Title IV of the Civil Rights Act of 1964, Which Prohibits the Assignment of Students to Public Schools to Balance the Student Bodies in Such Schools Racially, and to bus Them From Some Schools to Other Schools, or From Some School Districts to Other School Districts to Effect Such Purpose. The Act's Prohibition on Busing is Absolute and Deprives Federal Courts of Jurisdiction to Compel School Boards to Bus Students to Overcome Racial Imbalances in Schools, Even if Such Imbalances Result From Discriminatory School Board Action. The District Court Order Violated This Act by Commanding the Charlotte-Mecklenburg School Board to do the Things Prohibited by it, and the Circuit Court Joined in Such Violation Insofar as it Affirmed the District Court Order."

The Equal Protection Clause is limited in objective and operation. It imposes this duty and this duty only on a state, i.e., to treat in like manner all persons similarly situated.

In consequence, it forbids a public school board, acting as a state agency, to exclude any child from any school because of the child's race.

Further than that it does not go. It does not rob any public school board of its inherent authority to assign children of any race to their neighborhood school if the school board acts for reasons other than racial reasons, such as a purpose to promote ease of school administration, convenience of the children and the homes from which they come, or economy of operation.

Hence, it does not empower federal courts to deny children of any race admission to their neighborhood schools and to bus them to other schools in other areas to remedy racial imbalances in their neighborhood schools or the other schools arising out of the residential patterns of their neighborhoods or of the other areas.

And, above all things, the Equal Protection Clause does not intend that little children, black or white, shall be treated as pawns on a bureaucratic or judicial chess board.

When it enacted Title IV of the Civil Rights Act of 1964 to enforce the Equal Protection Clause, Congress recognized the validity of these observations concerning the meaning of the Equal Protection Clause. Moreover, it was not oblivious to the inescapable reality that the different races are concentrated to substantial degrees in separate residential areas throughout the nation, and that it would be virually impossible to keep the public schools of the country racially balanced, even if the Equal Protection Clause did not prohibit such action.

For these reasons, Congress vested in the Commissioner of Education, the Attorney General, and the Federal Courts certain responsibilities regarding what it called the desegregation of public education, but limited the powers of the Commissioner of Education and the Attorney General, and the jurisdiction of the Federal Courts to keep them within constitutional bounds.

Congress was authorized to do these things by the Fifth Section of the Fourteenth Amendment, which expressly empowers Congress to "enforce, by

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appropriate legislation" the Equal Protection Clause; the First Section of Article III of the Constitution, which authorizes Congress to prescribe the jurisdiction of the inferior courts created by it, *Chisholm* v. *Georgia*, 2 Dall. (U.S.) 419, 432 (1793); *Turney* v. *Bank of North America*, 4 Dall. (U.S.) 8 (1799); *Ex Parte Bollman*, 4 Cranch (U.S.) 75, 93 (1807); *Cary* v. *Curtis*, 3 How. (U.S.) 236, 245 (1845); *Sheldon* v. *Still*, 8 How (U.S.) 441 (1850); *Kline* v. *Burke Construction Co.*, 260 U.S. 226, 234 (1922); *Lauf* v. *E. G. Skinner & Co.*, 303 U.S. 323, 330 (1938); *Lockerty* v. *Phillips*, 319 U.S. 182 (1943); and *Yankus* v. *United States*, 321 U.S. 414 (1944); and the Second Section of Article III of the Constitution, which vests Congress with legal power to regulate the appellate jurisdiction of the Supreme Court, *Wiscart* v. *D'Auchy*, 3 Dall. (U.S.) 321 (1796); *Durousseau* v. *United States*, 6 Cranch 309 (1810); *Barry* v. *Mercein*, 5 How. (U.S.) 103, 119 (1847); *Daniels* v. *Railroad Co.*, 3 Wall. (U.S.) 250, 254 (1866); *Ex Parte McCardle*, 6 Wall. (U.S.) 318 (1868); *The Francis Wright*, 105 U.S. 381, 386 (1882); *Kuntz* v. *Moffitt*, 115 U.S. 487, 497 (1885); *Cross* v. *Burke*, 146 U.S. 82, 86 (1892); *Missouri* v. *Pacific Railway Co.*, 292 U.S. 13, 15 (1934); and *Stephan* v. *United States*, 319 U.S. 423, 426 (1943).

The conclusion that Title I of the Civil Rights Act of 1964 is designed to enforce the Supreme Court rulings that the Equal Protection Clause forbids a school board, acting as a state agency, to deny any child admission to any school it operates because of the child's race is vindicated by the legislative history of the Act, as well as by its language.

During the course of the debate on the bill which became the Civil Rights Act of 1964, Senator Byrd of West Virginia addressed this question to Senator Humphrey, the floor manager of the bill, and received this reply from Senator Humphrey:

"Mr. BYRD, of West Virginia. Can the Senator from Minnesota assure the Senator from West Virginia that under Title VI school children may not be bused from one end of the community to another end of the community at the taxpayers' expense to relieve so-called racial imbalance in the schools?" [2]

"Mr. HUMPHREY. I do." [3]

Senator Humphrey made these further statements relating to the purposes of the bill:

"Mr. HUMPHREY. Mr. President, the Constitution declares segregation by law to be unconstitutional, but it does not require integration in all situations. I believe this point has been made very well in the courts, and I understand that other Senators will cite the particular cases.

"I shall quote from the case of Bell against School City of Gary, Ind., in which the Federal court of appeals cited the following language from a special three judge district court in Kansas: 'Desegregation does not mean that there must be intermingling of the races in all school districts. It means only that they may not be prevented from intermingling or going to school together because of race or color.' *Brown* v. *Board of Education, D.C.*, 139 F. Supp. 468, 470.

"In *Briggs* v. *Elliott* (EDSC), 132 Supp. 776, 777, the Court said: "The Constitution, in other words, does not require integration. It merely forbids discrimination.' In other words, an overt act by law which demands segregation is unconstitutional. That was the ruling of the historic *Brown* case of 1954." [4]

The language of the Act discloses this twofold Congressional intent:

1. To enforce the Supreme Court rulings that the Equal Protection Clause prohibits the State from denying to any child admission to any school it operates because of the child's race; and

2. To keep overzealous bureaucrats and federal judges from straying beyond constitutional limits in cases involving the desegregation of public schools.

Since no action of his is involved in this case, the amicus curiae pretermits discussion of the provisions of the Civil Rights Act of 1964 relating to the Commissioner of Education.

In phrasing the Act, Congress uses the terms "desegregation" and "discrimination" interchangeably to express the concept made familiar by the

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[2] Senator Byrd was evidently referring to Title IV, instead of Title VI.
[3] Congressional Record, Volume 110, Part 10, Page 12,714, June 4, 1964.
[4] Congressional Record, Volume 110, Part 10, Page 13,821, June 15, 1964.

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prevalent use of the word "discrimination" to mean state action denying persons admission to public colleges or public schools because of their race.

This observation is made indisputable by Section 401(b) which expressly declares that "desegregation" merely means "the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin"; Section 407(a)(1) and (2) which refer to children who "are being deprived by a school board of the equal protection of the laws" and individuals who have "been denied admission" to a public college or permission "to continue at a public college by reasons of race, color, religion, or national origin"; Section 409 which directs its attenion to "discrimination in public education"; and Section 410 which stipulates that "nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion, or national origin."

There is not a snigle syllable in Title IV of the Civil Rights Act of 1964 giving any support to a different interpretation.

Section 401(b) merits further consideration because it specifies not only what Congress means by the term "desegregation," but also what Congress does not mean by that term.

Section 401(b) consists of two clauses. The first clause provides that "desegregation" as used in Title IV "means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin," and the second clause provides that "desegregation" as used in Title IV "shall not mean the assignment of students to public schools in order to overcome racial imbalance."

As a law made by Congress, Title IV is binding on federal judges, and defines their jurisdiction in respect to public schools operated by public school boards acting as state agencies.

The first clause of Section 401(b) commands school boards to ignore race, color, religion, and national origin as factors in assigning students to public schools. Since federal judges have no power to add anything to the laws they enforce, this clause merely confers upon federal judges the limited jurisdiction to enforce its command by decrees which prevent recalcitrant school boards from denying otherwise eligible children admission to schools on account of their race, color, religion, or national origin.

Since federal judges do not have power to subtract anything from laws they enforce, the second clause of Section 401(b) denies to federal judges jurisdiction to compel schools boards to assign "students to public schools in order to overcome racial imbalance." By this clause, Congress forbids federal judges to make decrees compelling school boards to take affirmative steps to commingle black and white children in public schools in proportions satisfactory to themselves to remedy racial imbalances occasioned by de facto residential segregation or non-discriminatory action on the part of school boards.

This interpretation of Section 401(b) is completely confirmed by Section 407, 409, and 410 of Title IV.

Before the enactment of Title IV of the Civil Rights Act of 1964, only the individuals aggrieved thereby had legal standing to make complaint in federal courts concerning state-imposed segregation in public education. They were restricted to seeking relief for themselves and their children and other persons similarly situated. They did not have the right to demand that federal courts should substitute federally coerced integration for state-imposed segregation.

When it drafted Title IV, Congress decided to extend to the Attorney General standing to sue for "such relief as may be appropriate" in behalf of two groups of people if he believes their complaints to be "meritorious" and concludes that they are "unable * * * to initiate and maintain appropriate legal proceedings for" their own "relief." These groups of people are described, in essence, as children "who are being deprived by a school board of the equal protection of the laws" and individuals who have been "denied admission" to a public college or "permission to continue in attendance at a public college by reason of race, color, religion or national origin." To this end, Congress inserted Section 407(a) in Title IV.

At the same time, however, Congress decided to preserve intact the existing rights of individuals to sue in their own behalf for relief against state-imposed segregation. To accomplish this purpose, Congress stipulated in

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Section 409 that nothing in Title IV "shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in public education."

Congress was determined, however, not to increase the powers of federal judges when it gave the Attorney General standing to seek relief against discrimination in public education in behalf of the aggrieved persons designated in Section 409(a). Moreover, Congress was equally as determined that federal judges should not have jurisdiction to compel school boards to deny children admission to their neighborhood schools and transport them hither and yon to achieve racial balances in public schools, regardless of whether the racial imbalances sought to be removed to accomplish such purpose arise out of innocent causes or discriminatory action on the part of school boards.

Congress made these purposes manifest by inserting in Section 409(a) language expressly providing "that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards."

By so doing, Congress deprived all federal courts of the jurisdiction to order public school boards to bus children from one school to another or from one school district to another to remedy racial imbalances in public schools regardless of whether such imbalances arise out of innocent causes or discriminatory school board action. As appears from the cases which the amicus curiae has previously cited, Congress has undoubted power to do this under the First Section of Article III of the Constitution, which empowers it to define the jurisdiction of inferior federal courts, and under the Second Section of Article III of the Constitution, which expressly provides that "the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

It necessarily follows that the District Court violated the provisions of the Civil Rights Act of 1964 when it ordered the Charlotte-Mecklenburg School Board to bus thousands of children from some schools to other schools and from some school districts to other school districts to overcome racial imbalances in any of its schools regardless of the origin of such racial imbalances; and that the Circuit Court erred in affirming the provisions of the District Court order relating to the transportation of senior high school and junior high school students.

While such statutes apply to the Executive Department of the Federal Government only, and for that reason are not controlling in this case, it seems not amiss to direct the attention of the Supreme Court to congressional hostility to the busing of children to achieve racial balancing in public schools. Congress manifested its hostility to such action by the Elementary and Secondary Education Act of 1965, as amended in 1966, which forbids "any department, agency, officer, or employee of the United States * * * to require the assignment or transportation of students or teachers in order to overcome racial imbalance," (P.L. 89-10, Title VIII, Section 804; 20 U.S.C. Section 884); the Department of Labor, and Health, Education, and Welfare Appropriation Act of 1969, which provides that "no part of the funds contained in this Act shall be used to force busing of students * * * in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school" (P.L. 90-557, Title IV, Section 410); and the Office of Education Appropriation Act of 1971, which provides that "no part of the funds contained in this Act shall be used to force any school or school district which is desegregated as that term is defined in Title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students" (P.L. 91-380, Title II, Section 210).

IV

"A School Board has the Power to Devise and Implement any Non-discriminatory Plan for the Assignment of Children to the Public Schools it Operates. The District Court not only Rejected a Non-discriminatory Assignment Plan

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Submitted by the Charlotte-Mecklenburg School Board, but it Usurped and Exercised the Authority of the School Board in this Respect by Devising a Plan of its Own Which Commands the School Board to Deny Thousands of Children Admission to Their Neighborhood Schools, and to bus Them to Other Schools to Mix the Races in the Various Schools in Numbers or Proportions Satisfactory to the District Court. By so Doing, the District Court Ordered the School Board to Deny to the Thousands of Children Affected by its Order Admission to Their Neighborhood Schools in Violation of the Equal Protection Clause, and to Bus Them to Other Schools or Other School Districts in Violation of Section 407(a)(2) of the Civil Rights Act of 1964. The Circuit Court Concurred in These Violations, and Erred Insofar as it Affirmed the Order of the District Court."

A school board, acting as a state agency, has the power to assign children to the public schools it operates free from interference by the Federal Judiciary as long as it obeys the Equal Protection Clause and does not exclude any child from any school because of the child's race.

When a school board violates the Equal Protection Clause, a Federal Court has jurisdiction to order the school board to devise and implement a plan sufficient to remedy its discriminatory assignment of children to its schools, and to punish the members of the school board for contempt of court if they fail to obey the order. Nevertheless, the power to devise and implement a plan to remedy the discriminatory assignment continues to reside in the school board, and the Federal Court is without power to reject a non-discriminatory plan submitted by the school board because such non-discriminatory plan will not mix the races in the schools in numbers or proportions satisfactory to the Federal Court.

Besides the Federal Court cannot usurp and exercise the power of the School Board to devise a non-discriminatory assignment plan because the Federal Court wishes to mix the races in the schools in greater numbers or proportions than the nondiscriminatory plan of the School Board envisages.

The District Court violated all of these principles when it made its order of February 5, 1970 (819a–839a), its supplemental findings of fact of March 21, 1970 (1198a–1220a), and its supplemental memorandum of March 21, 1970 (1221a–1238a).

Pursuant to the order which the District Court had entered on December 1, 1969, the Charlotte-Mecklenburg School Board submitted to the District Court on February 2, 1970 its plan for desegregation of schools (726a–742a). By this plan the School Board undertook to restructure its geographical attendance districts or zones in such a manner as to promote the highest degree of racial integration obtainable by geographical districting or zoning, and to assign all school children, black or white, to the neighborhood schools in the district or zone of their residence, regardless of race. The plan undertook to further augment desegregation by a transfer system heavily weighted in favor of permitting black children to transfer from predominantly black schools to predominantly white schools.

Inasmuch as it treated all children similarly situated exactly alike and did not exclude any child from any school on account of the child's race, the plan submitted by the School Board on February 2, 1970, was in complete harmony with the Equal Protection Clause and it was obligatory for this reason for the District Court to approve it and permit the School Board to implement it.

Instead of doing so, the District Court rejected the nondiscriminatory plan submitted by the School Board, and usurped and exercised the power vested in the School Board by adopting a plan of its own. The District Court accomplished this purpose by engrafting upon the plans of the School Board drastic alterations and revisions recommended by Dr. Finger, which commanded the School Board to deny thousands of children admission to their neighborhood schools, and to bus them long distances from some schools to other schools, and from some school districts and zones to other school districts or zones.

When all is said, the District Court commanded the School Board to take this action to remedy racial imbalances in black schools in northwest Charlotte arising out of de facto residential segregation in that area, and to produce racial commingling in these schools of northwest Charlotte and other schools in other areas in numbers or proportions greater than those envisaged by the plan of the School Board.

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The District Court virtually confesses that its order was designed to effect these purposes by this recital which appears in its supplemental findings of fact of March 21, 1970:

"Both Dr. Finger and the school board staff appear to have agreed, and the court finds as a fact, that for the present at least, there is no way to desegregate the all-black schools in Northwest Charlotte without providing (or continuing to provide) bus or other transportation for thousands of children. All plans and all variations of plans considered for this purpose lead in one fashion or another to that conclusion." (1208a)

In addition to usurping and exercising power vested by law in the School Board, the District Court order commands the School Board to violate rights vested in thousands of school children by the Equal Protection Clause and the Civil Rights Act of 1964.

Since the power to assign children to public schools belongs to the school board administering such schools, no child has the constitutional or legal right in the first instance to attend any particular school, but when a school board adopts a non-discriminatory system for assigning children to neighborhood schools in the attendance district or zone of their residence, children acquire, as against every governmental agency except the school board, the legal right to attend the schools to which they have been so assigned. This right is additional to their right not to be excluded from such schools because of their race.

By its previous practices and its plan of February 2, 1970, the School Board had assigned thousands of senior high school, junior high school, and elementary school children to their neighborhood schools in a wholly non-discriminatory fashion.

By its order of February 5, 1970, the District Court commanded the School Board to do two things which clearly offend the Equal Protection Clause. In the first place, the District Court commanded the School Board to treat differently children similarly situated by allowing thousands of children to attend their neighborhood schools, and by excluding thousands of other children from admission to their neighborhood schools; and in the second place, the District Court commanded the School Board to bus the thousands of children excluded from their neighborhood schools to some other schools in other districts or zones to desegregate both their neighborhood schools and the other schools in numbers or proportions satisfactory to the District Court.

No amount of sophistry can erase the plain truth that the second group of children were denied admission to their neighborhood schools on account of their race.

Manifestly, the Equal Protection Clause does not confer upon any Federal Court jurisdiction to enter a wondrous order to compel a school board to obey the Equal Protection Clause by violating it. Congress apparently realized this bizarre result of busing children from one school to another, or from one school district or zone to another district or zone, when it prohibited any officer or Court of the United States to require such action to achieve the racial balancing of schools.

The Circuit Court erred in affirming the order of the District Court rejecting the plan submitted by the School Board, and in affirming, in part, the order of the District Court excluding children from their neighborhood schools and requiring them to be bused to other schools and other school districts in other areas.

CONCLUSION

For the reasons stated, the Court should reverse the provisions of the judgment of the Circuit Court insofar as they relate to the assignment and busing of senior high school and junior high school students; approve the provisions of the judgment of the Circuit Court insofar as they vacate the order of the District Court relating to the assignment and busing of elementary school children: and grant the motion of the School Board to stay the order of the District Court reinstating its previous orders relating to the assignment and busing of elementary school students.

Respectfully submitted,

SAM J. ERVIN, JR.
CHARLES R. JONAS.
ERNEST F. HOLLINGS.

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APPENDIX

CONSOLIDATED PROVISIONS INVOLVED

1. The First Section of the Fourteenth Amendment, which reads, in pertinent part, as follows: "nor (shall any State) deny to any person within its jurisdiction the equal protection of the laws."

2. The Fifth Section of the Fourteenth Amendment, which specifies that "The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article."

3. The First Section of Article III, which states, in pertinent part, that "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

4. The Second Section of Article III of the Constitution, which reads, in pertinent part, as follows:

"The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; —to all Cases affecting Ambassadors, other public Ministers and Consuls; —to all Cases of Admiralty and Maritime Jurisdiction; —to Controversies to which the United States shall be a Party; —to Controversies between two or more States; —between a State and Citizens of another State; —between Citizens of different States; —between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

"In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make."

STATUTORY PROVISIONS INVOLVED

1. Title IV of the Civil Rights Act of 1964 which originally appeared in Title IV of Public Law 88–352 of the 88th Congress and is now codified as 42 USC 2000c–2000c–9. This statute reads as follows:

"Title VI—Desegregation of Public Education Definitions

"Sec. 401. As used in this title—

"(a) 'Commissioner' means the Commissioner of Education.

"(b) 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance.

"(c) 'Public school' means any elementary or secondary educational institution, and 'public college' means any institution of higher education or any technical or vocational school above the secondary school level, provided that such public school or public college is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

"(d) 'School board' means any agency or agencies which administer a system of one or more public schools and any other agency which is responsible for the assignment of students to or within such system.

Survey and Report of Educational Opportunities

"Sec. 402. The Commissioner shall conduct a survey and make a report to the President and the Congress, within two years of the enactment of this title, concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions, and the District of Columbia.

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Technical Assistance

'Sec. 403. The Commissioner is authorized, upon the application of any school board, State, municipality, school district, or other governmental unit legally responsible for operating a public school or schools, to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools. Such technical assistance may, among other activities, include making available to such agencies information regarding effective methods of coping with special educational problems occasioned by desegregation, and making available to such agencies personnel of the Office of Education or other persons specially equipped to advise and assist them in coping with such problems.

Training Institutes

"Sec. 404. The Commissioner is authorized to arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation. Individuals who attend such an institute on a full-time basis may be paid stipends for the period of their attendance a such institute in amounts specified by the Commissioner in regulations, including allowances for travel to attend such institute.

Grants

"Sec. 405. (a) The Commissioner is authorized, upon application of a school board, to make grants to such board to pay, in whole or in part, the cost of—

"(1) giving to teachers and other school personnel in-service training in dealing with problems incident to desegregation, and

"(2) employing specialists to advise in problems incident to desegregation.

"(b) In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Commissioner shall take into consideration the amount available for grants under this section and the other applications which are pending before him, financial condition of the applicant and the other resources available to its; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

Payments

"Sec. 406. Payments pursuant to a grant or contract under this title may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Commissioner may determine.

Suits by the Attorney General

"Sec. 407. (a) Whenever the Attorney General receives a complaint in writing—

"(1) signed by a parent or group of parents to the effect that his or their minor children, as members of a class of persons similarly situated, are being deprived by the school board of the equal protection of the laws, or

(2) signed by an individual, or his parent, to the effect that he has been denied admission to or not permitted to continue in attendance at a public college by reason of race, color, religion, or national origin, and the Attorney General believes the complaint is meritorious and certifies that the signer or signers of such complaint are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief and that the institution of an action will materially further the orderly achievement of desegregation in public education, the Attorney General is authorized, after giving notice of such complaint to the appropriate school board or college authority and after certifying that he is satisfied that such board or authority has had a reasonable time to adjust the condition alleged in such complaint, to institute for or in the name of the United States a civil action in any

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appropriate district court of the United States against such parties and for such relief as may be appropriate, and such court shall have and shall exercise jurisdiction of proceedings instituted pursuant to this section, provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards. The Attorney General may implead as defendants such additional parties as are to become necessary to the grant of effective relief hereunder.

"(b) The Attorney General may deem a person or persons unable to initiate and maintain appropriate legal proceedings within the meaning of subsection (a) of this section when such person or persons are unable, either directly or through other interested persons or organizations, to bear the expense of the litigation or to obtain effective legal representation; or whenever he is satisfied that the institution of such litigation would jeopardize the personal safety, employment, or economic standing of such person or persons, their families, or their property.

"(c) The term 'parent,' as used in this section includes any person standing in loco parentis. A 'complaint' as used in this section is a writing or document within the meaning of section 1001, title 18, United States Code.

"Sec. 408. In any action or proceeding under this title the United States shall be liable for costs the same as a private person.

"Sec. 409. Nothing in this title shall affect adversely the right of any person to sue for or obtain relief in any court against discrimination in public education.

"Sec. 410. Nothing in this title shall prohibit classification and assignment for reasons other than race, color, religion, or national origin."

[Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.]

Supreme Court of the United States

Syllabus

SWANN ET AL. v. CHARLOTTE-MECKLENBURG BOARD OF EDUCATION ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 281. Argued October 12, 1970—Decided April 20, 1971*

The Charlotte-Mecklenburg school system, which includes the city of Charlotte, North Carolina, had more than 84,000 students in 107 schools in the 1968-1969 school year. Approximately 29% (24,000) of the pupils were Negro, about 14,000 of whom attended 21 schools that were at least 99% Negro. This resulted from a desegregation plan approved by the District Court in 1965, at the commencement of this litigation. In 1968 petitioner Swann moved for further relief based on *Green* v. *County School Board*, 391 U.S. 430, which required school boards to "come forward with a plan that promises realistically to work . . . *now* . . . until it is clear that state-imposed segregation has been completely removed." The District Court ordered the school board in April 1969 to provide a plan for faculty and student desegregation. Finding the board's submission unsatisfactory the District Court appointed an expert to submit a desegregation plan. In February 1970, the expert and the board presented plans, and the court adopted the board's plan, as modified, for the junior and senior high schools, and the expert's proposed plan for the elementary schools. The Court of Appeals affirmed the District Court's order as to faculty desegregation and the secondary school plans, but vacated the order respecting elementary schools, fearing

*Together with No. 349, *Charlotte-Mecklenburg Board of Education et al.* v. *Swann et al.*, also on certiorari to the same court.

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that the provisions for pairing and grouping of elementary schools would unreasonably burden the pupils and the board. The case was remanded to the District Court for reconsideration and submission of further plans. The Court granted certiorari and directed reinstatement of the District Court's order pending further proceedings in that court. On remand the District Court received two new plans and ordered the board to adopt a plan, or the expert's plan would remain in effect. After the board "acquiesced" in the expert's plan, the District Court directed that it remain in effect. *Held:*

1. Today's objective is to eliminate from the public schools all vestiges of state-imposed segregation that was held violative of equal protection guarantees by *Brown* v. *Board of Education*, 347 U.S. 483, in 1954. Pp. 10–11.

2. In default by the school authorities of their affirmative obligation to proffer acceptable remedies, the district courts have broad power to fashion remedies that will assure unitary school systems. Pp. 11–12.

3. Title IV of the Civil Rights Act of 1964 does not restrict or withdraw from the federal courts their historic equitable remedial powers. The proviso in 42 U.S.C. § 2000c–6 was designed simply to foreclose any interpretation of the Act as expanding the existing powers of the federal courts to enforce the Equal Protection Clause. Pp. 12–13.

4. Policy and practice with regard to faculty, staff, transportation, extracurricular activities, and facilities are among the most important indicia of a segregated system, and the first remedial responsibility of school authorities is to eliminate invidious racial distinctions in those respects. Normal administrative practice should then produce schools of like quality, facilities, and staffs. P. 14.

5. The Constitution does not prohibit district courts from using their equity power to order assignment of teachers to achieve a particular degree of faculty desegregation. *United States* v. *Montgomery County Board of Education*, 395 U.S. 225, was properly followed by the lower courts in this case. Pp. 14–16.

6. In devising remedies to eliminate legally imposed segregation, local authorities and district courts must see to it that future school construction and abandonment are not used and do not serve to perpetuate or re-establish a dual system. Pp. 16–17.

7. Four problem areas exist on the issue of student assignment:

(1) *Racial quotas.* The constitutional command to desegregate schools does not mean that every school in the community must always reflect the racial composition of the system as a whole; here the District Court's very limited use of the racial ratio—not as an inflexible requirement, but as a starting point in shaping a remedy—was within its equitable discretion. Pp. 18–21.

(2) *One-race schools.* While the existence of a small number of one-race, or virtually one-race, schools does not in itself denote a system that still practices segregation by law, the court should crutinize such schools and require the school authorities to satisfy the court that the racial composition does not result from present or past discriminatory action on their part. Pp. 21–22.

An optional majority-to-minority transfer provision has long been recognized as a useful part of a desegregation plan, and to be effective such arrangement must provide the transferring student free transportation and available space in the school to which he desires to move. P. 22.

(3) *Attendance zones.* The remedial altering of attendance zones is not, as an interim corrective measure, beyond the remedial powers of a district court. A student assignment plan is not acceptable merely because it appears to be neutral, for such a plan may fail to counteract the continuing effects of past school segregation. The pairing and grouping of noncontiguous zones is a permissible tool; judicial steps going beyond contiguous zones should be examined in light of the objectives to be sought. No rigid rules can be laid down to govern conditions in different localities. Pp. 23–25.

(4) *Transportation.* The District Court's conclusion that assignment of children to the school nearest their home serving their grade would not effectively dismantle the dual school system is supported by the record, and the remedial technique of requiring bus transportation as a tool of school desegregation was within the court's power to provide equitable relief. An objection to transportation of students may have validity when the time

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or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process; limits on travel time will vary with many factors, but probably with none more than the age of the students. Pp. 25–27.

8. Neither school authorities nor district courts are constitutionally required to make year-by-year adjustments of the racial composition of student bodies once a unitary system has been achieved. Pp. 27–28.

431 F. 2d 138, affirmed as to those parts in which it affirmed the District Court's judgment. The District Court's order of August 7, 1970, is also affirmed.

BURGER, C. J., delivered the opinion for a unanimous Court.

[Notice: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D.C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.]

Supreme Court of the United States

Nos. 281 and 349.—October Term, 1970

On Writs of Certiorari to the United States Court of Appeals for the Fourth Circuit

281

JAMES E. SWANN ET AL., PETITIONERS

v.

CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, ET AL.

349

CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, ET AL., PETITIONERS

v.

JAMES E. SWANN, ET AL.

[April 20, 1971]

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

We granted certiorari in this case to review important issues as to the duties of school authorities and the scope of powers of federal courts under this Court's mandates to eliminate racially separate public schools established and maintained by state action. *Brown* v. *Board of Education*, 347 U.S. 483 (1954).

This case and those argued with it[1] arose in states having a long history of maintaining two sets of schools in a single school system deliberately operated to carry out a governmental policy to separate pupils in schools solely on the basis of race. That was what *Brown* v. *Board of Education* was all about. These cases present us with the problem of defining in more precise terms than heretofore the scope of the duty of school authorities and district courts in implementing *Brown I* and the mandate to eliminate dual systems and establish unitary systems at once. Meanwhile district courts and courts of appeals have struggled in hundreds of cases with a multitude and variety of problems under this Court's general directive. Understandably, in an area of evolving remedies, those courts had to improvise and experiment without detailed or specific guidelines. This Court, in *Brown I*, appropriately dealt with the large constitutional principles; other federal courts had to grapple with the flinty, intractable realities of day-to-day implementation of those constitutional commands. Their efforts, of necessity, embraced a process of "trial and error," and our effort to formulate guidelines must take into account their experience.

[1] *McDaniel* v. *Barresi*, No. 420; *Davis* v. *Board of School Commissioners of Mobile County*, No. 436; *Moore* v. *Charlotte-Mecklenburg Board of Education*, No. 444; *North Carolina State Board of Education* v. *Swann*, No. 498. For purposes of this opinion the cross-petitions in Nos. 281 and 349 are treated as a single case and will be referred to as "this case."

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I

The Charlotte-Mecklenburg school system, the 43d largest in the Nation, encompasses the city of Charlotte and surrounding Mecklenburg County, North Carolina. The area is large—550 square miles—spanning roughly 22 miles east-west and 36 miles north-south. During the 1968–1969 school year the system served more than 84,000 pupils in 107 schools. Approximately 71% of the pupils were found to be white and 29% Negro. As of June 1969 there were approximately 24,000 Negro students in the system, of whom 21,000 attended schools within the city of Charlotte. Two-thirds of these 21,000—approximately 14,000 Negro students—attended 21 schools which were either totally Negro or more than 99% Negro.

This situation came about under a desegregation plan approved by the District Court at the commencement of the present litigation in 1965, 243 F. Supp. 667 (WDNC), aff'd, 369 F. 2d 29 (CA4 1966) based upon geographic zoning with a free transfer provision. The present proceedings were initiated in September 1968 by Petitioner Swann's motion for further relief based on *Green* v. *County School Board*, 391 U.S. 430 (1938), and its companion cases.[2] All parties now agree that in 1969 the system fell short of achieving the unitary school system that those cases require.

The District Court held numerous hearings and received voluminous evidence. In addition to finding certain actions of the school board to be discriminatory, the court also found that residential patterns in the city and county resulted in part from federal, state, and local government action other than school board decisions. School board action based on these patterns, for example, by locating school in Negro residential areas and fixing the size of the schools to accommodate the needs of immediate neighborhoods, resulted in segregated education. These findings were subsequently accepted by the Court of Appeals.

In April 1969 the District Court ordered the school board to come forward with a plan for both faculty and student desegregation. Proopsed plans were accepted by the court in June and August 1969 on an interim basis only, and the board was ordered to file a third plan by November 1969. In November the board moved for an extension of time until February 1970, but when that was denied the board submitted a partially completed plan. In December 1969 the District Court held that the board's submission was unaccepable and appointed an expert in education administration, Dr. John Finger, to prepare a desegregation plan. Thereafter in February 1970, the District Court was presented with two alternative pupil assignment plans—the finalized "board plan" and the "Finger plan."

The Board Plan. As finally submitted, the school board plan closed seven schools and reassigned their pupils. It restructured school attendance zones to achieve greater racial balance but maintained existing grade structures and rejected techniques such as pairing and clustering as part of a desegregation effort. The plan created a single athletic league, eliminated the previously racial basis of the school bus system, provided racially mixed faculties and administrative staffs, and modified its free transfer plan into an optional majority-to-minority transfer system.

The board plan proposed substantial assignment of Negroes to nine of the system's 10 high schools, producing 17% to 36% Negro population in each. The projected Negro attendance at the 10th school, Independence, was 2%. The proposed attendance zones for the high schools were typically shaped like wedges of a pie, extending outward from the center of the city to the suburban and rural areas of the county in order to afford residents of the center city area access to outlying schools.

As for junior high schools, the board plan rezoned the 21 school areas so that in 20 the Negro attendance would range from 0% to 38%. The other school, located in the heart of the Negro residential area, was left with an enrollment of 90% Negro.

The board plan with respect to elementary schools relied entirely upon gerrymandering of geographic zones. More than half of the Negro elementary pupils were left in nine schools that were 86% to 100% Negro; approximately half of the white elementary pupils were assigned to schools 86% to 100% white.

[2] *Raney* v. *Board of Education*, 391 U.S. 443 (1968), and *Monroe* v. *Board of Commissioners*, 391 U.S. 450 (1968).

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The Finger Plan. The plan submitted by the court-appointed expert, Dr. Finger, adopted the school board zoning plan for senior high schools with one modification: it required that an additional 300 Negro students be transported from the Negro residential area of the city to the nearly all-white Independence High School.

The Finger plan for the junior high schools employed much of the rezoning plan of the board, combined with the creation of nine "satellite" zones.[3] Under the satellite plan, inner-city Negro students were assigned by attendance zones to nine outlying predominately white junior high schools, thereby substantially desegregating every junior high school in the system.

The Finger plan departed from the board plan chiefly in its handling of the system's 76 elementary schools. Rather than relying solely upon geographic zoning, Dr. Finger proposed use of zoning, pairing, and grouping techniques, with the result that student bodies throughout the system would range from 9% to 38% Negro.[4]

The District Court described the plan thus:

"Like the Board plan, the Finger plan does as much by rezoning school attendance lines as can reasonably be accomplished. However, unlike the board plan, it does not stop there. It goes further and desegregates all the rest of the elementary schools by the technique of grouping two or three outlying schools with one black inner city school; by transporting black students from grades one through four to the outlying white schools; and by transporting white students from the fifth and sixth grades from the outlying white schools to the inner city black school."

Under the Finger plan, nine inner-city Negro schools were grouped in this manner with 24 suburban white schools.

On February 5, 1970, the District Court adopted the board plan, as modified by Dr. Finger, for the junior and senior high schools. The court rejected the board elementary school plan and adopted the Finger plan as presented. Implementation was partially stayed by the Court of Appeals for the Fourth Circuit on March 5, and this Court declined to disturb the Fourth Circuit's order, 397 U.S. 978 (1970).

On appeal the Court of Appeals affirmed the District Court's order as to faculty desegregation and the secondary school plans, but vacated the order respecting elementary schools. While agreeing that the District Court properly disapproved the board plan concerning these schools, the Court of Appeals feared that the pairing and grouping of elementary schools would place an unreasonable burden on the board and the system's pupils. The case was remanded to the District Court for reconsideration and submission of further plans. This Court granted certiorari, 399 U.S. 926, and directed reinstatement of the District Court's order pending further proceedings in that court.

On remand the District Court received two new plans for the elementary schools: a plan prepared by the United States Department of Health, Education, and Welfare (the HEW plan) based on contiguous grouping and zoning of schools, and a plan prepared by four members of the nine-member school board (the minority plan) achieving substantially the same results as the Finger plan but apparently with slightly less transportation. A majority of the school board declined to amend its proposal. After a lengthy evidentiary hearing the District Court concluded that its own plan (the Finger plan), the minority plan, and an earlier draft of the Finger plan were all reasonable and acceptable. It directed the board to adopt one of the three or in the alternative to come forward with a new, equally effective plan of its own; the court ordered that the Finger plan would remain in effect in the event the school board declined to adopt a new plan. On August 7,

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[3] A "satellite zone" is an area which is not contiguous with the main attendance zone surrounding the school.

[4] In its opinion and order of December 1, 1969, later incorporated in the order appointing Dr. Finger as consultant, the District Court stated:

"Fixed ratios of pupils in particular schools will not be set. If the board in one of its three tries had presented a plan for desegregation, the court would have sought ways to approve variations in pupil ratios. In default of such a plan from the school board, the court will start with the thought . . . that efforts should be made to reach a 71–29 ratio in the various schools so that there will be no basis for contending that one school is racially different from the others, but to understand that variations from that norm may be unavoidable."

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the board indicated it would "acquiesce" in the Finger plan, reiterating its view that the plan was unreasonable. The District Court, by order dated August 7, 1970, directed that the Finger plan remain in effect.

II

Nearly 17 years ago this Court held, in explicit terms, that state-imposed segregation by race in public schools denies equal protection of the laws. At no time has the Court deviated in the slightest degree from that holding or its constitutional underpinnings. None of the parties before us challenges the Court's decision of May 17, 1954, that "in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated . . . are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. . . .

"Because these are class actions, because of the wide applicability of this decision, and because of the great variety of local conditions, the formulation of decrees in these cases presents problems of considerable complexity." *Brown* v. *Board of Education, supra,* at 495.

None of the parties before us questions the Court's 1955 holding in *Brown II,* that "[s]chool authorities have the primary responsibility for elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good faith implementation of the governing constitutional principles. Because of their proximity to local conditions and the possible need for further hearings, the courts which originally heard these cases can best perform this judicial appraisal. Accordingly, we believe it appropriate to remand the cases to those courts.

"In fashioning and effectuating the decrees, the courts will be guided by equitable principles. Traditionally, equity has been characterized by a practical flexibility in shaping its remedies and by a facility for adjusting and reconciling public and private needs. These cases call for the exercise of these traditional attributes of equity power. At stake is the personal interest of the plaintiffs in admission to public schools as soon as practicable on a nondiscriminatory basis. To effectuate this interest may call for elimination of a variety of obstacles in making the transition of school systems operated in accordance with the constitutional principles set forth in our May 17, 1954, decision. Courts of equity may properly take into account the public interest in the elimination of such obstacles in a systematic and effective manner. But it should go without saying that the vitality of these constitutional principles cannot be allowed to yield simply because of disagreement with them." *Brown* v. *Board of Education,* 349 U.S. 294, 299–300 (1955).

Over the 15 years since *Brown II,* many difficulties were encountered in implementation of the basic constitutional requirement that the State not discriminate between public school children on the basis of their race. Nothing in our national experience prior to 1955 prepared anyone for dealing with changes and adjustments of the magnitude and complexity encountered since then. Deliberate resistance of some of the Court's mandates has impeded the good-faith efforts of others to bring school systems into compliance. The detail and nature of these dilatory tactics have been noted frequently by this Court and other courts.

By the time the Court considered *Green* v. *County School Board,* 391 U.S. 430, in 1968, very little progress had been made in many areas where dual school systems had historically been maintained by operation of state laws. In *Green,* the Court was confronted with a record of a freedom-of-choice program that the District Court had found to operate in fact to preserve a dual system more than a decade after *Brown II.* While acknowledging that a freedom-of-choice concept could be a valid remedial measure in some circumstances, its failure to be effective in *Green* required that "The burden on a school board today is to come forward with a plan that promises realistically to work . . . *now* . . . until it is clear that state-imposed segregation has been completely removed." *Green,* at 439.

This was plain language, yet the 1969 Term of Court brought fresh evidence of the dilatory tactics of many school authorities. *Alexander* v. *Holmes County Board of Education,* 396 U.S. 19, restated the basic obligation asserted in *Griffin* v. *School Board,* 377 U.S. 218, 234 (1964), and *Green, supra,* that the remedy must be implemented *forthwith.*

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The problems encountered by the district courts and courts of appeals make plain that we should now try to amplify guidelines, however incomplete and imperfect, for the assistance of school authorities and courts.[5] The failure of local authorities to meet their constitutional obligations aggravated the massive problem of converting from the state-enforced discrimination of racially seperate school systems. This process has been rendered more difficult by changes since 1954 in the structure and patterns of communities, the growth of student populations,[6] movement of families, and other changes, some of which had marked impact on school planning, sometimes neutralizing or negating remedial action before it was fully implemented. Rural areas accustomed for half a century to the consolidated school systems implemented by bus transportation could make adjustments more readily than metropolitan areas with dense and shifting population, numerous schools, congested and complex traffic patterns.

III

The objective today remains to eliminate from the public schools all vestiges of state-imposed segregation. Segregation was the evil struck down by *Brown I* as contrary to the equal protection guarantees of the Constitution. That was the violation sought to be corrected by the remedial measures of *Brown II*. That was the basis for the holding in *Green* that school authorities are "clearly charged with the affirmative duty to take whatever steps might be necessary to convert to a unitary system in which racial discrimination would be eliminated root and branch." 391 U.S., at 437–438.

If school authorities fail in their affirmative obligations under these holdings, judicial authority may be invoked. Once a right and a violation have been shown, the scope of a district court's equitable powers to remedy past wrongs is broad, for breadth and flexibility are inherent in equitable remedies.

"The essence of equity jurisdiction has been the power of the Chancellor to do equity and to mould each decree to the necessities of the particular case. Flexibility rather than rigidity has distinguished it. The qualities of mercy and practicality have made equity the instrument for nice adjustment and reconciliation between the public interest and private needs as well as between competing private claims." *Hecht Co.* v. *Bowles*, c21 U.S. 329–330 (1944), cited in *Brown II*, *supra*, at 300.

This allocation of responsibility once made, the Court attempted from time to time to provide some guidelines for the exercise of the district judge's discretion and for the reviewing function of the courts of appeals. However, a school desegregation case does not differ fundamentally from other cases involving the framing of equitable remedies to repair the denial of a constitutional right. The task is to correct, by a balancing of the individual and collective interests, the condition that offends the Constitution.

In seeking to define even in broad and general terms how far this remedial power extends it is important to remember that judicial powers may be exercised only on the basis of a constitutional violation. Remedial judicial authority does not put judges automatically in the shoes of school authorities whose powers are plenary. Judicial authority enters only when local authority defaults.

School authorities are traditionally charged with broad power to formulate and implement educational policy and might well conclude, for example, that in order to prepare students to live in a pluralistic society each school should have a prescribed ratio of Negro to white students reflecting the proportion for the district as a whole. To do this as an educational policy is within the broad discretionary powers of school authorities; absent a finding of a constitutional violation, however, that would not be within the authority of a federal court. As with any equity case, the nature of the violation determines the scope of the remedy. In default by the school authorities of their obligation to proffer acceptable remedies, a district court has broad power to fashion a remedy that will assure a unitary school system.

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[5] The necessity for this is suggested by the situation in the Fifth Circuit where 166 appeals in school desegregation cases were heard between December 2, 1969, and September 24, 1970.

[6] Elementary public school population (grades 1–6) grew from 17,447,000 in 1954 to 23,103,000 in 1969; secondary school population grew from 11,183,000 in 1954 to 20,775,000 in 1969. Digest of Educational Statistics, 1964 ed. 1, 6, Office of Education Publication #10024–64; Digest of Educational Statistics, 1970 ed. Table 28, Office of Education Publication #10024–70.

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The school authorities argue that the equity powers of federal district courts have been limited by Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c. The language and the history of Title IV shows that it was not enacted to limit but to define the role of the Federal Government in the implementation of the *Brown I* decision. It authorizes the Commissioner of Education to provide technical assistance to local boards in the preparation of desegregation plans, to arrange "training institutes" for school personnel involved in desegregation efforts, and to make grants directly to schools to ease the transition to unitary systems. It also authorizes the Attorney General, in specified circumstances, to initiate federal desegregation suits. Section 2000c(b) defines "desegregation" as it is used in Title IV:

" 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

Section 2000c–6, authorizing the Attorney General to institute federal suits, contains the following proviso:

"Nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards."

On their face, the sections quoted purport only to insure that the provisions of Title IV of the Civil Rights Act of 1964 will not be read as granting new powers. The proviso in § 2000c–6 is in terms designed to foreclose any interpretation of the Act as expanding the *existing* powers of federal courts to enforce the Equal Protection Clause. There is no suggestion of an intention to restrict those powers or withdraw from courts their historic equitable remedial powers. The legislative history of Title IV indicates that Congress was concerned that the Act might be read as creating a right of action under the Fourteenth Amendment in the situation of so-called "de-facto segregation," where racial imbalance exists in the schools but with no showing that this was brought about by discriminatory action of state authorities. In short, there is nothing in the Act which provides us material assistance in answering the question of remedy for state-imposed segregation in violation of *Brown I*. The basis of our decision must be the prohibition of the Fourteenth Amendment that no State shall "deny to any person within its jurisdiction the equal protection of the laws."

IV

We turn now to the problem of defining with more particularity the responsibilities of school authorities in desegregating a state-enforced dual school system in light of the Equal Protection Clause. Although the several related cases before us are primarily concerned with problems of student assignment, it may be helpful to begin with a brief discussion of other aspects of the process.

In *Green*, we pointed out that existing policy and practice with regard to faculty, staff, transportaion, extracurricular activities, and facilities were among the most important indicia of a segregated system. 391 U.S., at 435. Independent of student assignment, where it is possible to identify a "white school" or a "Negro school" simply by reference to the racial composition of teachers and staff, the quality of school buildings and equipment, or the organization of sports activities, a *prima facie* case of violation of substantive constitutional rights under the Equal Protection Clause is shown.

When a system has been dual in these respects, the first remedial responsibility of school authorities is to eliminate invidious racial distinctions. With respect to such matters as transportation, supporting personnel, and extracurricular activities, no more than this may be necessary. Similar corrective action must be taken with regard to the maintenance of buildings and the distribution of equipment. In these areas, normal administrative practice should produce schools of like quality, facilities and staffs. Something more must be said, however, as to faculty assignment and new school construction.

In the companion *Davis* case ,the Mobile school board has argued that the Constitution requires that teachers be assigned on a "color blind" basis. It also argues that the Constitution prohibits district courts from using their equity power to order assignment of teachers to achieve a particular degree of faculty desegregation. We reject that contention.

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In *United States* v. *Montgomery County Board of Education*, 395 U.S. 225 (1969), the District Court set as a goal a plan of faculty assignment in each school with a ratio of white to Negro faculty members substantially the same throughout the system. This order was predicated on the District Court finding that

"The evidence does not reflect any real administrative problems involved in immediately desegregating the substitute teachers, the student teachers, the night school faculties, and in the evolvement of a really legally adequate program for the substantial desegregation of the faculties of all schools in the system commencing with the school year 1968–69." Quoted at 395 U.S., at 232.

The District Court in *Montgomery* then proceeded to set an initial ratio for the whole system of at least two Negro teachers out of each 12 in any given school. The Court of Appeals modified the order by eliminating what it regarded as "fixed mathematical ratios" of faculty and substituted an initial requirement of "substantially or approximately a five-to-one ratio. With respect to the future, the Court of Appeals held that the numerical ratio should be eliminated and that compliance should not be tested solely by the achievement of specified proportions. *Id.*, at 234.

We reversed the Court of Appeals and restored the District Court's order in its entirety, holding that the order of the District Judge "was adopted in the spirit of this Court's opinion in *Green* . . . in that his plan 'promises realistically to work, and promises realistically to work *now*.' The modifications ordered by the panel of the Court of Appeals, while of course not intended to do so, would, we think, take from the order some of its capacity to expedite, by means of specific commands, the day when a completely unified, unitary, nondiscriminatory school system becomes a reality instead of a hope. . . . We also believe that under all the circumstances of this case we follow the original plan outlined in *Brown II* . . . by accepting the more specific and expeditious order of [District] Judge Johnson . . . ." 395 U.S., at 235–236 (emphasis in original).

The principles of *Montgomery* have been properly followed by the District Court and the Court of Appeals in this case.

The construction of new schools and the closing of old ones is one of the most important functions of local school authorities and also one of the most important functions of local school authorities and also one of the most complex. They must decide questions of location and capacity in light of population growth, finances, land values, site availability, through an almost endless list of factors to be considered. The result of this will be a decision which, when combined with one technique or another of student assignment, will determine the racial composition of the student body in each school in the system. Over the long run, the consequences of the choices will be far reaching. People gravitate toward school facilities, just as schools are located in response to the needs of people. The location of schools may thus influence the patterns of residential development of a metropolitan area and have important impact on composition of inner city neighborhoods.

In the past, choices in this respect have been used as a potent weapon for creating or maintaining a state-segregated school system. In addition to the classic pattern of building schools specifically intended for Negro or white students, school authorities have sometimes, since *Brown*, closed schools which appeared likely to become racially mixed through changes in neighborhood residential patterns. This was sometimes accompanied by building new schools in the areas of white suburban expansion farthest from Negro population centers in order to maintain the separation of the races with a minimum departure from the formal principles of "neighborhood zoning." Such a policy does more than simply influence the short-run composition of the student body of a new school. It may well promote segregated residential patterns which, when combined with "neighborhood zoning," further lock the school system into the mold of separation of the races. Upon a proper showing a district court may consider this in fashioning a remedy.

In ascertaining the existence of legally imposed school segregation, the existence of a pattern of school construction and abandonment is thus a factor of great weight. In devising remedies where legally imposed segregation has been established, it is the responsibility of local authorities and district courts to see to it that future school construction and abandonment is not used and does not serve to perpetuate or re-establish the dual system. When necessary,

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district courts should retain jurisdiction to assure that these responsibilities are carried out. Cf. *United States* v. *Board of Public Instruction*, 395 F.2d 66 (CA5 1968); *Brewer* v. *School Board*, 397 F.2d 37 (CA4 1968).

V

The central issue in this case is that of student assignment, and there are essentially four problem areas:

(1) to what extent racial balance or racial quotas may be used as an implement in a remedial order to correct a previously segregated system;

(2) whether every all-Negro and all-white school must be eliminated as an indispensable part of a remedial process of desegregation;

(3) what are the limits, if any, on the rearrangement of school districts and attendance zones, as a remedial measure; and

(4) what are the limits, if any, on the use of transportation facilities to correct state-enforced racial school segregation.

(1) *Racial Balances or Racial Quotas.*

The constant theme and thrust of every holding from *Brown I* to date is that state-enforced separation of races in public schools is discrimination that violates the Equal Protection Clause. The remedy commanded was to dismantle dual school systems.

We are concerned in these cases with the elimination of the discrimination inherent in the dual school systems, not with myriad factors of human existence which can cause discrimination in a multitude of ways on racial, religious, or ethnic grounds. The target of the cases from *Brown I* to the present was the dual school system. The elimination of racial discrimination in public schools is a large task and one that should not be retarded by efforts to achieve broader purposes lying beyond the jurisdiction of school authorities. One vehicle can carry only a limited amount of baggage. It would not serve the important objective of *Brown I* to seek to use school desegregation cases for purposes ultimately will have impact on other forms of discrimination. We do not reach in this case the question whether a showing that school segregation is a consequence of other types of state action, without any discriminatory action by the school authorities, is a constitutional violation requiring remedial action by a school desegregation decree. This case does not present that question and we therefore do not decide it.

Our objective in dealing with the issues presented by these cases is to see that school authorities exclude no pupil of a racial minority from any school, directly or indirectly, on account of race; it does not and cannot embrace all the problems of racial prejudice, even when those problems contribute to disproportionate racial concentrations in some schools.

In this case it is urged that the District Court has imposed a racial balance requirement of 71%–29% on individual schools. The fact that no such objective was actually achieved—and would appear to be impossible—tends to blunt that claim, yet in the opinion and order of the District Court of December 1, 1969, we find that court directing: "that efforts should be made to reach a 71–29 ratio in the various schools so that there will be no basis for contending that one school is racially different from the others . . . , that no school [should] be operated with an all-black or predominantly black student body, [and] that pupils of all grades [should] be assigned in such a way that as nearly as practicable the various schools at various grade levels have about the same proporition of black and white students."

The District Judge went on to acknowledge that variation "from that norm may be unavoidable." This contains intimations that the "norm" is a fixed mathematical racial balance reflecting the pupil constituency of the system. If we were to read the holding of the District Court to require, as a matter of substantive constitutional right, any particular degree of racial balance or mixing, that approach would be disapproved and we would be obliged to reverse. The constitutional command to desegregate schools does not mean that every school in every community must always reflect the racial composition of the school system as a whole.

As the voluminous record in this case shows,[7] the predicate for the District

[7] It must be remembered that the District Court entered nearly a score of orders, numerous sets of findings and for the most part each was accompanied by a memorandum opinion. Considering the pressure under which the court was obliged to operate we would not expect that all inconsistencies and apparent inconsistencies could be avoided. Our review, of course, is on the orders of February 5, 1970, as amended, and August 7, 1970.

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Court's use of the 71%–29% ratio was twofold: first, its express finding, approved by the Court of Appeals and not challenged here, that a dual school system had been maintained by the school authorities at least until 1969; second, its finding, also approved by the Court of Appeals, that the school board had totally defaulted in its acknowledged duty to come forward with an acceptable plan of its own, notwithstanding the patient efforts of the District Judge who, on at least three occasions, urged the board to submit plans.[8] As the statement of facts shows, these findings are abundantly supported by the record. It was because of this total failure of the school board that the District Court was obliged to turn to other qualified sources, and Dr. Finger was designated to assist the District Court to do what the board should have done.

We see therefore that the use made of mathematical ratios was no more than a starting point in the process of shaping a remedy, rather than an inflexible requirement. From that starting point the District Court proceeded to frame a decree that was within its discretionary powers, an equitable remedy for the particular circumstances.[9] As we said in *Green*, a school authority's remedial plan or a district court's remedial decree is to be judged by its effectiveness. Awareness of the racial composition of the whole school system is likely to be a useful starting point in shaping a remedy to correct past constitutional violations. In sum, the very limited use made of mathematical ratios was within the equitable remedial discretion of the District Court.

(2) *One-Race Schools.*

The record in this case reveals the familiar phenomenon that in metropolitan areas minority groups are often found concentrated in one part of the city. In some circumstances certain schools may remain all or largely of one race until new schools can be provided or neighborhood patterns change. Schools all or predominately of one race in a district of mixed population will require close scrutiny to determine that school assignments are not part of state-enforced segregation.

In light of the above, it should be clear that the existence of some small number of one-race or virtually one-race schools within a district is not in and of itself the mark of a system which still practices segregation by law. The district judge or school authorities should make every effort to achieve the greatest possible degree of actual desegregation and will thus necessarily be concerned with the elimination of one-race schools. No *per se* rule can adequately embrace all the difficulties of reconciling the competing interests involved; but in a system with a history of segregation the need for remedial criteria of sufficient specificity to assure a school authority's compliance with its constitutional duty warrants a presumption against schools that are substantially disproportionate in their racial composition. Where the school authority's proposed plan for conversion from a dual to a unitary system contemplates the continued existence of some schools that are all or predominately of one race, they have the burden of showing that such school assignments are genuinely nondiscriminatory. The court should scrutinize such schools, and the burden upon the school authorities will be to satisfy the court that their racial composition is not the result of present or past discriminatory action on their part.

An optional majority-to-minority transfer provision has long been recognized as a useful part of every desegregation plan. Provision for optional transfer of those in the majority racial group of a particular school to other schools where they will be in the minority is an indispensable remedy for those students willing to transfer to other schools in order to lessen the impact on them of

[8] The final board plan left 10 schools 86% to 100% Negro and yet categorically rejected the techniques of pairing and clustering as part of the desegregation effort. As discussed below, the Charlotte board was under an obligation to exercise every reasonable effort to remedy the violation, once it was identified, and the suggested techniques are permissible remedial devices. Additionally, as noted by the District Court and Court of Appeals, the board plan refused to assign white students to any school unless the student population of that school was at least 60% white. This was an arbitrary limitation negating reasonable remedial steps.

[9] In his August 3, 1970, memorandum holding that the District Court plan was "reasonable" under the standard laid down by the Fourth Circuit on appeal, the District Court explained the approach taken as follows:

"This court has not ruled, and does not rule that 'racial balance' is required under the Constitution; nor that all black schools in all cities are unlawful; nor that all school boards must bus children or violate the Constitution; *nor that the particular order entered in this case would be correct in other circumstances not before this court.*" (Emphasis in original.)

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the state-imposed stigma of segregation. In order to be effective, such a transfer arrangement must grant the transferring student free transportation and space must be made available in the school to which he desires to move. Cf. *Ellis* v. *Board of Public Instruction*, 423 F.2d 203, 206 (CA5 1970). The court orders in this and the companion *Davis* case now provide such an option.

(3) *Remedial Altering of Attendance Zones.*

The maps submitted in these cases graphically demonstrate that one of the principal tools employed by school planners and by courts to break up the dual school system has been a frank—and sometimes drastic—gerrymandering of school districts and attendance zones. An additional step was pairing, "clustering," or "grouping" of schools with attendance assignments made deliberately to accomplish the transfer of Negro students out of formerly segregated Negro schools and transfer of white students to formerly all-Negro schools. More often than not, these zones are neither compact[10] nor contiguous; indeed they may be on opposite ends of the city. As an interim corrective measure, this cannot be said to be beyond the broad remedial powers of a court.

Absent a constitutional violation there would be no basis for judicially ordering assignment of students on a racial basis. All things being equal, with no history of discrimination, it might well be desirable to assign pupils to schools nearest their homes. But all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation. The remedy for such segregation may be administratively awkward, inconvenient and even bizarre in some situations and may impose burdens on some; but all awkwardness and inconvenience cannot be avoided in the interim period when remedial adjustments are being made to eliminate the dual school systems.

No fixed or even substantially fixed guidelines can be established as to how far a court can go, but it must be recognized that there are limits. The objective is to dismantle the dual school system. "Racially neutral" assignment plans proposed by school authorities to a district court may be inadequate; such plans may fail to counteract the continuing effects of past school segregation resulting from discriminatory location of school sites or distortion of school size in order to achieve or maintain an artificial racial separation. When school authorities present a district court with a "loaded game board," affirmative action in the form of remedial altering of attendance zones is proper to achieve truly nondiscriminatory assignment. In short, an assignment plan is not acceptable simply because it appears to be neutral.

In this area, we must of necessity rely to a large extent, as this Court has for more than 16 years, on the informed judgment of the district courts in the first instance and on courts of appeals.

We hold that the pairing and grouping of non-contiguous school zones is a permissible tool and such action is to be considered in light of the objectives sought. Judicial steps in shaping such zones going beyond combinations of contiguous areas should be examined in light of what is said in subdivisions (1), (2), and (3) of this opinion concerning the objectives to be sought. Maps do not tell the whole story since non-contiguous school zones may be more accessible to each other in terms of the critical travel time, because of traffic patterns and good highways, than schools geographically closer together. Conditions in different localities will vary so widely that no rigid rules can be laid down to govern all situations.

(4) *Transporttaion of Students.*

The scope of permissible transportation of students as an implement of a remedial decree has never been defined by this Court and by the very nature of the problem it cannot be defined with precision. No rigid guidelines as to

[10] The reliance of school authorities on the reference to the "revision of . . . attendance areas into *compact* units." *Brown II*, at 300, is misplaced. The enumeration in that opinion of considerations to be taken into account by district courts was patently intended to be suggesive rather than exhaustive. The decision in *Brown II* to remand the cases decided in *Brown I* to local courts for the framing of specific decrees was premised on a recognition that this Court could not at that time foresee the particular means which would be required to implement the constitutional principles announced. We said in *Green*, *supra*, at 439:

"The obligation of the district courts, as it always has been, is to assess the effectiveness of a proposed plan in achieving desegregation. There is no universal answer to complex problems of desegregation; there is obviously no one plan that will do the job in every case. The matter must be assessed in light of the circumstances present and the options available in each instance."

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student transportation can be given for application to the infinite variety of problems presented in thousands of situations. Bus transportation has been an integral part of the public education system for years, and was perhaps the single most important factor in the transition from the one-room schoolhouse to the consolidated school. Eighteen million of the nation's public school children, approximately 39%, were transported to their schools by bus in 1969–1970 in all parts of the country.

The importance of bus transportation as a normal and accepted tool of educational policy is readily discernible in this and the companion case.[11] The Charlotte school authorities did not purport to assign students on the basis of geographicaly drawn zones until 1965 and then they allowed almost unlimited transfer privileges. The District Court's conclusion that assignment of children to the school nearest their home serving their grade would not produce an effective dismantling of the dual system is supported by the record.

Thus the remedial techniques used in the District Court's order were within that court's power to provide equitable relief; implementation of the decree is well within the capacity of the school authority.

The decree provided that the buses used to implement the plan would operate on direct routes. Students would be picked up at schools near their homes and transported to the schools they were to attend. The trips for elementary school pupils average about seven miles and the District Court found that they would take "not over 35 minutes at the most." [12] This system compares favorably with the transportation plan previously operated in Charlotte under which each day 23,600 sudents on all grade levels were transported an average of 15 miles one-way for an average trip requiring over an hour. In these circumstances, we find no basis for holding that the local school authorities may not be required to employ bus transportation as one tool of school desegregation. Desegregation plans cannot be limited to the walk-in school.

An objection to transportation of students may have validity when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on the educational process. District courts must weigh the soundness of any transportation plan in light of what is said in subdivisions (1), (2), and (3) above. It hardly needs stating that the limits on time of travel will vary with many factors, but probably with none more than the age of the students. The reconcilation of competing values in a desegregation case is, of course, a difficult task with many sensitive facets but fundamentally no more so than remedial measures courts of equity have traditionally employed.

VI

The Court of Appeals, searching for a term to define the equitable remedial power of the district courts, used the term "reasonableness." In *Green, supra*, this Court used the term "feasible" and by implication, "workable," "effective," and realistic" in the mandate to develop "a plan that promises realistically to work, and . . . to work *now*." One of the facts of this case, we are unable to conclude that the order of the District Court is not reasonable, feasible and workable. However, in seeking to define the scope of remedial power or the limits on remedial power of courts in an area as sensitive as we deal with here, words are poor instruments to convey the sense of basic fairness inherent in equity. Substance, not semantics, must govern, and we have sought to suggest the nature of limitations without frustrating the appropriate scope of equity.

At some point, these school authorities and others like them should have achieved full compliance with this Court's decision in *Brown I*. The systems will then be "unitary" in the sense required by our decisions in *Green* and *Alexander*.

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[11] During 1967–1968, for example, the Mobile board used 207 buses to transport 22,094 students daily for an average round trip of 31 miles. During 1966–1967, 7,116 students in the metropolitan area were bussed daily. In Charlotte-Mecklenburg, the system as a whole, without regard to desegregation plans, planned to bus approximately 23,000 students this year, for an average daily round trip of 15 miles. More elementary school children than high school children were to be bussed, and four- and five-year-olds travel the longest routes in the system.

[12] The District Court found that the school system would have to employ 138 more buses than it had previously operated. But 105 of those buses were already available and the others could easily be obtained. Additionally, it should be noted that North Carolina requires provision of transportation for all students who are assigned to schools more than one and one-half miles from their homes. N.C. Stat. § 115-186(b).

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It does not follow that the communities served by such systems will remain demographically stable, for in a growing, mobile society, few will do so. Neither school authorities nor district courts are constitutionally required to make year-by-year adjustments of the racial composition of student bodies once the affirmative duty to desegregate has been accomplished and racial discrimination through official action is eliminated from the system. This does not mean that federal courts are without power to deal with future problems; but in the absence of a showing that either the school authorities or some other agency of the State has deliberately attempted to fix or alter demographic patterns to affect the racial composition of the schools, further intervention by a district court should not be necessary.

For the reasons herein set forth, the judgment of the Court of Appeals is affirmed as to those parts in which it affirmed the judgment of the District Court. The order of the District Court dated August 7, 1970, is also affirmed.

It is so ordered.

[Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.]

Supreme Court of the United States

Syllabus

MOORE ET AL v. CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

No. 444. Argued October 13, 1970—Decided April 20, 1971

Since both parties in this action challenging a school desegregation plan seek the same result, *viz.*, a holding that North Carolina's Anti-Busing Law is constitutional, there is no Art. III case or controversy. Additionally, on the facts of this case, no direct appeal to this Court lies under 28 U.S.C. § 1253.

312 F. Supp. 503, appeal dismissed for lack of jurisdiction.

[Notice: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D.C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.]

Supreme Court of the United States

No. 444.—October Term, 1970

On Appeal From the United States District Court for the Western District of North Carolina

MRS. ROBERT LEE MOORE ET AL., APPELLANTS,

v.

CHARLOTTE-MECKLENBURG BOARD OF EDUCATION ET AL.

[April 20, 1971]

PER CURIAM.

Appellants seek review of the decision of the United States District Court for the Western District of North Carolina declaring a portion of the North Carolina anti-busing statute unconstitutional, and enjoining its enforcement. It is a companion case to No. 498, *ante*, *North Carolina State Bd.* v. *Swann*. We postponed decision on the question of jurisdiction, 400 U.S. 803 (1970), and after hearing on the merits we now dismiss the appeal for lack of jurisdiction.

At the hearing both parties argued to the three-judge court that the anti-busing law was unconstitutional and urged that the order of the District Court adopting the Finger plan should be set aside. We are thus confronted with the anomaly that both litigants desire precisely the same result, namely a holding

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that the anti-busing statute is constitutional. There is, therefore, no case or controversy within the meaning of Article III of the Constitution. *Muskrat* v. *United States*, 219 U.S. 346 (1911). Additionally, since neither party sought an injunction to restrain a state officer from enforcing a state statute alleged to be unconstitutional, 28 U.S.C. § 2281, this is not an appeal from "any civil action, suit or proceeding required . . . to be heard . . . by a district court of three judges," 28 U.S.C. § 1253, and hence no direct appeal to this Court is available.

Dismissed.

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Supreme Court of the United States

No. 498.—October Term, 1970

On Appeal from the United States District Court for the Western District of North Carolina

NORTH CAROLINA STATE BOARD OF EDUCATION ET AL., APPELLANTS,

v.

JAMES E. SWANN, ET AL.

[April 20, 1971]

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

This case is here on direct appeal pursuant to 28 U.S.C. § 1253 from the judgment of a three-judge court in the United States District Court for the Western District of North Carolina. The District Court declared unconstitutional a portion of the North Carolina General Statutes known as the Anti-Busing Law,[1] and granted an injunction against its enforcement.[2] The proceeding before the three-judge court was an ancilliary proceeding connected with the school desegregation case heretofore discussed, *Swann* v. *Charlotte-Mecklenburg*, *supra*, p. ——. The instant appeal was taken by the North Carolina State Board of Education and four state officials. We granted the Charlotte-Mecklenburg School Board's motion to join in the appeal, 400 U.S. 804 (1970).

When the litigation in the *Swann* case recommenced in the spring of 1969, the District Court specifically directed that the school board consider altering attendance areas, pairing or consolidation of schools, bus transportation of students, and any other method which would effectuate a racially unitary system. That litigation was actively prosecuted. The board submitted a series of proposals, all rejected by the District Court as inadequate. In the midst of this litigation over the remedy to implement the District Court's order, the North Carolina Legislature enacted the anti-busing bill, set forth in relevant part in footnote 1.

Following enactment of the anti-busing statute the plaintiffs in the *Swann* case obtained leave to file a supplmental complaint which sought injunctive and declaratory relief against the statute. They sought to convene a three-judge court, but no action was taken on the requests at that time because the school board thought that the anti-busing law did not interfere with the school board's proposed plan to transport about 4,000 Negro children to white suburban schools. 306 F.Supp. 1291 (WDNC 1969). Other parties were added as defendants by order of the District Court dated February 25. In addition certain persons who had brought a suit in state court to enjoin or impede the order of the federal court, the attorneys for those litigants, and state judges who at

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[1] So far as here relevant, North Carolina General Statute § 115-176.1 reads as follows: "No student shall be assigned or compelled to attend any school on account of race, creed, color or national origin, or for the purpose of creating a balance or ratio of race, religion or national origins. Involuntary bussing of students in contravention of this article is prohibited, and public funds shall not be used for any such bussing."

[2] 312 F. Supp. 503 (1970). The opinion as printed grants only declaratory relief. However the District Court amended its original opinion by withdrawing Part V and entering an order dated June 22, 1970, which enjoined all parties "from enforcing, or seeking the enforcement of," the portion of the statute found unconstitutional.

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various times entered injunctions against the school authorities and blocked compliance with orders of the District Court were also joined; a three-judge court was then convened.

We observed in *Swann, ante*, p. 12, that school authorities have wide discretion in formulating school policy, and that as a matter of educational policy school authorities may well conclude that some kind of racial balance in the schools is desirable quite apart from any constitutional requirements. However, if a state-imposed limitation on a school authority's discretion operates to inhibit or obstruct the operation of a unitary school system or impede the disestablishing of a dual school system, it must fall; state policy must give way when it operates to hinder vindication of federal constitutional guarantees.

The legislation before us flatly forbids assignment of any student on account of race or for the purpose of creating a racial balance or ratio in the schools. The prohibition is absolute, and it would inescapably operate to obstruct the remedies granted by the District Court in the *Swann* case. But more important the statute exploits an apparently neutral form to control school assignment plans by directing that they be "color blind"; that requirement, against the background of segregation, would render illusory the promise of *Brown* v. *Board of Education*, 347 U.S. 483 (1954). Just as the race of students must be considered in determining whether a constitutional violation has occurred, so also must race be considered in formulating a remedy. To forbid, at this stage, all assignments made on the basis of race would deprive school authorities of the one tool absolutely essential to fulfillment of their constitutional obligation to eliminate existing dual school systems.

Similarly the flat prohibition against assignment of students for the purpose of creating a racial balance must inevitably conflict with the duty of school authorities to disestablish dual school systems. As we have held in *Swann*, the Constitution does not compel any particular degree of racial balance or mixing, but when past and continuing constitutional violations are found, some ratios are likely to be useful starting points in shaping a remedy. An absolute prohibition against use of such device—even as a starting point—contravenes the implicit command of *Green* v. *County School Board*, 391 U.S. 430 (1968), that all reasonable methods be available to formulate an effective remedy.

We likewise conclude that an absolute prohibition against transportation of students assigned on the basis of race, "or for the purpose of creating a balance or ratio," will similarly hamper the ability of local authorities to effectively remedy constitutional violations. As noted in *Swann, ante*, p. 25, bus transportation has long been an integral part of all public educational systems, and it is unlikely that a truly effective remedy could be devised without continued reliance upon it. Cf. *McDaniel* v. *Barresi, post*, p. 3.

The remainder of the order of the District Court is affirmed for the reasons stated in its opinion, 312 F. Supp. 503.

Affirmed.

[Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.]

Supreme Court of the United States

Syllabus

NORTH CAROLINA STATE BOARD OF EDUCATION ET AL. v. SWANN ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

No. 498. Argued October 13, 1970—Decided April 20, 1971

North Carolina's Anti-Busing Law, which flatly forbids assignment of any student on account of race or for the purpose of creating a racial balance or ratio in the schools and which prohibits busing for such purposes, *held* invalid as preventing implementation of desegregation plans required by the Fourteenth Amendment. Pp. 2–4.

312 F. Supp. 403, affirmed.

BURGER, C. J., delivered the opinion for a unanimous Court.

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[Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.]

Supreme Court of the United States

Syllabus

McDANIEL, SUPERINTENDENT OF SCHOOLS, ET AL. v. BARRESI ET AL

CERTIORARI TO THE SUPREME COURT OF GEORGIA

No. 420. Argued October 13, 1970—Decided April 20, 1971

The Board of Education of Clarke County Ga. (with a two-to-one white-Negro elementary school system ratio), devised a student assignment plan for desegregating elementary schools which establishes geographic zones drawn to promote desegregation and also provides that pupils in heavily concentrated Negro "pockets" walk or go by bus to schools in other attendance zones. The resulting Negro elementary enrollment ranges from 20% to 40% in all but two schools, where it is 50%. Respondent parents sued to enjoin the plan's operation. The state trial court denied an injunction. The Georgia Supreme Court reversed, holding that the plan violated (1) equal protection because it "[treated] students differently because of their race," and (2) the Civil Rights Act of 1964, because Title IV prohibits a school board from requiring busing to achieve a racial balance. *Held:*

1. In compliance with its duty to convert to a unitary system, the school board properly took race into account in fixing the attendance lines. Pp. 2–3.

2. Title IV, a direction to federal officials, does not restrict state officials in assigning students within their systems. P. 3.

226 Ga. 456, 175 S. E. 2d 649, reversed.

BURGER, C. J., delivered the opinion for a unanimous Court.

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Supreme Court of the United States

No. 420.—October Term, 1970

On Writ of Certiorari to the Supreme Court of Georgia

CHARLES McDANIEL, SUPERINTENDENT OF SCHOOLS, ET AL., PETITIONERS

v.

JOSEPH BARRESI, JR., ET AL.

[April 20, 1971]

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

We granted certiorari in this case to review a state court order enjoining the operation of a school desegregation plan. The action was brought in the Superior Court of Clarke County, Georgia, by parents of children attending public elementary schools in that county. Named as defendants were the Superintendent of Education and members of the Clarke County Board of Education. The trial court denied respondents' request for an injunction, but on appeal the Supreme Court of Georgia reversed, 226 Ga. 456, 175 S. E. 2d 649 (1970). This Court then granted certiorari, 400 U.S. 804 (1970).

Beginning in 1963, the Clarke County Board of Education began a voluntary program to desegregate public schools. The student-assignment plan presently at issue, involving only elementary schools, has been in effect since the start of the 1969 academic year. The plan, adopted by the Board of Education and approved by the Department of Health, Education, and Welfare,[1] relies pri-

[1] It may well be that the Board of Education adopted the present student-assignment plan because of urgings of federal officials and fear of losing federal financial assistance. The state trial court, however, made no findings on these matters. No federal officials are parties in this case.

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marily upon geographic attendance zones drawn to achieve greater racial balance. Additionally, the pupils in five heavily Negro "pockets" either walk or are transported by bus to schools located in other attendance zones.[2] As a consequence the Negro enrollment of each elementary school in the system varies generally between 20% and 40%, although two schools have a 50% Negro enrollment. The white-Negro ratio of elementary pupils in the system is approximately two to one.

Respondents contend in this action that the board's desegregation plan violates the Fourteenth Amendment of the Federal Constitution and Title IV of the Civil Rights Act of 1964. The Supreme Court of Georgia upheld both contentions, concluding first that the plan violated the Equal Protection Clause "by treating students differently because of their race." The court concluded also that Title IV prohibited the board from "requiring the transportation of pupils or students from one school to another . . . in order to achieve such racial balance . . . ." We reject these contentions.

The Clarke County Board of Education, as part of its affirmative duty to disestablish the dual school system, properly took into account the race of its elementary school children in drawing attendance lines. To have done otherwise would have severely hampered the board's ability to deal effectively with the task at hand. School boards that operated dual school systems are "clearly charged with the affirmative duty to take whatever steps might be necessary to convert to a unitary system in which racial discrimination would be eliminated root and branch." *Green* v. *County School Board*, 391 U.S. 430, 437–438 (1968). In this remedial process, steps will almost invariably require that students be assigned "differently because of their race." See *Swann* v. *Charlotte-Mecklenburg Board of Education*, No. 281; *Youngblood* v. *Board of Public Instruction*, 430 F. 2d 625, 630 (CA5 1970). Any other approach would freeze the status quo that is the very target of all desegregation processes.

Nor is the board's plan barred by Title IV of the Civil Rights Act of 1964. The sections relied upon by respondents (42 U.S.C. §§ 2000c (b), 2000c–6) are directed only at federal officials and are designed simply to forclose any interpretation of the Act as expanding the powers of federal officials to enforce the Equal Protection Clause. *Swann*, *ante*, at 13. Title IV clearly does not restrict state school authorities in the exercise of their discretionary powers to assign students within their school systems.

Reversed.

[Note: Where it is deemed desirable, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Lumber Co.*, 200 U.S. 321, 337.]

Supreme Court of the United States

Syllabus

DAVIS ET AL. v. BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 436. Argued October 13–14, 1970—Decided April 20, 1971

East of the major highway that divides the metropolitan area of Mobile, Ala., live 94% of the area's Negro students, and the schools there are 65% Negro and 35% white. West of the highway the schools are 12% Negro and 88% white. The Court of Appeals approved a desegregation plan which, like the District Court's plan, insofar as those areas were concerned, treated the western section as isolated from the eastern, with unified geographic zones and providing no transportation of students for desegregation purposes. Though some reduction in the number of all-Negro schools was achieved for the 1970–1971 school year, nine elementary schools in the eastern section (attended by 64% of all Negro elementary school pupils in the metropolitan area) were over 90% Negro, and over half of the Negro junior and senior high school

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[2] Where the distance between the student's residence and his assigned school is more than 1½ miles, free transportation is provided. There is no challenge here to the feasibility of the transportation provisions of the plan. The annual transportation expenses of the present plan are reported in the record to be $11,070 less than the school system spent on transportation during the 1968–1969 school year under dual operation.

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students went to all-Negro or nearly all-Negro schools. With regard to the faculty and staff ratio in each of Mobile County's schools, the Court of Appeals directed the District Court to require the school board to establish "substantially the same" ratio as that for the whole district. *Held:*

1. The Court of Appeals decision dealing with the faculty and staff ratio is affirmed. *Swann* v. *Charlotte-Mecklenburg Board of Education, ante,* p.—, at 14–16. P. 2.

2. The Court of Appeals erred in treating the eastern part of metropolitan Mobile in isolation from the rest of the school system, and in not adequately considering the possible use of all available techniques to achieve the maximum amount of practicable desegregation. P. 4.

430 F. 2d 883 and 889, affirmed in part and reversed and remanded in part.

BURGER, C. J., delivered the opinion for a unanimous Court.

[Notice: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D.C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.]

Supreme Court of the United States

No. 436.—October Term, 1970

On Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

BIRDIE MAE DAVIS ET AL., PETITIONERS

v.

BOARD OF SCHOOL COMMISSIONERS OF MOBILE COUNTY ET AL.

[April 20, 1971]

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

Petitioners in this case challenge as inadequate a school desegregation plan for Mobile County, Alabama. The county is large and populous, embracing 1,248 square miles and the City of Mobile. The school system had 73,500 pupils in 91 schools at the beginning of the 1969 academic year; approximately 58% of the pupils were white and 42% Negro. During the 1967–1968 school year, the system transported 22,000 pupils daily in over 200 school buses, both in the rural areas of the county and in the outlying areas of metropolitan Mobile.

The present desegregation plan evolved from one developed by the District Court in response to the decision of the Court of Appeals for the Fifth Circuit in *Davis* v. *Board of School Commissioners,* 414 F. 2d 609 (CA5 1969), that an earlier desegregation plan formulated by the District Court on the basis of unified geographic zones was "constitutionally insufficient and unacceptable, and such zones must be redrawn." The Court of Appeals held that that earlier plan had "ignored the unequivocal directive to make a conscious effort in locating attendance zones to desegregate and eliminate past segregation." *Id.,* at 610.

The District Court responded with a new zoning plan which left 18,623, or 60%, of the system's 30,800 Negro children in 19 all-Negro or nearly all-Negro schools. On appeal, the Court of Appeals reviewed all aspects of desegregation in Mobile County. Additional information was requested regarding earlier desegregation plans for the rural parts of the county, and those plans were approved. They are not before us now. The Court of Appeals concluded that with respect to faculty and staff desegregation the board had "almost totally failed to comply" with earlier orders, and directed the District Court to require the board to establish a faculty and staff ratio in each school "substantially the same" as that for the entire district. We affirm that part of the Court of Appeals' opinion for the reasons given in *Swann* v. *Charlotte-Mecklenburg Board of Education, ante,* at 14–16.

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Regarding junior and senior high schools, the Court of Appeals reversed the District Court and directed implementation of a plan which was intended to eliminate the seven all-Negro schools remaining under the District Court's scheme. This was to be achieved through pairing and adjusting grade structures within metropolitan Mobile, without bus transportation or split zoning. The Court of Appeals then turned to the difficult problem of desegregating the elementary schools of metropolitan Mobile. The metropolitan area is divided by a major north-south highway. About 94% of the Negro students in the metropolitan area live on the east side of the highway between it and the Mobile River. The school's on that side of the highway are 65% Negro and 35% white. On the west side of the highway, however, the schools are 12% Negro and 88% white. Under the District Court's elementary school plan for the metropolitan area, the eastern and western sections were treated as distinct, without either interlocking zones or transportation across the highway. Not surprisingly, it was easy to desegregate the western section, but in the east the District Court left 12 all-Negro or nearly all-Negro elementary schools, serving over 90% of all the Negro elementary students in the metropolitan area.

The Court of Appeals rejected this solution in favor of a modified version of a plan submitted by the Department of Justice. As further modified after a second appeal, this plan reduced the number of all-Negro or nearly all-Negro elementary schools from 12 to six schools, projected to serve 5,310 students, or about 50% of the Negro elementary students in the metropolitan area. Like the District Court's plan, the Court of Appeal's plan was based on treating the western section in isolation from the eastern. There were unified geographic zones, and no transportation of students for purposes of desegregation. The reduction in the number of all-Negro schools was achieved through pairing, rezoning, and adjusting grade structures within the eastern section. With yet further modifications not material here, this plan went into effect at the beginning of the 1970–1971 school year.

The enrollment figures for the 1970–1971 school year show that the projections on which the Court of Appeals based its plan for metropolitan Mobile were inaccurate. Under the Court of Appeals' plan as actually implemented, nine elementary schools in the eastern section of metropolitan Mobile were over 90% Negro as of September 21, 1970 (instead of six as projected), and they housed 7,651 students, or 64% of all the Negro elementary school pupils in the metropolitan area. Moreover, the enrollment figures indicate that 6,746 Negro junior and senior high school students in metropolitan Mobile, or over half, were then attending all-Negro or nearly all-Negro schools, rather than none as projected by the Court of Appeals. These figures are derived from a report of the school board to the District Court; they were brought to our attention in a supplemental brief for petitioners filed on October 10, 1970, and have not been challenged by respondents.

As we have held, "neighborhood school zoning," whether based strictly on home-to-school distance or on "unified geographic zones" is not the only constitutionally permissible remedy; nor is it *per se* adequate to meet the remedial responsibilities of local boards. Having once found a violation, the district judge or school authorities should make every effort to achieve the greatest possible degree of actual desegregation, taking into account the practicalities of the situation. A district court may and should consider the use of all available techniques including restructuring of attendance zones and both contiguous and noncontiguous attendance zones. See *Swann*, *ante*, at pp. 18–27. The measure of any desegregation plan is its effectiveness.

On the record before us, it is clear that the Court of Appeals felt constrained to treat the eastern part of metropolitan Mobile in isolation from the rest of the school system, and that inadequate consideration was given to the possible use of bus transportation and split zoning. For these reasons, we reverse the judgment of the Court of Appeals as to the parts dealing with student assignment, and remand the case for the development of a decree "that promises realistically to work, and promises realistically to work *now*." *Green* v. *County School Board*, 391 U.S. 430, 439 (1968).

It is so ordered.

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United States District Court, District of New Jersey

Civil Action No. 1123-70

OPINION

VIVIAN SPENCER, an infant by her Guardian ad Litem, NANCY SPENCER and GERALDINE CHAVIS, an infant by her Guardian ad Litem, VANCE DUNLOP CHAVIS, PLAINTIFFS

vs.

GEORGE F. KUGLER, Attorney General of New Jersey, CARL MARBURGER, Commissioner of Education and the State Board of Education of the State of New Jersey, DEFENDANTS

Before Forman, Circuit Judge,* Barlow, District Judge and Wortendyke, District Judge.

WORTENDYKE, District Judge: This action was commenced on August 18, 1970 by the filing of a complaint by Vivian Spencer and Geraldine Chavit by their respective guardians ad litem against George F. Kugler, Attorney General of New Jersey, Carl Marburger, Commissioner of Education, and the State Board of Education of the State.

This Court's jurisdiction is invoked under: (a) 28 U.S.C. § 1331, as arising under § 1 of Amendment 14 of the United States Constitution; (b) 28 U.S.C. § 1343 to redress the alleged deprivation under color of the law of New Jersey of rights secured by § 1 of Amendment 14 of the same constitution, and (c) §§ 1891, 1893 and 1988 of 42 U.S.C. §§ 1983, 2000a et seq. (The Civil Rights Act of 1964).

Plaintiffs are citizens of the United States and of the State of New Jersey and sue on their own behalf and under Rule 23(2) of the Federal Rules of Civil Procedure on behalf of all other Black Americans similarly situated who attend the public schools of New Jersey, which were established pursuant to a constitutional mandate to "provide for the maintenance and support of a thorough and efficient system of free public schools" as prescribed in 1947 New Jersey Constitution Article VIII, § 4 par. 1. Each of the infant plaintiffs and members of the class they purport to represent is a Black American who attends the public schools of New Jersey so maintained and supported.

Defendant Kugler is Attorney General of New Jersey charged with enforcement of the laws. Defendant Marburger is Commissioner of Education of New Jersey and the State Board of Education is a public body charged with the supervision of Public Schools in that State.

Plaintiffs allege that the public schools of New Jersey are "racially imbalanced" which "violates the equal protection clause of the United States Constitution and the Civil Rights Act of 1964 and deprives the plaintiffs and the class they represent of federally guaranteed rights" and they "will be irreparably harmed if another school year commences without correction of the aforementioned condition."

Plaintiffs demand judgment:

1. Directing defendants to terminate the racial segregation of the New Jersey schools "forthwith."

2. Directing defendants to file a plan with this Court (a) to correct the racial imbalance of the schools "at the start of the semester immediately after the entry of judgment herein"; (b) to provide compensatory education and those districts which are racially imbalanced immediately and/or to provide funding for said programs.

3. Directing defendants to cease and desist from continuing a segregated system of public schools.

In the second count the allegations of the first count are incorporated by reference. "The schools * * * are racially imbalanced by reason of N.J.S.18A: 8-1 to 42 and N.J.S.18A:31-1 to 24 which sets school district boundaries thereby rendering racial balance mathematically impossible in many districts, thus providing unequal educational opportunities. The State has taken no

*Judge Forman heard the argument in this case but, due to illness, was unable to participate in the writing of the opinion.

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steps to achieve racial balance by reason of the mathematical composition of the geographical area which comprises the school district, has not attempted to redraw school district lines to achieve racial balance, has not provided funds for compensatory education to overcome adverse educational effects of racial imbalance." The State has failed to act "in the foregoing area in violation of the equal protection clause of the United States Constitution and the civil rights of the plaintiffs and the class they represent. The State is obligated to integrate all the schools or to provide compensatory education in those districts which it does not integrate. The school districts lacked the power to achieve racial balance."

Plaintiffs contend they and the class they represent will be irreparably harmed if another school year commences without correction of the aforementioned condition.

Relief prayed:

(a) Convention of three judge court

(b) Judgment enjoining defendant from continuing said system of schools

(c) Declaratory judgment declaring N.J.S.18A:8–1 to 42 and 18A:38–1 to 24 unconstitutional

(d) Permanent injunction against enforcement of N.J.S.18A:8–1 to 42 and 18A:38–1 to 24

(e) Judgment directing defendants to redraw school district lines and submit a plan for new school district lines to be in effect prior to the opening of schools for the next semester immediately following entry of judgment herein.

(f) Judgment directing defendants to submit a plan for providing compensatory education to those districts which are racially imbalanced immediately and/or to provide the funding for such programs.

Defendants urge this Court to abstain from deciding the issues presented by the complaint. The doctrine of federal abstention first appeared in *Railroad Commission* v. *Pullman Co.*, 312 U.S. 496 (1941), based on comity between the federal and state judicial systems, and the desire to avoid friction between them through premature interference with state legislative policy and statutory interpretation.

The power to abstain is one residing in the sound discretion of the Court. In a civil suit attacking a state statute on federal constitutional grounds the federal court should hear and decide the case unless the statute is fairly subject to an interpretation which will avoid or modify the federal constitutional question. *NAACP* v. *Bennet*, 360 U.S. 471 (1959); *Cameron* v. *Johnson*, 390 U.S. 611 (1968). The statutes here in question are not subject to such an interpretation. A limitation on this rule occurs in cases when the identical issue is pending in the state court, *Askew* v. *Hargrave*, 39 U.S.L.W. 4321 (March 9, 1971). Defendants contend that the state court case of *Robinson* v. *Cahill* raises issues identical to those in the case *sub judice*. That suit alleges a violation of equal protection resulting from the taxing measures used to finance education; but does not attack the purported racial imbalance in the schools. The issues framed in the pleadings before this constitutional court are not being considered in any on-going state court action.

Ultimately, this Court relies upon *McNeese* v. *Board of Education*, 373 U.S. 668 (1963), in refusing to abstain in this case. The Court in *McNeese*, *supra*, stated:

"[P]etitioners assert that respondents have been and are depriving them of rights protected by the Fourteenth Amendment. It is immaterial whether respondents conduct is legal or illegal as a mater of state law. Such claims are entitled to be adjudicated in the Federal courts." [at p. 674] [citations omitted].

Plaintiffs' substantive claim rests wholly on the assertion that there is an affirmative constitutional duty to achieve racial balance among the several districts of a state system of public schools; and that a failure to do so is in violation of Fourteenth Amendment rights. In view of the alleged deprivation of Fourteenth Amendment rights, *Spencer* is not an appropriate case for abstention.

In his Appendix presented to the Court on the oral argument counsel for the plaintiffs included a copy of the Opinion of the United States Court of Appeals for the Third Circuit filed September 23, 1970 in *Porcelli, et al.* v. *Titus, Superintendent of Schools, etc.*, 431 F. 2d 1254 (3rd Cir. 1970), and relied on the following in support of his contention:

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"State action based partly on considerations of color, when color is not used per se, and in furtherance of a proper governmental objective, is not necessarily a violation of the Fourteenth Amendment. Proper integration of faculties is as important as proper integration of schools themselves, as set forth in *Brown* v. *Board of Education*, 349 U.S. 295 (1955), the thrust of which extends to the selection of faculties. In *Kemp* v. *Beasley*, 389 F. 2d 178 (1968), the court held, at 189, where race was a consideration in the selection of teachers and faculties, 'We reaffirm the principle that faculty selection must remain for the board and sensitive expertise of the School Board and its officials.' And, at page 190, 'The question thus becomes, when is there such faculty distribution as to provide equal opportunities to all students and to all teachers—whether white or Negro? Students in each school should have the same quality of instruction as in any other school. Every predominantly Negro school should have, wherever possible, substantially as integrated a faculty as the predominantly white school.'" [at p. 1257]

Neither *Porcelli* nor *Kemp* is an authority for the contention of the plaintiffs in the case before us that the predominance of blacks in a public school to which both blacks and whites are admitted amounts to the segregation disapproved in *Brown* v. *Board of Education*, 347 U.S. 483 (1954). *Brown* rejected the "separate but equal" doctrine announced in *Plessy* v. *Ferguson*, 163 U.S. 537 (1896). *Brown* was based upon the finding that "segregation is a denial of the equal protection of the laws," but expressly refrained from consideration of the question of whether "segregation also violates the Due Process Clause of the Fourteenth Amendment." It described the effects of segregation in the language of the United States District Court for the District of Kansas where the action originated as follows:

"'Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.'" [at 494]

In none of the schools of which the plaintiffs complain is any black pupil "segregated" from any white pupil. Indeed, complaint is made that the blacks who reside in the school district served predominate over the whites, thus affording an example of complete desegregation which was the expressed object of the court in the *Brown* case. At page 487 of the Opinion in *Brown* it is stated that:

"In each of the cases [from Kansas, South Carolina, Virginia and Delaware] minors of the Negro race, through their legal representatives, seek the aid of the courts in obtaining admission to the public schools of their community on a nonsegregated basis. In each instance, they had been denied admission to schools attended by white children under laws requiring or permitting segregation according to race."

Such is not the basis upon which each of the plaintiffs in the present case seeks relief in this cause. On the contrary plaintiffs would have a substantial portion of the pupils now in attendance in their respective schools ordered by the court removed from these schools and assigned to a school in another district. Alternatively plaintiffs would have the court abolish the respective districts in which their schools are located and assign them to other districts in which the disproportion between white and black students is reduced in one direction or the other. If, as plaintiffs contend, the proportionate black attendance in their respective schools adversely affects the degree of excellence of education which they can receive there must be a point at which any excess of blacks over whites is likely to impair the quality of the education available in that school for the black pupils. Nowhere in the Appendix filed by the plaintiffs or in the facts involved in any of the judicial precedents which they cite are we informed of the specific racial proportions which are likely to assure maximum excellence of the educational advantages available for the whites. Assuming further that efforts to achieve the ideal interracial proportion necessarily include the alteration of the population factor determinative of the redistricting, there can be no assurance that the population factor will remain static. If so, it would be necessary to successively

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reassign pupils to another district as the rate of births and graduations alters the racial proportions creating the demand for the educational facilities as it changes from term to term. In sum, the difficulty complained of does not amount to unconstitutional segregation.

As the foregoing summary of the complaint discloses the plaintiffs charge that the "racial imbalance" of the New Jersey public schools "violates the Equal Protection Clause of the United States Constitution and the Civil Rights Act of 1964 and deprives the plaintiffs * * * of federally guaranteed rights" and they "will be irreparably harmed if another school year commences without correction of the aforementioned condition." Plaintiffs plead jurisdiction in this Court under § 1 of the Fourteenth Amendment to the United States Constitution and deprivation of rights under the Civil Rights Act of 1964. Nowhere in the complaint nor in the brief or Appendix of the plaintiffs is there any specific disclosure of the particulars of the violations charged, other than the contention that in public schools in which the black pupils predominate less than the same educational and social advantages prevail.

Plaintiffs recognize and affirmatively plead that the public schools of New Jersey were established pursuant to the mandate of the State Constitution "to provide for the maintenance and support of a thorough and efficient system of free public schools." 1947 N.J. Constitution Article VIII § 4 par. 1. Plaintiffs do not, however, concede, in the form of their general contention, that they do not enjoy the advantages of other public schools by reason of the racial disproportion of the pupils therein. Further, they do not particularize the disadvantages of which they complain or the respects in which the schools they attend fall short of compliance with the State mandate. The pleadings are silent respecting the legislative implementation of the constitutional directive, although the legislative provisions for such implementation are uncondemned and exempted from the plaintiffs criticism.

The New Jersey Legislature has provided in Title 18A Chapter 8 §§ 1 et seq. of the New Jersey Statutes as follows:

"18A:8-1. MUNICIPALITIES AS SEPARATE SCHOOL DISTRICTS; EXCEPTIONS

"Each municipality shall be a separate local school district except as otherwise provided in this chapter and except that each incorporated village shall remain a part of the district in which it is situated at the time of its incorporation.

"18A:8-2. CERTAIN NEW MUNICIPALITIES AS TYPE II DISTRICTS

"Whenever a new municipality other than a city is created from parts of two or more municipalities, such municipality shall be a separate type II school district from the time of appointment of the board of education for the new school district."

It is clear that these legislative enactment prescribe school district boundaries in conformity with municipal boundaries. This designation of school zones is therefore based on the geographic limitations of the various municipalities throughout the State. Nowhere in the drawing of school district lines are considerations of race, creed, color or national origin made. The setting of municipalities as local school districts is a reasonable standard especially in light of the municipal taxing authority. The system as provided by the various legislative enactment is unitary in nature and intent and any purported racial imbalance within a local school district results from an imbalance in the population of that municipality-school district. Racially balanced municipalities are beyond the pale of either judicial or legislative intervention.

Plaintiffs, in support of their allegations, have cited numerous judicial authorities among them, of course, *Brown*, *supra*, the landmark decision on the segregation issue. *Brown* rejected the "separate but equal" doctrine of *Plessy* v. *Ferguson*, *supra*, and stated that "opportunity of an education is a right which must be made available to all on equal terms." *Brown* never required anything more than a unitary school system. The decisions which followed *Brown*, to which plaintiffs point as further interpretations of the standards imposed by it, do not support plaintiffs' contentions. Those cases hold that a violation of 14th amendment rights might result from a mere

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passive refusal to redistrict *unreasonable* boundaries. *Webb* v. *Board of Education*, 233 F. Supp. 466 (N.D.Ill. 1963); *Bell* v. *School City of Gary*, 213 F. Supp. 819 (N.D.Ind. 1963) aff'd 324 F. 2d 209 (7th Cir. 1963) cert. den. 377 U.S. 924 (1964); *Downs* v. *Board of Education*, 336 F. 2d 988 (10th Cir. 1964) cert. den. 380 U.S. 914 (1965). It was held in *Bell, supra*, that segregation resulting from housing patterns did not require correction. It would seem then that even with the concededly affirmative duty to integrate, the standard is still one of reasonableness. If the drawing of district lines is reasonable and not intended to foster segregation then that action satisfies the mandate of *Brown*. It cannot be said that school district lines based on municipal boundaries are unreasonable.

Plaintiffs also rest their cause upon 42 U.S.C. § 1983 which provides as follows:

"§ 1983. CIVIL ACTION FOR DEPRIVATION OF RIGHTS

"Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State * * *, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

The complaint in the present action fails to contain allegations from which a violation of 42 U.S.C. § 1983 may be inferred. The court in *Flemming* v. *Adams*, 377 F. 2d 975 (10th Cir. 1967) cer. den. 389 U.S. 898 (1967), relying on its opinion in *Stringer* v. *Dilger*, 313 F. 2d 536 (10th Cir. 1963) stated:

"This court, in *Stringer* v. *Dilger*, * * * stated the statutory prerequisites for liability under § 1983 to be that the defendant must have acted 'under color of' state or local law, and the plaintiff must have been deprived of constitutional rights, privileges, or immunities. The first statutory prerequisite has been satisfied in the case at bar, for the appellees are state officials and employees who acted under authority of Colorado statutes. The appellees here do not contend otherwise. However, the second prerequisite under the statute, deprivation of a constitutional right, has not been met." [at p. 977]

Flemming, supra, affirmed the district court in *Flemming* v. *Adams*, 253 F. Supp. 549 (D.C.Colo. 1966), in dismissing the complaint for failure of the plaintiff "to show a deprivation of any constitutional rights because the right to an education is not guaranteed under the federal constitution."

In our view the complaint in the action before us fails to state a claim upon which relief can be granted and thereby violates F.R.C.P. 12(b)(4). We would therefore dismiss the complaint.

The foregoing was drafted in advance of the decisions in *Swann* v. *Charlotte-Mecklenburg Board of Education*, 39 U.S.L.W. 4437 (April 20, 1971), and its related cases by the Supreme Court. *Swann, supra*, fully supports this Court's disposition of plaintiffs' claims. The incisiveness of that opinion convinces the court that it should be briefly abstracted herein since we consider it to be favorable appellate review of our views heretofore expressed.

The decision in *Brown I* has been followed by numerous cases atempting to effect the mandate of *Brown* that the school authorities immediately desegregate and form a unitary school system. *Swann* is the most recent and hopefully last in a long line of such cases, for it deals quite specifically with the *duty* of school authorities to eliminate racially separate schools maintained by state action, and moreover the powers of federal courts to order such measures as are necessary to effect complete desegregation, *now*.

The Court in *Swann* draws a critical distinction between those states which have a history of dual school systems and a separation of the races which has continued through "freedom-of-choice" and "geographical zoning" plans which create the illusion of conforming to law, and those wherein so-called "de-facto" segregation results from housing patterns and conventional drawing of school district zones.

In focusing on the latter situation, which exists here, the following quotations from *Swann, supra*, are illuminating:

"This case and those argued with it arose in states having a long history of maintaining two sets of schools in a single school system deliberately operated to carry out a government policy to separate pupils in schools solely on the basis of race." [at p. 4438]

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"Nearly 17 years ago this Court held, in explicit terms, that state-imposed segregation by race in public schools denies equal protection of the laws." [at p. 4440]

"*Green* [held] that school authorities are 'clearly charged with the affirmative duty to take whatever steps might be necessary to convert to a *unitary system* in which racial discrimination would be eliminated root and branch." [at p. 4441] [emphasis added]

"Section 2000c(b) [42 U.S.C.] defines 'desegregation' as it is used in Title IV:

" 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but *'desegregation' shall not mean the assignment of students* to public schools in order to *overcome racial imbalance.*"

"Section 2000c-6, authorizing the Attorney General to institute federal suits contains the following proviso: 'nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a *racial balance* in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards.'

* * * The legislative history of Title IV indicates that Congress was concerned that the Act might be read as creating a right of action under the Fourteenth Amendment in *the situation of so-called 'de facto segregation,'* where racial imbalance exists in the schools but with no showing that this was brought about by discriminatory action of state authorities." [at p. 4442] [emphasis added]

The conditions complained of herein are precisely those considered by the Court in *Swann* to be "de facto segregation," defined as racial imbalance that exists through no discriminatory action of state autorities. The New Jersey statutes upon which this constitutional attack is made were enacted by the legislature in 1953, Chapter 417, Laws of 1953, effective July 1, 1954 and known *inter alia* as, An Act concerning the creation of new school districts * * *. The creation of these school districts by approval of the legislature on September 18, 1953, preceded the historic decision of *Brown I*, decided on May 17, 1954. The obvious intent of the legislature was to maintain a unitary school system as *Brown I* later required. While the result of such legislation some 18 years later may be racial imbalance, within certain school districts, it does not amount to segregation.

The above cited portions of *Swann* conclusively demonstrate that a federal court is precluded, by Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c, and also by the unanimous opinion of the Supreme Court, from imposing upon school authorities the affirmative duty to cure racial imbalance in the situation of "de facto" segregation described herein.

A continuing trend toward racial imbalance caused by housing patterns within the various school districts is not susceptible to federal judicial intervention. The New Jersey Legislature has by intent maintained a unitary system of public education, albeit that system has degenerated to extreme racial imbalance in some school districts; nevertheless the statutes in question as they are presently constituted are constitutional.

Accordingly the complaint should be dismissed. An appropriate Order may be submitted.

REYNIER J. WORTENDYKE, JR., U.S.D.J.
GEORGE H. BARLOW, U.S.D.J.

United States District Court, District of New Jersey. Vivian Spencer, an infant by her Guardian ad Litem, Nancy Spencer and Geraldine Chavis, an infant by her Guardian ad Litem, Vance Dunlop Chavis, Plaintiffs, vs. George F. Kugler, Attorney General of New Jersey, Carl Marburger, Commissioner of Education and the State Board of Education of the State of New Jersey, Defendants. Civil Action No. 1123-70. Opinion. Before Forman, Circuit Judge,* Wortendyke, District Judge, Barlow, District Judge. Filed: May 13, 1971.

*Judge Forman heard the argument in this case, but due to illness, was unable to participate in the writing of the opinion.

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In the United States District Court for the Northern District of California
No. C-70 1331 SAW

DAVID JOHNSON, ET AL., PLAINTIFFS

vs.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT, ET AL., DEFENDANTS

MEMORANDUM AND ORDER REQUIRING THE PARTIES TO FILE PLANS FOR SCHOOL DESEGREGATION

Seven months ago, on September 22, 1970, this Court decided that justice in this case would best be served by postponing definitive action until after the Supreme Court of the United States decided six cases then pending before it. Last week, the six decisions were handed down.[1] Each decision was unanimous.

While the six decisions did relate to Southern states in which there had at one time been "racially separate public schools established and maintained by state action" [*Swann* v. *Charlotte-Mecklenburg Board of Education*, 39 U.S.L.W. 4437, 4438 (U.S. April 20, 1971)], neither the logic nor the force of the rulings is limited by any North-South boundary line.

For the past seventeen years, every Supreme Court decision on the subject has consistently struck down racial segregation in public schools resulting from laws which either directly or indirectly required or contributed to such segregation.[2] Last week's decisions fortify—do not water down—the prior holdings. And the Supreme Court has never condoned any double standard of constitutional compliance based upon geography.

While it was not clear seven months ago, it is clear today that to correct unlawful racial segregation in public schools:

1. Busing can be required and state law may not prohibit it.
2. Racial balance or quotas may be judicially imposed.
3. Some students may be permitted to attend schools near their homes; others may be required to attend distant schools.
4. Any student may be required to attend a particular school because of his race.
5. United States District Courts have exceptionally broad equity powers to shape decrees to meet the complex problems of protecting the constitutional right to equality of educational opportunity

It is now clear, too, under last week's Supreme Court decisions, that the San Francisco Board of Education possesses powers broad enough to correct the unlawful segregation which still persists in the San Francisco elementary schools.[3] And, of course, to repeat for emphasis, it is now clear that the

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[1] Swann v. Charlotte-Mecklenburg Bd. of Educ., 39 U.S.L.W. 4437 (U.S. April 20, 1971); Charlotte-Mecklenburg Bd. of Educ. v. Swann, 39 U.S.L.W. 4437 (U.S. April 20, 1971); Davis v. Board of School Commissioners, 39 U.S.L.W. 4447 (U.S. April 20, 1971); North Carolina State Bd. of Educ. v. Swann, 39 U.S.L.W. 4449 (U.S. April 20, 1971); McDaniel v. Barresi, 39 U.S.L.W. 4450 (U.S. April 20, 1971); Moore v. Charlotte-Mecklenburg Bd. of Educ., 39 U.S.L.W. 4451 (U.S. April 20, 1971).

[2] *See e.g.*, Green v. County School Board, 391 U.S. 430 (1968) and Raney v. Board of Education, 391 U.S. 443 (1968) (holding "freedom of choice" plans unconstitutional); Griffin v. County School Board, 377 U.S. 218 (1964) (holding unconstitutional the closing of all the schools in one county); Goss v. Board of Education, 373 U.S. 683 (1963) (holding unconstitutional a free transfer provision by which students were allowed to transfer, solely on a racial basis, from the school to which they had been assigned by virtue of redistricting if they were in a racial minority in their new school).

[3] Findings of fact and conclusions of law. The Court, having considered the voluminous evidence presented by the parties, hereby finds:

1. That public elementary schools in the San Francisco Unified School District are racially segregated.

2. That while only 28.7% of all the children enrolled in the elementary schools are black, 80% of the black children are concentrated in twenty-seven schools out of a total of more than one hundred. The student bodies of these 27 schools range from 47.3% black to 96.8% black. In only two of them are black children even slightly in the minority and in only four are the student bodies less than 72% black. (Plaintiffs' Exhibits 1 and 2.)

3. That acts and omissions of the San Francisco Board of Education are proximate causes of the racial segregation.

4. That such acts include:

a. Construction of new schools and additions to old schools in a manner which perpetuated and exacerbated existing racial imbalance. (Exhibit "B", Plaintiffs'

Footnotes continued on following page.

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Court has both the power and the duty to do so if the school authorities fail or refuse.

This situation was anticipated by this Court some seven months ago when it stated:

"This decision to postpone judgment should not be misinterpreted. Defendants should prepare themselves to be ready promptly to meet whatever requirements may be delineated by the Supreme Court of the United States. Once the Supreme Court has laid down the law, no person or agency bound by that law, nor any court, can be permitted delay in conforming to the legal requirements.

"It would appear, therefore, that defendants would do well promptly to develop plans calculated to meet the different contingencies which can reasonably be forecast. If, for example, the Board of Education works out details for maximum changes based upon the assumption that the Supreme Court will require them, the Board will then be able to act effectively, in case of need, without causing confusion and with a minimum of unnecessary dislocation. Should the decisions of the Supreme Court not require such substantial changes, the Board and those connected with it will at least have made what ought to be productive studies of various means for promoting equality of educational opportunity."

In the light of all of the foregoing, the Court hereby orders defendants to file, on or before June 10, 1971, a comprehensive plan for the desegregation of all San Francisco public elementary schools to go into effect at the start of the school terms in the fall of this year. The Court hereby also orders the plaintiffs to file such a plan on or before that date for the assistance of the Court in the event the Court should find defendants' plan inadequate or otherwise deficient.[4]

Footnotes continued from previous page.

Reply Brief in Support of Motion for Preliminary Injunction, July 27, 1970; Deposition of William L. Cobb, Ph.D., of July 14, 1970, pages 78–80; Deposition of Laurel E. Glass, Ph.D., of July 20, 1970, pages 22–59).

b. Drawing attendance zones so that racial mixture has been minimized; modification and adjustment of attendance zones so that racial separation is maintained. (Deposition of Laurel E. Glass, Ph.D., *supra*, pages 19–28; Deposition of William L. Cobb, Ph.D., *supra*, pages 51–57; Plaintiffs' Exhibits 1–8).

c. Allocating a highly disproportionate number of inexperienced and less qualified teachers to schools with student bodies composed predominantly of black children. (Deposition of Laurel E. Glass, Ph.D., *supra*, pages 48–50; Affidavit of Maureen O'Sullivan, July 17, 1970).

5. That such omissions include:

a. Failure to accept suggestions offered by school officials regarding the placement of new schools so as to minimize segregation. (Deposition of William L. Cobb, Ph.D., *supra*, pages 78–96).

b. Failure to adopt a policy of consulting with the Director of Human Relations of the School District as to the predictable racial composition of new schools. (Deposition of William L. Cobb, Ph.D., *supra*, page 76).

c. Prolonged failure to pursue a policy of hiring teachers and administrators of minority races. (Plaintiffs' Exhibit 14).

d. Failure to take steps to bring the racial balances in elementary schools within the guidelines set by the State Board of Education. (Plaintiffs' Exhibit 1; Plaintiffs' Exhibit 21–B, page 25; Deposition of William L. Cobb, Ph.D., *supra*, pages 67–106).

e. Failure to adopt sufficient measures to improve the education of children in predominantly black schools despite the Board's knowledge that education in these schools was inferior to that provided in predominantly white schools. (Deposition of Isadore Pivnick, of July 14, 1970, pages 14–19; Deposition of Laurel E. Glass, Ph.D. *supra*, page 16; Affidavit of Maureen O'Sullivan, July 17, 1970).

f. Failure to respond to recommendations regarding integration made at the Board's request by the Stanford Research Institute and by the Report of the Citizens' Advisory Committee to the Superintendent's Task Force Studying Educational Equality/Quality and Other Proposals. Plaintiff's Exhibits 26 and 32).

Having found these facts, the Court concludes that segregation which exists in San Francisco's public elementary schools results from state action and is unconstitutional under Brown v. Board of Education, 347 U.S. 483 (1954), as well as under later decisions of the Supreme Court of the United States. Because time is of the essence in vindicating the right of elementary school children in San Francisco to equal educational opportunity, the Court now enters only preliminary findings and conclusions in support of the order today made. The citations to the record by no means exhaust the substantiating evidence before the Court. More extensive findings of fact and conclusions of law will be filed as occasion may arise.

[4] The Court itself will not hesitate to appoint one or more consultants to assist it should that later become necessary or advisable. Regarding the Court's power to do so, *see* Swann v. Charlotte-Mecklenburg Bd. of Educ., 431 F.2d 138 (4th Cir. 1970) at 148.

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If defendants have paid heed to the strong suggestion of this Court, in its order of September 22, 1970, they will have had, by June 10, 1971, almost nine months for development of their plan. Since the time for plaintiffs' is less than two months, the Court suggests that plaintiffs at once undertake to enlist the assistance of one or more highly qualified experts to develop their plan.

For the general guidance of both plaintiffs and defendants, the Court directs the parties to perfect their plans not only in the light of all relevant decisions of the United States Supreme Court but particularly in the light of the remedies approved in *Swann, supra,* and its companion cases. The Court also deems it appropriate to suggest that each plan should be carefully prepared in detail to insure accomplishment of at least the following objectives by the start of the 1971 fall school term.

1. Full integration of all public elementary schools so that the ratio of black children to white children will then be and thereafter continue to be substantially the same in each school. To accomplish this objective, the plans may include provision for:

   a. Use of non-discriminatory busing if, as appears now to be clear, at least some busing will be necessary for compliance with the law.

   b. Changing attendance zones whenever and wherever necessary to eliminate or head off racial segregation.

2. Assurance that school construction programs will not promote racial segregation whether by enlargement of existing facilities or location of new ones or otherwise.

3. Establishment of practices for the hiring of teachers and administrators which will effectively promote racial balance in the respective staffs.

4. Establishment of practices for the assignment of teachers and administrators which will effectively promote racial balance of the respective staffs in each school.

5. Establishment of practices for the assignment of teachers and administrators which will effectively promote equalization of competence in teaching and administration at all schools.

6. Avoidance of use of tracking systems or other educational techniques or innovations without provision for safeguards against racial segregation as a consequence.

The foregoing delineation is not intended to limit the scope of the plans to be filed nor to hamper creativity by those who prepare them nor to specify details better spelled out by qualified experts in education. The intent, rather, is to indicate requirements which, in the light of the facts before the Court, are necessary for compliance with the law.

That is the thrust of all of this—the law must be obeyed. The Court fully understands that public opinion is divided on many questions relating to desegregation of our schools. But disagreement with the law is no justification for violation. And, where as here, segregation in our schools has been fostered by action and inaction over a long period of years, the law requires corrective measures.

The Court fully understands, too, the many complicated, difficult and serious problems which must be solved. They run the gamut from those of finance and geography and personnel on through to the emotional. But the difficulties are far from insurmountable. A genuine will to meet and overcome them is the first requisite.[5]

The stakes are surely high enough to generate that will. Respect for law in the education of the elementary school children of the city of today can do much to reduce crime on the streets of the city of tomorrow.

In any case, the Court, as heretofore, retains jurisdiction to take such further action at any time as it may deem necessary to provide for compliance with the Constitution and laws of the United States.

Dated: April 28, 1971.

STANLEY A. WEIGEL, *Judge.*

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[5] ". . . The problem of changing a people's mores, particularly those with an emotional overlay, is not to be taken lightly. It is a problem which will require the utmost patience, understanding, generosity and forbearance from all of us, of whatever race. But the magnitude of the problem may not nullify the principle. And that principle is that we are, all of us, freeborn Americans, with a right to make our way, unfettered by sanctions imposed by man because of the work of God." J. Skelly Wright speaking in Bush v. Orleans Parish School Board, 138 F. Supp. 337 (E.D. La. 1956) at 342.

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[Notice: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D.C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.]

Supreme Court of the United States

Nos. 154 & 226.—October Term, 1970

On Appeals From the United States District Court for the Northern District of California

154

RONALD JAMES, ET AL., APPELLANTS,

v.

ANITA VALTIERRA ET AL., APPELLEES.

226

VIRGINIA C. SHAFFER, APPELLANT,

v.

ANITA VALTIERRA ET AL., APPELLEES.

[April 26, 1971]

MR. JUSTICE BLACK delivered the opinion of the Court.

These cases raise but a single issue. It grows out of the United States Housing Act of 1937, 42 U. S. C. § 1401 *et seq.*, which established a federal housing agency authorized to make loans and grants to state agencies for slum clearance and low-rent housing projects. In response, the California Legislature created in each county and city a public housing authority to take advantage of the financing made available by the Federal Housing Act. See California Health and Safety Code § 34240. At the time the federal legislation was passed the California Constitution had for many years reserved to the State's people the power to initiate legislation and to reject or approve by referendum any Act passed by the state legislature. California Const. Art. IV, § 1. The same section reserved to the electors of counties and cities the power of initiative and referendum over acts of local government bodies. In 1950, however, the State Supreme Court held that local authorities' decision on seeking federal aid for public housing projects were "executive" and "administrative," not "legislative," and therefore the state constitution's referendum provisions did not apply to these actions.[1] Within six months of that decision the California voters adopted Article XXXIV of the state constitution to bring public housing decisions under the State's referendum policy. The Article provided that no low-rent housing project should be developed, constructed or acquired in any manner by a state public body until the project was approved by a majority of those voting at a community election.[2]

The present suits were brought by citizens of San Jose, California, and San Mateo County, localities where housing authorities could not apply for federal funds because low-cost housing proposals had been defeated in referen-

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[1] *Housing Authority* v. *Superior Court*, 35 Cal. 2d 550, 557–558 (1950).

[2] "Section 1. No low rent housing project shall hereafter be developed, constructed, or acquired in any manner by any state public body until, a majority of the qualified electors of the city, town or county, as the case may be, in which it is proposed to develop, construct, or acquire the same, voting upon such issue, approve such project by voting in favor thereof at an election to be held for that purpose, or at any general or special election.

"For the purpose of this article the term 'low rent housing project' shall mean any development composed of urban or rural dwellings, apartments or other living accommodations for persons of low income, financed in whole or in part by the Federal Government or a state public body or to which the Federal Government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise. . . .

"For the purposes of this article only 'persons of low income' shall mean persons or families who lack the amount of income which is necessary (as determined by the state public body developing, constructing, or acquiring the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding . . . ."

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dums. The plaintiffs, who are eligible for low-cost public housing, sought a declaration that Article XXXIV was unconstitutional because its referendum requirement violated: (1) the Supremacy Clause of the United States Constitution; (2) the Privileges and Immunities Clause; and (3) the Equal Protection Clause. A three-judge court held that Article XXXIV denied the plaintiffs equal protection of the laws and it enjoined its enforcement. 313 F. Supp. 1 (ND Cal. 1970). Two appeals were taken from the judgment, one by the San Jose City Council, and the other by a single member of the council. We noted probable jurisdiction of both appeals. 398 U.S. 949 (1970); 399 U.S. 925 (1970). For the reasons that follow, we reverse.

The three-judge court found the Supremacy Clause argument unpersuasive, and we agree. By the Housing Act of 1937 the Federal Government has offered aid to States and local governments for the creation of low-rent public housing. However, the federal legislation does not purport to require that local governments accept this or to outlaw local referendums on whether the aid should be accepted. We also find the privileges and immunities argument without merit.

While the District Court cited several cases of this Court, its chief reliance plainly rested on *Hunter* v. *Erickson*, 393 U.S. 385 (1969). The first paragraph in the District Court's decision stated simply: "We hold Article XXXIV to be unconstitutional. *Hunter* v. *Erickson* . . . ." The court below erred in relying on *Hunter* to invalidate Article XXXIV. Unlike the case before us, *Hunter* rested on the conclusion that Akron's referendum law denied equal protection by placing "special burdens on racial minorities within the governmental process." *Id.*, at 391. In *Hunter* the citizens of Akron had amended the city charter to require that any ordinance regulating real estate on the basis of race, color, religion, or national origin could not take effect without approval by a majority of those voting in a city election. The Court held that the amendment created a classification based upon race because it required that laws dealing with racial housing matters could take effect only if they survived a mandatory referendum while other housing ordinances took effect without any such special election. The opinion noted:

"Because the core of the Fourteenth Amendment is the prevention of meaningful and unjustifiable official distinctions based on race, [citing a group of racial discrimination cases] racial classifications are 'constitutionally suspect' . . . and subject to the 'most rigid scrutiny. . . .' They 'bear a far heavier burden of justification than other classifications. . . .'" *Id.*, at 391–392.

The Court concluded that Akron had advanced no sufficient reasons to justify this racial classification and hence that it was unconstitutional under the Fourteenth Amendment.

Unlike the Akron referendum provision, it cannot be said that California's Article XXXIV rests on "distinctions based on race." *Id.*, at 391. The Article requires referendum approval for any low-rent public housing project, not only for projects which will be occupied by a racial minority. And the record here would not support any claim that a law seemingly neutral on its face is in fact aimed at a racial minority. Cf. *Gomillion* v. *Lightfoot*, 364 U.S. 339 (1960). The present case would be affirmed only by extending *Hunter*, and this we decline to do.

California's entire history demonstrates the repeated use of referendums to give citizens a voice on questions of public policy. A referendum provision was included in the first state constitution. Calif. Const. of 1849, Art. VIII, and referendums have been a commonplace occurrence in the State's active political life.[3] Provisions for referendums demonstrate devotion to democracy, not to bias, discrimination, or prejudice. Nonetheless, appellees contend that Article XXXIV denies them equal protection because it demands a mandatory referendum while many other referendums only take place upon citizen initiative. They suggest that the mandatory nature of the Article XXXIV referendum constitutes unconstitutional discrimination because it hampers persons desiring public housing from achieving their objective when no such roadblock faces other groups seeking to influence other public decisions to their advantage. But of course a lawmaking procedure that "disadvantages" a particular group does not always deny equal protection. Under any such holding, presumably a State would not be able to require referendums on any subject unless refer-

[3] See, *e.g.*, Crouch, Winston W. "The Initiative and Referendum in California," The Haynes Foundation, Los Angeles, 1950.

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endums were required on all, because they would always disadvantage some group. And this Court would be required to analyze governmental structures to determine whether a gubernatorial veto provision or a filibuster rule is likely to "disadvantage" any of the diverse and shifting groups that make up the American people.

Furthermore, an examination of California law reveals that persons advocating low-income housing have not been singled out for mandatory referendums while no other group must face that obstacle. Mandatory referendums are required for approval of state constitutional amendments, for the issuance of general obligation long-term bonds by local governments, and for certain municipal territorial annexations. See Calif. Const. Art. XVIII, Art. XIII, § 40; Art. XI, § 2(b). California statute books contain much legislation first enacted by voter initiative, and no such law can be repealed or amended except by referendum. Calif. Const. Art. IV, § 24(c). Some California cities have wisely provided that their public parks may not be alienated without mandatory referendums, see, *e. g.*, San Jose Charter, § 1700.

The people of California have also decided by their own vote to require referendum approval of low-rent public housing projects. This procedure ensures that all the people of a community will have a voice in a decision which may lead to large expenditures of local governmental funds for increased public services and to lower tax revenues.[4] It gives them a voice in decisions that will affect the future development of their own community. This procedure for democratic decision-making does not violate the constitutional command that no State shall deny to any person "the equal protection of the laws."

The judgment of the three-judge court is reversed and the case is remanded for dismissal of the complaint.

Reversed.

MR. JUSTICE DOUGLAS took no part in the consideration or decision of this case.

Supreme Court of the United States
Nos. 154 & 226.—October Term, 1970

On Appeals From the United States District Court for the Northern District of California

154

RONALD JAMES ET AL., APPELLANTS,

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226

VIRGINIA C. SHAFFER, APPELLANT,

v.

ANITA VALTIERRA ET AL.

[April 26, 1971]

MR. JUSTICE MARSHALL, whom MR. JUSTICE BRENNAN and MR. JUSTICE BLACKMUN join, dissenting.

By its very terms, the mandatory prior referendum provision of Article 34 applies solely to "any development composed of urban or rural dwellings, apartments or other living accommodations for persons of low income, financed

[4] Public low-rent housing projects are financed through bonds issued by the local housing authority. To be sure, the Federal Government contracts to make contributions sufficient to cover interest and principal, but the local government body must agree to provide all municipal services for the units and to waive all taxes on the property. The local services to be provided include schools, police, and fire protection, sewers, streets, drains, and lighting. Some of the cost is defrayed by the local governing body's receipt of 10% of the housing project rentals, but of course the rentals are set artificially low. Both appellants and appellees agree that the building of federally-financed low-cost housing entails costs to the local community. Appellant Shaffer's Brief, at 34–35. Appellee's Brief, at 47. See also 42 U.S.C. §§ 1401–1430.

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in whole or in part by the Federal Government or a state public body or to which the Federal Government or a state public body extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise."

Persons of low income are defined as "persons or families who lack the amount of income which is necessary . . . to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding."

The article explicitly singles out low-income persons to bear its burden. Publicly assisted housing developments designed to accommodate the aged, veterans, state employees, persons of moderate income, or any class of citizens other than the poor, need not be approved by prior referenda.*

In my view, Article 34 on its face constitutes invidious discrimination which the Equal Protection Clause of the Fourteenth Amendment plainly prohibits. "The States, of course, are prohibited by the Equal Protection Clause from discriminating between 'rich' and 'poor' *as such* in the formulation and application of their laws." *Douglas* v. *California*, 372 U.S. 353, 361 (1963) (MR. JUSTICE HARLAN, dissenting). Article 34 is neither "a law of general applicability that may affect the poor more harshly than it does the rich," *ibid*, nor an "effort to redress economic imbalances," *ibid.* It is rather an explicit classification on the basis of poverty—a suspect classification which demands exacting judicial scrutiny, see *McDonald* v. *Board of Education*, 394 U.S. 802, 807 (1969); *Harper* v. *Virginia Board of Elections*, 383 U.S. 663 (1966); *Douglas* v. *California*, 372 U.S. 353 (1963).

The Court, however, chooses to subject the article to no scrutiny whatsoever and treats the provision as if it contained a totally benign, technical economic classification. Both the appellees and the Solicitor General of the United States as *amicus curiae* have strenuously argued, and the court below found, that Article 34, by imposing a substantial burden solely on the poor, violates the Fourteen Amendment. Yet after observing that the article does not discriminate on the basis of race, the Court's only response to the real question in this case is the unresponsive assertion that "referendums demonstrate devotion to democracy, not to bias, discrimination, or prejudice." It is far too late in the day to contend that the Fourteenth Amendment prohibits only racial discrimination; and to me, singling out the poor to bear a burden not placed on any other class of citizens tramples the values that the Fourteenth Amendment was designed to protect.

I respectfully dissent.

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*California law authorizes the formation of Renewal Area Agencies whose purposes include the construction of "low income, middle income and normal market housing." California Health and Safety Code §§ 33701 *et seq.* Only low income housing programs are subject to the mandatory referendum provision of Article 34 even though all of the agencies' programs may receive substantial governmental assistance.

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Appendix 2

NEWSPAPER ARTICLES

[From the New York Times, Mar. 8, 1970]

IN THE NATION: THE OUTCRY AGAINST BUSING

(By Tom Wicker)

WASHINGTON. March 7.—During the 1968 campaign, the phrase "law and order" became such a code expression (for a police crackdown on trouble-makers of "whatever race") that some candidates pronounced it and some reporters began spelling it "lawnorder." Now the favored code word is "busing" and it is a real showstopper. Busing is what integration leads to, and busing is bad, so integration must be bad, too.

This is nonsense, but it is powerful nonsense, because busing has become the key word which both arouses and expresses a whole variety of fears and reservations about integration itself.

It is, of course, possible to create inefficient and damaging busing schemes. The busing aspects of a school desegregation plan recently ordered for Los Angeles, for instance, strike some of the strongest proponents of school integration as complicated enough to be unreasonable.

SEVENTEEN MILLION A DAY

But the truth of the matter is that every day of the school year in America, seventeen million children are bused to school and home again; and that doesn't happen just in districts where courts have ordered desegregation—it happens in about 90 percent of the nation's school districts. Moreover, this figure doesn't cover those youngsters who go to school in public transportation—buses or subways.

These figures were offered by Leon Panetta, who was forced out of the Nixon Administration for trying to enforce school desegregation. Lest it be thought that Mr. Panetta is a busing fanatic, he said in the same speech to the National Education Association that less than 3 percent of the school desegregation plans accepted as adequate by the Health, Education and Welfare Department had called for additional busing.

RILLING'S STATEMENT

This was supported by Paul M. Rilling of Atlanta, the H.E.W. director for the Southeastern region, who resigned this week in protest at the Nixon Administration's "vacillation and non-leadership" in school desegregation. "Busing," Mr. Rilling said in his resignation statement, "is not involved in the vast majority of Southern school desegregation plans. Total busing mileage, in fact, decreased in most Southern states as desegregation takes place."

In a telephone interview, Mr. Rilling gave some further details. His office surveyed all school districts that had achieved at least 12 per cent desegregation in the five Southeastern states; in three of those states—Georgia, Mississippi and Tennessee—busing mileage went down while only in Florida and Alabama did it increase or remain stable. In Tennessee, where of these states the greatest amount of desegregation has been achieved, busing mileage declined from twenty million in 1964–65 to eighteen million in 1968–69.

Mr. Rilling said he knew of only one district in the region where an H.E.W.-approved plan had "substantially increased" busing. That was in Clark County, Ga., where the city of Athens is located, and where officials had voluntarily instituted more busing than H.E.W. demanded, in order to spread the impact of desegregation more evenly around the district.

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It had been necessary, however, Mr. Rilling said, to insist that a number of districts keep on busing students at least to the same extent that the district had been busing them in a segregated system in order to achieve desegregation.

H.E.W. PLANS

Mr. Rilling said that most H.E.W. plans had applied to nonmetropolitan areas and conceded that desegregating Southern city schools would require more busing; most city desegregation plans, as in the controversial case of Charlotte, N.C., are court ordered. In Charlotte, about 23,000 students will have to be bused to meet the court's requirements.

About 23,000 students were being bused, so the court plan will mean busing for about 46,000 of the district's 84,500 students, 30 per cent of whom are black. This is obviously a problem for the city; yet, it will achieve only a 7-to-3 ratio of whites to blacks in a district where, fifteen years after the Brown decision, 14,000 of the 24,000 black students still were in all-black or virtually all-black schools.

ONLY IN THE SOUTH?

It is not true, either, that this could happen only in the South. Under court order, Pasadena, Calif., is desegregating its school through a plan that will bus 13,500 or almost half its students. In Rochester, N.Y., where nearly 50 per cent of black students already are in majority-white schools, and where busing has been increasing since 1963 a voluntary plan has been set in motion that would achieve complete integration and require the busing of about 36 per cent of the students.

Herman Goldberg, Rochester's vigorous School Superintendent, makes the essential point that in working out such plans each city, being different in its physical and social patterns, can best tailor its plan to its own needs. And John Gardner, the former H.E.W. Secretary, pointed out this week that in seeking desegregation "busing is only one of a half-dozen things you can do."

So integration doesn't necessarily mean busing; but *if* it means busing, that isn't necessarily bad; and the best way for a school district to be sure of that is for it to go ahead on its own with a desegregation plan best suited to local problems.

[From the South Today, May 1970]

THE BUSING MYTH: SEG ACADEMIES BUS MORE CHILDREN, AND FURTHER

Southern "segregation academies" are busing more of their students, and busing them further, than are public schools in the region, a survey for South Today reveals. And some Deep South legislatures, whose members have deplored busing of students to achieve integration, are beginning to encourage busing for the academies.

A close comparison between busing in public schools and busing in the new segregated private schools suggests these conclusions:

—Desegregation plans approved by the Department of Health, Education and Welfare have tended to reduce rather than increase busing in the South.

—Many segregation academies are making no bones about their long-distance transportation systems, bragging that they are busing in students from several counties. One academy apparently buses some students 120 miles a day.

—The academies which do not own buses sometimes encourage parents to join together to purchase and operate buses.

—Some state governments seem to be moving toward indirect subsidy of segregation academy busing.

These conclusions stand in sharp contrast to frequent statements on busing in recent weeks by Southern politicians. Some segregation-minded senators and congressmen lately have directed their fire not mainly toward desegregation as such but toward long-distance busing, suggesting that such transportation is dangerous to the children and damaging to education.

In introducing his freedom-of-choice amendment to the Elementary and Secondary Education Act in February, Sen. John Stennis of Mississippi said its purpose was to provide freedom of choice and to bar "the busing of students away from their community schools without the consent of their parents." He referred to the "merciless mandate" of a court which "takes a little girl and sends her to the other side of town where she knows no one. . . ."

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Gov. John McKeithen of Louisiana recently told the Louisiana State School Board Association: "I will not allow my children to be bused . . to be treated like cattle." In a full page ad which ran in newspapers and magazines across the country McKeithen also stated: "HEW-inspired and court-approved plans have required the busing of children 20 to 30 miles from their homes, when neighborhood schools are within walking distance. These precipitous and unwarranted mandates equate no justice to the welfare of the child, the parent, the teacher, or the survival of public education."

Former Alabama Gov. George Wallace said in January, "I say, and I've said all along, that it's against the law to bus children. The Civil Rights Act prohibits it."

The facts disclosed in a survey of segregation academies suggest, however, that many of those who cry loudest about the busing involved in integration plans have no fear of busing if it is to maintain segregration (as it traditionally has done in the South).

TEN ACADEMIES

In the South Today survey, figures on pupil busing were obtained from 10 segregated private schools in eight states. (Eleven schools were contacted; one refused to provide information.) The schools were chosen at random, and with an effort to see that they were, overall, a representative sampling of such schools. They range from relatively stable and financially strong institutions, such as Wade Hampton Academy in Orangeburg, S.C., to schools with seemingly weaker underpinning, such as the Autauga County Private School Foundation in Prattville, Ala.

A figure was obtained from each academy indicating the percentages of students riding buses. These percentages then were averaged. Similarly, a figure was obtained from each of the eight states indicating the percentage of students using publicly-provided buses, and these state percentages were averaged. On this basis, the survey indicated that public schools in the eight states are busing an average of 49.5 per cent of their pupils and the academies are busing an average of 62 per cent.

(As a mathematical cross-check, the number of public school students bused in the eight states also was totaled. A regional percentage was then calculated. By this method it was determined that 48.36 per cent of all pupils enrolled in the public schools of the eight states studied are bused. This figure correlates closely with the 49.5 per cent calculated by averaging percentages of students bused in each state.)

On the matter of number of miles bused:

Figures were obtained from 10 academies indicating the average number of miles traveled by bus for all *bused* students. These averages then were averaged. Similarly, closely-calculated estimates were obtained from state education officials for the 1969–70 school year indicating the average number of miles traveled by bus for all bused students. These averages were averaged.

Public school students who are bused in Alabama travel an average of 11.5 miles each way; in Florida, 12; in Georgia, 10; in Louisiana, 13; in Mississippi, 9; in North Carolina, 4; in South Carolina, 10; and in Virginia, 11.5.

On that basis, the figures indicated that bused students in public schools are traveling an average of 10.1 miles a day each way and bused students in segregation academies are traveling an average of 17.7 miles each way. Bused pupils in the sample of segregation academies are traveling an average of 7.6 miles further each way to and from school than are bused pupils of public schools in the eight states.

Further evidence for substantial segregated school busing comes from *Atlanta Journal* reporter Junie Brown, who earlier this year visited 12 Georgia segregated academies. Mrs. Brown says students from all 12 schools are bused varying distances, ranging up to 50 miles one way at Holy Bible School in Lamar County. In Flint River Academy, in Woodberry, Ga., students ride buses in from 13 counties. The academy's headmaster, John Moore, has five buses, one of which he keeps in Griffin, permanently, to handle students coming from that direction.

SCHOOL DISTRICTS

That private school busing is an important, as well as expensive, proposition, is borne out by a number of legislative developments. The State of Louisiana,

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under a 1938 Supreme Court ruling, has been providing money to bus *all* students, public and private alike. The amount appropriated this year is $30 million. Since 50 per cent of Louisiana's students ride school buses, probably 70,000, or half the children in the state's private school enrollment, ride buses. There are no available figures on how many of these students attend segregated schools, but since mid-1969 there has been a sharp increase in the number of these schools.

Bills providing tax relief for private school transportation have been introduced in at least three states during the past year. The Georgia and North Carolina bills failed, but the Mississippi Legislature passed a bill which put private schools on the same footing as public schools in the purchase of bus tags. Private schools are no longer required to purchase expensive commercial licenses in order to operate buses. They now will enjoy the same privileged license tag status as public school transportation systems.

OTHER DEVELOPMENTS

Mrs. Frances Pauley, who is with HEW's Office of Civil Rights in Atlanta, reports seeing buses belonging to the Rebuls Academy, a segregated school in Learned, Miss. She thought it curious that, in painting the buses grey, someone forgot to cover the tops, which were, one might say, "public school yellow." Some parents in another Mississippi town, Gillsburg, are so determined to avoid anything but token integration that they have for years operated a private line of school buses—painted white—to carry their children to the Liberty, Miss., public schools, which are overwhelmingly white, and located 15 miles away. The buses were financed, driven, controlled and maintained by these parents.

Dr. T. E. Wannamaker, president of the South Carolina Independent School Association, enjoys talking about the thoughtful group of parents on Hilton Head Island, who bought a plush, air-conditioned bus to carry their children in style and comfort the 120 miles round trip to and from Beaufort Academy, in Beaufort, S.C The survey of segregation academies further suggests what many observers had already concluded: that parents do not move their children from public to private schools because of threats of increased busing. Not only is busing a way of life in private, segregated academies; it is in the segregated schools where proportionately more busing is done and for longer distances. Perhaps there is another reason why parents don't want their children in integrated schools.

BUSING AND RACISM

That "opposition to all busing as undesirable is clearly racist in nature" is the conclusion which the U.S. Commission on Civil Rights reaches in a new publication entitled *Racism in America and How To Combat It.* The study explains that Negroes, in attempting to cope with de facto residential segregation, "proposed busing students from where they live to schools in other areas so as to achieve racially mixed student bodies in each school." This action, the report says, "evoked two hostile responses from many of the white parents whose children were concerned."

The report continues:

"The first was an even stronger defense of the neighborhood school principle. This principle had originated mainly for convenience reasons, but now formed a useful instrument for continued institutional subordination.

"The second was opposition to all busing of students as inherently undesirable because of delays, child fatigue, added costs, and other ostensibly 'technical' reasons."

In suggesting that opposition to busing tends to be racist, the commission notes the high proportion of white students in rural areas, suburbs, and Catholic big-city school systems who have used buses for years without arousing such complaints.

This argument is underlined by the fact that every day of the school year in America, 17 million children are bused to school and home again, and not just in areas where there is court-ordered desegregation. As a matter of fact, court-ordered desegregation has tended to reduce, rather than increase, the amount of busing of students.

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HEW AND BUSING

The recently-resigned Southeastern regional director of HEW, Paul Rilling, said in his resignation statement that "busing is not involved in the vast majority of Southern school desegregation plans." He added: "Total busing mileage, in fact, decreased in most Southern states as desegregation takes place."

In an interview with the *New York Times*, Rilling gave further details. In a survey of all school districts that had achieved at least 12 per cent desegregation in the five Southeastern states, in Georgia, Mississippi, and Tennessee, busing mileage went down, while only in Florida and Alabama did it increase or remain stable.

Rilling knew of only one district in his region where busing had been "substantially" increased—in Clark County, Ga., where school board officials "voluntarily instituted more busing than HEW demanded in order to spread the impact of desegregation more evenly. . . ."

Busing, like law and order, has become an emotionally charged code word. Yet the facts indicate that the mere act of busing is not the issue. Segregationists will continue to rail against the use of busing to achieve desegregation while quietly continuing, and oftentimes increasing, busing of students to maintain the racial *status quo.*

Following are the percentages of pupils bused in each of the 10 "segregation academies" sampled:

	Percent
Faith Christian School, Ramseur, N.C	97
Enfield Academy, Whitakers, N.C	75
Evangeline Academy, Villa Platte, La	75
Kenston Forest Academy, Blackstone, Va	70
Macon Academy, Tuskegee, Ala	65
Autauga County Private School Foundation, Prattville, Ala	63
Tallahassee Christian School, Tallahassee, Fla	50
Flint River Academy, Woodbury, Ga	45
Indianola Academy, Indianola, Miss	40
Wade Hampton Academy, Orangeburg, S.C	40
Average	62

Following is the average number of miles traveled by bused pupils in the 10 "segregation academies" checked:

Enfield Academy, Whitakers, N.C	35.0
Macon Academy, Tuskegee, Ala	22.0
Flint River Academy, Woodbury, Ga	20.0
Faith Christian School, Ramseur, N.C	17.0
Indianola Academy, Indianola, Miss	17.0
Kenston Forest Academy, Blackstone, Va	17.0
Tallahassee Christian School, Tallahassee, Fla	15.0
Wade Hampton Academy, Orangeburg, S.C	15.0
Evangeline Academy, Villa Platte, La	11.0
Autauga County Private School Foundation, Prattville, Ala	8.0
Average	17.7

[From the New York Times, May 24, 1970]

SCHOOL BUSING A U.S. TRADITION—PROGRAM WELCOMED FOR YEARS EXCEPT FOR INTEGRATION

(By Davis Johnson)

LANSING, MICH., May 11.—Nearly all the turmoil in the country over busing pupils to school has come with its use for racial integration. Even though busing for that purpose accounts for less than 3 per cent of the century-old, billion-dollar program of student transportation.

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"We have had no complaints over busing unless integration was involved," Dr. John W. Porrter, acting superintendent of public instruction for the Michigan Department of Education, said in an interview.

The comment was typical of those from dozens of state education officials from all sections of the country who were questioned about the impact of school busing in their areas.

Free rides to school for pupils have been welcomed by most parents ever since Massachusetts passed the first state law providing them in the horse and buggy days of 1869.

By 1919 all states had followed suit, and by 1930 busing had begun a period of dramatic growth. From 7 per cent of the country's enrollment in that year, it has increased to 40 per cent today, making school busing the largest transportation service in the United States.

66 PERCENT OF ALL PUPILS BUSSED

The 40 per cent excludes millions of pupils who use public transportation, often at their own expense, to get to school in cities. Altogether, state and Federal officials estimate, about two-thirds of the country's 45 million pupils are bused.

This massive growth of busing provoked little resistance till court and administrative orders in recent years began to require busing for racial integration.

The resistance has ranged from violence to buses in such cities as Lamar, S.C., and Denver to antibusing petition campaigns in cities from coast to coast.

Senator John C. Stennis of Mississippi reiterated the view of many opponents when he told the Senate recently that "parents are not going to permit their children to be boxed up and crated and hauled around the city and country like animals."

Dr. E. Glenn Featherston, deputy associate commissioner for Federal-state relations in the United States Office of Education and for more than a quarter of a century the Federal Government's foremost specialist in pupil transportation, estimates that about 90 per cent of the nation's busing has resulted from school consolidations.

Although busing was at first a rural phenomenon, it has increased in recent years in the suburbs of major cities to provide transportation for high school students.

OTHER REASONS FOR BUSING

Dr. Featherston said that minor reasons for the increase in busing included recent shortening of distances for busing in some states, special pick-ups because traffic conditions would make walking hazardous, taxi service for the handicapped, liberalized regulations about giving rides to private school pupils, and busing for racial integration.

He agreed with state officials that only the last reason had produced any turmoil. Opinions differ as to how much of it is due to racism and how much to genuine fear that busing a child away from his neighborhood would harm his education.

In the South, busing children away from the home neighborhood to maintain segregation was customary before integration orders began to follow in the wake of the Supreme Court ruling against school segregation was customary before integration orders began to follow in the wake of the Supreme Court ruling against school segregation in 1954. Resistance stressed "freedom of choice" in schools.

Outside the South, however resistance to integration orders has stressed allegiance to the neighborhood school system, often a system that was segregated because of segregated residential patterns.

While scattered cities in the North have experimented voluntarily with intracity or city-suburban busing for integration, court and administrative orders for classroom integration that involved busing have been bitterly resisted by at least a vocal minority ever since James E. Allen Jr., then New York State Education Commissioner first ordered Malvern, L.I., schools integrated.

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STRIFE IS PERSISTING

The strife is continuing as more of the battle for integration moves from the South to the North. The situation in Pontiac, Mich., illustrates in microcosm the arguments pro and con and the tension generated by the issue.

With Michigan's first court-ordered busing for school integration due in Pontiac in September, the Washington Irving Elementary School's parent-teacher organization there has voted to seek secession from the Pontiac school district.

Last February, Federal District Judge Damon J. Keith, former cochairman of the Michigan Civil Rights Commission, ordered integration of the 25,000-pupil district. In March he approved a plan that would mean busing half the enrollment.

The Concerned Parents of the Pontiac School District was formed. About 90 members, in automobile caravan, brought petitions with 15,000 signatures opposing the plan to the Governor and legislators here.

Representative Jack McDonald of the Pontiac area introduced a bill in Congress to prohibit busing of students for racial balance. Last week the Pontiac school board took the Keith order to the Federal Court of Appeals for the Sixth Circuit in Cincinnati.

A DIVISIVE CONTROVERSY

Pontiac, an automobile-manufacturing city of 68,000 whites and 17,000 blacks, is sharply divided over the issue. Dr. Dana P. Whitmer said in an interview that it was the most divisive school controversy in the community in his 15 years as superintendent.

Pontiac already buses 3,600 children up to three and a half miles within the 40-square-mile district, in most instances because they would have to cross streets at intersections with heavy traffic.

None of these pupils is bused to achieve integration and busing them has aroused no opposition, said Vernon L. Schiller, business manager of the district.

About 12,000 pupils would be bused under the court-approved plan, for distances about the same as children are now bused.

Superintendent Whitmer said that opponents invariably prefaced their objections to the new busing plan with, "I'm not opposed to integration but. . . ."

Following the "but," he said, come expressions of concern that parent-teacher association for the benefit of a child's education would be more difficult wherever distance between a home and a school was lengthened; that educational programs might have to be sacrificed to pay for additional busing; that extracurricular school activities would be curtailed if a student had to catch a bus home after school, and that animosities in a changed environment might cause disruptions not conducive to learning.

SAFETY A MAJOR FEAR

He said a major fear seemed to be for the safety of pupils "in a strange neighborhood farther from home, particularly if the neighborhood has a different racial complexion."

Dr. Porter said the cost of busing was a consideration holding back voluntary efforts by cities to integrate.

Like most states, Michigan now excludes city districts from aid for busing that is wholly within city limits. Most pupils Pontiac now buses live far enough outside the city limits for the state to pay much of the cost.

Unless pending legislation is passed to provide state aid for busing in cities, all of the cost of the court-ordered busing for integration in Pontiac, estimated at $1.4-million the first year, will have to be borne by the Pontiac school district.

Nationally, the cost of state-aided programs for busing 40 per cent of all pupils is more than $900-million and growing annually, figures compiled by the National Education Association show.

The outlay is second only to the cost of teachers' salaries as an educational expense. Forty years ago, $55-million and 58,000 buses did the job. It takes 236,000 vehicles today.

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CONSOLIDATION A KEY REASON

A major reason for the increase, every state official questioned agreed, has been the virtual disappearance of the little red schoolhouse from the rural scene, resulting in the consolidation of 100,000 school districts into 17,000.

Much of this occurred in the period following World War II. Dr. Featherston said opposition to busing for consolidation had always been "very minor."

"Some parents didn't want to lose their local schools and have their children go to town," he said, "but they eventually realized that the kids got a better education in a larger school."

Even in busing for integration, there is little evidence that the opposition is to time spent on a bus or hardships endured in waiting for or taking the ride.

In the South, busing has long been a favored tool for providing an education. Integration orders have not increased its use.

In a statement last month in response to a statement by President Nixon opposing busing for integration, the United States Commission on Civil Rights said:

"For decades black and white children alike in the South were bused as much as 50 miles or more each day to assure perfect racial segregation."

"No complaints then were heard from whites of any harmful effects," the commission said.

BUSING IN THE SOUTH

Southern educators felt busing was so essential that numerous counties in Mississippi, Louisiana, Alabama, Georgia, North Carolina, Texas and Virginia transported almost all their pupils, white buses taking children to white schools and Negro buses meeting them on the streets while taking black pupils to Negro schools.

About 90 per cent of 300 desegregation plans approved by the Department of Health, Education and Welfare for Southern school districts last year decreased total busing.

"We have saved money by maintaining one bus system instead of two," Roy Walter, director of school transportation and driver education for West Virginia, told an interviewer.

Despite their speeches denouncing busing to achieve integration in public schools, many Southern legislators now support busing to private schools recently established to provide a segregated education.

The Southern Regional Council reported last month after a survey: "Parents do not move their children from public to private schools because of threats of increased busing. Not only is busing the way of life in private segregated academies; it is in the segregated schools where proportionately more busing is done and for longer distances."

The rigors of busing, with rides extending up to 83 miles in some parts of the West, produced no official solicitude until integration became a purpose. Louisiana even transported children by boat.

"We have had a lot of demands for additional transportation," said John Maddox, superintendent of transportation for the Georgia Department of Education. "The state doesn't bus children living within a mile and a half of their schools, and parents want the free transportation."

The demand is common to South, East, North and West.

[From the New York Times, Apr. 30, 1971]

HOUSING AND SUBURBIA

COURT'S UPHOLDING OF VOTERS' RIGHT TO BLOCK PROJECTS SHOCKS MANY

(By John Herbers)

HOUSTON, April 29.—The national forces that have been pushing for a dispersal of the poor into the suburbs were demoralized by the Supreme Court decision Monday upholding state laws that give voters of a community the right to block construction of low-rent housing. The National Committee Against Discrimination in Housing and a wide range of other civil rights groups have expressed shock at the ruling. In the absence of Administration policy for racial and economic integration of the suburbs, they had looked to

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the Supreme Court to provide the basis for a continued legal assault on the building of large, predominantly white and exclusive compounds outside the central cities.

What is largely at stake is not so much neighborhood integration or lack of it, as President Nixon has defined the issue, as it is the increasing tendency of large suburban municipalities of 50,000 to 100,000 people to exclude low-income developments through a number of means.

This, according to the civil rights people, is now central to America's racial problem and is likely to be the dominant issue throughout the nineteen-seventies.

While the 5-to-3 decision is directly applicable to only a small part of the dispersal effort, the rights leaders predict that it will increase the already strong resistance in communities across the country to housing integration.

"It will have all kinds of negative influences," said Jack E. Wood Jr. of New York, a codirector of the committee. "We are just completely depressed. We think it will increase everywhere the tendency toward local autonomy as a means of perpetuating racial segregation."

The Court upheld the constitutionality of a 1950 California law that has been used by voters to prevent the construction of almost half the low-rent housing proposed in that state in the last 20 years. Eight other states—Colorado, Iowa, Mississippi, Montana, Oklahoma, Texas, Vermont and Virginia—have similar laws providing for referendums on low-income housing.

Mr. Wood, in a telphone interview, noted that "Justice Black implied that it would not be wise for other states to enact referendum laws."

"But I don't think it is going to work out that way," he said.

The decision is largely applicable, it is believed, to construction of public housing—that which is built, with Federal subsidies, by public housing authorities created by municipalities.

It is less applicable, if at all, to construction of federally subsidized housing built by private and nonprofit developers for low- and moderate-income families.

For example, in Houston, where the city limits untypically incorporate most of the suburbs, officials say the decision will not apply to apartment and single-home construction carrying Federal subsidies, even though there is strong opposition to it in many neighborhoods.

But no public housing—that for the poorest families—has been built here in 20 years because proposed projects were rejected by the voters. The authorities said that, if the Houston Housing Authority should now propose more construction and the proposal should raise a controversy, the City Council would undoubtedly submit the matter to referendum.

The effect of public opposition here, and in many other communities across the country, has been to confine public housing to the decaying central city, where the projects add to the concentrations of poverty and social problems.

The Supreme Court decision was based on economic rather than racial consideration. Justice Black said there was no evidence that the California law was aimed at racial minorities.

But some lawyers who represented the poor in the case said it was unfortunate that the racial element had not been included. They felt that the decision might have been different if presented on a racial basis, adding that in almost every case of exclusion race is an important factor. In suburbs across the country, whites have opposed public housing at least partly because the residents believed the projects would open the communities to central city blacks who would bring social problems with them.

Thus the lawyers believe that the case for open communities may yet be won in the Supreme Court, on the basis of racial equality. For example, there are a number of challenges in the lower Federal Courts to the right of a municipality to use its zoning powers to block low- and moderate-income housing.

[From the Washington Post, June 12, 1971]

NIXON ON HOUSING PROGRAM: 'IT MUST BE RESULTS-ORIENTED'

[*Following is a partial text of Mr. Nixon's statement on equal housing*]

My purpose is not to announce new policies, but to define and explain the policies we have—setting forth what we will do and what we will not. The factors determining patterns of housing and community development are im-

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mensely complex and intricately balanced, many are uniquely local in nature, and the federal government operates in important but limited ways and under limited authorities. Within those limits, we intend to continue to move vigorously—not to restrict free choice, but to expand and protect it.

Underlying our housing policies—and embodied in our laws and our Constitution—are certain basic principles:

Denial of equal housing opportunity to a person because of race is wrong, and will not be tolerated.

Such denial will not be tolerated whether practiced directly and overtly, or under cover of subterfuges, or indirectly through such practices as price and credit discrimination.

To qualify for federal assistance, the law requires a local housing or community development project to be part of a plan that expands the supply of low and moderate-income housing in a racially nondiscriminatory way.

In terms of site selection for a housing development, the federal role is one of agreeing or not agreeing to provide federal subsidies for projects proposed by local authorities or other developers.

A municipality that does not want federally assisted housing should not have it imposed from Washington by bureaucratic fiat; this is not a proper federal role.

Local communities should be encouraged in their own voluntary efforts to make more housing more widely available, and to reduce the extent of racial concentration.

Puting an end to racial discrimination, and building toward the goal of free and open communities, is a responsibility shared by federal, state and local governments, by business and private institutions, by civil leaders and by individual people everywhere.

ADMINISTRATION POLICY

. . . It will be the firm purpose of this administration to carry out all the requirements of the law fully and fairly.

Racial discrimination in housing is illegal, and will not be tolerated. In order to fulfill their responsibility for eliminating this discrmiinaton, the Department of Housng and Urban Development and the Justice Department have been developing and elaborating a wide-ranging program aimed at creating equal housing opportunity.

By "equal housing opportunity," I mean the achievement of a condition in which individuals of similar income levels in the same housing market area have a like range of housing choices available to them regardless of their race, color, religion or national origin.

At the outset, we set three basic requirements for our program to achieve equal housing opportunity: It must be aimed at correcting the effects of past discrimination; it must contain safeguards to ensure against future discrimination; and it must be results-oriented to its progress toward the overall goal of increasing housing opportunities can be evaluated.

The administration is embarked upon this course. It must and will press forward firmly.

The chief components of such a program include the firm enforcement of laws relating to equal housing opportunity; the development of appropriate equal housing opportunity criteria for participation in programs affecting housing; the development of information programs; and the development of policies relating to housing marketing practices.

It is obvious that not all individuals will exercise the full range of choices made available to them. Those are matters for individual decision.

What is essential is that all citizens be able to choose among reasonable locational alternatives within their economic means, and that racial nondiscrimination be scrupulously and rigorously enforced.

We will not seek to impose economic integration upon an existing local jurisdiction; at the same time, we will not countenance any use of economic measures as a subterfuge for racial discrimination.

When such an action is called into question, we will study its effect. If the effect of the action is to exclude Americans from equal housing opportunity on the basis of their race, religion or ethnic background, we will vigorously oppose it by whatever means are most appropriate—regardless of the rationale which may have cloaked the discriminatory act.

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Access to federally assisted housing, like access to all housing, must be nondiscriminatory as to race. But simply to apply this principle will not answer all the practical problems raised by our national commitment to expanded and equal housing opportunity.

Pressures for the construction of new housing and the rehabilitation of existing housing are growing all across the nation—in central cities, in suburbs, in small towns, in rural America. Demand for housing at all income levels is increasing dramatically.

MAJOR PART

As a major part of our national effort to meet these housing needs—an effort which is both private and governmental—federally assisted housing is being built at a rate approaching three-quarters of a million units a year. These units are needed. They are being built. And they must be built someplace. The question is where.

If all the federally assisted units are packed together in one type of community or one kind of location, we will only exacerbate the social and, in all probability, the racial isolation of our people from each other.

If we build federally assisted instant ghettos, we fail both our communities and the people we are trying to help.

If we impact or tip the balance of an established community with a flood of low-income families, we do a disservice to all concerned.

The answers to these practical considerations are not simple—but they are of great importance.

Based on a careful review of the legislative history of the 1964 and 1968 Civil Rights Acts, and also of the program context within which the law has developed, I interpret the "affirmative action" mandate of the 1968 act to mean that the administrator of a housing program should include, among the various criteria by which applications for assistance are judged, the extent to which a proposed project or the overall development plan of which it is a part, will in fact open up new, nonsegregated housing opportunities that will contribute to decreasing the effects of past housing discrimination. This does not mean that no federally assisted low—and moderate—income housing may be built within areas of minority concentration. It does not mean that housing officials in Federal agencies should dictate local land use policies. It does mean that in choosing among the various applications for Federal aid, consideration should be given to their impact on patterns of racial concentration.

In furtherance of this policy, not only the Department of Housing and Urban Development but also the other departments and agencies administering housing programs—the Veterans Administration, the Farmers Home Administration and the Department of Defense—will administer their programs in a way which will advance equal housing opportunity for people of all income levels on a metropolitan areawide basis.

ANY COMMUNITY

This administration will not attempt to impose federally assisted housing upon any community.

We will encourage communities to discharge their responsibility for helping to provide decent housing opportunities to the Americans of low—and moderate—income who live or work within their boundaries.

We will encourage communities to seek and accept well-conceived, well-designed, well-managed housing developments—always within the community's capacity to assimilate the families who will live in them.

We will carry out our programs in a way that will be as helpful as possible to communities which are receptive to the expansion of housing opportunities for all of our people.

In these efforts we will be aided by a change that already is taking place in the way subsidized low—and moderate—income housing is planned, built and managed: in terms of new construction, the old-style, massively concentrated high-rise public housing "project" is largely a thing of the past; the trend now is strongly toward low-rise dwellings, many of them one-, two-, three- or four-family, on scattered sites, so that they can blend in with

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the community without detracting from nearby properties. Under the newer federal programs of financial assistance to low—and moderate—income housing of other sorts, the pattern has been one of variety, enabling the community to fit the development to its own needs.

By approaching local questions of land-use planning in a creative and sophisticated manner, local authorities should in most cases be able to work out site-selection problems in ways that provide adequate housing opportunities for those who need them without disrupting the community.

In other ways as well, we are and will be working to promote better and more open housing opportunities. For example:

By Executive Order 11512, issued in February 1970, I ordered that in the selection of sites for federal facilities consideration should be given to the availability of adequate low and moderate-income housing—and I have ordered that all agencies take specifically into account whether this housing is in fact available on a nondiscriminatory basis.

Guidelines have recently been issued by the Office of Management and Budget under the provisions of the Uniform Relocation Assistance Act of 1970, to assure that adequate housing is provided on a nondiscriminatory basis and within the financial means of persons displaced by federally financed projects.

The Department of Housing and Urban Development has been actively pressing the major federal agencies regulating lending institutions to establish effective, affirmative measures against racial discrimination in home mortgage financing. The Federal Home Loan Bank Board, which regulates savings and loan institutions has been the first to undertake the development of new rules and procedural safeguards. The Board is also working closely with industry leaders to improve financial services offered to members of minority groups.

HUD also engages in a number of other Title VIII activities intended to eliminate racial discrimination in housing. It publishes advisory guidelnes to aid those subject to the jurisdiction of the law in understanding their responsibilities; it undertakes studies of housing practices and collects racial data on all of its housing programs in order to determine areas of noncompliance: it conducts continuing community education programs to inform individuals of their rights under law; it encourages national, state and local private organizations in minority group and low-income individuals; it works closely with state and local agencies having fair housing laws substantially equivalent to Title VIII and refers complaints to these agencies.

MAINTAINED FREEDOM

. . . There are some who assume that the federal government has the power to do anything it wants—or what they want. But we have maintained our freedom for nearly two centuries by insisting that the federal government's exercise of power not exceed its authority.

I believe in that principle. And because the authority of the federal agencies is limited—quite properly, I believe—with respect to the essentially local and individual choices involved in local community planning, their power will be used in only limited ways.

This does not reduce the challenge to the states, the localities and the people: it heightens it. For the task of making our communities livable, not for some but for all—of achieving our goals of decent homes and of open communities in a free and open society—this task summons the best that is in each and every one of us, in a cause that touches our soul as a nation. We cannot afford to fail. I believe that together we can succeed.

[From the New York Journal of Commerce, June 12, 1971]

THE NIXON WATCH—MORE DESEGREGATION

(By John Osborne)

The President continued last week to let his underlings in the Departments of Justice and Health, Education and Welfare behave as if there were no Southern Strategy and as if he enjoyed enforcing the law in the way the Supreme Court says he must. There still is a Southern Strategy, reduced

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though it largely is to assuring white Southerners that this-hurts-me-more-than-it-hurts-you, and it cannot be believed that Mr. Nixon relishes the degree of public school desegregation that he is now compelled to ask the lower federal courts to compel him to require in school districts where the remnants of legally imposed racial segregation persist. But, however cynically the process of enforcement may be viewed and explained, it is gathering momentum and liberal critics of the Administration may as well face the fact that their image of the President in this regard is outdated.

The Administration's first response on May 14 to the Supreme Court's expanded mandate of April 20 left open the possibility that the tough requirements for more desegregation and more busing in the Austin, Texas school district might be bargained away in private discussions between HEW and Justice officials and the Austin authorities. That possibility vanished when Jack Davidson, Austin's superintendent of schools, visited Washington with the president of his school board, Will Davis, and the board's attorney, J. M. Patterson, Jr. Neither HEW Secretary Elliot Richardson nor Attorney General John Mitchell nor Edward L. Morgan, the White House assistant who monitors school enforcement for the President, deigned to meet them. The senior HEW officials who did were General Counsel Wilmot Hastings and Civil Rights Director Stanley Pottinger. David Norman, acting Civil Rights Director at Justice, represented Mitchell. The Austin delegation pleaded that the HEW plan submitted to the federal district court in Austin would require the purchase and manning of 240 additional buses and a first-year increase of more than $2 million in public expense, and impair rather than improve the quality of education in a disrupted school system. The complainants had the theoretically persuasive backing of Texas' two senators, Republican John Tower and Democrat Lloyd Bentsen, powerful figures in a state that Mr. Nixon needs in order to win reelection in 1972. The plea and the political support were in vain, as might have been foreseen from the terms in which the senators had expressed their objections. Tower, taking his cue from the White House, put the onus on the federal courts rather than upon the Administration. Bentsen denounced HEW's alleged lack of courtesy and consultation in its earlier dealings with the Austin district, not the HEW plan in itself. Pottinger refused to budge on essential points and the Austin group, despairing of help from Washington, went home prepared to fight out the issue in court.

Next on the enforcement list were Nashville, Tenn., and another Texas district, Corpus Christi. In both, as in Austin, federal district judges had done the Administration the favor of ordering it to submit HEW-Justice alternatives to local board compliance plans. Secretary Richardson and Pottinger checked out their Nashville and Corpus Christi recommendations, as they had checked their Austin plan, with Mitchell at a meeting in his office on May 25. Again, as in the pilot discussions of the Austin plan, Mitchell approved desegregation measures that went far beyond what the local school authorities proposed. In Nashville, under a plan that met HEW requirements before the Supreme Court invalidated them with its April 20 decisions, more than half of the black students attend high schools with 90 percent or higher black enrollments, and nearly half of the black elementary students are in 10 schools attended by only 78 white students. The combined Nashville and Davidson County school district proposed to improve but not eliminate this situation by busing 35,600 elementary and secondary students to schools outside their neighborhoods. HEW asked the federal district court in Nashville to require the busing of 49,000 students in a pattern that would eliminate all instead of some majority-black schools. A softer alternative that would have left one majority-black high school was discarded before it was submitted either to Mitchell or to the Nashville court. In similar fashion, the milder of two alternative plans for Corpus Christi was discarded within HEW. Forty-nine percent of Corpus Christi's public school students are Mexican-Americans and 6 percent are black, making a "minority" total of 55 percent, and 80 percent of all "minority" pupils are in schools attended mostly by students of their own kind. HEW asked the federal court to establish a system-wide racial ratio that corresponds approximately to the community ratio.

Tougher situations, from the Administration's standpoint, remain to be dealt with in Southern urban districts that are under court order but have

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not as yet been called upon by the controlling district or appellate courts to amend their present attendance patterns. The word from Attorney General Mitchell in regard to these school districts is to let the concerned courts take the initiative. As of June 2, his civil rights division hadn't heard of any such initiatives being taken and was not about to prod the responsible judges into action.

The most difficult situations are in the relatively few urban districts of the South that previously chose to meet HEW's standards, now outmoded, without going to court. One such is in Columbia, the capital city of Senator Strom Thurmond's South Carolina, where less than half of the black students are in majority-white schools and many schools that are nearly or entirely all white and all black survive. HEW, Justice and White House officials know quite well where the others are—to all effects, they are the urban and semi-urban Southern districts that are not under court order. The officials in question, principally Secretary Richardson and Attorney General Mitchell, nevertheless were having an awful time last week, trying to decide how to put these pesky districts on notice that they have to make some changes. Large amounts of high-level executive time and energy went into arguments over whether to write directly to the superintendents of each affected school district or to put the monkey on state Superintendents of Education by asking them to tell the local officials that HEW and Justice will be after them if they don't volunteer more desegregation than they have tolerated so far. How to use the President's recently enlarged Cabinet Committee on Civil Rights and its affiliated biracial state committees to further compliance with the new standards at minimum political cost was also a subject of intense official discussion. The result up to last week was little more than a conviction that there ought to be some way to accomplish the necessary changes without irretrievably alienating white Southern voters in disastrous numbers. If there is a way, it is through continued reliance upon the courts to do the dirty work, and this rather than administrative termination of federal school funds will in most if not all instances be the chosen way.

As I have reported, the Administration does not welcome public emphasis upon its readiness to take the court route when the law requires it. A positive effort is necessary in order to extract from the Mitchell Justice Department the details of its record in this respect. No general announcement, other than legally required publication in the widely unread *Federal Register*, accompanied the Attorney General's recent issuance of guidelines that on their face should strengthen his hitherto weak enforcement of the Voting Rights Act. Between February 5 and May 28, the Justice Department initiated or joined other plaintiffs in 15 court actions to further school desegregation in the South; 15 others to enforce fair housing laws; seven to punish denial of public accommodations to Negroes in the South; nine to penalize or terminate police and prison abuses and to require equal hiring and treatment of minority policemen; and four to enforce fair employment practices. One is moved to say: Sorry, Mr. Mitchell, but there the record is, raising hell with the Nixon-Mitchell image and the Southern Strategy.

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EQUAL EDUCATIONAL OPPORTUNITY—1971

HEARINGS

BEFORE THE

SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

OF THE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

EQUAL EDUCATIONAL OPPORTUNITY

PART 12—COMPENSATORY EDUCATION AND OTHER ALTERNATIVES IN URBAN SCHOOLS

WASHINGTON, D.C., JULY 14, 15; AUGUST 3, 1971

Printed for the use of the Select Committee on Equal Educational Opportunity

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U.S. Congress. Senate. Select Committee on Equal Educational Opportunity.

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CONTENTS

QUALITY IN URBAN EDUCATION

WEDNESDAY, JULY 14, 1971

	Page
Opening statement of Senator Mondale, chairman	5509

WITNESSES IN CHRONOLOGICAL ORDER

Foster, Dr. Marcus A., superintendent of schools, Oakland Public Schools, Oakland, Calif	5510
McAndrew, Dr. Gordon, superintendent of schools, Gary, Ind	5524
Gittell, Dr. Marilyn, professor of political science, Queens College, N.Y	5531
Prepared statement of	5536

Thursday, July 15, 1971

Wheeler, Robert F., area superintendent, Division of Urban Education, the School District of Kansas City, Mo	5559
Recommendations of	5571
Holloway, Dr. Ruth Love, director of Right To Read Program, Office of Education, Department of Health, Education, and Welfare	5575
Prepared statement of	5587
Robinson, Isaiah E., president, Board of Education, New York City	5593
Monacel, Dr. Louis D., assistant superintendent in charge of the Office of Federal, State, and Special Programs of Detroit Public Schools, Detroit, Mich., prepared statement of:	
I. Introductory statement	5601
II. Historical Development of Compensatory Educational Programs in the Detroit Public Schools with a focus on ESEA title I	5602
III. Evaluation Summary of the effects of compensatory educational programs serving pupils in Detroit Public Schools	5609
IV. Recommendations made to the U.S. Office of Education by representatives of the Detroit Public School System—December 1969	5613

Tuesday, August 3, 1971

Howe, II, Dr. Harold H., vice president for Education and Research, the Ford Foundation, New York City	5646
Smith, Dr. Charles H., associate director for social sciences, the Rockefeller Foundation, New York City	5653

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APPENDIXES

	Page
Appendix 1. Material submitted by the witnesses:	
From Dr. Marcus A. Foster	5675
From Dr. Gordon L. McAndrew	5677
Evaluation Report—Pre-School Bilingual Education program, Gary, Ind. Public Schools	5682
From Dr. Robert F. Wheeler:	
Inner City Primary Students Learn To Read: Progress in Title I Reading in Kansas City, Mo	5776
Webster/McGraw-Hill Research Report 2	5761
From Dr. Ruth Love Holloway	5795
How Many Americans Read Well Enough to Survive?	5795
Survival Literacy Study	5796
From Louis D. Monacel	5807
From Harold Howe II	5811
Responses to questions submitted	5821
From Charles H. Smith:	
Responses to questions	5828
Appendix 2. Material submitted by other than witnesses:	
From Senator Birch Bayh, of Indiana	5835
Appendix 3. Articles of interest:	
The Wall Street Journal, July 14, 1971:	
Sharing the Load—Drive To Equalize School Taxes in States Gains as Protests Against Inequities Mount	5837
The New York Times, July 15, 1971:	
City's School-Job Tests Barred as Biased	5839
The Washington Evening Star, July 21, 1971:	
Math, Reading Scores of District Pupils Rise	5840

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QUALITY IN URBAN EDUCATION

WEDNESDAY, JULY 14, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY
Washington, D.C.

The Select Committee met at 2:15 p.m., in room 1318, New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senators Mondale and Bayh.

Also present: William C. Smith, staff director and general counsel; Donald Harris, staff member; Francis A. Hennigan, Jr., minority staff director.

OPENING STATEMENT OF SENATOR MONDALE, CHAIRMAN

Senator MONDALE. The committee will come to order.

This afternoon we begin a series of hearings focusing on a particular aspect of the crisis in American education—namely, education in our Nation's cities. Until now the Select Committee has devoted much of its time to exploring the problems and process of school desegregation in both the North and South. We have looked at and heard testimony from districts attempting to successfully integrate their schools voluntarily, as well as those forced to do so under the law.

For a variety of reasons, successful integration of students would be difficult at best in many of our major urban centers. Through these hearings we intend to explore what these difficulties are, how and what strategies seem feasible in overcoming them. Additionally, we look forward to hearing testimony about the problems of governance, local decisionmaking and participation, and the impact and effect of compensatory programs in various urban settings.

We also hope to learn what reforms are most hopeful and realistic in bringing about equal educational opportunity for all children in these large and complex schools systems.

Finally, we will be seeking not only descriptions of what the problems are, but also recommendations for solutions.

Our panel includes Dr. Marcus A. Foster, superintendent of schools of Oakland, Calif. public schools; Dr. Gordon McAndrew, superintendent of schools, Gary, Ind.; and Dr. Marilyn Gittel, professor of political science, Queens College, New York. Will you please come to the witness table.

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We will start in the order listed with Dr. Foster first. Dr. Foster, it is nice to see you again. I remember our very useful conversation of some months back. We are delighted to have you here with us today.

STATEMENT OF DR. MARCUS A. FOSTER, SUPERINTENDENT OF SCHOOLS, OAKLAND PUBLIC SCHOOLS, OAKLAND, CALIF.

Dr. FOSTER. It is good to be here with you, sir.

Honorable Chairman Mondale and distinguished members of the Senate Select Committee on Equal Educational Opportunity:

It is with extreme pleasure and pride that I respond to your invitation to participate in your committee hearings concerning the great issues facing urban education today. Having had over 20 years' experience of service to urban children as a teacher, elementary and secondary school principal, consultant, and associate superintendent in the city of Philadelphia, and for the past year as the superintendent of schools in Oakland, Calif., I believe that this background does qualify me to comment with some authority upon the problems and challenges facing urban education today. While it is true that the problems of urban education are great, I must say that the rewards and potentials for success in this area are equally as great. Had this not been so, you may be certain that I would have left this field and sought another endeavor long ago.

As I have just indicated, I have been in Oakland for a little over 1 year now since leaving Philadelphia. This year in Oakland, a most interesting and challenging one, has placed me in contact with the numerous advantages and excitement of being a participant in the life of this urban community. It has also placed me in intimate contact with the multitude of educational problems facing the students who attend our schools.

OAKLAND DEMOGRAPHIC DATA

With a school population of nearly 68,000 enrolled in a total of 90 schools, the Oakland school district is about 50th in size among the city and county school districts in the United States. We rank fifth in size in California.

The most recent census data show Oakland to have an estimated 360,000 residents of which approximately 45 percent are members of ethnic minority groups. The ethnic makeup of the school population is somewhat different, however. Almost three-fourths of our students are members of minority groups—59 percent black, 8 percent Spanish surname, 5 percent Asian, and less than 2 percent in the other nonwhite category.

The economic plight of the families who send children to our schools is staggering. During the past 5 years we have seen the number of children from AFDC families rise from 10,000, or about 16 percent of our elementary and secondary enrollment, to more than 24,000, or 38 percent.

The educational needs of our students are equally as impressive. More than two-thirds of our students read below national and State

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averages. It has been estimated that approximately one-third of our high school entrants do not complete the full 3-year program. Of those students remaining in school at the beginning of grade 12, approximately one-third fail to meet the new State graduation requirements of eighth grade performance in reading and mathematics which will take effect this coming school year. All of these students will be required to take special remedial-diagnostic courses in their deficient subjects in order to obtain their diplomas.

QUALITY INTEGRATED EDUCATION

Since I am aware that your committee has a particular interest in the matters of desegregation and integration, let me begin by addressing myself to this very significant issue. First of all, I will state unequivocably that I am a firm advocate of quality integrated education.

I am certain that you all know that school desegregation does not necessarily mean school integration. The mere physical mixing of students in a school setting does not in itself accomplish the goals of integration, which involve truly working together, appreciating and respecting cultural, ethnic, and racial differences, and accepting one another in the true brotherhood-of-man sense. For this reason it is extremely important to go well beyond just a "mixing of bodies" accomplished through whatever means—busing, Princeton plan, open enrollment, educational parks, etc.—if we are to truly integrate.

Since integration in the urban areas frequently involves lower-class black, Chicano, and other minority students, it is imperative that supplementary services be provided to both these students and their parents as well as to the majority students and their parents. The minority students frequently are in severe need of additional help in basic skill areas such as in reading and mathematics. Special assistance in these areas must be provided to these students who in turn must demonstrate success if unfavorable stereotypes are to be eliminated. Further, the expertise and services of specialists in the field of human relations must be provided for the students and parents of all racial and ethnic groups involved in an integration plan if the plan is to be successful. In-service training of teachers and other staff is also particularly important. From the curriculum standpoint, the selection and use of instructional materials which provide factual data on the contributions of minority racial and ethnic groups must be provided. I will not dwell further on these points since I am certain that members of the committee have availed themselves of the various publications and reports developed in recent years which deal with the kinds of activities and services needed for an effective and meaningful integration program.

PILOT INTEGRATION PROJECT

As an illustration of the kind of program to which I refer, let me take a few brief moments to describe a pilot integration model program funded under ESEA title I which has been conducted in our school district for the past several years. Under this pilot program,

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approximately 200 black youngsters from overcrowded ESEA title I target-area elementary schools have been bused to a number of schools serving predominantly white school populations in our hill area where capacity to house the additional students has existed. I want to emphasize that point. The flow from the flatlands to the hill areas is occasioned primarily because of the space that was available, because I am committed that busing should go both ways. As children come from the hill area to the flatlands, they have much to learn in the way of life style and the opportunities for service in that area.

Since the beginning of this program, the concern has been for quality integrated education, not merely a mixing of the races. Consequently, a number of support services have been provided to the five "receiving" schools, including reading and mathematics consultants, extra pupil guidance service time, a specialist in human relations, money for cultural enrichment and school exchanges, and an after-school program to promote fuller social interaction.

ACADEMIC AND ATTITUDINAL RESULTS

This program has been monitored from the beginning and results are clearly positive. In basic skills the children have done as well or better than children starting at comparable levels in either the "receiving" schools or the "sending" schools which have full compensatory education programs in operation. In terms of other program objectives, results are also consistently good. Measures of social interaction have shown that initial isolation in the new surrounding dissipated rapidly—the integration model bused children are accepted as well as other children in the school by their peers. Nearly three-fourths of the parents in "receiving" schools report the quality of the school program is just as good or better under the integration model project. Two-thirds of the "receiving" school parents have had an opportunity to get to know the "sending" parents and have felt better understandings are developing across ethnic and economic lines. Nine out of 10 of the parents who volunteered to have their children participate in the project reported that their children were fully accepted by the teachers and students in their new schools.

The key to our success in this project has been the focus on a quality educational program. That is what all of our "consumers" want—whether they are poor, rich, black, or white.

Obviously, I am pleased to report this positive picture in relation to our pilot project. This study is of significance in terms of how a small integration model project can be successful in a community. However, the significance of its impact pales when one surveys the magnitude of the task to be done in providing an integrated quality educational program for all 68,000 students enrolled in our school district. While it would be possible to make some additional progress along the lines outlined in other schools of our district, the fact of the matter still remains that it is very difficult for a district like Oakland to truly achieve an integrated program when we are constantly aware of the fact that almost three-fourths of our students are actually members of minority groups.

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URBAN-SUBURBAN COOPERATION

I am convinced that school integration cannot be achieved in many urban centers throughout the country like Oakland unless some regional framework involving adjacent suburban and primarily white communities can be established. As an example, the two cities which bound Oakland on the east and south enroll school populations that are approximately 80 percent or more white. School districts in cities to the north of Oakland enroll student bodies that are approximately 60 percent white. Certain other suburban communities in neighboring areas have school enrollments of approximately 100 percent white students. It is clear to us in Oakland that it would be possible to achieve some meaningful progress toward integrating the schools in all of these communities with the cooperation of these other districts. Until such regional arrangements can be made, I am firmly convinced that urban school districts should take the responsibility for achieving quality integrated education wherever feasible within their school districts, and where integration is not feasible, the highest possible quality educational program must be provided on an equitable basis to all students attending such schools.

While it is certainly true that the matter of school integration represents a substantial challenge to urban education, I would have to state, however, that an even greater challenge to urban education exists today. I have reference here, of course, to the crucial matter of the adequate financing of our schools.

FINANCIAL DIFFICULTIES

For example, in our district we have had serious financial problems for the past several years since our revenues have not kept pace with steadily increasing costs and demands for needed additional programs. In the past we have been able to balance our budgets by reducing or eliminating central office services and by drastically curtailing our maintenance and custodial staffs. As an illustration, we have a backlog of over $5 million worth of rehabilitation projects which, because of our revenue situation, we cannot even think about doing.

This year our financial difficulties have reached crisis proportions. In a $68 million budget our projected 1971–1972 deficit is $3.5 million with no provision for cost-of-living adjustments for our employee groups. To balance our budget we have been obliged to cut 150 classroom teacher positions, five principals, two vice principals, seven nurses, and 48 positions in an already depleted custodial/maintenance staff. We have also made substantial reductions throughout all areas of the instructional and supportive program. Thus, when our teachers return to school this fall, they will find significantly larger numbers of children in their classrooms, and they will not have the materials, the books, and the other supplies that they will need to help these children achieve. The major reasons for this fiscal crisis are the increasing resistance of local property owners to add to their already heavy tax burden, the reluctance of State legislatures to increase taxes for school spending, and the minimal contribution by the Federal Government to the support of our general education programs.

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Senator MONDALE. Dr. Foster, what is your per capita expenditure, per student?

Dr. FOSTER. It varies for grade level. It runs $650 for elementary and it gets as high as $850 for senior high.

Senator MONDALE. What is the average in California? How do you rate in per capita expenditures in the State?

Dr. FOSTER. We would maintain our ranking of about fifth, I would guess.

Senator MONDALE. Now, in the white communities just adjacent to you, are they spending at approximately the same level?

Dr. FOSTER. No. At higher levels.

Senator MONDALE. Do you have those figures?

Dr. FOSTER. No; I do not.

Senator MONDALE. Substantially higher?

Dr. FOSTER. Yes; in the nearby districts.

Senator MONDALE. Very well.

SPECIAL PROBLEMS OF URBAN CHILD

Dr. FOSTER. Further, it must be recognized that the problem of urban education are considerably different from an instructional program that can be conducted in a suburban area and that the needed programs for most urban children are quite costly. As examples—many thousands of our children speak English as a second language—roughly, only one-half of the students in need of ESEA title I services are actually receiving such assistance in Oakland.

Senator MONDALE. Are you getting any bilingual educational help under title VII?

Dr. FOSTER. We have just gotten a grant in a consortium with several other school districts, but Oakland's own bilingual program was turned down.

Senator MONDALE. Some of us have been pressing very hard for a substantial increase in bilingual funding. Regrettably, it is only $25 million now. It was $7 million 3 years ago, but it is still peanuts, of course. You do not have a single direct grant under title VII?

Dr. FOSTER. No. We do not have the grant but it goes to Berkeley and then four other districts participated in the consortium arrangement.

Senator MONDALE. Do all grants go through Berkeley?

Dr. FOSTER. No. We have a teacher training complex that is coming to Oakland and there are others that are coming directly to Oakland.

We were saying that the children in urban centers need extra expenditure for education if those needs are to be met. We are saying that children from these backgrounds need individual help in the basic skills. They need small classes. They need specially trained teachers. They need help in motivation and building self-confidence. They need health and dental care. They need nutritional programs. They need help to believe that they have a chance in our society.

If we are going to really help the urban child with all his problems, we will need a great deal of additional financial aid. It is unthinkable; indeed, it is immoral to contemplate reducing an educational program for our children when it is already so inadequate.

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Now, despite my rather gloomy portrayal of the fiscal plight facing urban schools today, I would like to turn to a discussion of some of the hopeful signs and new directions which I see on the horizon for urban education. Indeed, these new directions represent a number of changes and courses of action upon which we have already embarked in Oakland in our efforts to improve the educational program in our city. Hopefully, we will be able to obtain the necessary funds from some source to maintain, nourish, and expand upon what we believe to be a very sound beginning.

HUMANIZING THE SCHOOL SYSTEM

The first of these new directions—and this does not cost a lot of money—has to do with having schools be more conscious of the human needs of the children that are being served, not only the human needs of children but the needs of teachers and community, and I believe what we have to do there is bring about an attitudinal change. The schools that serve the urban centers have to be organized and operated in a way that they begin to meet the basic needs, and one of these needs is a need of a sense of being related to the institution.

As these schools get larger and the number of children handled by teachers have to be increased, then the institutions become the kind of anonymous operating plant where children and teachers are not really known and people begin to adapt a kind of shorthand way of making judgments about each other and I think that this is one of the keys in urban education; having institutions function in a way that a youngster feels that he is part of that school; that the teacher feels he is known.

I can remember a high school I operated that had over 200 teachers in it and it was difficult for me as a principal just to know the people on my staff, and that is a rather dehumanizing experience for one who is doing the best he can, not to be even known by his own principal.

So we have to have ways of organizing schools and this does cost some money in new house plans, in teaching units where people at least begin to relate to part of that big institution that so robs them of this sense of being somebody.

Another one of these human needs we have to address is to be sure that our urban schools especially operate in a way that people begin to sense their own personal worth, that they are not forced into flexible institutions and when they fail to adjust to the preconceived notions of what they should become or be then that person is proclaimed a failure and the institution goes on as though it has been successful.

I think that Fantini and Weinstein have a book out, "Making Urban Schools Work," which hits upon a good point when they say that schools in suburbia address a kind of set of social realities that tend to make sense because they now range in the socioeconomic area and in the narrow range of aspirations, and these school systems seem to be working; but when we look at what happens in the urban center, we have taken the same schools that have dealt with realities in suburbia and they go right on dealing as though the same realities

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existed in the urban scene, and this is another—what I am getting at here, this comes down to reeducation of teachers and principals and of communities in the way they are involved in schools.

When you get these schools in urban centers dealing with the realities that exist in suburbia instead of having a congruent kind of fitting together you have an incongruity and you have the criticism of irrelevance and the schools are turning children off and children are leaving schools early. So I would say that that is another human need that needs to be met in our urban centers.

EMPOWERMENT

The third element I would mention would be a sense of power. Every school should have as part of its plan a way of empowering the people who live there together, and that means everybody. I think about our democracy where we place a heavy premium on the ability of people to make wise decisions in critical situations and then the youngsters can go through a whole high school experience and never be called upon once to make a judgment that is crucial in the operation of the school or his own development. I would submit that these would be some of the things that we would have to begin to work with, and the thing about empowering people is that power is not really given to people. You get power by taking it. You wrest it away or you learn strategies of negotiation that help people to win power, and this is where the poor and those who have felt powerless have to be involved in the school operation in a way that they develop these strategies of negotiations. It does not have to be brinks of confrontation when we have shifts in the way power flows.

So that would be the first of the new directions that we have been trying to establish in Oakland, to humanize the schools so that at least those three human needs are held in the minds of everyone who is connected with the enterprise: helping people to relate; develop a sense of personal worth; and a sense of their own potency.

ACCOUNTABILITY

Second, I believe it is essential in the improvement of urban education to establish a precise and equitable program of educational accountability. As one of the first steps in the development of our accountability plan in Oakland, our board of education adopted last fall a number of districtwide goals which now provide the general direction for the activities carried forth in our school system.

Here, I would emphasize that our approach is not one of pure innovation where one begins to put in operation a number of models and it gives the appearance or the illusion of much happening, and when one looks at the achievement it has not risen and the children have not been fully served. Our approach is more of a systemic approach where you try to deal with the total system and have people retool and rethink their previous behaviors and move in new directions.

There are those who would hope if we could get rid of all the teachers who are not meeting the needs of children—and we do have tenure laws and we do have other things, and the administrators have to deal with reality, that we are going to have to take the present

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ability system that I mentioned is part of the systemic way of involving the total system so that everybody, parent, child or whatever that is enrolled in the institution or the enterprise knows exactly what the school is trying to do.

A second element in our accountability program was the development of objectives which resulted from the charge I gave last fall to each of our staff members to take upon themselves the personal and heavy responsibility of setting, within the framework of our overall goals structure, their own instructional objectives for the year. This task involved the development of objectives stated in measurable terms within a specified time frame. Similarly, each school was charged with the responsibility for developing and submitting schoolwide objectives reflecting the instructional activities and accomplishments expected for the year at the school. Needless to say, I was most gratified when I learned that all 90 of our schools met the November 15 deadline for submission of their schoolwide objectives statements. At the present time members of our staff are evaluating the results of our first year's efforts.

I do not want to give the simplistic notion that the process of objectives and goal statements will in itself change the system, but the involvement of the people who talked about the goals for their schools and the objectives—the high school, every committee had on it children and students, parents, teachers, administrators, and others from a wider community who had a stake in it. I think the goal statements themselves, while they were excellent, the objectives were excellent, but the process that they went through in talking with each other and becoming involved in the concerns that the school and the community had was the thing that would have the most salutary effect.

DECENTRALIZATION

A second new direction in urban education which I believe has great potential is that of decentralization. Through decentralization it is possible to place administrative authority closer to the individual schoolsites, to improve the delivery of services, supplies and program resources to schools, and to augment community involvement in order to more effectively utilize this important resource. Our decentralization program in Oakland was initiated on January 1 of this year and, though it has been in operation for only a few months, I am confident that it will eventually result in a marked payoff in improved educational services.

Our program seeks to make available the superintendent to all of the community and while some view decentralization—when you assign an associate regional superintendent, they see this as putting a barrier between you and the people, but actually, the area superintendents, if they are well chosen and well trained, begin to act as your alter ego and it makes you more accessible to the community and more responsive.

COMMUNITY INVOLVEMENT

Another important new direction in urban education is that of parent and community involvement. For many years I have been committed to the notion that, where parents and community are in-

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terested and involved in the work of the school, their children will achieve better, and the school will provide better programs for students. Since my arrival in Oakland, this has been one of the areas in which I have placed considerable emphasis. We have initiated a very successful procedure for community involvement in the selection of school principals. Also, we have charged each principal in the district with the responsibility for developing a systematic plan for involving the parents and community in the activities of their local school and have encouraged parents to involve themselves in matters such as curriculum, school facilities planning and upkeep, school discipline, and other school site procedures and activities.

Another community involvement procedure initiated this year has been the establishment of what we call our Master Plan Citizens Committee. Described by some as the world's largest committee, this city-wide group is comprised of representatives from every school in the district and includes staff, students, parents, and various interested community resource personnel, and we have tackled together the difficult job of developing a master plan for education for our city. After a period of a year, we hope to receive from this citizens committee a blueprint for guiding the activities of our district in a number of key areas such as curriculum, fiscal, and capital planning, community resource development, etc., for the immediate and longer range years ahead.

I think history shows us pretty well that institutions do not transform themselves. The outside input of those who are being served who are unhappy, who are feeling pain, who are enraged, tends to help institutions focus upon their deficiencies and move more quickly toward bringing about adjustments. So sometimes in really getting meaningful community involvement, it creates problems for administrators who would like to say "This is my school and no one tells me how to run it. I am a professional and I have been trained to do this." That has to be anticipated as one really moves effectively into the area of bringing the community into the school.

RANGE OF OPTIONS

We decided upon a multiple option approach. That is, we were convinced that there is no one best way for involving parents and community in a large city into the life of a school. So the multiple options approach says that if you find it convenient and satisfactory to work through organizations such as the PTA and Dads' Clubs, then deepen that involvement by bringing in those that have been excluded. Maybe you want to create an advisory council, or if you want to go the route of an elected school board, we set forth some guidelines as to how this might come about.

As we expected, in the city of Oakland there are many different models. I can think of one school in the highlands where the PTA in concert with the advisory board became a very viable institution in that school that brought about change. This was a rather affluent community and it raised some $21,000 for that school and installed a primary program in cooperation with the principal.

In another area, a poor area, the Dads' Club seemed to be the most effective. They set up a kind of committee which they called "The

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Student Behavior Committee," where no child could be suspended unless he first appeared before the Dads' Club, and this Dads' Club would review the child's case and individual fathers would adopt the child for a week and go into his community and talk to the parents and sort of be a big brother for that child. It cut down on the time the child was spending outside of school in suspension. But would I replicate it in the whole district? The answer would have to be no, because there would be those who would view this as an invasion of privacy and would become upset. "How dare you tell some other parent about my child."

I am giving these examples to show the range of options that people had in developing their ways of bringing the community in to play significant roles, not just as windowdressing, but to deepen their involvement. Every schoolsite in Oakland has a plan and has support and professional help in bringing about the realization of its plans.

Let me return to the Master Plan Citizens Committee. This group is unique in that it evolved from a number of public hearings where we went to the community and said to them, "You tell us how we should put together a Master Plan Citizens Committee to ensure that it has representativeness, to ensure that the mandate of that committee is appropriate and to help to define the duration of that mandate," and citizens when treated this way react with suspicion because they have not traditionally been approached that way. They suspect that you have the answer all worked out and tucked in the inside pocket and only are waiting for somebody to get what you have in your pocket. And it took some convincing on the part of the administration and a lot of forbearance not to rush in with answers, but to let the community struggle through the organization of that Master Plan Citizens Committee, and now it is in operation. One of the newspapers said it is probably the world's largest committee, because at each schoolsite, each of the 90 sites, there is a mini Master Plan Citizens Committee; and from that some 215 have been selected through a process to come to the city-wide Master Plan Citizens Committee, and they are divided into task forces looking at the capital financing, capital planning, looking at finance, school governance, resource reutilization, and the process of bringing this about has been slow and painful and, here again, money is needed to plug in the poor and keep them operating and staying. In explaining the materials, we thought we had written the program pretty well, but one lady said, "I do not know what you said in this. You used words I do not understand." We had to do a rewrite and then we had to do it in Chinese and Spanish to make sure we were getting to our constituency.

We have an application now for $300,000 to make this committee function effectively because it could become the model of the country.

MANAGEMENT TECHNIQUES

A fourth new direction I see is that of applying new management techniques to the field of education. Along this line, we are taking steps in Oakland to insure the best possible use of our personnel and material resources. In addition to the decentralization process de-

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scribed above, we are initiating a planning, programing, budgeting system which we expect to have operational by the 1972–1973 school year. We feel sure that the PPB system will significantly increase our ability to use our resources more effectively and hopefully it will provide us with improved evaluation data for enabling us to make better decisions in improving our various programs.

In addition to the major new directions I have cited, I would call attention also to two additional very promising approaches we established in our district this year. One was the establishment of our Office of Resource Development. The function of this office is to seek out all possible available resources that might be of potential value to the district, be they resources of funds, time, equipment, materials, or anything else that could prove to be of assistance to the district. This office, staffed with personnel knowledgeable in foundation and institutional support and skilled in application preparation techniques, has begun to yield dividends for the district.

Another approach initiated last year, but which will in all probability be discontinued this year because of the lack of funds, is what we have called our "New Notions for Excellence" program. This program made it possible for school staff and students to make applications for modest funding of special innovative projects in their schools. Through this program it was possible to stimulate a considerable amount of interest in the development of new and varied approaches to the instructional program.

This simply operates out of the belief that many of the resources that we need to do the job are already available but have not been effectively utilized and focused. We are saying that in this use of management techniques people have to know at least what they are trying to do and have objectives clearly specified and then look at resources and then begin to allocate resources in the light of priorities and in common terms begin to put your money where your mouth is. What you say you are trying to do, put your money there, and then do not spin your wheels trying to do all of those at once but do those objectives that can be accomplished. Already we are finding that as schools narrow the diffuse way they have been approaching their objectives and concentrate on a limited number, they are beginning to get payoff.

I submit that since we do not have additional funds that are sorely needed we are going to have to use our available funds more prudently, and I think more effective management will certainly lead toward that.

UTILIZATION OF COMMUNITY RESOURCES

Our Office of Resource Development was established out of my conviction that urban schools working alone to bring about change are doomed to failure or at best mediocre success. The needs of children are too varigated for the schools alone as an institution to meet them fully. We have to become more skillful in utilizing the total resources of the community. I am not talking only about the financial resources of the government at every level, but I am talking about the opportunities for "hand-on" experience in the real world.

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We have some 3,400 children who go out into industry, into commercial establishments, into scientific laboratories, working and learning the real practical reason why they should be studying the abstract material back at school. I think this Office of Resource Development is the kind of facility, the kind of organization that should be present in every school system so that the great resources of universities are not plugged in haphazardly. Our Resources Office focuses all the potential of these various opportunities for supplementing and expanding the educational opportunity for our children, focus it according to our own objectives, and we begin to deal with our agenda rather than others.

INNOVATION ON SCHOOLWIDE LEVEL

The "New Notions for Excellence" program is a program where we took $100,000 and we said to teachers "You may apply for grants up to $10,000" and we earmarked 30 percent of it for teachers. We earmarked another 60 percent for schoolwide projects; and this was a part that shocked a lot of people, and 10 percent for students. These were not prizes. These were funds that could be used to help people implement their notions for making their situation better.

It was amazing the change of attitude that it brought about toward the administration because we were saying that all ideas do not have to proceed from the top down. We need to hear ideas from the bottom and let them flow up from the situation, and we received some 500 applications. The beauty of this was that we were able to show people how they could do their ideas simply by reorganizing within their school and using their resources and getting ahead without giving them additional money. Others we could redirect to other sources of funds.

The place where we had trouble giving that $10,000 and applying it to stimulating student ideas was right there at that area, with the students, because they had not been accustomed to having people say to them, "Here is a block of money. If you have a creative notion we will find it." Now, the first time around we were short and we had about $2,000 left over. Then we readvertised that we had this $2,000 left over and on the second go-around when the students were convinced we meant it, we were deluged with something like $10,000 worth of requests just from students.

Again, I want to emphasize the significance of this operation as it shifts the power relationship, that people do not look to the administration building; they look within, to their own resources. If you think of the thousands of conferences that must have gone on between students and teachers and administrators as they worked up their schoolwide projects, the conversations that went on with students themselves as they developed their projects, you can see the different attitudes that were developing about their own sense of power. That relates to what I was saying, that people have to have a sense of power that they can change things by their own activity. This is one way of helping to give them that sense of being in power.

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ADVOCATE SYSTEM

I would say too, and this was left out of the prepared text, that one of the major areas that urban education has to move on is more effective preservice and inservice training of teachers, administrators, paraprofessionals. We need a special breed of administrator today, a new breed, a new breed of teacher, if we are going to meet all of these problems of urban education which I cited earlier in describing the nonachievement of many of the students in our school district.

I can get it into probably four themes. One is that the administrator has to become an advocate, an advocate for the people he serves. This switches it completely around from what it has been. Traditionally, administrators have been protectors of the system. They made excuses for superintendents who did not get the materials out when they should have been. They operated on the principle that the reward system told them it was appropriate to operate on. The reward system has said to principals and teachers that the way to get ahead in the system is to get along with your immediate superior, do not make too many waves, and just sit still as you float to the top. Somehow we have to change that reward system so that people understand that those who dare to be advocates for their community, for their teachers, for their students, will be rewarded for that effort.

Here again, we begin to change power relationships. It becomes more painful for some people but in this case I think it is absolutely essential that we put people in jobs of responsibility who have the courage to stand up not for the system but for the people they serve.

VULNERABILITY

Another one is the concept of vulnerability. I think we need to have administrators that understand that concept. I can remember taking over a high school and going through that school the first day and looking at the occupational level shops and one of those shops dealt with upholstery. I do not know a thing about what you do when you upholster so I went and got a friend of mine who was an upholsterer and he said, "Marc," almost with tears in his eyes, "You do not have a single machine in this shop that is currently being used in industry." And I cite that to say that the school was vulnerable on that point and somebody presided over it without crying out about that condition. Then when the community comes in and discovers that shop that has been running a cruel hoax on children, proclaiming to be preparing them with job skills, and then begins to scream and say, "We want that changed," then we are reacting to community pressures and we go to work and clean it up.

What I am saying is one who understands the concept of vulnerability develops an agenda to change those things in which the school or the school system is vulnerable. Our employment practices in Oakland have resulted in a terrible imbalance of minority groups in high echelon jobs and in the teaching force. It represents a disaster area and when a group of Chicanos came to the board meeting and began to express their concern and their rage I was in a position to say, "These are the things that we have done," because I looked at

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that as an area of vulnerability and had done several things that made progress for that particular group and could say to them "I want you to help me to make further progress," and a situation that started to be terribly confrontive turned out to be supportive. "When can we meet and help you?"

We need administrators who understand something about the idea I just mentioned, something about conflicting utilization. People cannot be traumatized by conflict. We are not going to be seeing less of it; we are going to see more of it in the 1970's. Those who would dare to run schools or classrooms have to understand how to utilize the tremendous energy that is released in conflict and move that energy toward constructive resolution of problems so everybody gets a payoff and some benefit.

If time permitted I could give you a number of examples of how we were able to utilize what was a traumatic experience for some principals, but we were able to take that energy and move it not in the manipulative way but in an expansive way of looking beyond the narrow precipitating cause to the underlying wrongs that needed to be adjusted.

Then the fourth area I think we need to train our administrators and teachers in is social interpretation, because in these ghetto schools, if the perception of the community is that nothing is going on in the schools—and many I know have that image—then there is much going on that is positive, but the principal has not, and the teachers have not, and the children have not, and all connected have not become skillful enough in how to interpret what is happening in that school. I would submit then that this is another area of critical need in urban education.

Now, to sum up——

Senator MONDALE. I think we had better suspend right there because we must go over and vote. We will be right back.

(Recess.)

Senator MONDALE. Dr. Foster, had you concluded your statement?

RECOMMENDATIONS FOR URBAN EDUCATION

Dr. FOSTER. I was just about to get to the conclusion.

In conclusion, and in keeping with your committee's request for specific recommendations for the improvement of urban education, I would offer the following points for your careful consideration:

First, with respect to integration, I would recommend that significant amounts of additional Federal incentive funds be made available to school districts willing to enter into regional arrangements for the purpose of developing quality integrated programs. These incentive funds should be of two types:

Categorical funds for supporting all student transportation costs and necessary remedial, human relations, and other specialist services necessary for facilitating the integration process.

Modest general fund grants to all districts involved in the regional program for overall program improvement use.

Second, significant amounts of additional funds are recommended for the general support of urban school districts. The ingestion into

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our urban schools of large amounts of unrestricted funds similar to those provided through Public Law 874 for general program improvement use is desperately needed. Further, with the availability of such funds it would be possible to establish such new and unique school programs in the urban setting that they would serve as attractions to suburban students, thus assisting in the integration process.

Third, I would recommend that additional categorical funds be provided to improve upon and expand already established federally funded programs. I have in mind particularly those programs such as ESEA Title I for disadvantaged students, bilingual and vocational education, and the dropout prevention programs.

Further, I would strongly recommend that significant amounts of new Federal funds be committed each year for the purpose of urban area school construction projects. Here again, it is likely that millions of urban children will continue to attend World War I vintage, and earlier, school facilities unless Federal funds are provided for replacing such intolerable educational environments.

I also recommend that additional funds for preservice and inservice programs for teachers and administrators be made available.

And finally, I would urge that additional moneys be provided for programs such as the experimental schools program currently being administered by the U.S. Office of Education. It is through programs of this nature that it will be possible to develop and perfect new, innovative, and effective procedures for educating urban children.

With a well-funded general and categorical aid program, with the establishment of a realistic capital development program, and with a program fostering innovation and experimentation—all supported by the Federal Government—urban education will surely survive and flourish. Without this support, however, there is every likelihood that urban education will continue to erode and deteriorate. I trust that every member of this committee will mobilize every ounce of influence and power at his command to guarantee that urban education will, in fact, survive and flourish in the immediate months and years ahead.

Thank you, gentlemen, for the opportunity to address your committee on these important matters today.

Senator MONDALE. Thank you, Dr. Foster. I think I am going to hear from the full panel and then we will ask questions collectively.

Our next witness is Dr. Gordon McAndrew, superintendent of schools, Gary, Ind.

Senator Bayh had hoped to be here personally to introduce you but was not able to return. He wanted to personally welcome you to the committee and he also had an article on the Gary schools from the prestigious educational journal, U.S. News and World Report, which we will include in the hearing record.*

STATEMENT OF DR. GORDON McANDREW, SUPERINTENDENT OF SCHOOLS, GARY, IND.

Dr. MCANDREW. I appreciate the opportunity, Senator Mondale, to testify before the committee, and for the interest of this committee in the problems that we are discussing today.

*See Appendix 2, p. 5677.

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The most important question to be asked about our schools is how well do the children learn? By this criterion urban schools are failing. The majority of children who attend them are not achieving according to any reasonable definition of that term. The best evidence of this is inadequacy in the basic skills (the 3R's if you wish) which are the essential foundation for later learning. In fact, poor children of all colors, concentrated in urban areas, fall farther and farther behind their more affluent counterparts each year. It would appear the longer such children are in school, the duller they seem to get.

This problem has been analyzed many times. Fundamental to it is the home background of the child. It is now quite clear that traditional school inputs (for example, teacher training, classroom size) have very little effect on the relative achievement of students, most of which appears to derive from family background defined in fairly traditional social class terms.

This fact has led some to feel that the school is powerless to correct the situation. Such a conclusion unfortunately has gotten in the way of seeking educational solutions to mitigate environmental influences over which the school has little control. We have been quick to explain why schools are not more effective. We have been less attentive in questioning public school practices which may account for at least some of our problem. For example, granting the inadequacy of our financial resources, are we allocating them in a way to guarantee maximum educational return? Given the fact that the schools cannot be all things to all men, have we defined priorities in such a way that what we do is for a better reason than that is the way it has always been done?

GARY POLICY STATEMENT

Two years ago the Gary, Ind. Board of School Trustees adopted a policy statement which states its priorities as follows:

The School City of Gary seeks to assure that no student of normal mental ability will leave the Gary school without acquiring certain skills and knowledge. Considered most important among these is the ability to use and understand the English language; to listen and to read with enough facility to profit from the ideas and discoveries of those who came before; and to speak and write with enough facility to transmit to his fellow men his own ideas and discoveries.

The Board believes every youngster should be taught to understand and employ the basic concepts of mathematics and science. Further, the Board believes that every American child should be taught the facts of his own country's birth and how it relates to human history in general; the contributions and the sources of the contributions which have been made to America and world society; and the antecedents and relationships involved in today's world and local events.

Finally, the Board seeks to instruct the children of Gary in the manner outlined above toward the end of preparing them for the responsibilities of adulthood—whether they go on to higher education, find their places immediately in the working world, or assume the responsibilities of family life.

The Board views the average thirteen years of experiences Gary children have within the context of the public schools as a period of preparation for the years that will follow; and it, therefore, believes that every young person who graduates from a Gary high school, on that day, be competent and confident enough to begin the next phase of his life with a sense of well-being and an appreciation of himself and his fellow man.

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Based on this policy programs have been initiated, and the system reorganized to assure greater accountability within a framework spelled out to the staff as follows:

Our schools shall be measured by how well students learn. This criterion must determine the selection, assignment, and evaluation of staff, including administrative and supervisory personnel.

The single most serious educational problem currently in the Gary schools is widespread and consistent underachievement, particularly in the basic learning skills. Our program, therefore, must be based on two related and complementary priorities: (1) Teaching the fundamentals, with particular emphasis on reading and language development and (2) Fostering in students positive attitudes and motivation for learning.

New instructional approaches are important, but the key to the success of any enterprise is the people who carry it out. This requires that a concentrated in-service component be built into all new programs, and that staff development at all levels have top priority. Programs and people must go together, not only the people who work for the School City, but also the parents and citizens of the greater Gary community.

This then indicates that our instructional program should include three components and be organized and evaluated accordingly.

1. Curriculum Development. What a student learns obviously depends heavily on what is taught and on the interest and attitude of the learner. Curriculum development, therefore, involves establishing instructional objectives, selecting and organizing material to meet objectives, and creating a classroom climate conducive to learning.

2. Staff Development. How well a student learns is also intimately related to how well he is taught. For this reason, it is crucial that we select the best staff possible, involve them in continuous evaluation of their performance, and work with them closely to develop and maintain skills and promote classroom creativity.

3. Community Relations. Finally, student learning depends on home and community attitudes and support. Hence, we must develop close working relationships with parents and community groups. This includes informing our constituents as well as involving them in school affairs.

ASSESSMENT OF EFFORTS

The evidence of our efforts to achieve our objectives is encouraging. Using local resources, and with the help of Federal funds (particularly ESEA titles I, III and VII, Headstart, Career Opportunities program, and Model Cities) we have begun to reverse the "cumulative learning deficit referred to above. Over the past 3 years, the overall achievement of our elementary school children has improved noticeably. I would mention here, parenthetically, that for the first time, this year which is the first year we have had an evaluation program of our performance, the second grade children in Gary are performing at national norms. That is a modest enough accomplishment except in the context of the fact that this has never happened before in the history of the city or at least as long as we have had the results of the assessment of the programs.

Senator MONDALE. How long have you had assessment of the programs?

Dr. MCANDREW. The data I have available to me goes back about 15 years, and before that I could not say.

The specific reasons for this are hard to isolate, though a combination of the following factors has contributed significantly:

(1) Preschool and early primary grade curricula with clear structure and objectives (approximately one-third of Gary's 4-year-olds

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are enrolled in a pre-school program. And I would mention, Senator, in light of your question about bilingual education, that we are now entering the second year of the bilingual program. The first year we were funded at the level of $100,000.

Senator MONDALE. This is title VII?

Dr. MCANDREW. Right. $100,000 of title VII to which we added $50,000. For the second year we will receive, beginning in September, approximately $120,000, to which we will add about $50,000. That enrolls about 300 bilingual children, 95 percent of whom are Spanish surnamed children, and I would say that the premiminary data on the progress of those children, which we just received last week, is extremely encouraging and is probably the most significant data in terms of the progress of children that we have had with any single program.

While it is still a little too early to say, it looks very good to us at this point, and almost all of that is concentrated, of course, in the preschool area with 3- and 4-year-old children.

(2) Second factor is intensive staff inservice work.

(3) Intensive use of paraprofessional personnel based on the premise that the adult/pupil ratio is more important than the traditional teacher/pupil ratio. We have in Gary approximately 400 teacher aides of whom about 300 are under Title I.

(4) And finally, related to the use of paraprofessionals, great emphasis on parental and community involvement. All of the paraprofessionals we have working for us now are parents in the community of which they work.

The challenge before us now is to build on this foundation program. This means examining alternatives to present practices in the upper grades. A promising move in this direction is underway currently, made possible by a planning grant from USOE's experimental schools program, which was granted to us about 4 weeks ago.

Senator MONDALE. How much did you get in that grant?

Dr. MCANDREW. $30,000 for a planning grant. As I understand it, those grants were made to nine cities for planning purposes with the proposals due November 1.

PERFORMANCE CONTRACT

As part of this same effort, Gary is entering the school year of a unique performance contract involving one of the district's 33 elementary schools. The board of school trustees has contracted with a private firm, Behavioral Research Laboratories of California, for the operation of an existing elementary school (Banneker) enrolling 800 + students. The majority of children attending that school have been achieving at substantially below grade level. The arrangement calls for an annual payment (currently $800 per child) to the contractor equal to the average cost of educating a student in the Gary schools. Under the terms of a moneyback guarantee the contractor promises that at the end of the 4-year contract every child in Banneker will be performing at or above national norms in both reading and mathematics. For each child who is not, BRL is to refund the entire amount paid under the contract. Preliminary results of this program are encouraging.

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Actually, last week, we received the first results of the first year of the program, the final testing, and from a cursory examination it looks very good although we will not really know until we get the full report from the independent evaluator in 30 days.

Senator MONDALE. What does it show, are most of them at grade level?

Dr. MCANDREW. It is hard to say based on the data that they phoned in to us, but there is no question, in looking at just the figures, that the children have performed better this last year than their counterparts had years before. Now, I am sure in the first year of the contract that we are not going to get every child at Banneker up to grade level. This is part of the 3-year package. But I am confident, if those figures hold up, that we have done much better there than we have ever done in the 12-year history of that school since it was opened.

Senator MONDALE. Is it an all-black school?

Dr. MCANDREW. It is an all-black school. I would say that when we opened the school last September we had room for about 150 because we had that many empty seats in the school, and we announced citywide on a first-come/first-serve basis any parent could enter his or her child. We had no applications from any white children in the city. The quota was filled in 3 days but they were all black children.

EFFECT OF RACIAL INTEGRATION

The majority of Gary's 48,000 student population is black (62 percent). Due to housing patterns and a generally neighborhood school system the schools are, for the most part, de facto racially segregated. There has been token integration as a result of some busing and a modest magnet school program. I see no conclusive evidence, in Gary or elsewhere, that racial integration either facilitates or inhibits student academic learning.

Senator MONDALE. You would dismiss the findings of the Coleman report?

Dr. MCANDREW. My reading of the Coleman report is that the evidence is not conclusive on that score. Now, my own——

SOCIOECONOMIC FACTORS

Senator MONDALE. Did you read it differently than Dr. Coleman? Dr. Coleman said children from disadvantaged backgrounds will tend to do better in the majority advantaged schools than they will in isolation. He did not put it on a racial or ethnic background; he put it on a socioeconomic basis. Is it your opinion that there is no basis for that?

Dr. MCANDREW. I did not hear you. If you take into account the socioeconomic background?

Senator MONDALE. Yes.

Dr. MCANDREW. No. I think if you take into account the socioeconomic background, the figures could be different. I am speaking

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about racial integration per se in the districts in which I have worked in Gary.

Senator MONDALE. I see what you mean. In other words, body-mixing?

Dr. MCANDREW. That is right,

Senator MONDALE. Yes, I think most people would agree with that. Just the idea—which, as a matter of fact is insulting—the idea that a black can only learn if there is a white child around.

Dr. MCANDREW. That is right.

Senator MONDALE. I do not think Coleman is saying that. I think what he is saying is that children who have been cheated in the sense of growing up with not enough nutrition, inadequate health services, poor housing, and denied stimulation and probably preoccupied mothers—and then start school with this deficiency, these children do better if they can go to a school with kids from more advantaged socioeconomic backgrounds.

Dr. MCANDREW. Yes. Again, I am not referring to Coleman in this part of the statement. I am not completely convinced of the data as presented by Coleman as to what factors entered into that.

Senator MONDALE. As I understood Dr. Foster's testimony, you have introduced some children from the flatlands who went up to the hills, and although it is a very small program, it is your feeling that they are doing quite well?

Dr. FOSTER. But the variable that seems to make a difference—and I think as I read Coleman, what he is saying is the variable that makes a difference is the socioeconomic factor. If you put upper class blacks with lower class blacks for academic achievement, you get a similar lift. A lot of what people thought was a function of caste—that is, race—turns out to be a class function. A lot of us have known that for a long time.

Senator MONDALE. That is right.

Dr. FOSTER. It is good that it is coming to the fore, but the study called Racial Isolation in the United States Schools or something like that—I may have the title a little mixed—but it was done right here in Washington.

Senator MONDALE. Yes.

Dr. FOSTER. It tends to hang more credence on the mix and it talks about getting a mix of 85 or 15 whatever percent it was, that if you get the proper mix of black/white, you get the lift.

I would argue that even there the mix is really—the variable that is doing it is really the socioeconomic variable.

Senator MONDALE. I think Coleman very strongly agrees with your point, that it is the socioeconomic mix that counts. That is really what you were saying in your quality integration. You used the term "quality integrated education." In our definition we clearly spelled out the mixed socioeconomic backgrounds.

It is a tragedy—I think you will agree with us, Dr. Foster—that the ravages of discrimintion over the past 200 years have made the tragic poverty and being black synonymous. It is not always true and there is some progress being made, but the high percentage of blacks who have not been permitted to enter the stream of economic prosperity continues to be a national tragedy.

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ACHIEVEMENT AND POVERTY

Dr. FOSTER. The evidence of the devastating effect of the socioeconomic deprivation in the environment is that Oakland is the first community I have served where blacks were not at the bottom of the totem pole, that Chicanos are in the bottom position because they were later arrivals and poorer. It just underscores how poverty and socioeconomic status has an effect.

I have with me—not here but at the hotel—the ranking of schools according to the number of AFDC cases. If you put ranking in terms of achievement beside that you have the exact opposite. It starts with the schools that have the highest AFDC and down to the smallest. If you just put the other achievement scores you see the list turn upside down.

Somehow, our job is to break through that so we do not have that lockstep dependency on socioeconomic status.

Senator MONDALE. If you have those figures with you we would like to put them in the record. Our staff will see you afterwards.

Dr. MCANDREW. I guess what I am saying here is really the fact that I am talking about here is not about class but about color in this statement. The exception to this occurs when the academic climate of a school is eroded by a heavy influx of students from poor backgrounds. In cities that generally means minority group students. Beyond a certain "tilting point" academic quality and racial stability are difficult to maintain. This is a problem in urban areas where the percentage of minority groups is on the increase. Needless to say, this would not be a problem if the socioeconomic and racial composition of cities anywhere near approximated the national distribution.

Deliberate attempts by public schools to segregate must be opposed. Beyond that I favor working to obtain for all individuals the freedom of choice, if I can use that expression, and movement which to now has been the more or less exclusive privilege of middle and upper class, white Americans.

The great stone in the path of continued progress in Gary is financial. Along with many other school systems we are on the verge of bankruptcy. The costs of operating, which have increased 10 percent annually for the past several years, have far exceeded income. The cost of operating is currently $800 per child per year. As an example, Senator, our operating budget for 1971—we are on a calendar year—is approximately $34 million. Our income for this year is $32 million. We have been operating on a deficit budget, although technically that is illegal, for the last 3 years. This simply to maintain what we have. Providing "equal educational opportunity" in light of that reality is impossible. Certainly in urban areas, the local property tax base is inadequate to meet the needs of public education. In some states, Indiana being one, the State has the fiscal capability to assume a greater percentage of the costs. At the same time greater financial commitment by the Federal Government is necessary, preferably along the lines of "designated block grants" called for by the Presidential task force on education in its report to President Nixon in January 1969.

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We ignore this problem at our peril. The "social dynamite" in our cities referred to by James Conant several years ago is still there. The only difference is that the fuse is now shorter.

Thank you.

Senator MONDALE. Thank you, Dr. McAndrew.

Our final witness is Dr. Marilyn Gittell, professor of political science, Queens College, New York.

STATEMENT OF DR. MARILYN GITTELL, PROFESSOR OF POLITICAL SCIENCE, QUEENS COLLEGE, N.Y.

Dr. GITTELL. I appreciate the opportunity to appear before the committee. I will try to shorten my statement since it is already in the record.

Senator MONDALE. We will place it in the record* as though read.

Dr. GITTELL. From 1967 to date the urban school reform movement has been concentrated on greater community control of the schools. Let me just add here parenthetically, that was an outgrowth of the failure of integration in most of the urban North. The community control movement was the same movement as the integration movement; that is, the very same people in most of the large cities who fought for school integration for some 10 years in their frustration turned to the concept of community control.

The extent of local power sought for neighborhood school boards varies according to the plan and approach. In fact, however, the rhetoric far exceeds the action and we have few models of community control.

Senator MONDALE. Could you list for us some examples of real community control?

TRUE COMMUNITY CONTROL

Dr. GITTELL. Well, I was going to go into that. I had a development which I am prepared to abandon, but in my own opinion, the only example that we have historically of community control were the three demonstration districts in New York City which were abolished by the 1969 decentralization act. I say that because my definition of community control is the delegation of power to local community boards which would include control over personnel to a very great degree, control of the school budget, and control over pupil policy and curriculum; and by my standards, some of the plans which have been advertised around the country really have nothing to do with community control.

Senator MONDALE. Why can you not look at small school districts, rural school districts, as examples of real community control? They are still small enough.

Dr. GITTELL. Well, there is no question that some of the rural and, in some cases but very few, suburban school districts do have community control in the sense they elect a local school board and that local school board raises the tax money, determines the priori-

*See prepared statement, p. 5536.

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ties in terms of the expenditure of the budget, determines general school policy. However, I would say that the overriding factor has been the development of school professionals and the accumulation of power to the professionals so that they have in a sense closed off public participation and accountability; so the mere act of electing a local school board does not necessarily mean that you have public participation or public accountability.

In too many cases—and this is particularly true of the suburban areas—the superintendent gets a 6-year contract and the board walks away from the review of the school situation. I think this is a historical development. I think several factors have fed into it.

INSULATION OF SCHOOL ADMINISTRATION

First of all, the insulation of schools in American society traditionally. The prestige of education in our democratic development has been useful for the professionals to say any kind of public review is really political interference. So for at least 30 years now we have had this kind of attitude that the schools should be insulated from any kind of political responsibility and turned around as a kind of negative when various superintendents around the country suggest that any political leader who wants to know what is happening in the schools is interfering politically with what is going on. It has happened to many mayors of large cities.

I think we have not seen clearly enough that what has happened is that we have turned the schools over to the professionals and they have failed to do the job and that the recent activity around the country and concern about participation really relates to that issue, that those who have had the job up until now have really failed, and we had better get the injection of new sources of energy and some responsiveness to very immediate needs if we hope to change the school system.

I think what you see happening in the community control movement is part of the same pattern. At least seven or eight large cities just this last year have proclaimed decentralization, just as boards of education 10 years ago announced policies of integration. When you turn around and look at those plans and see what they entail for the most part what they are is administrative decentralization where the district superintendent is appointed for a regional area in the city, but the community has no role in what is going on. There is on balance in the professional interest with public interest or parent interest or consumer interest. All you are really experiencing is an administrative technique, in my opinion, for quailing the demand on the part of the public for a participatory role. So that in every one of these large cities—I was going to give you several exceptions—those plans are really not along the lines of community participation or community control or even decentralization beyond administrative tactic.

In New York City and Detroit we did get what were considered to be the broadest decentralization plans citywide under State legislation. In both cases, the school professionals battered down the

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plans enough so that there were really almost no concessions or minimal concessions to the role of communities in the schools. They assured that nothing would happen by the size of the districts, by the way in which the elections were conducted, and I have some of the statistics that we have run down on the New York City and the Detroit elections.

MAKEUP OF SCHOOL BOARDS

In a recent study we did, the board members elected in New York, the typical board member, was a white male Catholic, professionally trained with two children, living in his district for about 9 years with his children in parochial schools. This was a plan that was intended to increase the representation of black and Puerto Rican parents on local school boards. Our study showed that 63.8 percent of these board members are middle class professionals. Over 50 percent are Catholic and 36 percent Jewish. And, most importantly, 53.2 percent of these board members have children in parochial and not public schools. This in a school system that is 57.2 percent black and Puerto Rican, many of whom are children of a client poor.

The systematic exclusion of minority groups from these boards was ruthless. Of 279 members elected, only 47 were black at 16.8 percent and 30 are Puerto Rican or 10.8 percent. Of 12 districts with 85 percent of their pupils black or Puerto Rican, only six boards with a majority of black and Puerto Rican pupils. And it is on these six boards that 44 of 87 citywide minority members sit. So, in effect, the representation on these local boards in New York City far less represents the minority groups than had the previous citywide board.

The same results occurred in Detroit. Although Detroit created only eight regional boards instead of New York's 31, only 30 percent are black in a city whose school population is 63 percent black. 61.3 percent of the local board members are middle class professionals.

Now, perhaps I could go back to what I suggested earlier when you asked me about decentralization and community control. At the end of my statement I have prepared a table in which I compared the Detroit election, the New York City election, and demonstration districts, those three districts in New York, in terms of the membership. If you look at that table you will see that the nonwhite membership of the boards in the demonstration districts was 61 percent as compared to 30 percent in Detroit and 17 percent in New York under the citywide decentralization plan. If you look at table I you will see the distribution in terms of the members of the boards, that in the demonstration districts only 16 percent were professionals. By the way, I stress this because all of our studies of school boards show that middle class white professionals, usually in business, monopolize local school boards regardless of the character of the population of the district. The whole purpose of the local school board is to make it responsive to the needs of the students in that community. There should be some indication of representativeness in terms of the population. Certainly in terms of decentralization that is the intention.

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What I am suggesting to you is that as a matter of fact the two plans that we have citywide were distorted enough so that did not happen, but we do have a model where we were able to accomplish the kind of representation that was more suggestive and reflective of the community itself, and that was in those three districts in New York City which caused such a furor.

By the way, in terms of accomplishment, we are just completing a study of those three demonstration boards in New York City which will be published shortly. Now that the flack has died down and the newspaper coverage is minimal, we hope people will take it seriously. But we have concluded in that study that those districts really accomplished a great deal in terms of community control. Of course, they were very shortlived in a time of political upheaval, but let me read to you some of the results that we have come up with.

For one thing, the three districts enlisted new participants, board members who were black or Puerto Rican, many poor, who were dedicated to school reform. The typical school board member was a poor black, female with some poverty program experience with children in the public school. More than 25 percent of the normally apathetic community people voted in these elections compared to the average 10 percent voting in the decentralization election of 1970.

Senator MONDALE. What percentage in the citywide decentralization?

Dr. GITTELL. 25 percent voted in these elections compared to 10 percent in our citywide decentralization, which indicates that there is some difference in response according to how people perceive what it is they are engaged in.

Most of these board members with children in the schools had felt that public schools had failed and that something had to be done to improve the schools. They were reform minded rather than the middle class professionals on the boards in suburban areas more interested in preserving the status quo and thus involved with housekeeping matters.

These members affected personnel policy. They brought in more minority supervisors, the first black, Puerto Rican and Chinese principals—the first Chinese principal in the country by the way—the first black community superintendents. They enlisted more energetic and dedicated teachers in the slums and they created a highly motivated educational climate. Their schools were no longer fortress schools, but open to all in the community.

Our studies show in Ocean Hill-Brownsville, for example, that the alienation between parents and urban schools was being reduced. Thirty-six percent of those sampled belonged to a parent association and an overwhelming 86 percent of the parents visited a school. We did a survey, by the way, with the National Opinion Research Center on 200 parents in Ocean Hill-Brownsville, and over 80 percent of the parents visited the school. Comparable studies of black and other communities in New York City shows the figures somewhere around 5 to 10 percent. This was 86 percent.

Four-fifths of the parents believed that they had more influence in the running of the schools and three-fifths felt their schools were

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better or the same. Although they felt they had some influence they wanted more.

There were more experimental programs adopted by these boards composed of the urban poor than the most affluent educational districts in the country. Ocean Hill had many programs, including a British Open Integrated Day, the teaching of reading first in Spanish, then in English, a Montessori school, a Bereiter-Englemann school and on and on. The sheer variety of programs attested to the educational principle that each child is different and learns at different paces and in different methods.

ACADEMIC SUCCESS

In IS 201 our study shows the pupils did better academically than the rest of the city in percentage terms; they improved at a time when the rest of the city pupils declined because of the long strike. In one school where a new experimental method was employed, the Caleb Gattegno method, the results were dramatic. The 1970 test score results produced at least a 1 year advance in reading scores.

Senator MONDALE. What is that?

Dr. GITTELL. The Caleb Gattegno method?

Senator MONDALE. Yes.

Dr. GITTELL. It is a coloring norm method. I am not well-versed in it. By the way, I should state here that Caleb Gattegno had tried to get that method instituted in the New York City schools so he could experiment with it and was unable to do it until the 201 district was established and he went to them and requested that he be able to do it there. We questioned the principal of the school who allowed him to come in, and asked him if under the citywide system that could have been done, and she said she would have never done it; but under the community-control system she felt this was a possibility because there was this feeling of looking for solutions.

Our study links that academic success with feelings of efficacy and self-control that these Harlem pupils experienced in a true locally controlled urban school district. By the way, we ran a self-identity efficacy test of the students in Intermediate School 201 and the results show that they felt more efficacious, more strongly about their own ability to deal with problems, than comparable groups that the tests were given to in other districts—not in New York City with the same background.

One of the questions I wanted to raise about some of the results that Dr. McAndrew talked about was whether or not the same tests were used. That kind of concerns me a little.

Senator MONDALE. Why don't you respond to that now?

Dr. GITTELL. In the results you talked about——

Dr. MCANDREW. These are the same tests.

Dr. GITTELL. As the tests given previously?

Dr. MCANDREW. Right.

Dr. GITTELL. It was too early to definitely appraise the long-range educational effects of the program—I am talking now about the community controlled districts—most important, these besieged districts were under constant attack from professional school interests. Nevertheless, we have sufficient indication to grasp the educational promise of a truly decentralized school system. I want to

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just add here that I think what has happened—the frustration of trying to get decentralization that is meaningful in several large cities—a plan was defeated in Boston by the school professionals. In Los Angeles the legislation proposed in the California Legislature to study the decentralization plan for Watts was defeated. In Philadelphia a decentralization commission which included all the various interests in the city came out with no proposal because the supervisory representative school professionals and the union objected to every delegation to the local school board.

So there has been a whole series of frustrating experiences with decentralization and community control which I think one can easily compare to the integration movement in terms of proposals which are made and beaten down; in this case, primarily by the professionals themselves who see this as a threat to their power.

PRIVATE SCHOOL ALTERNATIVES

As a result, what has been developing is what could be considered a private school alternative in ghetto communities, lower-class communities, where community schools have been established by groups of parents who just feel they cannot fight the system or have been frustrated by a series of battles. The two pertinent examples are in Boston and Milwaukee where school federations have been set up by community groups. In Boston there are three and in Milwaukee there are nine.

Really, in some ways, this is an admission of inability to fight the system and I think that is most disheartening. On the other hand, in both these cities there is clear indication that these schools are moving in directions which are terribly innovative. Right now they are trying to survive on foundation funding. The Milwaukee federation has a bill in the legislature to try to get funds for the support of an alternate public school system using the Milwaukee federation as a base. I think that might have some potential.

I am rather disillusioned about the possibility of achieving community control by reform of the public school systems in the large cities and I base that disillusionment on the experience of the last 5 years and the kinds of plans we have gotten in Detroit and New York.

I think I will just end it here. Perhaps you have some questions that would be more appropriate.

PREPARED STATEMENT OF DR. MARILYN GITTELL

In the last two decades the effort to achieve quality integrated education in American cities has provoked a succession of highly publicized plans which seldom go beyond their initial pronouncements. Throughout the country school boards and superintendents announce programs which months (or even weeks) later are quickly abandoned because of special interest opposition and/or bureaucratic inaction. As report after report continue to describe the increasing failure of our educational institutions, particularly to meet the needs of the poor and minority populations, the problems grow more severe and the solutions prove more inappropriate. There are small segments of every city population striving to develop the thrust for a movement for educational reform but they have faced a series of frustrating failures over the years, first in the battles they waged for integration and more recently in their efforts to redistribute power in the school system through decentralization. Many have lost faith in the possibility of achieving any meaningful institutional change. Their suc-

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cessive defeats having a deadening impact. There are always those few who remain optomistic, who see a new superintendent, or an outspoken board member or an innovative experiment as a sign of hope. Too often, they too must admit defeat.

The 1954 Supreme Court decision provided a major impetus to public review of educational policy. For at least 3 decades prior to the decision the professionalization of school politics had effectively insulated school decision-making from public accountability. Schoolmen had successfully convinced their clientele and political leaders of their special expertise and the need for independence of the education function. Their budgets, determination of curriculum, personnel policy et. al. were considered matters of internal policy, not to be encumbered by what they described as "political interference". Historically the education function in American government had privileged status, so the argument was well received. Education had served the system well and shared in its rewards.

In more recent years the school professionals have greatly enhanced their special status, guaranteeing their increasing power over educational policy. It is not surprising therefore that the poor and the oppressed in American society should also view education and the schools as their target and as a means to upward mobility in American society. If change is to occur, the schools are necessary instrument. In earlier generations access to jobs without formal education was more possible so that the questionable role of the schools in reaching the immigrant and poor population was not significantly at issue. The expansion of the credentialing process, and the severe reduction in the unskilled job force brougt the question of the role of public education to the forefront. The increased public demand and the loosening of constraints on review of educational institutions has exposed some of the deep inequities of our educational systems.

On the spearhead of integration the battle for educational reform was forged. The recognition that the politics of education was a reflection of the institutional politics of the society as a whole was immediately impressed upon those who were advocating some adjustment in the system. First subtly, and then more overtly and directly the schoolmen and their middle-class counterparts clamped down on preserving a system which served their needs. Even those who saw gradual changes or adjustments in the schools as reasonable approaches to fulfilling the court directives were faced with strong resistence. City school boards would adopt general policies of integration looking to their administrative staffs for implementation. Nothing was forthcoming. Often the school professionals themselves became the vehicle for inaction. Racism was a good part of the theory, however, the issue proved even more complex, it was also a matter of power . . . the power of the professional to control his own setting. Teachers and supervisors had organized in the large cities and were reaping the benefits of a strong political force in the community. Union contracts set the framework of general school policy and personnel requirements and established a high percentage of mandatory costs in education budgets. Class size, student-teacher ratios, special personnel requirements and increased expenditures were viewed as synonymous with better education. Although the Coleman Report went a long way in undermining these, by now, accepted standards of educational quality, it did not demolish them sufficiently to prevent continued argument for their support. Organized professional groups continue to use these criteria for measuring an education system. Public review has, however, begun to look more closely at the educational output—the achievement of students. The professional's argument that the socio-economic background of the student will determine his success or failure in school was an attempt to avoid responsibility. As integrationists looked at the results they were forced to question the schools role in the process. Could one accept that lower class children were not educable, as the professionals seemed to suggest—or was it the responsibility of schools to educate children regardless of background? Should they not adjust their institutions, their policies and programs to the educational needs of the consumers or were they to remain middle class institutions serving only a middle class clientele? In most of the large cities the vast changes in the character of the school population demanded response. The first thrust was for integration—for ethical reasons, but as the court declared to achieve quality education. The reasoning suggested that in integrated schools overt discrimination against black, Puerto Ricans, Chicanos and other lower class groups could not be maintained. Lower expenditures in ghetto schools, assignment of

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new and inexperienced and often proven incompetent teachers to those schools would not be possible. More than ten years of proposals, including paired schools, open-enrollment, busing, intermediate schools, etc. fell by the wayside. All of the large cities showed increased residential segregation each year and increased school segregation as well. With few minor exceptions, in most large and middle-sized cities integration was a total failure. Resistance in the middle class white communities increased as successive proposals were announced, although they were never implemented.

Recognition of a constantly declining education quality and lack of success in achieving integration led to the emergence of the decentralization-community control concept as a new thrust for school reform. It was predicated on the realization that the political environment of school decision-making was the determinant of quality education. So long as the schools in the ghetto were controlled by those removed from the needs of the children (and often by those who viewed these children as uneducable) quality education would not or could not be achieved. It was a concept born in IS 201, in New York City, among a group of parent activists who had struggled long and hard for an integrated school. In the summer of 1966 having failed to achieve their goal they asked the N.Y.C. Board of Education to give them a direct voice in the operation of the school. They used the terminology community control for the first time. Many of these community activists and parents in Harlem were trained in CAP agency programs and they had advanced the concept of community participation to community control, recognizing the limitations of non-policy making participatory roles for community people. More middle class and professional reformers joined the issue espousing the need for decentralization of city school systems to make them more responsive to community interests. They were not abandoning integration, they merely established a prior claim for quality education and accepted the reality of a declining opportunity for integration as a means to the same end. What they did not fully perceive was that both efforts, integration and decentralization/community control attacked the same institutional core—a status oriented school system devised to protect middle class interests. Both reforms tampered with the distribution of power which concentrated control in the hands of school professionals who were threatened by any change in the structure. It was not an accident that the alignment of forces on both issues was the same. Those who opposed integration opposed decentralization, those who long supported integration were in the forefront of the movement for local neighborhood control of the schools.

From 1967 to date the urban school reform movement has been concentrated on greater community control of the schools. The extent of local power sought for neighborhood school boards varies according to the plan and approach. In fact, however, the rhetoric far exceeds the action and we have few models of community control. It is easy to espouse support for the concept of decentralization, as many do, while at the same time denying the concept of local control. In fact at least six large cities have in the last year adopted what they described as decentralization plans—they are arrangements for administrative decentralization but make no provision for increased local community roles. They do not seek to include any new public voice in the policy process to balance professional control of the system. They are best characterized as attempts to forestall real local control. In Los Angeles the school board and the professionals defeated state legislation for a study of effective decentralization of the Watts district, in the other cities mounting community interest and pressure was responded to with these plans which largely call for dividing the city into districts and assigning district superintendents to field positions. In some cities, in fact, even these field superintendents are maintained at headquarters and have little contact with the local community. In Philadelphia, Boston and Los Angeles the professional school organizations were instrumental in defeating efforts to move toward delegation of policy-making powers to the local communities.

Reform of school systems from the top, through its administrative structure, has been suggested by some reformers as a desirable alternative. This usually involves bringing in a superintendent committed to rehauling the system. Philadelphia was a good example of an all out central reform effort, it had the full support of Ford Foundation in extensive new funding. Two recent books on the Philadelphia system written by people involved in that struggle have labeled it a failure. In a decentralization study which was prepared in 1970 by a commission on which the various interests were represented, agreement could

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not be reached to delegate any power to local boards. The union and supervisory representatives dissented from even minimal proposals for decentralization of decision-making. Management and financial studies and plans adopted based on these studies which were to modernize school reporting and increase public accountability have also fallen far short of their goals. Experimental programs widely publicized have since been abandoned. These were programs imposed from the central office. Washington, D.C. is another city in which central reform and circulation of top leadership have been touted as the means for change. Some effort was made under a special projects division to establish some policy power in local boards in selected areas of the city. There seems to be little evidence that these minimal projects have changed the educational output in the schools.

If the evidence of the vital role of teacher and student attitudes as the major input to educational output is seriously regarded then minimal programs and/or central system adjustments can never work. Long range programs and more selective staff recruitment are essential. Changing attitudes can only come from a major shift in the political and social environment of the schools—genuine community control might achieve such results if it were given a chance.

In the last year, two large cities adopted city wide decentralization plans under state legislation. In both cases professionals successfully watered down the plans to minimize local board powers. In Detroit and N.Y.C. the decentralization called for election of local school boards which had the power to choose their own superintendents under traditionally prescribed standards for qualification. In both cities, the size of the districts, boundaries and election procedures assured continued control by the same forces in the system. The results of local board elections in both cities are reflective of this. (See Tables) Minority representation on local boards in both cities has been minimal—less than on most city wide boards. The very essential purpose of local election of local boards—increased representation of the local population was successfully thwarted. There are some who are now using these results to argue against the effectiveness of decentralization, ignoring that the content of the plans produced these results. Mere election of local boards is not a guarantee of a redistribution of power. Such local elections with the proper districting can easily maintain the existing power structure as it did in N.Y.C. and Detroit. It is not surprising that the teachers union in both cities argued strongly for large districts and complex election procedures. The union has been a consistent opponent of any transfer of power to the local communities in at least five of the large cities.

New York City is the prime example of how decentralization was implemented to prevent true local control. The New York plan passed by the state legislature two years ago was perhaps the worst design that could emerge from the political crucible of New York politics. It avoided transfer of substantial power to the local communities, and instead strengthened the central machinery of the city wide school system.

The New York law gave the semblance of decentralizing educational decision-making, but instead preserved, essentially, the status quo. Without substantial authority over personnel, budget and program, one cannot effect educational changes in a local district.

But if the law was a setback to those groups seeking a voice in making school policy, the elections themselves proved a real disaster. Instead, of providing an avenue for new participants, an alienated black and white poor, the New York school elections witnessed the emergence of a far more serious threat: parochial school interests. The candidates sponsored by the Roman Catholic Church had little interest in the public schools, and a great deal invested in the outcome of aid to their own school system. Sometimes that involved more anti-social issues such as school integration. One parish in Queens, for example, Our Lady of the Blessed Sacrament stated in its fliers that:

"The Community School Board elections are extremely important to all members of the community—whether your children attend public or parochial school—or whether you have any children at all . . . (because) . . . This Community School Board will 1. Administer all State and Federal aid to parochial school children . . . (and) . . . 2. Have authority to introduce or not introduce as it sees fit, the busing of public school children from one neighborhood to another for integration purposes . . . .

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What were the results of this election? The Intsitute for Community Studies conducted a one year study of the elections and the elections procedures. It found that the proportional representation system favored the most organized groups—The Church and teacher union slates—and had a "built in tendency to pit well-organized groups against those that are less organized". In short, the election procedures were directly aimed against those alienated groups school decentralization was meant to serve.

The board members elected from these elections was the opposite of that intended. The typical board member was a white male Catholic, professionally trained with two children and living in his district for about nine years with his children in parochial school. A far cry from the reform minded black parent with children in public school that should have been elected in a truly decentralized system.

The study showed that 63.8% of these board members are middle class professionals. Over 50% are Catholic and 36% Jewish. And, most importantly, 53.2% of these board members have children in parochial and not public schools. This in a school system that is 57.2% black and Puerto Rican, many of whom are children of a client poor.

The systematic exclusion of minority groups from these boards was ruthless. Of 279 members elected only 47 are black at 16.8% and 30 are Puerto Rican, or 10.8%. Of 12 districts with 85 percent of their pupils black or Puerto Rican, only six—six—have boards with a majority of black and Puerto Rican pupils. And it is on these 6 boards that 44 of 87 city wide minority members sit. Ten districts elected all-white boards in areas where the black and Puerto Rican school population ranged from 11 to 66 percent.

The Institute study concluded: "To achieve political effectiveness by activating large numbers of people, especially lower-class citizens necessitates a substantial command of time, manpower, publicity, organization, legitimacy, know-how and the ingredient that often determines the availability of the others, money".

And our preliminary studies on the issues that confront these school boards indicate that they are at best but minor housekeeping arrangements. No substantial educational issues concerning the welfare of a school population, one third of whom are more than one year behind in reading have been explored in any noteworthy fashion. One celebrated exception was the removal by a Catholic dominated local board in Queens of the widely praised autobiography of Puerto Rican slum life by Piri Thomas, *Down These Mean Streets*, from school libraries because of "obsence" words in the text. Such are the enlightened actions under these school boards hostile to reform, committed to parochial school interests, and wary of progressive learning.

The New York experience was duplicated also in Detroit, the other major city to institute school decentralization. Although Detroit created only 8 Regional Boards instead of New York's 31 only 30% are black in a city whose school population is 63% black. Moreover, 61.3% of the local board members are middle class professionals.

Has school decentralization then, been a total failure? Not exactly. Although in most instances there has been little real public policy-making we have some idea of what true decentralization can accomplish. The Institute has recently completed a three year study of three experimental districts created in 1967 in New York City which, unfortunately, have since been abolished.

The teacher strikes of 1968 and the surrounding national controversy over one district—Ocean Hill-Brownsville—is by now well known. What is not so well known is that these confused, experimental districts with an ambiguous educational mandate were the closest thing to local urban control and recorded substantial educational success despite the political fights with the teachers union that ensued.

For one thing, the three districts enlisted new participants, board members who were black or Puerto Rican, many poor, who were dedicated to school reform. The typical community school board member was a poor black, female with some poverty program experience with children in the public school. More than 25% of the normally apathetic community people voted in these elections compared to the average 10% voting in the city wide decentralization election of 1970. Most of these board members with children in the schools had felt that public schools had failed and that something had to be done to improve the schools. They were reform minded seeking viable and immediate change in the schools.

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These members affected personnel policy. They brought in more minority supervisors, the first black, Puerto Rican and Chinese principals; the first black community superintendents. They enlisted more energetic and dedicated teachers in the slums.

And they created a highly motivated educational climate. Their schools were no longer fortress schools, but open to all in the community. Our studies show in Ocean Hill-Brownsville for example that the alienation between parents and urban schools was being reduced. Thirty-six percent of those sampled belonged to a Parent Association and an overwhelming 86% of the parents visited a school. Four-fifths of the parents believed that they had more influence in the running of the schools and three-fifths felt their schools were better or the same. And although they felt they had some influence they wanted more.

There were more experimental programs adopted by these boards composed of the urban poor than the most affluent educational districts in the country. Ocean Hill had many programs, including a British Open Integrated Day, the teaching of reading first in Spanish, then in English, a Montessori school, a Bereiter-Englemann school and on and on. The sheer variety of programs attested to the educational principal that each child is different and learns at different paces and in different methods.

In IS 201 the study shows the pupils did better academically than the rest of the city in percentage terms; they improved at a time when the rest of the city pupils declined because of the long strike. In one school where a new experimental method was employed, the Caleb Gattegno method, the results were dramatic. The 1970 test score results produced at least a one year advance in reading scores. And the study links that academic success with feelings of efficacy and self-control that these Harlem pupils experienced in a true locally controlled urban school district.

It was too early to definitely appraise the long range educational effects of the program, most important, these besieged districts were under constant attack from professional school interests. Nevertheless, there is sufficient indication to grasp the educational promise of a truly decentralized school system.

Another phase of the movement for community schools has developed outside the public school system. It reflects acceptance of the inability to move the power structure in the urban public school systems. It looks to an alternative model. In Boston and Milwaukee federations of community schools have been developed. In both cities these schools are in ghetto communities servicing their needs, they are run by local parent boards. Although they are faced with constant financial crisis (currently they are supported by limited Foundation funding) they can avoid the hard core problems attached to trying to change an established system. They can develop their own personnel policies under broad state requirements and they have full control over their budgets, determining their own priorities in the allocation of resources. These are relatively new experiments and their impact on educational output cannot yet be judged. All that can be observed is the greater sensitivity and interest in achieving quality education, the willingness to experiment with new educational ideas and an openness with children, parents and residents which suggests a more positive attitude toward schooling.

Individual community schools outside the system have also cropped up around the country and follow a similar pattern to those in Boston and Milwaukee. A National Association of Community Schools was organized two years ago to bring together all those involved in the movement and to attempt to gain support for their position. The key issue is financial support and efforts to establish some continuous public funding of alternate school systems is their target. Unless they are successful these schools will move into oblivion as many exciting experiments have which preceded them.

Clearly all of the efforts at school reform over the last two decades have suffered from the same malaise—they sought fundamental institutional change in a system that has become so resistent to change that it sees every action as a threat to established power. The allignment of forces is so unbalanced that the reformers are hard pressed to move the system even in a minimal way. As dissatisfaction becomes more acute the tendency has been to bow out of the system rather than do battle with it. It is this latter movement that is the most disheartening of all, it suggests the very real possibility that the opposition may soon abandon the cause of reform. Hopefully this provides a better perspective on the battle to be waged in achieving reform.

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TABLE I.—COMPARATIVE PROFILE OF LOCAL SCHOOL BOARD MEMBERS (AVERAGES)

	Occupation						Education			
Area represented	Percent of board members in professional, technical, or managerial positions	Percent of board members employed as paraprofessional or by poverty agencies	Percent of members in the clergy	Percent of members who are housewives	Percent of members who are laborers or mechanics	Other	Percent high school or grade school	Percent B.A. or M.A.	Percent professional	Percent public school parents
New York City under decentralization (1970)	63.8	10.3	5.3	16.6	4.0	10.0	33	56	23	46.8
Detroit under decentralization	61.3	----------	3.2	12.9	22.6	----------	50	44.1	5.9	67.6
Demonstration districts, New York City	16	44	9	22	3.3	6	78	6	15	85

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TABLE II.—COMPARISON OF ETHNIC BACKGROUNDS OF LOCAL SCHOOL BOARD MEMBERS (AVERAGES)

Area represented	Percent pupil population nonwhite	Percent school board member nonwhite
New York City under decentralization (1970)	34	17
Detroit under decentralization	63	30
Demonstration districts, New York City (lay members)	56	61

Senator MONDALE. I am sure you are quite familiar with the enormity of the failure of our schools systems in our urban areas which both Dr. Foster and Dr. McAndrew recounted. I think in Oakland Dr. Foster said that a third of the young people in the 12th grade are reading at the eighth grade level or below. We have seen this same phenomenon all over the country, and I am sure it is true in New York. I thought the proposals or recommendations of both Dr. Foster and Dr. McAndrew were similar—the need for money. The core cities are in terrible shape financially. Both talked about community involvement and the need for that, and about different programs such as the bilingual program, preschool, different kinds of innovative experimental efforts. I think you could get the two of them to agree on what they thought the main elements would be.

Neither seemed to talk very much about integration, even though they are both for it, I gather. But I sense this when we talk to urban superintendents in large cities. Really, integration is kind of a fleeting notion compared to the reality of your day-to-day thinking.

But I gather that what you are saying is that there is a more fundamental approach which is real community control, and you have found the good faith efforts, the experimental efforts in New York, to have been very encouraging. Is that correct?

Dr. GITTELL. The demonstrations, yes.

Senator MONDALE. You found those encouraging?

NEED TO CHANGE POLITICAL ENVIRONMENT

Dr. GITTELL. Well, considering the limitations of time and political controversy—even with that—we feel there is some indication that this is the direction to move in. Let me say here, the kinds of statements that Dr. McAndrew and Dr. Foster have made I have been hearing for about 10 to 15 years around this country from every new superintendent who comes into office. Sometimes the names of the programs change, but some of them are still the same, interestingly enough. I am caught between the two of them here, but it is my view—and maybe it is because I am a political scientist and not an educator—that what is fundamentally wrong with these school systems has to do with the whole political and social environment, that this is a kind of institutional development that has taken place that has got to be dealt with; that when Dr. Foster talks about retraining teachers or recruiting types of administrators who will have the kind of attitude he wants them to have, my point is you cannot do that unless you change the political environment of the system. Unless you change the political environment you are not

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going to recruit those kind of people and you are not going to change the reward structure.

One of the classic examples which is in my statement which I allude to was Philadelphia. Four or five years ago Philadelphia was going to be the school system that was going to establish for all of us the great reform technique, and that was by bringing in a new school board that was reform oriented, a superintendent who was committed to rehauling the system. There have been two books published in the last 2 years by people who were involved in that so-called reform who have said it was a complete and utter failure.

The kinds of programs that have been announced here by both these superintendents were the same programs that were instituted in Philadelphia. Many of those have gone by the wayside. At least half of them have been abandoned since. I think that clearly indicates, at least for me, that a circulation of leadership at the top is not the answer.

I do not think that schools as political subsystems, by the way, are any different than any other institutions in our society, and the same thing is true there. We have had a period of 50 years of the kind of political development that works against public participation, works against being responsive to your clientele, and insulates itself from public responsibility. I think that is what you have to be dealing with and that these kinds of minimal programs are not going to make a fundamental difference in the educational output or the achievement of students in large numbers.

What I see in community control is a change in the political environment. It is a shift of power, a very fundamental shift in power, delegating to the local neighborhood the power to make these decisions. That means parents of school children and in some cases the students themselves.

Senator MONDALE. That certainly raised another issue. Dr. Foster not only laid out the Foster plan today but, as I recall, you are experienced in the Philadelphia system as well; I would be interested in your response.

DECENTRALIZATION AND COMMUNITY CONTROL

Dr. FOSTER. I have heard the rhetoric from the political scientists, who could not last a day in an urban high school, for the last 10 or 15 years, and partly it is good faith criticism.

I do not agree with the definition of decentralization. I do not confuse the term decentralization and community control. I do not use them interchangeably. Decentralization is an administrative device. Community control is a political device that speaks of the different power relationships. I do not speak entirely of community control. What we talk about is sharing power in decisionmaking, a comparative relationship. We try to work with that.

I do not believe for 1 moment that you would achieve anything but chaos if you turned over things and said, "Now you have all the power." I think we would be right back where we are now, seeing the distrust and the dispair of those who are powerless in

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the institutions. So giving all the power to one group—I think this is a way of turning an immoral kind of organization upsidedown and just having a different group on top.

I think what one needs to work for is a kind of comparative relationship which is based on mutual respect and drawing on experience of the people involved.

I can cite examples, of course, especially my own experience, where individuals who have possessed some of those qualities and abilities and insights that I mentioned can turn a system around. In the books that you spoke of coming out of Philadelphia, one mentioned Gratz High School as a school that was swimming upstream and doing things for the entire system. The city thought so well of what was happening that they got a $15,000 award for doing that for the children.

Senator MONDALE. That was your school?

CHANGING POWER RELATIONSHIPS

Dr. FOSTER. Right. And I did not give the community the school and say "You all run it." Nor did I turn it over to the children and say "You all run it." But I said we could work together and operate the school and make real decisions that affect our lives here. The evidence is there and speaks for itself. I think that the Gratz High School model—and I have a book of my own coming out in October where we chronicle some of these things—I think that model can be proliferated at the district-wide level so that you get a change.

It is not going to be easy to—I allude to that in my prepared statement—to change power relationships. That is always difficult because people feel threatened. But it happened in this school and we did not fire everybody. We facilitated some transfers, but by and large, we worked with the people who were there and we were able to retrain, retool, refocus, and resurrect an enthusiasm that was dead. Out of that experience came three people who are high school principals today and another fellow who is finishing up his doctorate at Penn State, and I am saying, not only on the basis of an ivory tower look at school systems but from a practitioner's point of view, that the lives of children can be affected so that they are better in every aspect of life—socially, morally, intellectually. I believe that sincerely and my acceptance of the Oakland responsibility was that I believe you can take that kind of model where you work through people and change this responsibility and you can see a payoff.

It gets more difficult the larger your system becomes. That is this decentralization thing that speaks of administrative units. The whole time that we put this in place in Oakland we never discussed this as anything other than an administrative device for getting services to people, being more responsive to needs, being able to be held more accountable where there were shortcomings, because we were up closer to people we served.

Senator MONDALE. Dr. McAndrew, would you like to respond?

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VOUCHER SYSTEM

Dr. McAndrew. I am not sure whether or not I agree with Dr. Gittell, but I think there was one part of her presentation which I think bears very close examination, the whole question of creating alternatives. That is one of the reasons that we in Gary undertook a feasibility study under OEO's voucher plan because it represented a possibility of some alternatives; not that we were talking about supplanting the public school system with another kind of establishment—be that community control or whatever else you want to call it—but that, in fact, the question was could you create within a community a kind of a pluralistic system within public education which would allow for many different alternatives and many different approaches.

Now, the fact is, we are not pursuing the voucher system, but it has nothing to do with the validity of the idea.

Senator Mondale. How long did you do the voucher study?

Dr. McAndrew. Three month feasibility study under OEO.

Senator Mondale. And you decided not to go ahead?

Dr. McAndrew. Yes.

Senator Mondale. Why?

Dr. McAndrew. I think there were a couple of reasons. One is that the community was really not negative, but it was not much of anything. It did not show any great kind of response to want to do this. I think that was one thing.

Second, and related to that in terms of certain other kinds of local factors, the whole business of manning up to do it became incredibly difficult, the whole church-state issue, and many other questions.

I think there was a third factor which is that I really do not think that the whole explanation of and interpretations of the voucher concept is clear enough in the minds of the Federal authorities and has not therefore been transmitted in clear enough terms to, if you will, practitioners to take it out of the kind of theoretical stage into actual practice.

I think it was a combination of those factors which indicated to me that, at least at this point, we should not pursue it. I think I would conclude by saying that I think perhaps it was a very good idea at the wrong time for us.

Senator Mondale. Dr. Gittell, how about the voucher system? Do you see hope in that as a way of——

Dr. Gittell (interrupting). No, I do not.

Senator Mondale (continuing). having a different kind of community control, the consumer power?

VOUCHERS AND COMMUNITY CONTROL

Dr. Gittell. Well, first, no, for several reasons. One is that the way the experiment is outlined it is to get, again, another limited number of cities over a long period of time to wait and see what happens. I think we are too pressed and too much in need to do that.

Second, from the knowledge I have of the agreement required by the group that is handling the voucher, that is the agreement

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on the part of the various educational interests within the city, precludes the possibility of a real alternative. For example, in Milwaukee where you had this nine-school federation of community schools already on-going, desparately in need of money, presently being supported by the Catholic Church in that city on a transition basis, the Milwaukee Public School Board refused to adopt the voucher because obviously there was a threat of an alternative, which did not have to be primed and was readily available, that could be very competitive to the existing public school establishment. So that in those cities where there was the opportunity to really see whether or not that competition worked, the people who were administering the voucher system set up a procedure which would not allow it to happen. So I do not think that anybody who gets the voucher is going to get any real alternatives.

By the way, this Milwaukee federation does have a bill in the Wisconsin Legislature now for supplying funds to community schools established by parents below a certain income level, where a certain percent of the school population is below a certain income level. This is in contrast to the voucher plan where the money is not paid directly to the parent but would, in fact, be saying that if you go ahead and establish the school then we will supply you with the funds if you meet the criteria of income, which is closer to the system in Denmark, by the way, where if parents create a school of their own 80 percent of the costs are paid by the State and then the parents pay only 20 percent, but the requirement is to get the school started in the first place.

BALANCE BETWEEN PROFESSIONAL AND PUBLIC INTERESTS

If I may, I just want to answer Dr. Foster a little and say that I never suggested—and this is one of the distortions of community control concept on the part of the critics I think—it never implies that you get rid of professionals. It implies, rather, a balancing, just as you suggest yourself, of professional and public interests. Also, it just reestablishes the responsibility of the professional to the public. So that that balancing is translated into some policy power in the local board or various school committees of different kinds.

Also, you are suggesting that you were able—and I do agree with you that Gratz was the experiment in Philadelphia which seemed to be working because there was that balancing of interests—but I do not think you could suggest that there was transfer to the city as a whole and the system as a whole.

Senator MONDALE. Do you want to respond to that?

Dr. FOSTER. I would certainly agree with what you just said. It is a matter of semantics and the definition of the terms that we are talking about. If we are talking about shared power, then we are certainly on the same wave length and I mentioned in my prepared remarks that I did not see innovation that is done in a haphazard way as a solution for problems of urban education and some of that got out in the way of progress in Philadelphia. We did not have the machinery, the mechanism, to tease out from these innovative programs the things that seemed to be working and then have the mechanisms to spread it through the system, so you had

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a number of isolated things that affected a few children but never got quite through to have a kind of generalized effect.

Senator MONDALE. Dr. Gittell, did I gather correctly, you may believe in integration, the socioeconomic mix—but you do not see this as a very live policy prospect?

Dr. GITTELL. I just look at the statistics.

Senator MONDALE. That is right. We are being practical.

Dr. GITTELL. I happen to be a social scientist.

Senator MONDALE. Then you say there have been some very encouraging community control efforts, the three districts in New York and so on, but is there not also a comparable trend in this country to cut them off at the pass?

Dr. GITTELL. Yes, absolutely.

PER PUPIL EXPENDITURES

Senator MONDALE. So there is a token community control which does not appear to be gaining the same kind of beneficial response, based on your testimony, as the good faith efforts do. I think you told me some time back that you did not need money. You said the New York City amount per pupil had gone—what were those figures you used?

Dr. GITTELL. In New York, in 1969, it was about $1,350 per pupil expenditure; it was a little more in the MES schools, about 200 or 300 more per pupil.

Senator MONDALE. So maybe $1,500 per capita. I never understood why they used the word MES—I thought they could use something better than that. But anyway, how have those per pupil expenditures risen?

Dr. GITTELL. It is largely teacher salaries.

Senator MONDALE. But there has been a dramatic per pupil expenditure rise in New York City in the last 10 years or so.

Dr. GITTELL. I think the last—10 years ago, in 1960, the figure was about half of the expenditure ($638) of that in 1969.

Senator MONDALE. Could you give us those figures for the record?

Dr. GITTELL. Yes.

(The figures referred to follow:)

Per pupil expenditure for New York City school system 1960–71

Year [1]:	*Average expenditure per pupil*
1960–61	$638.61
1961–62	694.17
1962–63	853.50
1963–64	812.47
1964–65	879.23
1965–66	940.28
1966–67	1,083.88
1967–68	1,192.26
1968–69	1,353.80
1969–70	809.25
1970–71	861.00

[1] Expenditures for years 1960–69 were based on average daily attendance and included items such as health and welfare benefits, pupil transportation, etc.

Expenditures for years 1969–71 represent direct instructional budgeted per pupil costs. They include annual salaries of personnel as well as school supplies and equipment. Per pupil costs are based on register data.

Source: New York City Board of Education.

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Senator MONDALE. So maybe there has been a 60-percent increase in the per pupil expenditures?

Dr. GITTELL. Right.

Senator MONDALE. Somewhere in that neighborhood, which would be greater than inflation?

Dr. GITTELL. Absolutely. It reflects the power of the union to get increases for teachers' salaries obviously.

Senator MONDALE. Well, is that entirely bad?

Dr. GITTELL. No. It is not entirely bad, but if you are talking about responsibility, then you would assume that that increase in teaching salaries would produce better educational results; but the results are declining rather than increasing. I do not mind increasing teachers' salaries if the results are commensurate with the increases.

Senator MONDALE. So integration may be a good idea; community control may be a good idea, but it is being headed off; money does not help. What do you suggest? A long visit to the bar?

Dr. GITTELL. I suggest I catch my plane.

Senator MONDALE. But this is the problem we have. I think everyone agrees that the prospects for a poor child in the American central school system are not very bright, and if he happens to have a different color and a different language to boot, the odds are far better at Las Vegas than they are in most school systems.

We have testimony, for example, that of 250,000 Puerto Ricans in the New York City school system, only 200 last year received an academic degree. In Boston, out of 7,000 Puerto Ricans in the school system, only seven graduated from high school last year and four of them from private schools; plus the kind of data which Dr. Foster and Dr. McAndrew submits.

This is a horrible, tragic, terribly depressing, un-American situation, where certain children—thousands of them—if we are going to be frank about it—are just not given any equal opportunity in any meaningful sense. I guess all I can do is join in the frustration, but I wish we could develop a strategy that had some hope and some possibilities.

ROLE OF MONEY

Dr. MCANDREW. Senator Mondale, I would like to respond to that whole money problem. I quite agree that we have not been able to relate pupil performance against salaries and the traditional inputs. On the other hand, I think there is both a negative and a positive side of that. If we were to say, well, money does not do any good, I think that is not what we are saying.

Senator MONDALE. You said you wanted the money. I understood that.

Dr. MCANDREW. That is right.

Senator MONDALE. I did not take Dr. Gittell's testimony as a moving appeal for more money though.

Dr. MCANDREW. I think that as educators we have tended to say money is the answer, and obviously it is not the answer; but it is certainly an ingredient in this. That is why I would plead that any kind of increased aid ought to come under what the presidential commission report to President Nixon talked about as desig-

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nated block grants. The reason they did this is because general aid tends to get caught up in the general inflationary spiral and teacher demands and you lose it.

Title I, with all the flack about it, and certain other kinds of preschool programs, have at least in our situation shown results. But the reason I think they have shown results is that they are designated. They are categorical in a sense so we cannot yield to that temptation of bargaining them away at the negotiation table with a new teachers' contract. They are specified.

If the evidence is correct in our situation, it is having an impact. Now, I do not know about other cities and I do not know about other communities and I am not saying we have found the panacea, but the direction is certainly positive.

Dr. FOSTER. I would agree with what has been said here, but I would add that there ought to be this accountability of performance attached to it and that where you begin to get payoff that we invest more in it to see if we can actually identify what is making a difference. We give out the money and in some places where we begin to see a little progress the funds run out, and I can demonstrate with hard data that something is beginning to happen here. Maybe it is the combination of community control or what I call the community involvement in decisionmaking. Maybe that is an element. Maybe another element is the empowering of students so that they have a part to play in what happens to their daily lives. Part of it may be the kind of curriculum that utilizes the world outside as part of its on-going program. But we do not stay with that long enough to see what really make a difference. When the funds run out you lose personnel, and that is the frustration I am feeling.

A recent study in California indicates there was no relationship between the amount of money spent and the achievement of children, but I think that if you use that argument then we are in trouble, because if money is spent wisely and people have accountability to achieve specific objectives that they develop, then I think you begin to see differences.

Senator MONDALE. Speaking of Title I, there was a story in the Washington Post this morning. Did you read about it? I do not know who did it. Title I is being used to buy television sets, record players. One elementary school had 12 teachers and through Title I they had bought 10 television sets, 10 filmstrips, four calculators, three overhead projectors, and so forth, and there was no evidence that they were needed; it was not even clear that they were being used.

I am not asking you to answer that, and I am a strong supporter of expanding Title I. As a matter of fact, I am a strong supporter for just about anything that would help. I would like to see an overrun at the first grade level like we have had in the C–5 airplane, then maybe we would learn something.

TITLE I PROGRAMS

Dr. MCANDREW. Taking up on Dr. Foster's remark, Senator, I appreciate the difficulty the Federal and even the State authorities of monitoring and evaluating Title I programs and other Federal

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programs. They do not have the funds to adequately monitor how these funds are being used I am sure. I think that is one consideration.

There is another consideration and that is this whole business of the incentive kind of thing. If, in fact, a district under Title I or other title programs—for instance, under our Title VII, if we could demonstrate by whatever criteria could be established that it was making a difference for kids, if there were incentives built in that those districts that showed they could do the job with the money they were given would be first in line for additional support, maybe that is what needs to be done. Because as it stands now, we submit a Title I State plan that is kind of pro forma. Nobody really takes a look at whether that money is going for television sets or whether it is going into something that is helping children.

Senator MONDALE. I think it fair to say that the equipment salesman were the first to see the potential of Title I, long before the school systems. They were really in there right on time.

My impression has been that there have been examples in urban school systems where remarkable results seem to be achieved in disadvantaged school districts, but I think you usually find a remarkable individual there. We had Ken Haskins at the Morgan School in Washington. That was a community control situation. But also, there is no denying the fact that Ken Haskins is a remarkable person who just generated enthusiasm and a sense of involvement, and the kids felt important and I understand that the objective measurements showed those kids were really responding. But they seem to be heroic examples rather than the standard.

I think both of you are extraordinary, unique educators in the American educational system and the incentives do bother me. I am not just talking about the school system. I mean here in the Senate we deal with all these agencies, the Defense Department—they are underachieving in Vietnam right now—but how do you get some relationship between product and achievement and advancement in the incentives that are there? It does concern me a great deal.

Don Harris said I let you off too easily, Dr. Gittell. I am going to ask you again. What would you do? What is the Gittell plan?

Dr. GITTELL. I think the political circumstances are such that it is quite disillusioning because the balance of power is in favor of the system or the traditional kind of professional who wants to keep the system status quo and is really not terribly concerned about the lack of performance. The imbalance is so great that it seems to me the only answer is some way to encourage a more balanced picture in terms of the distribution of power and to take, if I may say so, the power away from and change the reward structure under that old system.

Now, I was foolish enough to think it could be done by reform within the city with the support of the mayor, at least initially, in New York, and I was wrong. Now, it may be that in the political terms what this requires is some outside political body, in some

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cases it might be the State legislature—although the professionals have been very influential in most State legislatures as I have suggested. It might be that some of that incentive money that Dr. McAndrew is talking about could be used to balance off the professional interests with community participation.

IMPORTANCE OF STUDENT, TEACHER ATTITUDES

I am convinced from the educational research that I have seen that the only thing that makes any sense is that the attitude of the teacher and the student is what produces results, that it is that environment. Then, I am also convinced that you can only get that kind of environment, those kinds of teachers, and that kind of attitude, in a situation which involves the various clientele, participants and professionals together, in some kind of partnership.

So I am still hopeful that we can break down these large city school systems into much smaller districts functioning closer to the clients they are serving and involving them in what is going on.

While I have great admiration for Ken and I agree with you that it was Ken's personal dynamism at Adams-Morgan, it was also the fact that it involved parents and made kids feel good about themselves, just as people tried to do and did accomplish to some extent in Brownsville and 201.

How to get there in our system with the alignment of political force presently is the problem. We have very little evidence about successful models in that line. What I see is the alternative of that school federations which are competitive with the public school systems perhaps getting State support. There are a group of lawyers around the country now trying to work out a way in which to get per capita State aid for those schools, given certain restrictions in terms of the composition of the school population and income level.

ALTERNATIVE PUBLIC SCHOOL SYSTEM

Senator MONDALE. Which would be essentially a private school.

Dr. GITTELL. It would be a private school, but hopefully they could be called an alternate public school system. The White House Conference on Education, on which I served, came out with a similar proposal for Federal aid to support innovative experiments of this kind, again with the idea that somehow this would assure getting communities off the ground in establishing these schools and recruiting professionals who could work in this kind of system. Because I think it is not an accident that Ken Haskins was recruited to Adams-Morgan or that Dr. Foster was recruited to Oakland because of his experiments in Gratz. I do not think there are just a few good people floating around and they drop somewhere. It is what you are providing that will recruit good people, or the kind of people who can work in that kind of system.

I think somehow, whatever funds are provided, State or Federal, should be leaning heavily in that direction of trying to get more of this kind of activity going and not be so program oriented or school environment oriented or, if I may say so, so politically oriented.

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PERFORMANCE CONTRACTING

Senator MONDALE. Dr. McAndrew, you have this project going with Behavioral Research Laboratories and you say that the results have been encouraging. Why was it necessary to get outsiders for that project? Does that not say something about the system itself?

Dr. MCANDREW. Yes, it does. In order to get, if you will, the accountability in terms of the dollar, it was necessary to have an outside force to bring that off. We had talked with our local teachers union about setting up a contract with them to do the same kind of performance contract but we did not get very far.

Senator MONDALE. They did not want it?

Dr. MCANDREW. They did not have any interest in doing this. Other than that, and other than certain kinds of expertise they have brought in under the contract, there would be no reason why we could not do that internally and, in fact, if this system that is being developed proves to be viable and effective in terms of the performance of the kids, I am confident that we can replicate that internally.

Now, there will be certain problems of doing that certainly, because there are some forces in opposition to it; but the system, if it is going to be viable, has to be one that can be duplicated. That is what I am saying.

Dr. GITTELL. I would just like to ask a question, since the BRL programed learning was one of the innovations in Ocean Hill-Brownsville before it was adopted in six other districts in New York City about 6 months later. Our study shows that the results of the BRL experiment in Brownsville were not very positive, and I was just wondering how BRL—I mean, what do you look into in terms of accomplishment on programed learning experiments? Are you gambling or did you look at some of the cities that BRL was in and what the results are? And, of course, we have the Texarkana experience in programed learning doing his own tests and so on. That is why I asked whether the tests were the same ones you gave before or is your independent evaluator devising his own tests?

I am kind of interested in the BRL experience because I did not see any positive results anywhere they were, yet they are all over the country now suddenly.

PARAPROFESSIONALS

Dr. MCANDREW. The only thing I can say here is that there is more to that program than the BRL materials. In fact, probably the most signficant alteration in the organization of schools is the staffing pattern. That is why I made mention of the fact that my own feeling is that the adult/pupil ratio is more critical than the teacher/pupil ratio. We somehow thought it to be sacred that there needs to be one teacher per 30 pupils, and there is nothing really magical about that. That is why I mentioned also that one of the most promising programs is the parent opportunity program allowing the parents in the community to become aides, but also providing at the same time a career ladder so they can become qualified to teach in those schools in the communities in which they live.

In terms of the development of our staff, that is the single most significant thing going on in the community. When you have 200

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parents who live within the inner-city enrolled at Purdue University at the same time they are working in classrooms, the potential for that is enormous. That is a program that has not received a lot of acclaim nationally, but one that certainly the U.S. Office of Education and people who designed it ought to be given a lot of credit for. At least in terms of our experience in Gary, it is an extremely positive and significant kind of enterprise.

Senator MONDALE. But would you not say the use of paraprofessionals—that is, the local talent—outside of licensure, has been a movement that has come about largely because of the community action programs, the Headstart programs and so on?

Dr. MCANDREW. Yes.

Senator MONDALE. In Rough Rock, Ariz., one of the exciting Indian educational programs is truly significant. That is one of the keys to their success, wide use of parents, and I gather you are doing a lot of that in Oakland, too.

Dr. FOSTER. Yes.

MATERIALS

Dr. GITTELL. How are you going to draw the line on whether or not it was the use of paraprofessionals in that program or the BRL materials?

Dr. MCANDREW. You do not.

Dr. GITTELL. I think that is terribly important.

Dr. MCANDREW. What you do is you take a look at a program such as that and if indeed it proves to be productive, I think all you can do, other than a $500,000 research grant to a university which is not our present interest, would be to say what are the elements that are different in that school. Now, there are four or five different elements. Now, which one of those elements did it? As I indicated in my prepared statement, I do not think we are in a position to say.

Certainly it is no single one. But if you can then devise a system for the education of young people which has all these components and if it appears to work, then the proof of the pie is will it work if you put it in school, one, two, and three.

Dr. GITTELL. Yes, because you see, we have had that experience all over the country. What comes to me immediately is higher horizons in New York City 10 years ago, which was the big success plan, and they replicated it in all of the schools in the city and then it dropped dead. The reason was it was not really replicated in terms of the kinds of people who were used and the numbers of people who were used. It was not the materials that made a difference in that program as it turned out. Yet it was replicated as if that was the thing that did it.

What I am concerned about is not Gary, because you will be getting the benefits for whatever the reason, but if that is replicated or people attempt to replicate it in other cities, what they might use are the materials and not the paraprofessional and what-have-you.

Dr. MCANDREW. That is right.

Dr. GITTELL. That is why I think it is important to distinguish this in the evaluation, what is the input that is most important.

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Dr. McAndrew. What you distinguish is not one casual factor but half a dozen. If somebody says, "I just want to use the materials," and they try it out and it does not work, I would not be surprised.

CENTRAL CITY SCHOOL SYSTEMS

Senator Mondale. These same city school systems that now have these tragic problems were 40 years ago the best school systems in the county—I remember all the teachers wanted to go to the central city systems. That is where the better pay was. That is where everybody was at a grade level higher and most of these central cities boasted high schools that had student bodies which were sought after by every top college in the country. The central citites were the marvel of the Nation's educational system.

But then the central cities became a dumping grounds for the poorest, the white middle class parents ran to the suburbs, our public housing program stacked poor upon poor and the tax base was eroded for many different reasons.

Now the central cities—any person who is foolish enough to take over a central city school system has to be one of the most either courageous or foolish men in America because there is a great fraternity of fired superintendents in this country who have tried and just been laid off, particularly if they tried to integrate. The list is long and noble.

It seems to me the same incentives were at work 40 years ago when it was working, working by the test score standards.

Dr. Gittell. It was never working for the poor. The difference was that there was a possibility for recruiting dropouts into the labor force because there was an unskilled labor force. Now, the size of the unskilled labor force has narrowed considerably because of automation first of all, and, second, discrimination. So that while the immigrant poor was never educated in the city school systems—by the way, in several recent studies have proven this—it just never was an issue before so no one ever looked at it—but recent studies of large city school systems show they never did educate the poor. In fact, they did something which was perhaps more subtle. maybe overt. In New York City, for instance, the statistics show in 1910 that they had enough high school space for one-third of the students who were in elementary school. They never intended them to go any further. So there was as much a push out then, but at least you could get a job. Now the issue is heightened by the fact of the economy and the increase in credential requirements that we have made for certain kinds of jobs where you did not have to have a high school degree or diploma or what-have-you before.

So I really do not think the conclusion is justified. Also, of course, you have already said in terms of socioeconomic background, middle class children for whom the city school systems was developed and primed probably would end up with those reading skills if they never entered a school. I am very much convinced of that.

Dr. McAndrew. Also, Senator Mondale, at the risk of sounding Pollyanna, one could argue that the fact that we are so deeply aware

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of the plight of the cities in 1970's is a step forward because, as Dr. Gittel has indicated, the poor were always there but they were at that point the forgotten poor.

I am strongly of the opinion that if nothing else, the civil rights revolt, while it may not have solved the problem of integration, has certainly focused on specifically the educational problems of poor children, be they black, white, or brown. At least we are now aware of the fact that we have always had this problem and can then set about addressing ourselves to it.

Then, Federal programs, while they have been heavily criticized in terms of their results, are some kind of testimony and commitment to the fact that we recognize that there is a problem there and that we are paying at least some attention to it.

VALUE OF INTEGRATION

Dr. FOSTER. I think we all made strong statements saying that the factor that brought about increased achievement on the part of lower class children was probably more social-economic than could be ascribed to race, I think it has to be said that in our culture in the pluralistic society, integration has to be a continuing goal, and now I am looking not only at the academic achievement—and I have said this before about the social-economic part—but moreover, the goals and aims of a pluralistic society just demand that we learn to live together. I do not know anyone who expects to live in an all-black society or an all-white society, for that matter. I think about some of the fellows who have gone through elementary schools that are lily white, and secondary schools, and then to lily white college, and then been assigned superintendent of Oakland Unified School District with its racial composition. He would not know where to begin to understand the problems confronting the poor and those that are racially and ethnically different.

I think that I would make my case on the fact that it is antithetical to the goals of our society to rear children in racial isolation and we have an obligation to see that they have that opportunity to know and work with others who are different, whether it makes any difference in academic achievement or not.

Senator MONDALE. And you think it will make some difference there, too?

Dr. FOSTER. I think the thing you see happening, because of our class structure, you are really getting the social-economic factor when you get into the racial, and then you are getting people who did not care about those poor schools but when their children get into them—these are the ones with political clout and they are not going to have the slipshod workmanship or the $500 per capita schools where their children go. So you are beginning to get people who have gone to the more benign environment and have been content to let the inner-city schools deteriorate, but if you begin to bring the children back in you are going to get the interest of some of the parents who have the sophistication of working with the establishment and forcing change in a way that is lacking.

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So I would make a strong case for the integration approach at several levels, but most probably on the case that it is just right and just and moral to do in a country such as ours.

Senator MONDALE. Very good. Would you provide the figures for the record, Dr. McAndrew, when you receive them on the BRL? We would like to have them.

Dr. MCANDREW. I certainly will.

Senator MONDALE. And any of those figures, if you have got them, on the achievements of the children after they have had bilingual assistance?

Dr. MCANDREW. Yes. We will have both of those within 30 days and we will be happy to provide them to you.

Senator MONDALE. Thank you very, very much.

The committee is in recess, to reconvene at 10 a.m., on Thursday, in room G–308, of the New Senate Office Building.

(Whereupon, at 5:10 p.m., the Select Committee was recessed, to reconvene at 10 a.m., on July 15, 1971, in room G–308, of the New Senate Office Building.)

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QUALITY IN URBAN EDUCATION

THURSDAY, JULY 15, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY
Washington, D.C.

The Select Committee met, pursuant to call, at 10 a.m. in room G-308, New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senators Mondale and Javits.

Also present: William C. Smith, staff director and general counsel; Donald Harris, staff member; Francis A. Hennigan, Jr., minority staff director.

Senator MONDALE. The hearing will come to order.

I will ask today's witnesses, Dr. Robert Wheeler, Dr. Ruth Love Holloway, and Mr. Isaiah E. Robinson to please come to the witness table.

STATEMENT OF ROBERT F. WHEELER, AREA SUPERINTENDENT, DIVISION OF URBAN EDUCATION, THE SCHOOL DISTRICT OF KANSAS CITY, MO.

Senator MONDALE. I have your statements and I will ask Dr. Wheeler—he is not here yet?

Dr. WHEELER. Yes, sir; I am here.

Senator MONDALE. We will ask Dr. Wheeler if he will begin with his statement.

You have a copy of a research report we will insert in the record.*

Dr. WHEELER. Senator Mondale, in 1966, in grades one, two, and three, about 3,000 pupils enrolled in schools located in the poverty stricken areas of Kansas City, Mo., were given a well-known reading readiness test. Slightly more than 80 percent of these pupils scored below the average level set by the test publishers.

In 1968, a reading program was designed and implemented for the children in these grades, which was intended to meet their specialized needs in this most crucial area of educational skills.

ACHIEVEMENT OF READING PROGRAM

By 1970 test scores of about 3,000 pupils attending these same grades in these same schools, and coming from the same background of economic and social depression earned achievement scores in reading which placed them at the national norms published for this test.

*See Appendix 1, p. 5756.

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Moreover, the second grade group, those pupils who had participated in the program for 2 years, placed slightly above the published norms and the norm for the total second grade population in the Kansas City, Mo., schools.

Senator MONDALE. This is the really poverty stricken area of the city?

Dr. WHEELER. That is right.

Senator MONDALE. What you are saying is that not only did they come up to national norms, but in fact they placed slightly above the Kansas City norm?

Dr. WHEELER. That is right.

The analysis of the achievement score data revealed the following major findings:

1. Reading achievement scores increased significantly for each class entering the program by grade one.

2. Mean achievement scores in both vocabulary and reading comprehension were at grade level for published national norms.

3. The average growth in grade equivalent scores for the second graders exceeded 1 year in both vocabulary and comprehension.

In addition to these findings, there were other important developments. Systematically gathered data revealed a substantial upturn in the teachers' achievement expectations for the pupils, as well as strong indications of other positive attitudinal changes.

To put this another way, the syndromes of despair and futility, usually characteristics of those of us who struggle with the educational problems of the poverty stricken areas in all the major cities of this country, were considerably lessened for us.

Now we in Kansas City feel that if the momentum already generated can be sustained, we shall make even greater and more significant inroads into the formidable educational problems which deny equal educational opportunity to a sizeable segment of the population of the United States.

There are several important lessons to be learned from the Kansas City experience. First, a functional administrative division was organized and charged with the responsibility of improving the educational plight of inner-city children in Kansas City.

Senator MONDALE. Is that the office you have?

Dr. WHEELER. Yes, that is the Division of Urban Education.

Senator MONDALE. All right.

Dr. WHEELER. Second, a clearcut goal, the improvement of achievement in reading, was set and the program organized to reach this goal.

Third, while the finances provided by Federal aid were significant, they fell far short, and still do, of meeting the comprehensive needs of pupils who must grow and develop in poverty, subject to the debilitating societal forces which impede their educational careers. Consequently, priorities had to be set, the program organized so as to supply enough intensity to develop a chance for success. In Kansas City the first priority was the development of reading skills. The rationale here is that reading is central and crucial to all educational progress.

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ALTERNATIVE STRATEGIES

Senator MONDALE. If you will stop there, what other priorities were urged upon you which you rejected?

What other alternative strategies were suggested?

Dr. WHEELER. Well, all kinds of alternatives which were related to the needs of these students.

First of all, inner-city children can suffer from the same kinds of needs that any other child suffers from, and it so happens that they suffer to a more severe degree.

Remember this: If you have a limited resources, it doesn't make sense to start out in all directions simultaneously.

Senator MONDALE. Did some people argue, for example, let's emphasize math?

Dr. WHEELER. Yes.

Of course, in the school districts there are all kinds of vested interests and everyone wanted to use it to his own choice. So we had things from people wanting to build buildingss, to buying shoes. But we saw inevitably that we were going to be called upon to demonstrate how the learning of these children had been increased.

Well, the rationale here is that reading is central and crucial to all educational progress.

Fourth, the results of the Kansas City program substantiate the position of the Division of Urban Education of the Kansas City Schools; that inner-city children can learn as effectively as more fortunate children if they are taught properly.

In other words, we believe that an instructional program geared to the specialized needs of these children, sensitively administered, resourcefully implemented and responsively delivered can produce the desired results. We reject the position held by some that there is a genetic inferiority which contributes to the failure of these children to learn.

We also reject the theory that the negative forces rampant in the environments of these children produce permanent and irreversible learning impairment. As potent as these forces are, they can be overcome with an instructional program adequately supported and intelligently delivered.

Further, and very importantly, it can be done through the public school systems, despite the myriad of problems which they now confront, and contrary to the hypercriticism from which they suffer.

TEACHER AIDES

The Kansas City program is multifaceted. However, there are at least three features which seem to us to be essential. Effective and ample instructional force must be created. This was accomplished by the use of lay aides to the teacher.

Senator MONDALE. What is the adult-student ratio in your schools?

Dr. WHEELER. Well, we in the inner city, the average pupil-teacher ratio is about 30.1. And in the elementary grades, we have one per teacher, and beyond the third grade, we have one teacher aide for two teachers.

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So this is not an extravagant thing. I might comment also that we don't, we are not avid subscribers to the fact that the smaller the classes, the better the quality of instruction.

We just have not agreed that the quality of instruction is improved, that that is a crucial factor in improving instruction. I think that there are some other things that are crucial.

Although many Federal guidelines and much Federal legislation encourage the training of teacher aides by colleges and universities, we have retained the responsibility for the training programs. This decision arose from the logic that relevance would be most easily preserved if the educational institution responsible for the delivery of the educational program also assumed responsibility for the training of its personnel.

Implicit in this decision, of course, was a rejection of the idea that the seats of all educational wisdom are located at the higher education levels.

I suppose that there is some cynicism in that statement, but I hope that the committee will allow it because of its truths. What I am——

Senator MONDALE. I think there has been a good deal of resistance to teachers' aides from some education people but I gather that you found that these are very helpful people. You can train them right in the schools?

Dr. WHEELER. I think that is part of the point I would like to draw, Senator. But in addition to that, the colleges and universities are at least one step further removed from the boondocks where the operation really takes place. And as a consequence of that, many times they are not as intimately familiar with the kinds of nuances that operate throughout the educational task.

Furthermore, I think the evidence for that is that I don't know of a major college or university which has inserted into its teacher-training program, those pieces of knowledge which we are now fairly secure in, in terms of what is needed regarding professional competence for teaching inner-city children.

There are some that have a scattered course here and there that they present to the teachers on a voluntary basis. The result is that when the teachers come to the school districts from up in the teacher-training institutions, we find that we have to hold their hands and watch them pretty closely for about 5 years.

TEACHER CORPS

Senator MONDALE. Do you have a Teachers' Corps?

Dr. WHEELER. Yes, we had one in Kansas City.

Senator MONDALE. Was that useful?

Dr. WHEELER. But in Kansas City it was substantially different than some of the Teachers Corps operating in the rest of the country. That is probably the reason we had some conflict with the sponsoring agencies, and as of today we do not have a Teacher-Training Corps.

Some did not agree with us and found it did not meet our guidelines in keeping our philosophy intact.

Senator MONDALE. Who was the prime sponsor of your Teacher Corps?

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Dr. WHEELER. I think the Teacher Corps was connected to the Office of Teacher Education.

Senator MONDALE. State or Federal?

Dr. WHEELER. Federal. It was a Federal program.

Senator MONDALE. All right.

PROGRAMED INSTRUCTION

Dr. WHEELER. Second, we recognized that the reading program would have to be delivered through a strategy which would permit considerable opportunity for individualized instruction. Consequently, we adopted a programed reading series. Programed reading series also forced teachers to operate the classroom in a radically different manner than they had been doing previously.

It is not possible to use a programed series and sit behind the desk. You have to find out what the difficulties are that the students are having. That is one reason we adopted this.

I don't mean to leave the impression that the programed series is the only way to effectively teach reading. I am saying we felt it necessary to make this choice to accomplish this program, to teach the teachers with the responsibility for their instruction. I am not advertising programed series.

Third, and perhaps most important, a continuous inservice training program for teachers was designed. Great care was given to finding solutions to educational problems encountered by the teachers in the classroom. Professional and other resources were turned toward this activity as a first priority item for their application.

Again, while we sometimes profitably collaborated with the colleges and universities, we retained the basic prerogatives for program design and direction. I want to point out that we haven't given up at all yet on the ability of the colleges and universities to help us with inner-city education.

We think they have to understand the problems as we pose them in the terms that we perceive them. We think a merge between our insights and their resources can produce an effective program that really becomes productive.

In Kansas City we know that we have not completely solved the educational problems of the inner city. But we have made a very significant and encouraging beginning. We are also confident that if provided with adequate financial resources we will be able to produce comparable results as we expand to other subject matter areas. Expansion, however, will call for great assistance.

We think now that we have made a significant beginning in reading so that we can begin to attend to the needs of the children in social studies, for example. We felt it would be folly to begin to emphasize achievement in social studies and history and even mathematics so long as these kids were suffering from inability to read.

FEDERAL FUNDS FOR COMPENSATORY EDUCATION

First and most fundamental, there needs to be a substantial increase in the funds allocated to the Federal compensatory educational programs. The justification lies in the fact that at the present time

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we are reaching only about one half of the schoolchildren who qualify, even according to the very stringent guidelines set forth in the rules and regulations which implement the legislation.

Not only is this the case, but a genuine concern for equal educational opportunity would dictate that the other estimated two-thirds of the inner-city pupil population should receive consideration.

This would seem to be altogether desirable, for this is the segment of the inner city program which does not manifest all the symptoms of economic and social depression to the extent that they beset the currently eligible group. With perhaps a relatively small boost, the educational careers of these children could be lifted across the line which separates success from failure, and productivity from dependency.

As a matter of fact, we think if we are to develop the leadership which ought to emerge from the inner city, we ought to be giving attention to this group at the present time not eligible according to the legislation and the guidelines.

The inadequacy of available funds now placed in the effort to relieve inner-city educational debilitation has been mentioned earlier. When the paucity of these funds are held up against the total needs of these future American citizens the fabric of their support is exceedingly thin.

It has been estimated that about $1,000 per pupil above the regular per capita school district expenditure is needed to arrive at effective solutions to the problems. In Missouri we are now about to implement the third year of the State Department of Education's directive to increase per capita expenditures in the Title I program to $250.

Senator MONDALE. Is that a State guideline bearing solely on Federal funds from Title I?

Dr. WHEELER. It is a reaction of the State to directives originating at the Federal level which pretty much mandates an increase in an intensity of the Title I programs.

You see, in the beginning when the Title I programs were begun the guidelines took a different direction. They encouraged as many children as possible to participate in the program. So when a child was counted as participated if he only had his teeth fixed, for instance—the Federal authorities were looking ahead and felt that the best impression to be made was to be if they talked only of the number of children involved. They did not see inevitably the dearth of education. It was going to be made in terms of education progress, in terms of the participants of the program.

Senator MONDALE. In the first year of the program when it was starting up the numbers worked out to about $210 per pupil. Today, even though the funding is up slightly from the original appropriation, because there are vastly more children involved, I understand that the average works up to something like $88 per pupil.

Dr. WHEELER. Well, I am not——

Senator MONDALE. Of course each State can approach it differently, and your State, I gather, says we will husband those Title I resources to reach the number of children we can serve providing $250 per pupil.

Dr. WHEELER. That is correct.

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Senator MONDALE. Is that what you have in terms of additional money?

Dr. WHEELER. We have considerably more money than that because we have been very aggressive about getting money from outside sources which are the only sources we can get it from. Certainly we cannot get it from local sources.

PER PUPIL EXPENDITURE

Senator MONDALE. What do you estimate your per pupil expenditure to be?

Dr. WHEELER. I would say it is something like $400 above the regular per capita expenditure.

Senator MONDALE. It is?

Dr. WHEELER. Yes.

Senator MONDALE. Do you have an estimate, regardless of source, of what you are spending per pupil in your school system?

Dr. WHEELER. Well, if you ar talking about the school districts other than the inner city, you are talking about around $750 per capita as compared to other large cities.

Senator MONDALE. You figure you are about $400 above that?

Dr. WHEELER. Yes.

Senator MONDALE. By national standards that is not bad.

Dr. WHEELER. That is not bad, but you see, this does not apply to the entire school district. We are above that in the inner city because of the outside aid. But when I say $1,000 I am talking about $1,000 in addition to the——

Senator MONDALE. You are talking about how you think you should have a $1,750 total and you have got about $1,000 or $1,100 at most.

Dr. WHEELER. Right.

Senator MONDALE. So you are $600 or $700 short.

Dr. WHEELER. That is true.

Now, after receiving the mandate to increase this to $250, if the present level of appropriations remains the same, that is it gets to the point where we receive money, in order to do this we will have to reduce the number of children served.

There are other features of the legislation which, when contemplated from our vantage point, ought to be carefully scrutinized with a view toward change.

TITLE I GUIDELINES

The legislation is so broadly written in its various provisions that, except for the opening statements, the Title I legislation cannot decide whether it should provide health, medical, or dental programs; a community action program or a supplement to the welfare allotments; it is unclear whether the legislation is intended to be an employment program or a political action program.

Recent guidelines, related to community involvement, further obscure the thrust which should be made by programs operating under the Title I legislation.

At least in part, the profusion and variance of the types of programs sponsored by Title I support accounted for the dismal results

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of the evaluation made after the first 5 years. The evaluation was based, and rightly so, on the advancement of education achievement. However, if educational achievement is a rational criteria for evaluation, the legislation and guidelines should establish limits which restrict program activity to direct instructional measures intended to elevate educational achievement.

It is true that the target group of school children have other needs, some of which may be crucial to educational progress, but to attempt to meet them within the scope of legislation having instructional goals as ambitious as Public Law 89–10 and as inadequately funded as its main thrusts are can be defined as folly. These needs should be met by other legislative instruments.

STIGMA OF TITLE I PARTICIPATION

Aside from financial considerations, stipulations requiring that services be delivered only to those children within an inner city school who qualify according to the eligibility criteria, not only forces a stigma to be attached to participating children, but increases the cost of the services and makes program operation an administrative nightmare.

It is also inconsistent with other Federal legislation for education which prohibits identification for aid recipients which may stigmatize them.

Even more fearful, is the very real prospect that the required identification of eligible children will force Title I programs to operate in the old idiom of classic remediation. The history of this ill-fated educational technique testifies more eloquently than I to its long and painful years of dismal failure.

When the consequences of these guidelines are contemplated we quake and tremble in fear that the program effort under Title I has also been consigned to the doom of spectacular failure.

Of course, this event will erroneously be used by critics of compensatory education as proof that money spent to provide equal educational opportunity is wasted. Then we shall undergo yet another ill-based theoretical onslaught by the learning geneticists and the environmental fatalists.

Meanwhile, an equal chance for educational development will continue to be just a myth for those pupils with able potential, but by virtue of the insensitivity of the enterprise and the ineptitude of the educational delivery systems will fall victim to the discriminatory features woven into the fabric of our society and end on the junk heap of dependency.

ELIGIBILITY OF ACHIEVEMENT SCORES

In Missouri, one of the measures used to establish eligibility is the extent of educational depression as evidenced by achievement scores. Therefore, the second grade, which has done so well this year, cannot be officially qualified as a group next year. Only those members who are located at the bottom of the achievement distribution will participate.

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In other words, we are forced to foresake these poverty-stricken children as soon as they show the first glimmer of improvement.

The outcome is predictable. We know from our experience with Headstart and other compensatory education programs that these pupils will relapse into the characteristically depressed achievement patterns of the economically deprived.

We know that to crystalize these early gains into permanence we need to have sustained programs closely coordinated and synchronized as the children move through the grades.

The misguided rationale which forces the ouster of pupils as soon as they begin to show some progress ignores our past experience and defies logic.

Inevitably the researchers and evaluators will look closely at long-term gains which are traceable to Title I programs and, justifiably, they will condemn those programs which show only spurts of progress and then retrogression to the achievement patterns operative prior to the beginning of the effort.

In this sense the guidelines which set this limitation to the Title I programs are self-defeating and blind to the fundamental objective of providing equal educational opportunity.

Legislation intended to help depressed schoolchildren should be sensitive to the strategies needed for the most efficient delivery of services. Without being at all disparaging, I can say with security that the large school districts have bureaucratic administrations. This is not in and of itself bad.

On the other hand, I am sure that the experiences of the members of this committee will lead you to agree that bureaucracies sometimes need encouragement toward flexibility.

Senator MONDALE. Amen.

Dr. WHEELER. The point to be drawn here is that guidelines and legislation should reflect the understanding that the implementation of a special program which can adequately respond to the needs of a specialized group will need meaningful help. The administrative authority will need to be free to become innovately responsive.

It must also be located high enough in the organizational hierarchy to institute meaningful change without being overruled by those who would cling to the status quo.

To accomplish this program support should be large enough to design an activity of sufficient scope to merit the location of program administration at a high level.

In Kansas City administrative responsibility for inner city educational programs is located in the Division of Urban Education, organized specifically for that purpose. It had to be done without specific legislative support, and it took about 3½ years to accomplish it, but it is crucial to the delivery of a sound program. The outcome has been most gratifying

The administrative staff of the Division of Urban Education was drawn from the only reservoir of knowledge about inner city educational problems. Our administrators were chosen from those teachers who had reputations for successfully teaching inner city pupils.

Once released, and properly directed, their competencies were

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exploited so that now, instead of benefiting only a relatively small number of children in the individual classrooms, their talents are spread over the entire inner city population and they have earned a national reputation.

Admittedly, our status remains precarious, but with continued success it will become more difficult to dislodge us.

COMMUNITY CONTROL

Two other issues need to be mentioned here: Community control and the financial plight of the large city school systems.

I have some trepidation as I begin talking about this next point because we are in a particular time now where the community control is a very popular kind of consideration. I want to make it clear that I am not against community control and what I am trying to accomplish here is raise a caution and I hope that this next statement demonstrates that.

Someone who is an influential part of the lawmaking process needs to bring some rationality into the effort to "involve the community." It needs to be understood that the mere granting of pseudo power to the inner city communities does not guarantee that the quality of educational production will improve. Indeed, many of us are beginning to believe that this development is a shrewd divisive tactic.

We are approaching this conclusion because we have seen only strife, confusion and divisiveness in the black communities in particular.

To write legislation supposedly intended to give innercity people a voice and some real power to participate in the educational destinies of their children has so definitely operated in the opposite direction that one must at least consider that this move was deliberately calculated to thin the power of the innercity people.

I think that this particular statement may be as a result of my own sensitivities which you would expect me to have as they are of my insight into this problem. I do not think any of you will be surprised I have hypersensitivity also.

In no other legislation——

Senator MONDALE. I understand Mr. Rhody McCoy was recently quoted raising some questions about community control, so apparently you are not alone.

Dr. WHEELER. I did not know that.

In no other legislation is there such enormous room and such direct encouragement for loosing all of the negative and extraneous motivations in the communities as in the legislation designed to provide equal educational opportunity.

In Kansas City we have official commendations from both Federal and State authorities, commending us for our conscientious work with parents of poverty-stricken children. Even though we have received these sanctions, we are still ambitious to improve this relationship for we have had firsthand experience with the enormous contribution parents can make in a collaborative arrangement between school and parent.

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COST OF DISRUPTION

However, we need to be free from the tactics of demonstration and disruption which siphon off energy and time. The crucial consideration here is that this legislative effort must firmly eliminate extraneous political ambitions. It must reject those organized forces in the community who would use the education of these children as pawns in their quest for personal and political power and advancement. Our children represent a far too priceless asset to passively permit this to continue.

My plea here is that the guidelines in the regulation should recognize that all the motivations in the various communities are not all laudable and not fixed on the educational advancement of children.

I think, also, to overplay that we can be justifiably suspicious of the fact that this tactic is a gate through which the establishment will walk as it foresakes its responsibility to education of children, because, you see, it is not only the exclusive responsibility of the community to educate innercity children, these children have a right to educational opportunity equal to the educational opportunity of any other children. And if we allow the establishment to foresake this kind of responsibility obviously the establishment already has more power, more resources, both social and economic and any otherwise and if we allow them to secede from the responsibility of educating innercity children then we have lost a great share of the assistance which is rightfully—which rightfully belongs to these children.

ACCOUNTABILITY OF ESTABLISHMENT

So I am very leery about any kind of guideline which sets up the innercity community as the exclusive power. I think the better strategy would be to design legislation which holds the establishment close to the responsibility and at the same time allows some real participation by the innercity communities and that includes the exercise of rationale and an appropriate amount of power.

The same thing can be said about the educational establishment itself. If the decisions are going to be made in the communities themselves about how the design and execution of an educational program ought to proceed and the professionals then are ostracized from this decision, they are not going to feel responsible to be held accountable for what happens in these programs. And if in the end—well, it can mushroom to such proportions that we are making decisions which fly in the face of the knowledge that we already have about the innercity education.

In Other words, rational decisions can be overrun by extraneous motivations of the community and I think this is an important part to keep in mind. I know this is important.

I merely want to raise the caution that we need all the resources present in the general community, not just those present in the innercity.

And now on the subject of integration. There is no question but what the integration of the schools is the only means to reach the fundamental democratic ideals of children.

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CONDITIONS OF TRUE INTEGRATION

Before elaborating on this point, the Senate Committee should understand that integration as defined for the purposes of this statement has a radically different meaning than the mere mixture of pupils from different racial and ethnic backgrounds in the same student bodies. True integration would be achieved in my view when the following conditions pertain:

1. Since integration can occur only when and if complete access to participation in school life is made accessible without discrimination a comprehensive program should be designed to prepare receiving schools for the experience of true integration.

Such a program should precede the actual mixing of the pupils by at least 1 year. The program should aim at eliminating the discriminatory practices which will surely develop in the absence of effective measures to prevent this expectation.

Now, I say discriminatory practices and attitudes. We know nothing about changing attitudes. As a matter of fact, if we can change the behavior I do not think we have to worry as we do now about attitudes.

The result, of course, is that the minorities in the schools will be devastated. These are the minorities, no matter what the minority is, white or black, that I am referring to here.

Moreover, the programs to eliminate the practice of prejudice and discrimination should continue for a modest period of 3 years following the date that racial and ethnic mixture is introduced into the schools.

2. Legislation requiring the integration of schools should clearly delineate the objectives of the orientation programs and the inservice programs occurring during the 3-year period referred to above.

In other words, some limitations should be drawn about the objectives and activities of those programs. Otherwise we will find ourselves in a limbo because these programs will be used for everything except what they ought to be used for.

3. The staffs of the schools should simultaneously become representative of different racial and ethnic backgrounds and the administrations of the receiving schools should evidence racial and ethnic pluralism.

4. Some stipulations designed to reduce the extravagent degree to which the educational institutions now rely upon test scores as a consideration in the design of the educational program should be built into the legislation in a coherent manner that does not allow bizarre interpretations, and consequent grouping of children which will defeat the aims of true integration.

5. There may be some short, thin line of demarkation between a recommendation and advance. I merely want to make this statement: The design of additional legislation intended to enforce and facilitate the law of this country as it relates to the integration of schools should include sizeable input from the professional teacher organizations. To fail to do this will be tantamount to ignoring the bourgeoning power which these organizations possess. And they are going to be very, very much interested in what happens to

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the teachers if we begin to transfer teachers and integrate staff and transfer administrators to effect some representative racial backgrounds in these various schools.

These recommendations are by no means intended to be comprehensive, but in my view they must be considered and acted upon if we are to truly provide an equal educational opportunity in a way which honestly enhances significant movement toward the stated democratic ideals of the United States of America.

I am going to conclude at this point. Among the documents which accompany this statement is a list of specific recommendations related to the issues I have raised.

I sincerely thank you for this opportunity to address the Senate Select Committee on Equal Educational Opportunity.

RECOMMENDATIONS

These recommendations are presented in this form in response to Senate Committee staff to be specific and succinct.

1. The legislation and guidelines should encourage if not mandate an administrative entity at the school district level, which is strategically located so that it can be effectively responsive to the needs of innercity children. The establishment of such an administrative entity should be related to the size and scope of the compensatory education program operated by that school district.

2. The commonality of innercity educational problems in the large cities permits the establishment of specific instructional goals. Consequently, the administration of the federal compensatory education programs should aim, with support from legislation and guidelines, at the establishment of coherent objectives. At the same time, the possibility of the wide divergence of program designs directly related to instruction and achievement should be severely curtailed. Time limits should be set for reaching these goals. Such a plan may very well be developed so as to be in line with appropriate accountability considerations. In my judgement, the problem of improving reading achievement must be solved before other depressed educational areas can be rationally attacked.

3. Federal appropriations should be related to specific objectives which are established for certain periods of time. The appropriation should then provide adequate resources for reaching the goals. The eligibility of innercity pupils for participation in compensatory education programs should be broadened, by liberalizing the criteria. Identification of individual pupil partcipants should be discontinued. Once eligibility is established, it should be permanent through the elementary school years, at least.

4. Since it is apparent that by far most of the country's children will continue to be educated in the public schools for the forseeable future, the direction and responsibility for the design and implementation of compensatory education should be given to the public school system. Enough latitude should be allowed to the localities to recognize and exploit the idiosyncrasies of a particular district to the benefit of the program.

5. Recently (within the last two years) guidelines accompanying educational programs other than those provided under Title I of Public Law 89–10 have virtually mandated that Title I funds be used in support of these efforts. Title I should be considered the central educational effort, and the other productive programs (there are several) as supplementary. The supplementary efforts should have adequate funding.

6. There is little or no encouragement evident that would lead to the belief that the competencies of new teachers who now leave the teacher training institutions will improve. Even though they are fully certificated, we can expect to receive these teachers who are grossly lacking in their understanding and ability to successfully cope with innercity educational problems with no alternatives but to assign them to innercity schools. Provisions for the training of these innercity teachers should be made so that there is adequate financial support, and so that the training activity relates to specific educational goals.

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The responsibility for this effort should be given to the school districts, where the responsibility of operating the program effectively is now and will continue to be seated.

7. Early childhood education programs should be more strongly emphasized and more ambitiously provided for. The curriculum, at least for the early years of operation, should emphasize the development of language facility and reading readiness. Close coordination and synchronization with the Title I program should be required. Early childhood educational measures should look toward programs for innercity pupils which begin at least by age three, and continue through the kindergarten year.

8. If community involvement and participation is to continue to be a major consideration, it should be circumscribed in the legislation and the guidelines so that the professionals are not released from the responsibility to make decisions which will hold them accountable. The motivations of politically powerful organizations and individuals which are extraneous to improving the educational achievement of children should be severely curtailed. Parent participation directly supportive to the instructional effort should be strongly encouraged.

9. The distance still to be traveled on the road to complete and meaningful integration of the schools is great. There is ample reason to question whether it will be achieved if we do not take specific and definite steps in preparation. As integration is attempted, specific programs calculated to prepare school personnel should be inaugurated at least one year prior to beginning the integrated situation. Subsequently the progress to eliminate discrimination in every aspect of school life should be monitored. Programs to reach this goal should be continued for three years. The total effort, since it will bear directly upon the professional fate of teachers, should solicit input from teacher organizations.

Senator MONDALE. Your recommendations will be included following your statement; also, the evaluation of the program which you included with your material by Daniel U. Levine dated May 1971, and the Webster-McGraw-Hill research report will be included in the record.*

Would you agree that the outlook for the average black child in the Kansas City ghetto area, as is true in other ghetto areas was a very bleak one indeed in terms of reading, in terms of comprehension, in terms of having available to him a reasonable opportunity to get the kind of education he needed to work for his life potential? Would you agree that his chances were very slim indeed?

Dr. WHEELER. Right. I would wholeheartedly agree with that.

Senator MONDALE. And by large proportions, indeed, your statistics reflect this—they were underachieving, they were not in grade level in any basic skills and they were sliding further and further behind as a result?

Dr. WHEELER. Quite correct.

PRESCHOOL PROGRAMS

Senator MONDALE. So what was sought under your program was in fact to provide equal educational opportunity, isn't that what this whole thing is about? You decided that the key strategy was to begin with reading skills?

Dr. WHEELER. Right.

Senator MONDALE. You concentrated all your effort there?

Dr. WHEELER. Right.

Senator MONDALE. You took resources amounting to $400 per child over and above the per pupil——

*See appendix 1, pp. 5756 and 5761.

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Dr. WHEELER. Except not in the beginning.

Senator MONDALE. You slowly built it?

Dr WHEELER. Yes. And which fluctuates because some programs continue and some don't. We always consider the Title I effort as the core of support and even though we would solicit financial support from other sources, it was always in connection with Title I program, so the main thrust was the Title I. The funds we solicited elsewhere were solicited for fill-in gaps from Title I, or to give the Title I effort the support it needed.

But the entire effort was a synchronized one based upon Title I as the core of it.

Senator MONDALE. And the result of your 3-year effort is that the children are now by and large at grade level?

Dr. WHEELER. In the first three grades.

Senator MONDALE. First three grades. But that is where you concentrated your effort?

Senator MONDALE. After that, in the following grades, you have not had a concentrated reading program?

Dr. WHEELER. Yes; but it is not as ambitious because we always felt the prognosis was much brighter in the early grades. Our strategy has been that if we can solve the problem in the early grades, the problems will not manifest themselves in the same large proportions in the grades which follow.

READING KEY

Senator MONDALE. In your recommendations, you included a strong plea for preschool assistance?

Dr. WHEELER. Yes.

Senator MONDALE. Do you have Headstart and other efforts?

Dr. WHEELER. Yes.

Senator MONDALE. Have they been helpful, in your opinion?

Dr. WHEELER. Very helpful, although at times very difficult. You see, the guidelines for the Headstart are written here in Washington. We are in Kansas City.

Senator MONDALE. Headstart program, I assume, is run by Office of Education, or the school system?

Dr. WHEELER. It was until recently.

Senator MONDALE. Now you run that?

Dr. WHEELER. Well, the Office of Education is the final sponsor of the Headstart program now.

Senator MONDALE. Don't you have an input into the running of the program, then, in Kansas City?

Dr. WHEELER. We have little input into the design of the guidelines. We have the responsibility for the operation, yes. We are one of the few school districts who will take on the difficulties involved, but it is a very important program.

Senator MONDALE. But if it is true that you have been able through the concentrated program to get the children up to grade level by the third grade in reading, would it not make even more sense to start at age three?

Dr. WHEELER. Yes.

Senator MONDALE. They would lose less time, would they not?

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Dr. WHEELER. That's right. As a matter of fact, in the innercity schools in Kansas City, the only children who read by the time they leave kindergarten are urban education. And it is because of the fact—I may get a proposal withdrawn because of this statement—but we have not gone completely along with the child developmentalists who write the guidelines.

We say we ought to teach preschool kids manners and sociability. We think we can zero in on the capabilities that these children have and develop language facility and reading readiness and it made sense to us as we were looking at strategies we put into this program to do that.

So in the last 3 years we have preschool children age four who can master beginning sounds, who are beginning to develop the capacity to unlock words, to decode them. So that we—by the time they finish kindergarten, they are actually reading. We see this also as a rational approach to changing things in large city school systems. You see, if we teach kids to read books in kindergarten, and you can't teach them in the first grade the same thing, and you have a procedural instruction at a different level—if you do that the second grade cannot be taught; neither can the third grade. This, I think, really represents the process of rational and profitable change without, sometimes, devastating experimentation that works to the detriment of the children.

Senator MONDALE. Do you know any other so-called ghetto area in the country that has a massive reading program like yours?

Dr. WHEELER. Well, there are many that have reading programs, but I cannot think of one at this point which has gone into this process, to this challenge of improving reading achievement with as much emphasis as we have. It is practically our entire effort, and I think that most of the other school districts thought better of whether they should shed the blood to do that, because we have had resistance. We have been called one-track minded, and tunnel vision, et cetera.

We have stoutly maintained if we can't do anything to improving education, we don't teach people to read.

Senator MONDALE. I guess that is what really Dr. Clark has said in his study here in Washington; if the children can't read, you are not going to teach him pride because he will be smart enough to know he can't read. He knows that is a handle to learning and everything else.

Dr. WHEELER. I am in complete agreement with Dr. Clark on that point.

Senator MONDALE. Unfortunately, not everyone else is, I have found.

Dr. WHEELER. No, that is true. I have seen proposals written for ambitious amounts of money which have as their stated objective the improvement of self-image and you—but you can't drive young children. You can't tell them they are a worthwhile person or are not, if they can't read a book. It seems we can teach them to read and they begin to use that tool to make progress and begin to materialize the fact that they can effectively compete in this whole system of things with other children their age. If we can do that we don't have to worry about their pride and self-image; they will think well of themselves. If they are not making progress and they see they don't

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have the competence that the other children in sight have, this is the basis for this symptom of what has been referred to repeatedly as a lack of self-image.

They don't have a lack of self-image and there is nothing within the biology or the anatomy of these children that made them prone to think bad of themselves. It is a function of the kind of experience that they have had, particularly the experience in education which lead them to evidence symptoms of which people call inferiority.

Senator MONDALE. All right. Our next witness is Dr. Ruth Love Holloway, now Director of Right to Read Program, Office of Education, HEW. Welcome. You may proceed.

STATEMENT OF DR. RUTH LOVE HOLLOWAY, DIRECTOR OF RIGHT TO READ PROGRAM, OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Dr. HOLLOWAY. Thank you, Senator Mondale. I am delighted to see so much support for reading. I hope that will be manifest in monetary means.

Senator MONDALE. No problem.

Dr. HOLLOWAY. That is not lobbying, sir.

Senator MONDALE. Right.

Dr. HOLLOWAY. I was asked to talk to you in three areas, one about my former work in the State of California, in the State Department of Education; two, to go in some detail regarding the research I did on the impact of compensatory education on regular or general programs; and thirdly, to give you some idea of our plans for right to read.

So I intend to paraphrase the written statement and the document will be yours.

Senator MONDALE. We will place your full statement in the record* as though read, and you may proceed.

Dr. HOLLOWAY. In the first two areas, I will talk as a professional related to my former work.

California is really very proud of its achievement in compensatory education. We received annually some $100 million from the U.S. Office of Education, coupled with State moneys for comp education, as we call it. We serve, usually, some 250,000 children and our criteria for success is whether or not the children achieve primarily in reading and math.

And I am pleased to hear about Dr. Wheeler's program because we, too, in California, have emphasized in the minds of the school districts reading as a primary factor, but it takes a different strategy, which I will be pleased to show you.

ACHIEVEMENT MAJOR GOAL

Since the inception in 1965, our program has emphasized academic achievement as the major goal and everything else that we endeavor to do was supportive to that particular goal. In other words, the point about self-concept and those kinds of things, we feel those

*See prepared statement, p. 5587.

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can be achieved if the youngster is functioning to his full capacity and we agree with the range of intellectual ability regardless of economic circumstances.

So we are pleased since 1965 the children in the program have averaged at least 1 month's gain for every month of instruction. That is, of course, what we expect from the so-called normal child.

Some 20 percent last year, the youngsters in Title I in California exceeded the district norm and we are very pround of that. I think there are some reasons for it. In order to fully appreciate it, I think we ought to look at the historical records of these children from economically deprived backgrounds.

One of the problems they have had is that they make .7 of a year's gain for every year and they obviously get further and further behind the longer they stay in school. So in order to catchup, we set a State minimum standard, for which we were criticized, of 1.5 years gain and all of the performance objectives in the program had to at least try to attain that.

Because we felt that the month-to-month progress or year-to-year progress would mean they would never catchup. Because most were too far behind. That is a rather rigorous academic requirement, but we found it influenced the behavior of the teachers and administrators in compensatory education.

There are several reasons, I think, for the kinds of success we have had, and I don't mean to imply it has been all successful, because there is room for improvement.

LEGISLATIVE SUPPORT

First of all, there is a division within the State Department of Education whose sole responsibility is to educate or to provide educational services for the disadvantaged child. This came about through enabling State legislation back in 1964 when we recognized Title I was going to be enacted. This enabling bill, called the Macatere Act, set the framework for compensatory education in our State and we feel that it has significantly influenced the way in which we have been able to operate because, in fact, compensatory education in California became discretionary funds because of that legislation. It wasn't the normal formula moneys that went out to districts without specified guidelines. The guidelines set certain priorities I think you would be interested in.

Six components were required for each child, each edified project participant, as we call it. One was reading. No child in compensatory education could escape having a reading program tailored to meet their needs. Sixty percent of the moneys in California went for reading instruction in Title I. This was complemented by State funds to the tune of some $3 million each year.

Mathematics was also a requirement and was held as needed. That was the only optional component we had in the program. The teachers for the program must and were required to be involved in inservice training geared to carry out that program. It was a mandate that the parents be involved in two ways: local advisory committee is where they helped to generate and develop the programs as well as involvement in the classroom itself.

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Those were the areas that we found to be most significant based on our evaluation and those requirements came into being after 2 years of operation of the program. In terms of integration—I don't have the statement in written form—most of the desegregation that came about in California came about with the use of Title I, but we required that the compensatory education services follow the children so we have 32 examples of districts that combined compensatory education with desegregation and integration measures because we felt it important not to insure failure by putting low-income youngsters with middle-class youngsters and have some failures.

The other thing that we required that I think has had a significant impact was concentration of funds to the level of $300 per pupil over and above the regular district expenditure.

In the State of California, the average is $635 per pupil, so it is almost $1,000 that we are requiring on an average basis for the youngsters in the program. Part of our difficulty there was to be sure that the district expenditure was maintained at a level so that compensatory education did not in fact substitute for the regular program. That was something that we had a good deal of difficulty with.

Another requirement that I think put us in good stead in terms of achievement was that the youngster had to remain in the program 3 years. Then we took a look at whether they will be able to sustain the kind of performance in a regular program. It was based upon a diagnosis of their individual needs and strengths. I might add that it was far more difficult to get us in education to analyze the strengths. It is so easy to analyze the failures, but we ask and require they do both.

Priority in the State was placed on kindergarten through sixth. I left our preschool simply because we had a special State program to focus on the preschool, so it was actually preschool through sixth grade.

We did have certain kinds of models for secondary, but our primary emphasis was on the elementary school, for obvious reasons.

Another kind of mechanism that we used was a requirement that the program be planned by the local school staff rather than the district office. We felt strongly that the people who would want to implement the program ought to be instrumental in planning it, so planning teams of parents and teachers and administrators planned their particular program for their particular school.

So it was not a district- or State-operated program. That was in one area we won many, many friends.

Technical assistance was provided to the district from the State. Such things as performance objectives of those things which were new prior the compensatory education came into being.

MONITORING

The approval process at the State mandated all projects be approved by the State board of education. So that when they were submitted to our State office, our policy was to make those projects approvable by providing leadership to the field. We were not engaging in the business of trying to disapprove projects because we

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realized the children were involved. We worked hard in order to have the programs meet the particular criteria for approval. Once the programs were in operation, we mounted a rather extensive program review or monitoring process to help facilitate the assurance that the programs maintained their integrity.

Along those lines, we believe that the best monitoring takes place locally so we set up monitoring teams where districts helped to monitor each other in many ways. Each year we asked the districts to summarize their evaluation and the State further summarized those evaluations and reported it to our State board of education and sent it here.

We say that the best lobbies we had was the success of the children. So those few items, we think generally and briefly accounted for the degree of success that we had in the program. I have been amazed at how each State operates Title I in its own State program. I don't know whether you have any questions before I go to the second part of my testimony.

Senator MONDALE. Why don't you complete your full statement, then I will.

IMPACT OF COMPENSATORY PROGRAMS

Dr. HOLLOWAY. The second part of the statement has to do with the study that focused on the impact of compensatory education. Now I define that to mean all of the compensatory education efforts, Federal, State, and local, as well as Headstart and other measures.

In California, we are only able to serve some 40 percent of the children that have been identified as eligible. One of the things we noticed early in the game was that innovative features of the program began to spring up in middle-class schools. I decided to research to discover the extent to which some of the practices and programs and techniques in the comp education program were being replicated outside.

So I tried to answer these three questions in the research. One, are the specialized compensatory education programs being replicated outside of the so-called target area and in nonfunded situations?

Two, has the process of involving the parents, teachers, administrators, in program planning, had any impact in schools outside of the target area?

Three, has the employment practice of specialized personnel, teachers' aides, instructional specialist, et cetera, affected the employment practices outside?

Those were the three questions I was trying to find answers to. You would be interested to know that we studied the impact from vantagepoints. Six different types of schools. One is the saturated school where all the children are part of the project. We wanted to see what impact that school had on the schools around it or the district itself.

Type "B" was a school in which only a single grade was involved in the program. "C" was the laboratory project. That is the more common kind of program where the children are pulled out of a classroom and provided services in a laboratory situation.

"D" was a situation where there are no Federal funds at all, but we know there was some compensatory types of practices taking

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place. "E" was situations where there was small amounts of Federal funds, but not designed specifically for or allocated for disadvantaged youngsters.

Finally, type "F" were schools in the compensatory education funds having substantially reduced or eliminated, and we wanted to see what projects were maintained in those schools. The results of the study were startling, at least to me.

REPLICATION IN MIDDLE-CLASS SCHOOLS

I was aware that some of the concepts were being practiced in other schools. I had no idea, though, that compensatory education, as we find it, as having a greater impact on middle-class schools and disadvantaged schools. I had to ask why this was so. There seemed to be several reasons. One was that middle-class parents were readily aware of the unique aspects of compensatory education and its impact on the children, the disadvantaged children. So there was a great deal of pressure for putting in things like teacher aides and other concepts.

Another pressure was that teachers beginning in so-called middle-class schools, they began to say, "We want access to some of these new approaches also." So there was a great deal of pressure solicited on the part of teachers.

I think that is an interesting point because in this program in many instances in the beginning the program was superimposed on teachers. Now they were asking for it.

Third, I think the public criticism, generally, of education helped us to look around from the middle-class schools to try to find out what is working and where it is. Four, I think there seems to be a degree of receptivity to change in education now. And people are beginning to say we have to do something a little differently and we looked every place we can and, of course, in those years compensatory education had more money than any other and more programs. The general impact programmatically was in the area of reading. We found that the practices of a variety of practices in reading and the approaches to reading were implemented outside the target area in a way we had not imagined before. We looked at hundreds of schools throughout the State. It is interesting we talked to community representatives in a systematic fashion and they felt that the single greatest impact of compensatory education was the involvement of the participants on advisory committees to help plan the program because we saw a variety of middle-class schools.

Even though normally there has been a great deal of access to the establishment, it was not as normal or structured as the advisory committees. They felt that the single greatest impact was in the area of individualized instruction. For years we in education have talked of individualized instruction and what it can do. It is interesting to note that the mechanism for achieving it was absent. We didn't have the techniques for diagnosing the needs of children, for prescribing for their individualized needs in a classroom situation. They felt that was the strongest impact of all the program offered within the State of California.

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READING HAS GREAT IMPACT

Reading in terms of the program had a great impact on language development, including bilingual instruction. The use of teachers' aides—this is a summary—the involvement of the staff in actually planning their own program, the techniques for inservice education, rather than the after-school approach, and so forth, the use of instructural specialists, reading specialists, the influence of minority-group history and culture into the curriculum, and preschool and early-childhood facilities—these were felt by the professionals to have the greatest impact. And, as we found out, these were the things we came on most frequently.

Classroom, class size reduction was an area that moderately influenced middle-class schools, and I think, and of course, it is an opinion that it had to do with the fact that the classroom was smaller in the middle-class schools, so what we tried to do was not to emphasize class size reduction, but put more people in these rooms in order to provide services so that class size did not have the kind of impact that most of us thought it might have had. Let me go into some detail of inservice education; since it had a major impact of it, there were several ways in which the impact manifested itself. One was in development of new instructional materials, especially student development materials and multiethnic materials in the classroom.

Prior to compensatory education in middle class, there was not any of this material. The improvement of specific skills in teaching reading, the kinds of institutes and inservice education that took place for teachers of the disadvantaged began to find their way into middle-class schools.

Changing the expectations of individual children was another impact that we thought was terribly exciting and it manifested itself throughout. The planning of systematic inservice education was another area. Finally, on-the-job training as a concept for teachers rather than after school, the whole concept of relief time and reimbursement of staff, tailored to the particular program was something we found outside of the target area to a large extent. One of the other major impacts was that of evaluation, the assessment of what took place. We were amazed to find that the evaluation techniques and strategies utilized in comp education were now being employed throughout districts, in fact in several districts we found these strategies were required from the district offices for all schools, Oakland being an example; you probably heard about some of that yesterday. The process and concept of involving parents in full planning program is with the professional staff was certainly born prior to comp education. But we have found these kinds of exciting things happening outside of the target area.

We found middle-class parents are now initiating what we call program development task forces to work with teachers and we found that parents are being involved in the classroom in ways that they were not involved before.

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There is much more in the way of volunteers, teachers' aides from middle-class backgrounds of middle-class schools. I don't think it is surprising this took place because middle-class parents have always been involved, but to be involved in a systematic way is certainly very different.

The teachers and the administrators, very much like the administrators, pushed for their involvement in planning the program at the local school.

So I think we established a trend there. We know with the comp education a fresh cadre of personnel comes into the public schools. The whole idea of paraprofessionals, the teachers' aides, and so on, all those who were to work with children in many ways expanded the classroom concept to include the community.

TEACHER AIDES

We found in many middle-class schools they were demanding and, in fact, had been able to get teacher aides in every classroom. In many of our middle-class schools in California, we have far more teacher aides outside of the target area than we have inside. Because somehow the districts are able to find the money outside the target area. We are not critical of that; we are saying that it is interesting to see that this kind of impact has taken place.

One side benefit there is that teachers from these schools are communicating far more than they did before. The other kind of personnel that we saw most repeatedly outside was the reading specialists and bilingual specialists. Somehow the district was able to provide these specialized staff to work with children and teachers in situations outside of the target area and I have the statistics for that. Most of these persons worked in what we call learning centers and it is very interesting to see in a school, in a very middle-class or upper-class area where the children are pulled out of the classroom and given the help they need—this shows us affluent children are deprived in various ways also.

Study centers have been set up after school and during the day, and we have seen the concept in some instances they have been more productive than in the target area. Here again, the tutors and tutees are benefiting.

A new position was set up with compensatory education, that is take-home school coordinator, the person who serves as the line between the school and home. I have not anticipated that we would really find these people in middle-class situations. To our surprise we found a great number of them set up. But they perform a very different function. Here they mobilize resources to have an impact on education. They also work in the area of community relations and how to communicate.

In our State, we found particular circumstances which influenced a district's willingness to replicate, I guess, from one program to another. One was the cost of the activity itself. Two was the degree of communication and staff pressure that they were able to exert.

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Three was the ability of the district to utilize their regular funds or their aggressiveness in soliciting other funds from private sources. Four was the flexibility of the district and willingness of the district to modify what they are now doing and incorporate some new ideas.

PRESSURES FROM PARENTS AND TEACHERS

We found much of this related to the pressures parents and teachers were able to exert. There are quite a number of other ways in which compensatory education seems to be influencing the program that is less scientific, but one that I would mention is the involvement of industry in education. It is one of the concepts pushed rather hard within the State, that was that we need industry help to perform these functions.

We were very interested to see that in some instances the middle-class schools captured that idea and in fact implemented it very well. So that I think compensatory education really initiated trends in education. It developed models for other programs. It changed the perception for the disadvantaged children, and it certainly has highlighted institutional strengths and weakness.

So from my standpoint it seems the program serves as a first step toward institutional change and reform. I won't go into detail about the types of schools that have the greatest impact, but let me say the school that had the least impact on a district was a school that is most typically compensatory, that is the laboratory, the pullout program effect. There was far more impact from schools that had total populations involved that was sort of a demonstration center where people came to see it.

But where 50 out of 500 children were served, it had little impact in the school or outside of that school, because it usually promoted a great deal of rivalry, and that kind of thing.

So I think this has implications for what we are all about in education and how we plan and institute new programs.

RIGHT TO READ PROGRAM

Finally, I would comment on the Right to Read Program. We have only been on the job for 1 week now to——

Senator MONDALE. What funding does the Right to Read Program have?

Dr. HOLLOWAY. That is to be funded by—we have two tasks, one to utilize the discretionary funds to have an impact on existing funds; the other is to redirect existing programs, Federal and State and local programs in whatever ways we can devise.

The Commissioner of Education committed $20 million of discretionary funds, $10 million from programs now in the Office of Education, and $10 million to come from the New School Management Act bill, if enacted, which means that we will have an opportunity to work——

Senator MONDALE. No problem.

Dr. HOLLOWAY (continuing). In the segregation and reading programs and I think it will be exciting. We also have the charge of discharging $500 million in this program. So we have a coordination as well as demonstration job.

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PROGRAM GOAL

We have set a rather high goal—that is, to eliminate illiteracy by 1980. So it is a two-pronged thing: we want to prevent additional deficiencies and, two, we want to prevent the system from producing these kinds of individuals.

Senator MONDALE. Would you submit for the record your definition of what illiteracy is?

How many children in the Nation's school system today are unable to read at an adequate level by the time they leave the system? Do we have a figure for that?

Dr. HOLLOWAY. We have some figures.

Up to grade six, some 7 million children are reading 2 years below grade level, an average of 2 years below grade level.

Senator MONDALE. So by the sixth grade there are some——

Dr. HOLLOWAY. 7 million.

Senator MONDALE. 7 millon reading at the fourth-grade level or below?

Dr. HOLLOWAY. Right.

Senator MONDALE. Dr. Wheeler, would that have been a common occurrence in your area before you started your Right to Read Program? I think you testified that it was——

Dr. WHEELER. Well, I ——

Senator MONDALE. You said in your area 80 percent of the pupils scored below the average level. You do break your figures down, and I think you said 80 percent were below the grade level.

Dr. WHEELER. That is on a reading-readiness test. It is not on a reading test. There is a difference.

I would expect if we had administered a reading test the way we did 2 years later—the test we administered later was not a reading-readiness test. It was——

Senator MONDALE. That was an actual achievement test, wasn't it, that anticipated how he would respond with a decent reading program?

Dr. WHEELER. That is right. It is partly diagnostic, and we try to establish to what degree is the pupil ready to receive formalized instruction in reading.

Senator MONDALE. So your figure, then, is based on reading achievement tests?

Dr. HOLLOWAY. Yes, and that is nationwide.

I would further point out that in the inner city, between 40 and 75 percent of the inner-city children are underachieving from 1 to 4 years, depending on where they are.

Senator MONDALE. Do you have that broken down by minority groups?

For example, I assume the problem is more aggravated where there is a language barrier.

Dr. HOLLOWAY. Yes, and where there is a dialectal problem.

Senator MONDALE. Do you have data on that?

Dr. HOLLOWAY. Yes.

Senator MONDALE. Would you submit as much of that material that you have? We wish to include that in the record.*

*See Appendix 1, p. 5761.

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FUNCTIONAL ILLITERACY

Dr. HOLLOWAY. I will be pleased to provide that.

I was going to point out also there are 15 million adults who are considered functionally illiterate in the United States now. We want to refine our data on that.

But let me give you our definition of functionally literate: "That the individual is able to read at a level that helps him perform a task basic to employment and survival in the society." That is our generalized definition of literacy.

And to know there are 15 million adults—well, we don't know how many are high school graduates and how many are dropouts and how many are older adults that didn't go to school. That information we will be soliciting this fall, because we feel it is crucial to know the percentage of youngsters who leave the schools without reading skills. And we will find that out this fall, because we feel that is just essential to know if we are going to tackle the problem of illiteracy.

As you know, the program was announced almost 2 years ago by the former Commissioner James Allen. But, for many reasons, it didn't get off the ground. So, actually, September will be our initiation date for an actual program of this kind.

TEN-YEAR STRATEGY

I thought you might be interested in the fact that we are drawing up a master plan to achieve this 10-year goal. We have it set out for each year.

We feel if this is to be education's moon shot, we have to have a strategy for getting there. So we will be finalizing——

Senator MONDALE. If we set aside 40 percent of the money of the space program, then you would be well funded.

Dr. HOLLOWAY. You will be interested to know that James Webb is on the Reading Council, the former Director of NASA.

In terms of a particular strategy, we want to attack the reading problem from four different major directions.

One is the redirection of formula money. They have already decided that we have quite a lot of notice. We will redirect other people's money into programs by a variety of means. But the redirection activity seems to me significant, because there is no point—it seems if we learned anything from Comp. Ed., it is that adding a project on top of a mediocre program or an inadequate program will not solve the educational problem.

So I am trying to build into right to read some of my experiences and learnings from California. And one certainly is that the project approach or the bad-data approach—or "cosmetic approach" or whatever you want to call it—really has not solved the problem.

So, in our redirection activities we will hope to change directions for the programs that now fund reading activities from the office of education from State and local levels.

The second thing that we plan to do beginning in September is what we call transition. The moneys that are now—the discretionary money that will be designated as right to read money will be used

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to help districts change their existing programs and only with the commitment to change that will right to read pay for the transition activities.

We will not again fund another project. The project this time will be the total program of reading and language. So the transition activities will be a major portion of what we will do.

Those will be in situations that Dr. Wheeler indicated don't now have Federal funding or certainly not substantial Federal money. And we know that the youngsters are there and they are very needy.

CHILD DEVELOPMENT PROGRAM

Senator MONDALE. Are you intending to cooperate with the Office of Child Development?

Dr. HOLLOWAY. Yes.

Senator MONDALE. We are hopefully going to adopt a massive comprehensive child-development program as we extend Headstart. If it is fully funded, which it probably won't be, it would be $7 billion a year for these first 5 years of life. It seems it would be a good area for you to be involved in.

Dr. HOLLOWAY. Dick Orton and I have had initial conversations in regard to how we might work together from the Headstart standpoint. But we certainly do plan to work with all agencies that have anything to do with children and, certainly, language and reading.

SCHOOL BOOKS

Senator MONDALE. I wish we could get American business to contribute to development of technology for printing inexpensive books, good books cheaper, so these children could bring books home with them.

Don't you think that is very important—to let them have their own books?

Dr. HOLLOWAY. Yes; and books that they are interested in.

Senator MONDALE. They would have to pick them. But it seems to me that is very important.

Dr. HOLLOWAY. I don't know whether you are aware of the fundamental program——

Senator MONDALE. My wife is active in the program, so I get proselytized.

Dr. HOLLOWAY. I think that is a good start. But much more needs to be done.

One of the things very basic to right to read is the involvement of the private sector and, in addition, getting industry to set up so-called literacy models on the job for people who work there.

There are a variety of other agencies and associations, like publishers and what have you, whom we have to work with.

Senator MONDALE. Right. I think in order to get the cost down you have to have a wide range of good but inexpensive literature which the children can obtain either free or for a very modest cost, and they should be able to take it home as theirs.

I don't know. Maybe that is not important.

Dr. HOLLOWAY. I think it is essential.

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Senator MONDALE. It seems that a lot of these children don't have literature to read in their own homes to train themselves on.

Dr. HOLLOWAY. I can't agree with you more that having books available to go home is great. I think the books in the schools ought to go home. But I just don't think there is anything sacred about leaving the books at school.

I think the publishers could make a great contribution here if they would reproduce different kinds of books and for less money.

Senator MONDALE. Yes.

Dr. HOLLOWAY. I don't think the children will ever be able to buy a $5 book. Many of the children's books now are quite expensive.

Senator MONDALE. I think they are now able to sell some good books for 30 to 35 cents.

Dr. HOLLOWAY. Paperback.

"SESAME STREET"

Senator MONDALE. Yes.

What about "Sesame Street" and their new effort to try to move into the reading efforts through television? Is that helpful?

Dr. HOLLOWAY. That program will get underway this fall. The Commissioner has assigned me to work with them. They have had a first preview. They will be field-testing it this summer, hopefully getting some of the bugs out of it.

From the preview, I thought—I had recommendations. But, basically, I feel we ought to utilize the media of TV much more in the teaching of reading.

The Office of Education has put $5 million into the program based upon whether or not they can develop it in a satisfactory way. I believe they can.

One of the things that I am somewhat concerned about is that the program be used by school people as a complementary way of teaching reading.

I also recommended that we establish an adult "Sesame Street." I think there is a great deal we con do in the home for those who may not go out to learn these skills.

There is a great deal we can do in the home with this program.

Many adults will not admit they cannot read. Even if——

Senator MONDALE. It is increasingly embarrasshing to admit that.

Dr. HOLLOWAY. Sure it is. But I think television can really assist us, and many other media as well.

But we are working closely with Mrs. Cooney on the program. It is called "The Electric Company Hour," and it will be aired the latter part of September or early October.

Senator MONDALE. We have set aside in the Senate integration bill $45 million for educational television, to be culturally and ethically utilized.

But I am interested in a recent survey in the Brownsville area that shows that 80 percent of the children watch "Sesame Street."

Mr. ROBINSON. All over the city. So do I—every Saturday.

Dr. HOLLOWAY. One of the things we recommended to the reading program was a utilization program—was that the children who are supposed to watch it actually do. And parents are geared into follow up in some way with what is taking place there.

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So we look forward to working with that reading program.

I think the whole media world has great implications for education, and we have to utilize them to help us in the teaching process. I feel very strongly about that.

EDUCATIONAL REFORM

I want to make one final comment.

We will be setting up renewal centers which will focus on changes to be made in the country. That will be a first major effort.

But, as you know, right to read doesn't have legislation at this time, so we are going on administrative authority. But I believe that the program really holds a great deal of potential for education reform, because reading is so basic to everything else we do in education.

Just as comprehensive education influenced middle-class schools, I think the right to read approach, if we are successful—and I believe we will be—can significantly influence the way we teach reading to all children, because many children read in spite of rather than for any other reason what we do in the classroom.

So I am hoping it can reform the way we teach reading to everybody.

Senator MONDALE. I think the whole effort in the schools will founder unless we can have some kind of observable criteria to judge it by. And the changes that we need in the school system are very difficult to come by unless we have some way of measuring it.

Certainly, reading is not only essential but it would be a good place to begin.

As a matter of fact, if you can't teach a kid to read, I don't know how the system justifies itself.

I think Dr. Clark told us there is evidence that many children come up from the Bahamas and the Caribbean and read better than the children in the classes into which they are placed.

I have to go. We are going to have an executive session for marking up the higher education bill, but I will be right back.

Dr. HOLLOWAY. Thank you very much.

PREPARED STATEMENT OF DR. RUTH LOVE HOLLOWAY

Mr. Chairman and members of the subcommittee, I am Ruth Love Holloway, newly appointed director of the Right to Read Program, USOE. In my former capacity as Chief of the Bureau of Program Development with California's State Department of Education, I and my staff assumed the responsibility for assisting some 900 school districts in planning and implementing federal and state compensatory education programs. I was asked to comment on three areas today (a) compensatory education in California, (b) research on impact of compensatory education on general education, and (c) plans for Right to Read. On the first two areas, I will be speaking as a professional and in relation to my former work. This is not intended to reflect on official policy statement of the Office of Education.

California is proud of its success in ESEA Title I in that each year some 250,000 children average at least one year's academic gain for one year of instruction. A sizeable number of these children gained in excess of the month per month growth. To fully appreciate such gains we must consider the historical progress of children from economically deprived backgrounds. Usually, the children are behind from the day they enter school and their rate of progress is normally .7 years gain for each year of school. This, of course, means that they are getting further behind the longer they remain in school.

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Since the so-called normal rate of growth is one year's gain for each year of instruction, it is apparent that poor children at a distinct disadvantaged.

Briefly, there are several reasons for the degree of success which California's compensatory effort achieved.

1. The Division of Compensatory Education is a separate division within the Department of Education.

2. The federal formula monies were used as discretionary resources. Guidelines setting forth areas for programs were developed. Enabling state legislation set the parameters and priorities for all programs for disadvantaged children. Guidelines included a requirement of multiple services. Each individual was to record instructions in reading, math, and health and nutrition were provided as needed. It was required that his parents were involved, his teachers were given specialized inservice education.

3. The monies were concentrated on each child at a level of $300 over and above the regular district expenditure.

4. Priority placed emphasis on kindergarten through grade six with a longitudinal focus.

5. Technical Assistance was provided to districts in their project. Performance objectives were used to guide activities based on identified needs of children.

6. The state approval process involve an analysis of the program for legal requirements and recommendation for program improvements.

7. Once the projects were operational, a program review and monitoring process was implemented to facilitate adherence to guidelines.

8. Each year the state summarized and reported evaluation from local data to the State Board of Education.

These items accounted for the degree of success which was experienced. However, a continual re-assessment is essential for updating the state delivery system.

Impact of Compensatory Education on General Education

Although, the program served only 40% of the eligible children, the practices germinated in compensatory efforts began to spring up in middle class schools. And so my study undertaken during the 1970 school year focussed on the impact of compensatory education or general or regular education.

Responses were sought from a variety of school districts to three major questions:

1. Are the specialized compensatory programs being replicated outside the target area or in non-funded programs?

2. Has the process of involving parents, teachers and administrators influenced methods of program planning?

3. Has the employment of specialized personnel, i.e. teacher aides, instructional specialists, tutors, home-school coordinated affected employment practices non-compensatory programs?

The research investigation sought to discover the degree of impact or influence in non-funded schools as well as the activities continued in instances of fund-reduction or elimination.

These were the types of schools studied:

School—Type A. (Saturated School Project).—A school located in an intensive poverty impacted urban area which is saturated with total program service. Such schools include entire school populations in compensatory education and both regular and added staff are involved in the program.

School—Type B. (Single grade level project).—Demonstration projects in reading and mathematics operate in selected school districts (14). All such programs are funded at the junior high level exclusively. It is a longitudinal program beginning with the 7th grade, with students in entire grade levels participating in the project.

School—Type C. (Laboratory Project).—The laboratory projects operate in schools in which multiple grade levels are served. Selected children are taken from regular classrooms for short periods of time in order to receive special instruction in a laboratory or "pull-out" situation. It is a common organizational approach in compensatory education.

School—Type D. (Non-federal resources project).—A school located outside the designated target area which has no federal funds but has altered aspects of the school program.

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School—Type E. (Limited federal funds project).—A school located outside the target area in which additional federal funds are being used (other than compensatory education funds). The school program has been altered to some extent.

School—Type F. (Program with reduced or eliminated resources).—It is a school in which compensatory education funds were reduced or eliminated and specific aspects of the previous project are still in operation.

Startling results were found. *Compensatory Education concepts and activities seem to be having a greater impact on regular education than on disadvantaged children.* Why is this so? There may be several reasons. Middle-class parents have always had more access to and influnce on public education than low-income parents. Therefore, the pressure which they exert has resulted in programmatic and organizational changes. When such parents recognized the validity and potential of compensatory education for helping their children, they utilized a variety of channels to get the concepts and activities initiated in their local schools. It is interesting to note, also, that teachers in the more affluent schools have observed the new techniques and are requesting many of the activities, equipment and procedures to aide them in the teaching-learning situation. A major difference here is that the installation of a new program is not superimposed upon the classroom teacher, but is the result of her desire and request for it. Contrarily, in many Title I schools, and other projects, the program was handed down from the district office.

Today public criticism is exerting a great deal of pressure on schools to be accountable for their products. In some instances, compensatory education activities are used as limited examples of ways to improve regular programs. Finally, it seems that the education system is exhibiting a degree of receptivity to change. This willingness is manifested in educators, administrators and teachers looking for new techniques and concepts.

Districts are beginning to be willing to restructure existing activities and utilize regular funds, rather than adding on program with additional federal resources.

Specifically, four areas were studied in depth. These included:

1. Attitudes and perceptions toward disadvantaged children
2. Activities related to instruction, curriculum material and teaching strategies
3. The process of involving parents and personnel in planning school programs
4. The employment of specialized staff

General Program Impact

While each of the four areas studied showed a positive impact on education generally, there were some areas that were very outstanding. The most profound impact was in the area of individualized instruction. For many years, educators have discussed the need to personalize instructional programs. Many factors influenced the slowness with which this apparent need is being achieved in education. Compensatory education seems to have provided the techniques, the procedures and the personnel for designing programs to meet individual needs and strengths of children.

Middle-class schools also borrowed the variety of specific approaches to teaching reading and language development and utilized much of the multiethnic materials piloted in compensatory education.

In terms of total program impact, community representatives indicated that the most significant effect in parent involvement in classroom activities and their participation on local advisory committees in helping to plan the school programs. On the other hand, administrators and teachers agreed that the most significant impact occurred in the areas of:

Reading and language development.
Individualized instruction.
Use of teacher aides.
School staff involvement in program planning.
Staff development or inservice techniques such.
Advisory committees.
Use of instructional specialists, i.e. reading and math.
Minority culture and history.
Preschool and early childhood emphasis

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Both professional staff and community representatives, (which included paraprofessionals) indicated a strong impact in the modification of existing curricula, class size reduction, use of student developed materials. multicultural books, and audio visuals aid. Teachers and parents stressed the importance of class size while administrators reported less impact and influence in this area.

One of the primary benefits of ESEA, Title I has been the recognition of the need for private schools and early childhood education programs. Such impetus is not only benefiting programs for the disadvantaged, but have given rise to a new movement for early childhood education for all children. All of these and other innovations attest to the fact that the program for the disadvantaged is indeed aiding the advantaged child.

Inservice Education Impact

A close look at inservice education revealed that changing teacher behavior as well as providing resources and techniques for teachers were effective in compensatory programs. Among the element in inservice showing the greatest impact outside of operational program were the following:

development and use of new instructional material.

improvement of skills in teaching reading and math with emphasis on diagnosis.

changing expectations of teachers toward individual instruction.

systematic planning of inservice activities.

on-the-job training, released time and reimbursement for staff development.

Techniques found to be least effective both in target schools and in impact on non-target schools were college courses. Workshops, school visitations and demonstration lessons were frequently replicated.

One of the major requirements of compensatory education is evaluation—the documentation of the relative effectiveness of programs and activities. Systematic evaluation in terms of affect of children was a new and difficult challenge for schoolmen. It was not altogether unexpected that assessing the effect of a program would find its way into the mainstream of education.

With the current accountability thrust, evaluation became a major vehicle for measuring the gains and cost benefits. Stating performance or behavioral objectives of a program is instituted widely beyond compensatory education. In fact, such have become a mandate in some regular district and other federally supported efforts.

The impact of evaluation extends beyond the measurement procedures, but has increased staff accountability for program operation and progress of students. Modification of existing program is based on evaluative data. It would appear that education evaluation may serve as a primary catalyst for change and reform.

Involvement Process—Parents, Teachers, Administrators

The concept of involving parents in the policies and programs of education was as foreign as compensatory education itself. Prior to the era of antipoverty and compensatory education ventures, school programs were developed by district office personnel. Although middle class mothers have traditionally influenced school curricula and activities in rather specified ways, their interventions were usually informal. Replication of the "involvement process" has resulted in three distinct ways:

Policy and parent advisory committees are operating in non-compensatory education schools.

Middle class parents have initiated program development task forces for curricular planning with teachers.

At the insistence of parents, compensatory education activities are being implemented in non-target schools.

Many middle class parents view compensatory education as a vehicle for initiating innovative practices into their school programs. Another by-product appears to be manifested in the increased communication between lower and middle class parents.

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Perhaps the greatest impact of parental involvement relates to the increased accountability on the part of parents for the support of education for children. A joint effort is emerging which defines parents as partners in decision-making and in the lives of their children.

The process of involving teachers and administrators in program planning established a trend. This emerging practice of localized participation by client and practitioner has been aided by educators and the public; especially teachers who want a voice in decision-making.

Personnel: Professional and Paraprofessional

A fresh cadre of personnel have found their way into the public school arena with the advent of federal funds. The entree of paraprofessionals in the classroom has expanded the classroom walls to include the community. The use of teacher aides, community aides has not only changed the role of the classroom teacher, but has helped to improve communication between home and school and found to enhance the achievement of boys and girls. Teacher aides themselves have become interested in furthering their own education, and evidence indicates that their children are performing better in school. Recognition of the willingness of teacher and community aides to further their own lives was met by the enactment of the Career Opportunities Program by the U.S. Office of Education. This is a work-study program for teacher aides. Teacher aides are rapidly becoming a part of the public school establishment. The research revealed that most teachers are requesting the use of aides as long-sought-after helper in crowded classrooms. Aides are recruited in middle-class schools from the multitude of parents who remain home. They are utilized as paid aides and volunteers.

Compensatory education has brought not only extra programs for children, but also additional assistance for teachers. Research indicates that the use of reading, language and mathematics specialists have tremendously increased in public schools with the advent of compensatory education. Such specialists usually work in learning centers where children with special needs are sent to receive specialized instruction on a daily basis. Learning centers are becoming a regular part of school programs. This suggests a recognition that not only are poor children deprived in our schools, but affluent children are also deprived.

Tutors have, in many instances, flooded the education market-place-before schools, after school, during the day and evenings. These young people in an "each one—teach one" kind of relationship are making a tremendous impace on education generally. Many affluent schools have instituted the "study center" idea and are finding that assistance with the academic has resulted in improved achievement, greater self-confidence, positive self-concepts and increased motivation. It is found that tutors, as well as tutorees are benefiting.

A new position of Home-School Coordinator was created in compensatory education's effort to establish a viable liaison between school and community. In schools outside of "target areas," this type of individual is employed and performs a valuable service in communication, intergroup relations and in mobilizing community resources.

Circumstances of Replication

The study further points out the duplication of such activities and elements takes place over several sets of circumstances and are influenced by the following: (1) the cost of the particular activity, (2) the degree of communication and staff pressure for the initiation of an idea (3) the ability of the district to utilize regular funds or to obtain additional resources, and (4) the flexibility and willingness of the district staff to alter and modify existing program and procedures. In addition to the curriculum staff and involvement procedures that have had a significant impact, such items as the institution of performance objectives, planning programs for individual schools, utilizing help from industry, evaluating programs and modification of them based upon the evaluation data, all seem to have gotten underway through the vehicle of compensatory efforts and are spreading district-wide. Such programs offer an opportunity to test the hypothesis to express new ideas and experiment with new concepts.

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What Compensatory Programs Accomplished

It is, therefore, concluded that compensatory education has gone in four different directions. It initiated trends in education; it developed models for other programs; it changed perceptions and attitudes towards disadvantaged children; and more importantly, it highlighted institutional methods and weaknesses. The researcher feels that compensatory education has served as a first step toward institutional change and education reform.

Impact by Type of School

The types of schools that have had the greatest impact are those schools in which the total school population was involved in the total program. Such schools tended to serve as demonstration centers and their visibility became well known and established, therefore having a greater spill-over effect on general education. The schools with the next greater impact on general education were those in which a single grade level was served (junior high school) and the impact was felt not only in the school which operated the program, but schools surrounding the local institution. The typical "pull out" program had limited impact on the local school or schools outside the target area. But then, these objectives were to improve education for specifically identified children. Compensatory education, while moderately effective in educating the disadvantaged, is certainly effective in changing education for middle-class children. Closing the gap between the two groups is essential and a strong case is made for continuing compensatory in order to be more productive in upgrading the quality of education for children of the poor. As a result, all children will benefit from the flexible program with innovative features. Constant reassessment, change and commitment are imperative if compensatory education, or any kind of education, is to truly meet the needs of the children.

National Right to Read

The Right to Read as a program will get underway in September 1971. It is emerging as a national effort to eliminate illiteracy.

The National Right to Read Effort is a coordinated endeavor involving all segments of society, public and private, professional and non-professional, to ensure that in the next decade no American shall be denied a full and productive life because of an inability to read effectively. The major goal of the Right to Read Effort is to substantially increase functional literacy. By 1980, 99 percent of the people in the United States 16 years old, and 90 percent of the people over 16, will possess and use the reading competencies which an individual must have to function effectively as an adult. The target group for Right to Read is the under-achieving pupil or the functionally illiterate adult.

The National Right to Read is a program designed to demonstrate, through the establishment of reading renewal programs, effective techniques for the elimination of reading deficiencies and, therefore, increase reading competencies, to assist in redirecting existing reading and reading-related programs, to highlight effective reading activities to inform the public that there is a nationwide reading problem; to determine what changes are required to accomplish the goal; to assist those who need to change to do so; to identify existing resources, public and private, which can be brought to bear on the problem; to make additional resources available.

The Right to Read Effort is not a single reading program or a single reading authority or responsibility for overcoming reading handicaps from the state and local governments and the citizens of the community where the responsibility for education properly rests in this country. It does, however, require national leadership in revitalizing reading activities from preschool through adults.

A major activity immediately will be the finalization of a master plan which will include strategies for achieving the goal of eliminating illiteracy by 1980. Considered education's moonshot, Right to Read endeavors to develop new delivery systems for providing leadership and service to state and local educational agencies.

In terms of strategy, through a variety of reading renewal activities, the Right to Read Program will assist state and local agencies responsible for read-

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ing and reading related programs to modify their reading instructional systems and practices. These renewal activities will assist SEA's in developing and implementing a delivery system to local agencies. Reading renewal activities will include: (1) *Redirection activities* in which the Right to Read would identify less than successful federally funded reading programs and design approaches to foster redirection and improvement; (2) *promising practices extension activities* through which promising practices would be up-graded to effective, exemplary programs; (3) *transition activities* in which Right to Read would provide assistance to local agencies not receiving Federal funds to make the transition from their on-going unsuccessful programs to effective programs; (4) *demonstrations* centers in which effective programs and practices for specific target populations and/or specific administrative or organizational structures would be demonstrated and personnel trained to implement such programs and organizational structures in their respective local agencies; and (5) *information and dissemination activities* through which information about the Right to Read program and resource material about effective reading programs and practices would be disseminated throughout the country.

Finally, Right to Read, without legislation, represents a new approach to solving an educational problem. I believe it has much potential for education reform. Just as programs of compensatory education have significantly influenced regular education; it is my opinion that Right to Read will not only improve education of those with reading difficulties, but will substantially change our reading practices and approaches with all children.

(Recess.)

Senator MONDALE. The committee will reconvene.

The final witness this morning is the chairman of the New York City Board of Education, Mr. Isaiah Robinson. You may proceed.

STATEMENT OF ISAIAH E. ROBINSON, PRESIDENT, BOARD OF EDUCATION, NEW YORK CITY

Mr. ROBINSON. Senator Mondale, the staff of the Select Committee on Equal Educational Opportunity, I am exceedingly grateful for this opportunity to present my views about the crisis in urban education and to present some general thoughts on how to make education more effective, more responsive, and more sensitive to the needs of inner city children.

I may say that my point of view is girded in years of experience as parent advocate for children and therefore it will not reflect the views of my colleagues on the Board of Education of New York City even though I am the newly elected president, first black president in the history of the industry.

John Stuart Mill argued before the turn of the century that one of the horrors that might befall our democratic process is that it should fall victim to the tyranny of class legislation. It is against this statement as a backdrop that I offer my testimony. And I think it will present the major concerns that I have had over the past 15 or 20 years in that regardless of the kinds of money, the kinds of resources, services, or anything else, compensatory education or education in general for minority children in New York City is doomed to failure because of the political reality of New York City.

BATTLEGROUND FOR MINORITY PARTICIPATION

In the past decade, New York City's public schools have become a battleground dominated by the effort of minority parents to achieve participatory democracy in our school system. This struggle has in-

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creasingly focused the spotlight on their demands for full recognition of their rights as citizens entitled to an equal educational opportunity for their children. Such demands have resulted in continuous conflict between the minority and the majority communities. And this is where the rub is: when most of the people of the majority community, financially and otherwise utilize all kinds of effort—for compensatory education, for desegregation, and many others—to change the society of the South; but, when it comes home to New York, it's a different story.

SUPPORT FOR INTEGRATED EDUCATION

This conflict started with the Supreme Court decision of 1954 which sought to eliminate the tyranny of caste legislation. All of the schools in the ghettos of Manhattan, Bronx, and Brooklyn were segregated schools. Minority parents marched, petitioned, and boycotted to support that landmark decision under the banner of quality integrated education for all children. What they received was half-hearted pacification measures such as higher horizons, open enrollment, free choice transfers, and school pairings. We started off with 20 pairings and ended up with four and today we have two and I don't know how long they will last.

The positive results of the pilot projects were limited by class caste pressures and resistance in the form of parent and taxpayer organizations; by class legislation in the form of antibusing bills; and by the recognition of public service unions for school personnel. The meager gains achieved through civil rights actions began to evaporate while the retardation rate of students in the inner city sschools increased. The schools were failing the majority of the students. They prepared almost none of these students for college: this meant that almost none would be able to get a job or live a comfortable life. Class legislation and pressure resulted in more walls than bridges arising between groups—black and white, young and old, student and teacher—negating any sense of common humanity

COMPENSATORY EDUCATION

This situation was eased somewhat by the passage of the ESEA Act of 1965. A truce prevailed as minority parents placed their hope on compensatory albeit segregated education. After several years of waiting, hoping, and evaluating, minority parents were shocked to learn that not only did student retardation continue to increase, despite the hundreds of millions of dollars spent for compensatory education, but that the number of segregated schools had doubled.

Here I would say that my first testimony as a member of this new board in 1969 had to do with the Title I. It was discovered that since 1965 New York City has received over $400 million for Title I programs. Taking a track record of youngsters who entered the program the first year and had 5-years' exposure to compensatory education, each case in the six districts of Manhattan prove that all those students were still 2 or more years behind in reading, which proves that something was wrong.

Senator MONDALE. Had the reading levels improved or deteriorated?

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Mr. ROBINSON. No. deteriorated. Further investigation showed one thing that we have in New York City, where we have 30 districts, where the money first to arrive in New York City—the introduction of the "more effective schools" then took place. It was determined that this might be one way of beginning to use Title I. Fifty percent of the funds were spent for extra staff for the more effective schools. Over the years the evaluations have shown that the more effective schools have not been any more effective than the less effective schools in terms of achievement. The only thing it did show was that parents were happy and teachers were happy and students were happy because they had smaller class size and all people to deal with what they considered to be problems. But the cost-benefit analysis will prove that the meager gains were insufficient to that expenditure of funds.

Moreover, I thought and still think that Title I funds were to be used for designated children; there was no evidence of that. The youngsters in attendance at the more effective schools were all those poverty children which were also educationally deprived which I thought was a violation.

This is the first year we have attempted now to change that situation, to give the money to the districts, to mount programs for the disadvantaged youngsters identified in that district.

More than half of the students in these schools were made so miserable that they dropped out, filled with despair and rebellion against society. Our educators claimed that these students came from such wretched homes that the schools could not do much to educate them.

The ephemeral truce was broken as minority parents mounted the struggle again for equal educational opportunity for their children, but this time with the demand was community control of community schools. If you followed the press you would recognize what took place in that effort.

The experimental districts, Brownsville and Two Bridges and one other, the struggle to achieve the kind of power of decisionmaking as against the central authority which by law had power and could delegate and did not but made promises that—but that operation started with the understanding that certain powers were vested in governing boards to do certain things, and every time they tried to act, they found they had no power. This ended up in the business of race and name calling and legislation being developed was defeated.

DECENTRALIZATION PLAN

The issue was delegated to the legislature where the tyranny of class caste again prevailed and community control went down to defeat. However, a compromise bill was later passed that provided limited decentralization of schools under the jurisdiction of community school districts. This limited decentralization plan is currently operating in New York City. The problems faced by minority parents, in terms of accountability and responsibility, still remain and only time will tell whether equal educational opportunity can be achieved with the same impediments as before under decentralization.

I say this is limited because the crucial issue in community con-

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trol and decentralization was the classroom, the productivity of the classroom. While there is limited decentralization, the accountability and responsibility that parents sought in districts cannot be obtained now either because the certification of personnel is still the central function and the districts must take whomever central authority sends for assignment.

The only encouraging thing that I noted was that yesterday the court decided that the board of examiners had in fact discriminated against minorities in its certification practices and therefore all current lists promulgated by that board are stayed, and I think that this is a further direction that they must devise an alternative method for certification that would be more equitable in terms of ethnic groups than the past system.

PARENT AND STUDENT PARTICIPATION

The crisis in urban education today in New York City with decentralization revolves around the same issue as before decentralization and that is the right of parents and students to be involved in the decisions that affect their lives. Prerequisite to effective participation of parents and students, in my opinion, is a climate of mutual respect, trust, and cooperation. Until that trust, respect, and cooperation evolves, the pawns used in the education game will continue to protest the students because schools are not working for them. Parents and teachers will continue to protest because they cannot be effective in their interpersonal relationships with their children and their students whose basic educational needs are not being met by the system.

Finally, how can we make education more effective, responsive and sensitive to the needs of children? The world of young people has become so confusing and is changing so rapidly that it is difficult for them to establish goals or to make career choices. This can be attributed in part to the rapid advances in technology which have eliminated the need for muscle power and even to some extent brain power. The shorter work week has meant increased leisure time for all employees. Therefore, those young people who come through our schools today must be prepared for the kinds of jobs that are available and must be able to use their increased leisure time in ways that provide self-realization and human satisfaction. To accomplish this, the emphasis in education should be based on learning and discovery—not teaching. This means moving away from the instrumental and toward the expressive forms of education. Learning then becomes its own reward. Education then becomes a kind of consumption of time and energy for present gains instead of the expectation of future gains.

To illustrate that, if one took math for example, that is tough at the present time to learn to count, to add, to buy, to purchase, or to be a teacher or accountant or scientists. Expressively, arithmetic could be learned just for the pleasure of playing around with quantities. It should be its own reward.

Putting it another way; dance could be learned because its student expects to go through a whole prescribed course of study to

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some day hopefully to become a professional dancer or it could be learned to enjoy one's self today. Therefore I think expressive education would be its own reward instead of the postponement of the day when all of those tortures we have been put through will maybe pay off. Education then becomes a kind of consumption therefore.

The fulfillment of course requirements could, then, be met through a variety of forms—such as independent study, field studies, work experience, community service, comprehensive examinations. and special projects. By developing the curriculum around dual-purpose programing, the student could be directed toward both continuing education and occupational preparation. This expressive approach to education would place greater emphasis on finding, managing, using information, and will place less emphasis on pure memory, thereby eliminating the necessity for cheating.

If one, I think, took a good look at our current society in terms of the corruption in all institutions, in terms of the cheating while we practice one thing and preach another, it could stem from inculcation of this value that it is right to cheat if you are not caught. The thing is to succeed.

EMPHASIS ON MEMORY

Our schools are placing an emphasis upon memory of facts that may be useful or not, where there is no enjoyment or utility at the moment. We encourage cheating in this way. Students are liberated from the fear of failure and the pleasure of learning becomes the goal. Our schools would then come alive while producing more creative, happy, and successful students who will become productive citizens because of their invaluable experiences acquired while obtaining an education that prepared them to live in a truly democratic society.

Senator JAVITS. Mr. Chairman?

Senator MONDALE. Yes, Senator Javits.

Senator JAVITS. Mr. Chairman, it gives me enormous pleasure to welcome Dr. Robinson who is the president of our New York City Board of Education—literally just appointed—who has already shown an enormous leadership in the field of education.

I must apologize to him in that both Senator Mondale and I have been heavily engaged in reporting out a $15 billion higher education bill which will help everyone. Hence we were late. But I would like to express for myself a great pleasure in having you here. I think what your testimony does is fortify this special committee.

We are engaged in quite a struggle to get $1.5 billion that is provided for in the President's budget for inadequacies of educational opportunity attributable to racial separation. How to do that is a big struggle. The way we wish to do it is exactly the way you have outlined it, that is by striving for educational excellence.

And I would be much fortified—as I am sure our chairman will be much fortified in this struggle which may develop indeed into a sharp difference between the two Houses of Congress—by your testimony.

Our system is the biggest and the most difficult for the reasons which are so very well known. And therefore this kind of supporting testimony as I said, Mr. Chairman, will be very helpful.

Thank you.

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Mr. ROBINSON. Would you agree, Senator Javits, that any of the guidelines in Title I create racial isolation?

Senator JAVITS. I believe that what has been the absence of a real evaluation of how Title I money is used, and the failure to set the guidelines under which it should be used, have contributed rather than diminished from the magnitude of this problem.

What breaks my heart even more, considering how hard Senator Mondale and I and others work to get these appropriations, is that we don't make sufficient effort in the Federal Government guarding these funds to be sure that when they pour out of here they really are helping disadvantaged children.

This is a very, very serious trouble we have and testimony like yours is very helpful in bucking us up and giving us the basic material with which to fight the battle.

Senator MONDALE. Thank you very much, Senator Javits.

Senator JAVITS. Thank you.

Senator MONDALE. I was interested in the difference between your testimony and Dr. Wheeler's. I suppose when people march in streets today concerning schools, the matter usually carries one of three slogans, integration, money, or community control. And I notice particularly in central city administrators not an abandonment of the cause of integration but a feeling it is not likely to be achieved.

You point out in New York City in the last 5 years racial separation has dramatically increased, and I assume the same is true in Kansas City, throughout the country, except in the South where the courts have forced some desegregation. In the last decade this racial separation seems to be dramatically increasing.

Mr. ROBINSON. That is right.

Senator MONDALE. Then we hear the plea for money. We heard that plea from Dr. Wheeler. We have heard it from many others. You know, if we could just have more money to compensate children for the way they have been cheated in terms of economic disadvantage we could equalize this thing.

Third, the plea is community control. And sometimes some of the more gifted touch all of them in one way or another, but my impression was that your testimony is basically a plea for far more meaningful authority and involvement by parents and children who are attending schools in problems that are affecting their education.

Mr. ROBINSON. I don't think we have a fundamental disagreement. I didn't talk against more money for compensatory education because it is my feeling——

Senator MONDALE. But you did say the More Effective School system failed in your opinion.

Mr. ROBINSON. It is my opinion in one of the school districts there, if we got additional money it would operate almost the same as it had in the past. Each school would probably fight to get one program in one class and in that school you would probably have a coordinator of that program of that one class, the districts will probably have another three coordinators and two or three assistants of the different schools and at central headquarters would be a fabulous staff to handle all the schools. The end result would be that most of

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the money as in the capital programs would be drained off for administration and little is left for education. That is my concern.

My testimony before in terms of Title I is that 90 percent of the money went to teachers' salaries and then you have the built-in problem of union contracts so that any program, educational, must be used where teachers are certified and recognized as teachers. You cannot use outsiders regardless of competence. You must use city schoolteachers and that carries a special price tag, and working weekends means additional overtime, and the money I think is wasted.

I am concerned primarily at the present time with cost benefit analysis for programs, compensatory or regular programs. I don't know of any city that so far has developed the ability like an industry would do, the cost of producing a product and getting rid of the fat and all the other wastes.

We have many programs in New York City, compensatory education programs. In fact I think we might be the leader in providing them but they never spread for the benefit of all the youngsters. And Dr. Wheeler mentioned the fact that programs start and are not continuous so we have no articulation from one grade or level to another. And no follow through to find out whether or not the money spent had any appreciable difference in the achievement of the youngster through high school as it may have had when he started in prekindergarten.

Senator MONDALE. Now in your highly prestigious position, you are the chairman of the board of education in New York City, do you feel in this powerful new position you can shake the system up?

LIMITED POWER OF SCHOOL BOARD

Mr. ROBINSON. My preface pointed out the fact that we have special political interests that operate in New York City and the board of education like most boards does not really control the system. It is a policymaking body and it can use its persuasive powers to do some things through its leader.

Where legislation is needed it must go to Albany. Invariably the powers of the unions and its supporters through other unions in the city defeat us. So the flexibility sought even in legislation is almost impossible.

Senator MONDALE. So you see the importance of being involved in the board, but you are under no illusions that you are actually in charge of the system.

Mr. ROBINSON. That is right. I think it is real from your point of view.

Senator MONDALE. How much power do you have?

Mr. ROBINSON. The new law gives us two powers: one, to make policy; two, judicial power, to hear appeals of violations of those policies and appeal mechanism, from students, parents or staff. And that is all.

The operational powers under the new law are given to the chancellor and community districts.

Senator MONDALE. I had lunch with Rev. Milton Galamison, who I think is no longer on the board. He went to Boston, and this was during the Brownsville——

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Mr. ROBINSON. The whole hassle for desegregation.

Senator MONDALE. When I asked, "Why all the troublemaking there?" he responded with something like, "Senator, there is nothing they can do to hurt that school. Any change has to be an improvement."

This was a statement by a member of the board of education, in great resignation and despair over what those schools were doing to the children of that area.

Mr. ROBINSON. You mean Brownsville.

Senator MONDALE. Yes.

Mr. ROBINSON. I think it is still the same. Until that political problem is settled I don't think it will change. The opinion is that if the schools were closed 1 year or 2 the kids will not miss too much. They are still in the lowest in the State, and probably in the Nation.

COMMUNITY CONTROL

Senator MONDALE. We had a witness here yesterday, Dr. Gittell, who discussed that brief experimental period where the Brownsville school district was controlled by a board in an operation which had distinct authority as opposed to this token decentralization of today. There was evidence of far greater parental involvement, a whole host of innovative programs were undertaken, and the children were doing substantially better in the administered tests. It was her opinion at least that helped to prove the need for community control.

Mr. ROBINSON. I agree to some extent. They never had complete authority to do anything. They were under the illusion that they had. Now to operate a program in a district one must, of necessity, have the resources to do it. If you start mounting programs and are frustrated because you must rely on central headquarters for delivery of equipment, books, supplies, et cetera, the delivery of approval of sites for programs, renovations, and all of these things, while there were successes in the move, by and large their frustrations with the battle between them and the central authority is upon the understanding of what their authority really contains. And so, every district, including 201, had the same problem of starting a program under Title I, or any other program where the law says you start July 1 or September 1, and by the time you have the thing off the ground it is now March. And the program really becomes effectively operative in March and you have only 2 or 3 months.

Now you have to evaluate for a year of expenditures because that is the year the money started. Most of the thing is built in fighting and trying to get the resources to do the work and going through the bureaucracy for the delivery.

The flexibility needed is the ability to go to the local places and put it on order through the board or whatever, and have it delivered. There is no point in waiting while a supply department claims it is piled up on orders and they make a delivery 1 year later.

So these are the problems and it is all tied into the union problem. Each union has its vested interests and in the supplies you have their union and every other area has its unions and they are all tied in together, even the construction, into one mass. If you can break through that I would say you could get down to really thinking about education because they all impinge upon that classroom.

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Senator MONDALE. That is very encouraging.

Dr. WHEELER. Senator, I don't know whether it is proper protocol to make a comment.

Senator MONDALE. By all means.

DELIVERY OF FEDERAL FUNDS

Dr. WHEELER. I want to add that in addition to the cumbersome machinery—this is by the way typical in most large districts—the problem is enhanced by the timing of the allocation and appropriation of processes at the Federal level.

Senator MONDALE. Oh, yes.

Dr. WHEELER. We had an improvement last year by February of last year which is approximately a month past the beginning of the second semester. It wasn't February, maybe it was April, but I did notice there was some slight improvement.

Senator MONDALE. Right.

Dr. WHEELER. We had received the final allocation so we knew the total amount of money that we would have to support compensatory education programs. It has been even in April—when school closes now in June—and it is difficult to plan when you don't know the amount of money that you will have.

Senator MONDALE. Finally, we broke a record this year, getting out the education appropriation. We have been having a big fight with the President over whether we will spend money on school children and we won a little of that. We got the largest appropriation, it is totally inadequate, but this year the President signed it and that will help a little. There is no question the Congress is always very interested in this field.

I wish to thank all of you for your participation.

At this time I will include an article from the New York Times for the record*, we had some Puerto Ricans testify about this. Also, I will place in the record at this point the prepared statement of Dr. Louis Monacel, who was unable to present his testimony in person.

(The statement follows:)

PREPARED STATEMENT OF DR. LOUIS D. MONACEL

I. INTRODUCTORY STATEMENT

Mr. Chairman and members of the committee, I am Louis D. Monacel, Assistant Superintendent in charge of the Office of Federal, State and Special Programs of the Detroit Public Schools of Detroit, Michigan. I am pleased to have this opportunity to present to the Senate's Select Committee on Equal Educational Opportunity information on Compensatory Educational Programs, conducted by the Detroit Public School System.

The Federal Government, and to a more limited extent the State Government of Michigan, has for several years provided the only significant funds that the Detroit Public Schools have had for program improvement. Funds awarded to the school district under various acts have made possible a concentrated attack on the problems of education for the economically and educationally disadvantaged children of our city. Indeed, the funds received have provided the only dollars available for the kind of research necessary for program development in the area of compensatory education. A major difficulty that has been encountered is that the allocation of funds has only permitted

*See Appendix 3, p. 5799.

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the mounting of programs that must still be described as "pilot" or "model" programs.

The financial plight of the urban school districts is well known to this Committee. For the record, I would describe briefly the serious situation facing the Detroit Public Schools at this very moment. This fiscal year the school district accumulated a deficit of almost thirty million dollars. This deficit was reduced by some ten million dollars through engaging in the undesirable procedure of reducing teaching staff in the spring of 1971. The School System in September of 1971 will undoubtedly start the year with a deficit in the neighborhood of twenty million dollars only to have that deficit increased by newly negotiated personnel contracts and other "cost of living" factors. Thus a fiscal dilemma of enormous proportion continues to face this large urban school district.

The millage on property tax, now a major part of the support of the Detroit schools, will expire in November of 1971. Funds from this millage will last until June of 1972. In the period between now and June of 1972 the Detroit Board of Education will undoubtedly present a new millage proposition to the voters to simply maintain existing levels of service to pupils, fearing that a seriously increased millage is absolutely doomed to failure. However, the probability of failure of even a "maintenance-of-existing-effort" millage is high. Unless alternative funding is developed the educational picture in Detroit will change from bleak to catastrophic—all at the expense of kids. The Detroit situation is typical of most of the large city school districts. The only difference is a matter of degree relating to numbers of pupils and the rate of decline in local taxation.

The need then, simply stated, is for more dollars, *first of all* to maintain the basic support required by a large school system *but additionally:* 1) to expand compensatory educational efforts showing promise by virtue of sound evaluative data and, 2) to initiate still more innovative program models that have been delayed only for lack of funding support. A standing recommendation of the Detroit Public School System has been the full funding of legislation which contains adequate authorization but for which inadequate appropriation bills are enacted.

In order to provide this Committee with the full picture of compensatory educational programs serving public school pupils in Detroit a collection of materials is herewith attached and submitted as my testimony. The package contains the following sections:

I. Introductory Statement.

II. Historical Development of Compensatory Educational Program in the Detroit Public Schools With a Focus on ESEA Title I (Recommendations related to Compensatory Educational programs in Detroit are included).

III. Evaluation Summary of the Effect of Compensatory Educational Programs Serving Pupils in Detroit Public Schools.

IV. Recommendations Made to the U.S. Office of Education by Representatives of the Detroit Public School System—December, 1969.

V. Related Information.

A. Summary of Special Program Components in Selected Detroit Public Schools—1970–71.

B. Study of Elementary and Secondary Education Programs and Needs—A Report to the Committee on Education and Labor of the U.S. House of Representatives delivered by Former Superintendent Norman Drachler, Detroit Public Schools.

I trust that this material will serve to better inform this Committee of the progress of Detroit's compensatory educational programs as well as the concerns and needs still experienced by this large urban school district. As a consequence I hope that the work of the Senate Select Committee on Equal Educational Opportunity will be facilitated.

II. Historical Development of Compensatory Educational Programs in the Detroit Public Schools With a Focus on ESEA Title I

A. OPENING STATEMENT

Detroit, like all other major cities in the United States, for decades has had families whose children have not been successful in the Detroit Public Schools. The complexity of community, home, and school conditions in the ghetto have

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historically placed extraordinary pressures on people and on institutions. It is not believed necessary to fully develop the causative aspects of the problems of the ghetto. It is most necessary to admit that the major school systems in the United States, including the Detroit Public Schools, have not been fiscally or educationally equipped to meet the multiple needs of inner-city residents. A decade ago, the problems were severe but were seemingly invisible because of a largely black community that was frustrated with a sense of total hopelessness. The community also was voiceless. Today, many of the same problems remain but the same community is no longer mute. Instead, the frustration now manifests itself in great and demanding rhetoric. The current verbal ability to demand sound education and housing and employment now most easily can turn to physical rage, exemplified by the 1967 disorders in this city. The Detroit Public Schools have long embraced the concept that states and the Federal government must provide vast amounts of program money in order that local school systems can meet the demand and right of all citizens to acquire educational excellence for their children. Thus, the school district was engaged in experimental compensatory educational programs with its own budget and with the help of various foundational institutions as early as 1959. In 1964, the Detroit Public Schools attempted to assume national leadership in enjoining with the legislation provided under the Economic Opportunity Act to continue and enlarge compensatory educational programs for the disadvantaged. In 1965, the Detroit School system was ready to launch programs as massive as the Elementary and Secondary Education Act of 1965 would allow.

The various titles of the Elementary and Secondary Education Act of 1965 have provided an opportunity to focus more directly on the problems encountered during the nine-to-three school day. In April and May of 1965, the Program Development—Special Projects staff met with every school principal and with as many community groups as possible. The provisions of the Elementary and Secondary Education Act were explained to these groups, and it was suggested that it was "dream time". They were asked to meet with their school staffs and parents and to submit their ideas on how they could "make the most significant difference in the lives of their children", whether disadvantaged or advantaged. Over one thousand such ideas were received. These were then categorized and sent back to representative committees from each high school constellation in the city.

These committees consisted of administrators, teachers, parents, and community people. They then assessed priorities to the categories of dreams and ideas which had been submitted.

B. THE EVOLUTION OF COMPENSATORY EDUCATIONAL PROGRAMS IN THE DETROIT SCHOOLS—THE GREAT CITIES PROJECT

The Detroit Public Schools began, in 1959, a three-school experimental compensatory educational project called the Detroit Great Cities School Improvement Project. A year later, the Ford Foundation provided some support to the project and it was then expanded to seven schools, one senior high school, two junior high schools, and four elementary schools. The basic ingredients of that project were the addition to the staff of:

1. a school-community agent, as the liaison person between the school and the community,
2. a reading consultant for dealing with the problems of reading, both in the remedial and in the in-service training sense,
3. additional visiting teacher service,
4. the community school concept, where the school was kept open evenings, weekends, and summers for enrichment, remediation, and leisure activities for children, youth, and adults of the local community,
5. curricular modification, primarily as a result of the community involvement in the school program, and through in-service education of the local school staff.
6. additional supplies, equipment, and materials to compensate for the lacks in the lives of these children and to reinforce the teaching staffs,
7. a school fund to supplement the normal requisitioning and purchasing allotments.

Funding levels for the Great Cities School Improvement Project are indicated in the chart that follows:

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DEVELOPMENT OF THE GREAT CITIES SCHOOL IMPROVEMENT PROJECT—
DETROIT PUBLIC SCHOOLS—1959 THROUGH 1971

Date	Number of schools	Detroit public schools	Ford Foundation	EOA	ESEA Title I	Total
1959–60	3	[1] $135,000	----------	----------	----------	$135,000
1960–61	7	143,500	$135,900	----------	----------	279,400
1961–62	7	189,500	185,800	----------	----------	375,300
1962–63	7	238,100	137,200	----------	----------	375,300
1963–64	7	298,600	76,700	----------	----------	375,300
1964–65	27	265,460	----------	$1,363,850	----------	1,629,310
1965–66	178	262,460	----------	2,790,335	[2] $11,999,074	15,051,869
1966–67	178	385,478	----------	2,027,920	11,221,537	13,634,935
1967–68	178	475,600	----------	942,612	11,281,162	12,699,374
1968–69	178	468,491	----------	----------	10,460,289	10,928,780
1969–70	126	[1] 470,000	----------	----------	13,838,048	14,308,048
1970–71	126	[2] 450,000	----------	----------	15,400,413	15,850,413

[1] Estimate.
[2] Included in Great Cities Project Title I funding amounts are many more program components and strategies than those listed in the text just preceding this chart, e.g., work study programs, camping, etc.

In the 1964–65 school year, the program was expanded in content as well as in number of schools receiving service. Funds received by the Detroit Public Schools from the Office of Economic Opportunity (OEO) supported this expansion. OEO funds provided from the several titles of the Economic Opportunity Act of 1964 presented the opportunity for the development of additional programs designed to support the activities conducted by the Great Cities School Improvement Project. These are described in the section of this paper titled DETROIT PUBLIC SCHOOLS AND COMMUNITY ACTION PROGRAMS.

C. DETROIT PUBLIC SCHOOLS AND COMMUNITY ACTION PROGRAMS

In November of 1964, in cooperation with the Mayor's Committee for Total Action Against Poverty (now known as the Mayor's Committee for Human Resources Development), six Community Action Programs were initiated and operated by the Detroit Public Schools:

The School Community Project in Disadvantaged Areas (Great Cities Project—20 schools)
The Extended School Program (33 schools)
The Pre-School Child and Parent Education Program (10 sites)
The Assistant Attendance Officers Program
The Intra-Mural Physical Education Project (4 schools)
The Child Day Care Study Center (Planning Process)

In 1965, the following programs were added under EOA funding:

In-School Youth Work Training (Senior High School—Spring-summer 1965)
Project R.E.A.D. (*R*emedial *E*ducation for *A*dults)
Project Head Start (for the child about to enter Kindergarten)

For the school year 1955–66, almost all of these projects were refunded and others added, such as an expansion of the Extended School Program to 51 schools, School Health Coordinator, School Volunteer Service, Program Development, Developmental Career Guidance (with Wayne State University), and a Pilot Project to Train Teacher's Aides.

D. THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (AS AMENDED)

Key to the continued development of new programs and the expansion of existing ones was the advent of the Elementary and Secondary Education Act of 1965 (ESEA). In the first year of funding (1965–66) under Title I, the following programs were developed and funded:

Communication Skills Center
Basic Reading Demonstration
In-Service Training (Project F.A.S.T.)
Program to Continue Education of Girls Who Must Leave School Because of Pregnancy
Cultural Enrichment

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In-School Youth Work Training (Junior High)
Discretionary Development Fund For Disadvantaged Schools
School Service Assistants
Program Dissemination
Program Evaluation
Pre-School Child and Parent Education
Operation GO
Job Upgrading
Educational Television
Equipment, Materials, and Supplies
Summer School
Outdoor Education and School Camping Experience

Involvement in ESEA meant that the Detroit Public Schools could now speak to a variety of needs that had heretofore gone unmet. More of the most disadvantaged students received much-needed compensatory educational services, teachers in ghetto schools received in-service training aimed at the special needs of their students, and parents became involved in school affairs as paraprofessionals, members of Project Councils and other activities not previously possible with limited school funding. This initial funding of Title I programs in the 1965–66 school year has paved the way for additional programs funded through other titles of ESEA. These programs can be listed as follows:

ESEA Title II.—Library Books and Materials for Local Schools Professional Library.

ESEA Title III.—Neighborhood Educational Center—Language Arts-Mathematics Achievement Program in Four Elementary Schools; Computer Managed Instruction in Elementary Mathematics and Reading; Excellence in Science Project in Senior High School.

ESEA Title V.—Decentralization Planning.

ESEA Title VI.—Detroit's Multi-Faceted Special Education Project—Psycho-Social Teams; Staff Recruitment Services; Pre-School Experiences for Special Children; Service to Pre-Schoolers with Language Disabilities.

ESEA Title VIII.—Prevention of School Dropouts

E. MODIFICATIONS AND REDIRECTION OF TITLE I COMPANIES

The large umbrella of component program services that was developed for the 1965–66 fiscal year under Title I provides the opportunity to view an array of programs all soundly conceived and directed toward the alleviation of pupil deficiencies, as well as improvement of their skills and enrichment of their experiences. However, this approach contained the major deficiency of the low funding element per component. Thus, these programs spread over the lives of thousands of children reduce the number of dollars expended per child thus finally weakening the total impact per child. In an attempt to provide concentration of effort in order to gain maximal impact per eligible child in the school district, a reconstruction of the Title I programs was begun in 1967–68. All of our eligible schools were categorized as A, B, or C schools. This categorization related to the total percentage of eligible children per school. Thus, an A school received maximum services, a B school moderate services, and a C school minimal services.

In 1969–70 service to C schools was discontinued in favor of further concentrating services within A and B schools. Conceivably, then, program impact will be increased through service to a reduced number of eligible children in the remaining A and B schools. This means that 52 fewer school attendance areas or target areas (126 schools vs 178 previously) now receive Title I programs.

Within a given A or B school, the services available are rendered only to those students who have multiple educational handicaps. That is, a student must meet at least three of the following criteria in order to be served:

1. one or more years retarded in reading achievement,
2. one or more years retarded in mathematics achievement,
3. a minimum of ten days absence per semester,
4. one or more years overaged in grade placement,

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5. one or more police contacts,
6. three or more school counselor contacts for disciplinary action,
7. member of a low-income family.

In the course of 1971–72 program planning it is anticipated that where indicated, modification will be made in these criteria. Some further refinements have been suggested.

In determining whether or not a student is eligible for service, the "degree" of eligibility within each criterion must be taken into account. For example, a student wth 12 days of absence and a student with 20 days of absence both meet that criterion of eligibility related to absenteeism, but if service must be limited, the student with the greatest number of absences (20) must be ranked as first to be served.

It would seem that with criteria such as these, only a very few students would be eligible for service, but this is not the case. Perhaps, surprisingly, the massive nature of educational retardation and economic deprivation makes an overwhelming percentage of the students in almost all "A" schools and many "B" schools eligible. A review of the achievement scores from these schools will bear this out. (See attached chart*—"*Correlation of Pupil Avhievement with Economic Conditions of Family in 35 Title I Schools*)

Moreover, Title I school attendance areas in Detroit, ranked only by one factor—concentration of pupils from low-income families—demonstrates again that for only the one criterion of low income, large percentages of students require special service. Add to this the other handicaps of poor achievement and frequent disciplinary contacts, and the number of pupils needing compensatory educational service in the Detroit Public Schools is vast.

F. ADDITIONAL COMMENTS AND RECOMMENDATIONS RELATED TO TITLE I AND OTHER COMPENSATORY EDUCATIONAL PROGRAMS

Philosophically, those who have responsibility for planning for the so-called educationally disadvantaged in the Detroit Public Schools are in agreement with the need for greatly increased per pupil expenditures, while maintaining the basic per pupil expenditure level established throughout the district. Put another way, DPS school officials have no problem with the concept of disproportionate funding of pupils, disadvantaged vs advantaged. But local officials do have a problem with levels of total funding which generage insufficient resources for the *total number* of educationally retarded pupils who absolutely must have compensatory educational experiences.

Consistent with the modification and redirection of Title I components has been the development in 1967–68 of a program of class-size reduction and staff in-service training in 35 schools having pupils, almost 100% of whom are educationally disadvantaged. This redirection of Title I money was only accomplished through the serious reduction of other Title I programs with high potential. As a result of this development, thirty-five elementary schools, in the heart of the inner city and housing pupils with the highest degree of deprivation, are enjoying class-size reduction to a maximum of twenty-five in grades kindergarten through two.

Though programs are being modified, these modifications are not made easily. Indeed, they are made with great difficulty and generate many problems for those responsible for their implementation. For example, to bring about the "35 School Program" alluded to above, at least one promising program—Communication Skills—was reduced by two thirds. Since this modification in 1967–68, other high potential programs have also been diminished or discontinued in the interest of redirecting and concentrating effort. The "After School Enrichment and Remediation Classes" represents another example.

Each of our Title I programs serve as excellent models and have strong support among community groups as well as through the various Title I Project Advisory Councils. Any attempt to meet a higher priority local need through redirection and concentration of monies at the expense of a given program elicits a vigorous and serious protest from clients and community who have a vested interest. Thus, for example, a minor reduction in the *Program to Continue Education for Pregnant Girls* is met with angry protest from many citizens and clients. Even though citizens are now demanding a "reduction-in-class-size-inservice training" thrust on the one hand, they insist, on the other

*See page 5608.

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hand, that this must not come about by the curtailment of promising programs. These problems, in the absence of additional funds, remain with the local school district.

Massive expansion of Title I of the Elementary and Secondary Education Act and other compensatory education legislation would enable the school district to maintain its specialized programs and expand them. It would also allow the development of ideal conditions in the local schools with high concentrations of eligible children toward the acquisition of significant academic achievement gains. This school district has courageously moved in many directions on behalf of its total student body and on behalf of its inner-city citizenry. This leadership has led to Detroit's current dilemma, demonstrated by willingness to improve in every educational direction and the lack of fiscal wherewithal to continue to expand and to more forcefully and fully develop its programs.

Of serious concern to those who develop, operate and receive services from Detroit Public School special programs is the decrease (relative decrease in some cases) in funding level of these programs. The Detroit Schools no longer receive the $2,000,000 once provided by OEO for the Great Cities School Improvement Project. Funds totaling approximately $700,000 for the DPS involvement in the local Concentrated Employment Program (Urban Area Employment Program, employing and training 165 paraprofessionals) have been withdrawn. The funding of a very successful Model Neighborhood elementary reading program may suffer a 75% curtailment for the 1971–72 school year.

Other factors complicate these money losses. Program costs increase at least 8–10% each year. This means an 8–10% increase in funding from year to year is necessary just to maintain existing levels of service. The number of students eligible for and requiring special educational service increases year by year. Pilot projects which were designed to demonstrate effectiveness need to be expanded. The realization is upon us that larger amounts of money per student are necessary to make differences in students' lives. This fact begs the concentration of limited resources on fewer and fewer students. As a result, many students with serious educational needs go unattended.

The role of the paraprofessional in the Detroit Schools is critical. Some 2000 individuals employed in and out of the classroom have become key staff members; as essential to the smooth operation of schools as professional staff. Funds for the development of training programs and "career ladders" for paraprofessionals is a must. What is more, paraprofessionals are now organizing and developing bargaining units as formidable as those of teachers, administrators and other personnel. Where redirection and concentration has cost paraprofessionals their jobs, a disservice is performed in behalf of children as well as the adult paraprofessional. Needless to say, such a move creates problems.

All of these factors have added up to one thing—severe demands being placed on limited funding resulting in unfortunate major modifications and cutbacks in all special programs. Inasmuch as these programs are essential to the prevention of educational deficits and improving student academic performance and behavior, it is critical that immediate attention be given by the Federal Government to increased levels of educational program funds to meet the new and ever increasing challenges to urban education.

Detroit's experience of the past few years in special programming indicates that to bring about a more significant degree of improvement in the academic performance of students and to prevent the accumulation of educational deficits in children, more attention *must* be given to the provision of additional services to students *during the school day.* Furthermore, funds for services to students must be provided in quantities far in excess of the existing per capita allocations common to most urban school systems.

When the DPS began developing and operating special educational programs sponsored by the OEO in 1964, program guidelines prevented the utilization of funds for student activities and programs during the school day.

After school enrichment and remedial interventions, therefore, were emphasized as a fundamental vehicle for the involvement of students. Though many rewarding educational programs were mounted under this structure, experience suggests that a greater impact on student performance and behavior can be realized by the development of programs to involve students, teachers and

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parents *during the school day* rather than after. One of the important features of ESEA Title I, for instance, lies in its adaptability to meet local school needs *during the school day.* As was indicated, this was not possible with OEO funding. Detroit, for instance, has been able to provide services such as Reading Coordinators, Reduction of Class Size, special supervisory personnel in the person of Staff Coordinators for Elementary Schools, Communication Skills Centers, and Experimental Reading Programs as "during the school day" activities. Students who desperately need assistance and who, for one reason or another are not attracted to after-school activities, are able to be helped.

What follows are charts and graphs showing relevant information regarding ESEA Title I in Detroit.

CORRELATION OF PUPIL ACHIEVEMENT WITH ECONOMIC CONDITIONS OF FAMILY IN 35 TITLE I SCHOOLS

School	Percent of children from low-income families	Percent of students in bottom quartile of Iowa test of basic skills (lower 25 percent)
George	99	62
Hillger [1]	50	56
Jones	60	63
Joyce	55	59
Kennedy	90	85
Kennedy Annex	85	82
Lincoln	95	78
Marcy	55	66
Maybee	90	60
Monteith	80	65
Moore	80	61
Nichols	70	88
Norvell	60	81
Alger	55	60
Balch	80	64
Breitmeyer	60	68
Burton	75	50
Campau	70	68
Campbell and Annex	75	79
Chandler	60	66
Chaney	95	68
Couzens	55	73
Dwyer	55	66
Edmonson	90	68
Edmonson annex	90	68
Foster	75	66
Franklin	55	56
Palmer	75	51
Pingree	55	68
Scripps annex	70	90
Trowbridge	60	71
Williams	70	68

[1] All schools are classified as "A" schools with the exception of Hillger—which is classified as "B".

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DETROIT PUBLIC SCHOOLS, ELEMENTARY AND SECONDARY EDUCATION ACT—YEARLY FUNDING LEVELS

	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71
Title I: Educational programs for disadvantaged	$11,999,074	$11,221,537	$11,281,162	$10,460,289	$13,838,048	$15,400,413
Title II: Library materials and supplies	705,476	712,195	1,069,275	581,610	510,186	954,734
			37,000			
Title III:						
Supplementary educational centers and services			[1] 20,722	[2] 2,500,000	1,194,000	1,560,000
Adult education (ESEA amendment to title III)		244,767	648,776	501,519	313,338	349,425
Title VI: Education of handicapped children			155,338	225,819	267,489	276,439
Title VIII: Dropout prevention					[1] 20,000	500,000

[1] Planning. [2] NEC.

III. Evaluation Summary of the Effects of Compensatory Educational Programs Serving Pupils in Detroit Public Schools

These findings are based upon the results of the Iowa Test of Basic Skills administered to Grade 4 pupils as part of the regularly scheduled testing program in the Detroit Public Schools. This grade level was selected for analysis because most compensatory educational programs are directed towards pupils in the early grades. From 1968 to 1970, the percentage of Grade 4 pupils in *all* Detroit Schools more than one year below grade level in reading achievement decreased from fifty percent to forty-six percent. In 1968, sixty-four percent of the Grade 4 pupils in Title I schools were more than one year below grade level in reading achievement; by 1970, this percentage was reduced to fifty-four. The corresponding reduction in non-Title I schools was only five percent, from forty-five percent to forty percent. Approximately one-fifth of the Title I schools showed a reduction of at least twenty percent; only one-tenth of the non-Title I schools showed a similar reduction. In 1968, one out of nine Title I schools had fewer pupils retarded in reading than the city mean; in 1970, the ratio increased to one out of five.

The overall rate of improvement in the percentage of pupils retarded in reading was twice as great in schools, that were participating in projects funded by the state and federal government, in addition to locally funded programs. The following graphs indicate the extent to which the percent of pupils substantially below grade level in reading achievement has been reduced over the past two years.

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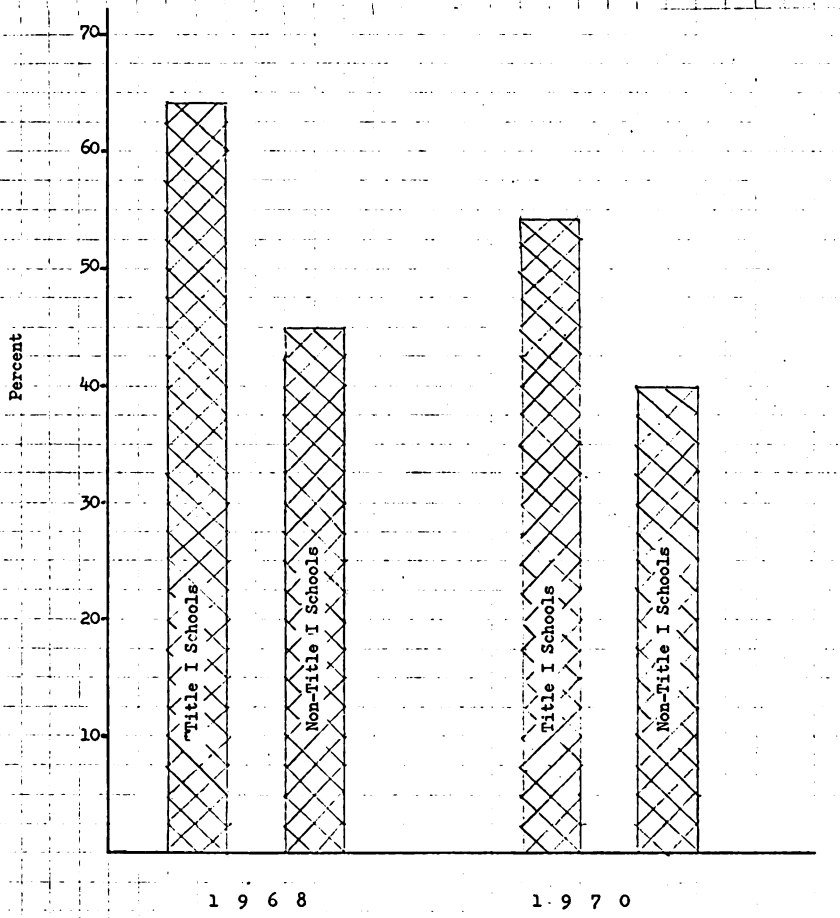
PERCENT OF TITLE I AND NON-TITLE I
GRADE 4 PUPILS MORE THAN ONE YEAR BELOW GRADE LEVEL
IN READING ACHIEVEMENT



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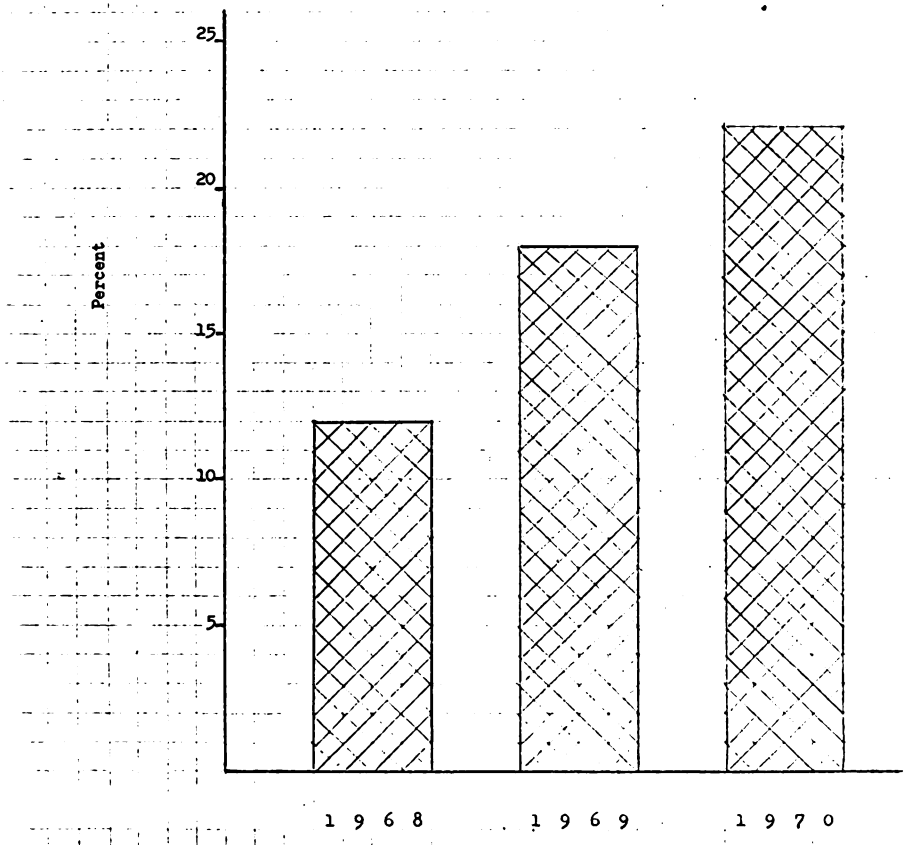
PERCENTAGE OF TITLE I SCHOOLS THAT HAVE ACHIEVED BETTER THAN THE CITY-WIDE MEAN IN READING ON THE FOURTH GRADE IOWA TEST*



*As measured by the number of pupils one or more years retarded in reading.

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Detroit's success is in the development and implementation of special educational programs is remarkable. This school district has embraced the concept of the full utilization of federal, state and other special monies for years and has established many programmatic thrusts which have become institutionalized in the best sense of that word. To list all of these and discuss them fully would take more time than is available to this committee. Here are but a few of the important developments emerging from compensatory educational programming in Detroit:

1. Development of up to 2000 educational paraprofessionals almost all of whom assist in the instructional process working closely with teachers and pupils.

2. Development of a career lattice for the advancement of paraprofessionals.

3. Development of numerous Community-School advisory boards. It is the belief of the Office of Federal, State and Special Projects that the establishment of the decentralized school government with regional boards of education is a direct outgrowth of the growing sophistication of citizens and citizen groups as they participate in the advisory and decisionmaking process in compensatory educational programs.

4. New professional educational roles:

(*a*) Curriculum Leader—An assistant principal who becomes expert and takes leadership role in curriculum.

(*b*) School Community Assistant—A paraprofessional who serves as a communication link between school and community.

(*c*) Elementary Staff Coordinator—An elementary school guidance and counseling specialist who serves kids directly but also coordinates local school program for maximum impact on kids with greatest needs.

5. Individualized Instruction—Programs are now being designed and redesigned where necessary to offer greater individualization of treatment for pupils.

6. Program development in the area of special (handicapped) education have been especially innovative in the area of pre-school and early elementary education.

There are many indicators of the success of Detroit Public School educational programs. What follows is the list of some of the programs which have demonstrated success by virtue of the hard data on pupil achievement emerging from each separate project.

(*a*) *Neighborhood Educational Center*—An ESEA Title III program with outstanding and innovative features conducted in four inner-city elementary schools. This program is producing achievement goals in reading and math.

(*b*) *Follow Through*—A national concept serving children who have had Head Start experience. The Detroit program serving two inner-city schools, grades K–3 has produced important achievement gains in kids.

(*c*) *Self Instructional Reading Laboratory*—A program of individualized elementary reading instruction now being implemented on a broader scale following a successful pilot effort. The program features behavioral goals, appropriate hardware, paraprofessional laboratory management and pupil self management.

(*d*) *Model Neighborhood Educational Component*—After only 6 months of program operation, using special reading materials and teaching training, pupils have made notable gains in reading skills.

(*e*) *Great Cities Summer Program*—An enrichment program in basic skills has each summer produced dramatic gains in pupils which have been sustained through the following school year as measured by standardized tests.

The list of success could go on. But these are highlights dramatizing the success of compensatory educational programs serving Detroit Public School pupils.

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IV. Recommendations Made to the United States Office of Education by Representatives of the Detroit Public School System—December, 1969

The operation of federal programs in this school district since 1965 has provided us with some perspective and insight that may be of assistance in developing recommendations to make the Office of Education more responsive to the educational needs of Local Educational Agencies. Of the thousands of school districts that collectively provide the impact of American public education, large urban districts generate concerns unique unto themselves. It is with these concerns in mind and in the spirit of mutual assistance that the following suggestions are offered.

GUIDELINES

The early receipt of guidelines in the development of federal programs is vital to local agencies in order that they may adhere to the law and legislative intent in the development of educational programs. For example, whereas some states may not have distributed ESEA program guides containing specific rules for specific kinds of programs to their LEA's in the absence of a request for these, the State Department of Education in Michigan has routinely provided them albeit with some exceptions. However, in more than one instance, these guides have arrived far too late in relation to the funding period to be fully beneficial. As a matter of practice, all program guides should be automatically routed to LEA's as soon as they are available for distribution.

In terms of content, the relatively small number of program guides that have been received have proved to be reasonably definitive as far as they went. However, the guides have been so incomplete in terms of the range of topics treated that it has been necessary to place heavy reliance on verbal interaction with State authorities. Much of this has transpired over the telephone. The upshot is that much of the information and rendering of opinion to this school system has not been reduced to writing for the benefit of other school districts. This is a circumstance that has probably been replicated throughout the country on countless occasions.

The task confronting the Office of Education then is one of closing the currently existing gaps in information. While some helpful operational instructions for federal program purposes have emerged, unfortunately far too little has been available. More specifically, it is felt that large urban local education agencies should participate in the development of guidelines and criteria. It is felt by Detroit Public Schools officials that "big city" concerns are frequently not addressed in guidelines as usually presented. Large urban school districts have unique problems and concerns which can only be attended to if these school systems are involved in guideline preparation.

Such items as updating and early delivery systems for guidelines, state and federal conflicts on approval of projects, and the amelioration of inconsistencies between local operations and federal guidelines are suggested areas where urban districts may be of assistance.

MANAGEMENT AND ACCOUNTABILITY

While many questionable uses of federal funds in various parts of the country have become evident, there is cause for concern that pressures to introduce procedures designed to correct this situation might result in remedies that work to the disadvantage of urban school systems like our own that have indeed complied with the spirit of legislation in addressing the educational needs of children. Thus, it becomes important to articulate the position of the Detroit Public Schools on the vexing problem of *auditing*, *monitoring*, and *compliance* if management improvements undertaken by the Office of Education are to serve fairly the interests of big-city school systems.

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As a prerequisite to the establishment of sound procedures in the area of fiscal monitoring and program audit, the Federal authorities must first become willing to recognize that it is altogether impractical to expect any large school system to maintain separate operations for handling the myriad of administrative details associated with a project. The division of labor within a department engaged in such activities as purchasing, payroll, or housing absolutely precludes the possibility of assigning personnel to a project on a full-time basis. Depending upon fluctuations in the workload, varying amounts of time may be spent on matters related to a particular Federal project. In a large school system it becomes almost impossible to assess overhead costs with exactitude within a total sequence of program actions. Therefore, the Office of Education must devise formulas that lend themselves to the realities of operating a school system.

Inasmuch as the problem described is a rather technical one demanding special expertise, it would be altogether appropriate for the Office of Education to contract with an independent accounting firm for a study to yield the kinds of recommendations that would satisfy both Federal, State, and local concerns. Whether done on the outside or internally by the Office of Education, however, it is imperative that the end result be a carefully built set of directives clearly outlining procedures for claiming *all* indirect costs stemming from Title I activities. Related to this should be clear-cut statements of the type and manner of accounting treatments to be used in all situations pertaining to fiscal control where problems might be encountered. Either technical assistance or Federal funds enabling LEA's to engage the services of accountants might be called for to the extent that Federal requirements impose a need for redesign of the adaptations within local accounting systems.

At the same time that the Federal government must be urged not to prescribe rules or regulations that are inconsistent with local operations, the need for tightening auditing methods must be addressed. Here again it is incumbent upon the large cities to counsel a pragmatic approach. This demands that the Federal government realize that it is generally absurd to demand restitution where audit exceptions are sustained except in those cases where deliberate defalcations have arisen.

Instead of seeking collection, the Federal government should endeavor to create some procedures for assuring compliance where changes are in order. As a corollary to this approach, the Office of Education must become committed to the posture that if an audit is to be effective it must be relatively immediate in relation to the expenditures made. By the same token the report based upon the audit must also be fairly immediate. In this context the "old" system of the inspector general's office in army might warrant consideration in showing how audits could be reasonably related to discreet periods of time with some effectiveness as a monitoring device. Under a system of this type an audit would be scheduled, deficiencies noted, a timetable for correction established, and a recheck conducted to ascertain the occurrence of compliance. Ideally, this would permit placing of an audit report in the hands of a school system's officials within sixty days. This arrangement would then allow thirty days in which to institute changes and prepare letters of compliance.

If State authorities because of their proximity are to continue to assume the function of continual monitoring, then the Federal authorities must enunciate far more clearly than they have in the past the extent to which the burden of operational proof is to be placed upon the States. From the standpoint of the local educational agency approvals by any higher authority must be binding. In other words, the entire occurrence of after-the-fact audit exceptions where State approval had been received beforehand should simply not be taking place. If the State cannot assume the responsibilities delegated to it either by law or administrative fiat then alternative ways for channeling funds to urban school systems is called for.

A further note of caution should also be sounded in any deliberations regarding monitoring and auditing. American education is entering an era of performance contracting geared to the demand for accountability. Consequently, any system of fiscal auditing must be dovetailed with or a part of a scheme

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for measuring the attainment of program objectives. At the present time evaluation and fiscal monitoring are operationally distinct from one another. If the commitment to make OE an advocate for change is to be translated into action, then initiatives must be taken at the Federal level to encourage the implementation at the local level of integrated planning-programming-budget systems. In this connection the following excerpt pertaining to independent education audits from the *Education Daily* of December 3, 1969, assumes some relevance.

"State agencies will be trained in the use of independent performance audits for ESEA Title I and Title III. Although OE has already made the "independent educational accomplishment auditor" a must for Dropout and Bilingual programs which it administers, it is now seeking to have the concept adopted on the State level as well."

REAFFIRMATION OF CATEGORICAL FUNDING

With the concept of decentralization becoming a reality in many large urban school districts, it may be an opportune time for the Office of Education to reaffirm the concept of categorical funding. It is desirable for a number of reasons to have more committed funds with clearly drawn guidelines. Among these are: (1) Federal appropriations of categorical aid insures specialized needs of schools systems being met, (2) the uses are clear-cut, the intent established, and (3) the funding is adequate to meet the objectives.

With regional board members under a decentralized situation, looking about for available funds, categorical funding is not only desirable, it is essential to the proper use and management of federal monies. Additionally, local state coersion to participate in favored practices or methods when local agencies are opposed will be held to a minimum.

RESEARCH AND EVALUATION

The demands by the Office of Education for more efficient evaluation designs is a laudable position. It requires, however, substantial increases in funding for this purpose. In addition, outside evaluations, that have been required, remove from the total grant monies that could support programs. If indeed Research and Evaluation is vital to improved programming, adequate funding must be provided.

It may well be advisable to mention here, too, that the results of these evaluations are without impact if they are not available to other cities and regions of the nation. The School District of the City of Detroit, despite national critics, has significant positive data generally unknown in the United States.

CONTINUED FUNDING

The advisability of continued funding in the operation of programs is a point we must address ourselves to as a positive procedure. We must be able to plan programs without the yearly anxieties as to financial considerations. Effective programs depend upon effective people who do not have to speculate about levels of funding.

MEETINGS

We question the proliferation of meetings around the country. In most instances, the information has already been received by large districts through their Washington representatives or stresses directions of which large urban areas are already in the forefront. These meetings may be valuable to smaller districts but in most cases it is felt the number of such meetings can be significantly reduced.

TECHNICAL ASSISTANCE

The unusual array of Technical Assistance Firms sponsored by the Office of Education have little value to a school district of this size and capability. The various departments and divisions of this system contain nationally known people in almost every field. We would wonder about the advisability of the maintenance of a large number of these firms by the Office of Education for large local agencies with duplicate capabilities.

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SUMMARY OF SPECIAL PROGRAM COMPONENTS

IN SELECTED DETROIT PUBLIC SCHOOLS
1970-71

LEGISLATION	PROGRAM	INTENT OF THE OPERATION	YEARS FUNDED	SCOPE
E.S.E.A., TITLE I	Assistant Attendance Officers	Aid professionals in providing concentrated attack on attendance problems	1965-71	40 attendance offices serving Title I ele. junior and senior hig schools
	College Opportunity Program	Provides information and assistance to aid entrance of low income students to college	1968-71	Low income students in inner city high schools
	Communication Skills	Provide diagnostic and remedial service in language arts to selected Title I elementary pupils	1965-71	Students 2 or more years retarded in reading in selected Title I schools
	Contingency Managed Self Instruction	Provide skills in math and reading through individualized approach	1970-71	Students in up to twenty selected Title I "A" schools
	Continuing Education for Pregnant Girls	Assist pregnant school-aged girls through pregnancy with goal of finishing education	1965-71	Pregnant unwed school aged girls in Title A schools.
	Developmental Career Guidance In Action	Increase pupil aspiration and reduce dropout rates in selected Title I elementary and secondary schools	1966-71	Potential drop-outs in selected Title I schools
	Elementary Staff Coordinators	Raise level of academic achievement, reduce disruptive behavior through individual and group counseling in Title I elementary schools	1967-71	35 Title I schools, selected pupils therein
	Enrichment Program for Institutionalized Children	Promote academic and emotional growth of children in institutions selected	1966-71	Neglected and delinquent students i. 9 selected institutions
	Focus on Afro-American Life and History	Develop skills in reading and ability to interpret data utilizing Afro-American materials as a core curriculum	1967-71	Students in selected Title I schools-summer program

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LEGISLATION	PROGRAM	INTENT OF THE PROGRAM	YEARS FUNDED	SCOPE
TITLE I	Great Cities Project	Increase academic achievement through summer remedial and enrichment classes	1965-71	Students K-12; Title I A and B schools
	Buses	Provide transportation for field trips	1965-71	Title I A & B schools
	Curriculum Lab.	Materials Center where Title I staff members produce specialized materials for instructional purposes	1965-71	Title I A & B teachers
	Operation Go	Provide enrichment experiences for potential elementary and jr. high dropouts	1966-71	Pupils in selected Title I schools
	School Community Assistants	Serve as liaison between school and community while serving needs of eligible pupils	1965-71	Title I A and B schools. Usually two per school
	School Service Assistants	Serve as instructional assistant to classroom teacher	1965-71	Title I A and B schools. Usually two per school
	Job Upgrading	Counseling and coursework for dropouts in order to return them to full time school or job	1965-71	Title I secondary school students
	Junior High Work Trng.	Provide work experience and allow junior high school students to remain in school	1965-71	Title I junior high school students
	Outdoor Education and School Camping	Expose youth to nature and group living, while pursuing enrichment to remedial activities	1965-71	School aged children from low income families
	Pre-School Child and Parent Education	Maximize growth of pre-school children from disadvantaged homes	1965-71	Children aged 3-5 from disadvantaged families in Title I area
	Project FAST	Provide inservice training for teachers and administrators in selected Title I schools and components	1966-71	Title I schools with reduction of class size
	Reading Coordinators	Leaders of Reading Improvement activities for selected Title I pupils and their teachers	1964-71	Selected Title I schools
	Reduction of Class Size	Provide class reduction to 25 or less in primary unit in selected Title I A schools	1967-71	Thirty-five Title I schools

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TITLE III

LEGISLATION	PROGRAM	INTENT OF THE OPERATION	YEARS FUNDED	SCOPE
TITLE I	School Community Agents	Guide community development, serve as liaison between school and community. Serve selected students	1968-71	Students in [illegible] Title I sch[illegible]
	School Volunteers	Further effectiveness of lay volunteers in the schools	1967-71	Work with s[illegible] pupils in Ti[illegible] and E Schools
	Volunteer Placement Corps	Aid high school students in gaining college entrance and employment	1970-71	Low income [illegible] in selected Title I high schools
E.S.E.A. TITLE II	Library Books and Materials for Local Schools	Supplement learning materials in school libraries and classrooms	1967-71	All public ele[illegible]-tary & secondary schools
E.S.E.A. TITLE III	Neighborhood Educational Center	Increase academic achievement. Reading & mathematics emphasis	1967-71	Four Title I ele[illegible]-mentary schools
ADULT EDUCATION ACT (E.S.E.A. Amendment to Title III)	Project READ	Provide under-educated adults with basic education skills	1964-71	Under-educated adults in Detroit school district
	Urban Adult Education Institute	Provide opportunities for educational & economic upgrading	1967-71	Under-educated or under-employed adults in Detroit school district
E.S.E.A. TITLE VI DETROIT'S MULTI-FACETED SPECIAL EDUCATION PROJECT	Psycho-Social Services	Provide diagnostic services for children	1968-71	Serves 500+ pupils
	Pre-School	Provide pre-school for handicapped children (Rubella)	1967-71	Serves 20 pupils
	Pre-School for Multi-Handicapped	Facilitate over-all growth of pre-school multi-handicapped children (See Handicapped Children's Early Education Assistance Act)	1970-71	Serves 20 pupils

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LEGISLATION	PROGRAM	INTENT OF THE OPERATION	YEARS FUNDED	SCOPE
TITLE VI	Pupils with Language Disabilities	Provide language experiences for children with language disabilities	1968-71	Serves 20 pupils at pre-school level
	School Camping for Handicapped	Provide camping experience for handicapped children	1969-71	Serves 100 pupils
	Parent Education	Involve parents through in-service training sessions	1970-71	Parents of children in Title VI components
	Recruitment Services	Recruit certified teachers for special education	1969-71	Selected teachers who are interested in certification in special education
	Administrative Unit	Provide director, evaluator & secretary to carry out administrative tasks of operating the program	1970-71	Program director, evaluator and secretary
E.S.E.A. TITLE VIII	Detroit's Dropout Prevention Program	Raise math and reading performance in Northeastern High School & feeder schools	1970-71	Northeastern Senior High School & feeder schools
DEMONSTRATION CITIES ACT	Model Neighborhood Education Component	Raise achievement level in math & reading--curriculum change, in-service training & optimum conditions	1969-71	Students in all Model Neighborhood area schools
ECONOMIC OPPORTUNITY ACT	Head Start Follow-Through, K-3	Carry on gains of children in Head Start Program	1967-71	Classes at Lessenden & Campbell schools
	Pre-School Child & Parent Education - Full Year Head Start	Provide educational experiences to pre-school children from low income families	1964-71	Pre-school children from low income families

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LEGISLATION	PROGRAM	INTENT OF OPERATION	YEARS FUNDED	SCOPE
ECONOMIC OPPORTUNITY ACT	Parent-Child Center	Provide pre-school & parent education to low income families in specified area of city with high density of low income families	1968-71	Pre-school children & their parents in N.S.P. area
	Public Service Careers Program	Provide in-service training for pre-school aides	1970-71	18 pre-school aides
	Neighborhood Youth Corps	Assist students from low income families to gain financial assistance through work-study plan	1966-71	High school students from low income families
EDUCATION PROFESSIONS DEVELOPMENT ACT	Aide Training and Development	Provide in-service training for classroom aides	1969-70	250 aides
	Career Opportunities Program	Provide career ladder for upgrading paraprofessionals	1970-71	Paraprofessionals in Model Neighborhood area
	Detroit Public Schools Program to Train Elementary School Librarians	Train cadre of qualified elementary school librarians	1970-71	23 trainees recruited as non-certified liberal arts graduates
	Spanish Speaking Intensive Teacher Training Program	Train bilingual persons for teaching positions	1969-70	25 trainees
	Special Education Internship	Prepare individuals with Bachelor's degree & certification to enter special education classrooms	1971-72	30 trainees
	Teacher Corps, Cycle V	Increase reading achievement level; train teachers via team teaching strategies	1966-71	40 interns 10 schools

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LEGISLATION	PROGRAM	INTENT OF THE OPERATION	YEARS FUNDED	SCOPE
EDUCATION PROFESSIONS DEVELOPMENT ACT	Training School Administrators as Education System's Analysts	Train selected administrators in techniques of systems analysis	1970-71	Administrators from selected schools
HANDICAPPED CHILDREN'S EARLY EDUCATION ASSISTANCE ACT	Individualized Instruction for Retarded Children	Develop individualized materials to be used by retarded children in the classroom	1969-71	One class--Edmonson School
	Pre-School for Multi-Handicapped Children (See ESEA, Title VI)	Facilitate overall growth of pre-school mutli-handicapped children	1969-71	20 children
N.D.E.A., TITLE V-A	Interdisciplinary Pupil Personnel Project	Demonstrate effectiveness of an articulated interdisciplinary approach to pupil personnel services	1970-71	Central High School Educational Park Complex (grades K-12)
SECTION 3, STATE AID ACT	Class Size Reduction In-Service Training	Reduction of class size, training of professional & paraprofessional staff with the goal of raising student achievement in math & reading	1968-71	62 selected schools

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STUDY OF ELEMENTARY AND SECONDARY EDUCATION
PROGRAMS AND NEEDS

COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES

I. School System Profile

Name of School System: Board of Education of the School District of the City of Detroit

Address: 5057 Woodward Avenue City and State: Detroit, Michigan 48202

Name of person reporting: Dr. Norman Drachler

Official position: Superintendent of Schools

Congressional District number(s): 1, 12, 13, 14, 16 and 17

Enrollment: 290,179 (September 26, 1969)

General Instructions:

Please answer all multiple-choice questions. Space is provided after each question in the event you wish to make additional comments.

The questionnaire and any additional statements or attachments you may wish to add should be returned to the Committee on Education and Labor in the enclosed envelope.

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1. *How would you characterize your school district?*

(a) ___x___ urban (over 100,000 population)
(b) _____ urban (50,000–100,000 population)
(c) _____ urban (25,000–50,000 population)
(d) _____ small city (under 25,000 population)
(e) _____ rural
(f) _____ suburban

Additional comments:

The School District of the City of Detroit is characterized by Michigan State law as a first-class school district, a classification reserved for those school districts whose enrollment is in excess of 120,000 pupils. The total enrollment in the Detroit schools is 290,179 as per the official 4th Friday count of September 26, 1969.

2. *What percentage of the students in your school district should be receiving special services of the type authorized by Title I ESEA?*

(a) _____ 0–9 percent
(b) _____ 10–19 percent
(c) _____ 20–29 percent
(d) _____ 30–39 percent
(e) ___x___ 40–49 percent
(f) _____ 50–59 percent
(g) _____ 60–69 percent
(h) _____ 70–79 percent
(i) _____ 80–89 percent
(j) _____ 90 percent

Additional comments:

Approximately 27,000 students are receiving services in the Title I school attendance areas. Of 94,529 pupils eligible for service, this represents approximately 28%. In addition an estimated 36,000 students in the non-Title I schools are also educationally deprived by approved Title I criteria and require service. This represents approximately 130,529 pupils or 45% of total enrollment requiring service

3. *What percentage of the students in your school district are now receiving special services of the type authorized by Title I ESEA?*

(a) ___x___ 0–9 percent
(b) _____ 10–19 percent
(c) _____ 20–29 percent
(d) _____ 30–39 percent
(e) _____ 40–49 percent
(f) _____ 50–90 percent
(g) _____ 60–69 percent
(h) _____ 70–79 percent
(i) _____ 80–89 percent
(j) _____ 90 percent

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Additional comments:

Detroit Public Schools are concentrating services on a target population of 27,641 out of a total school population of 290,179 (less than 10%) as it relates to Title I activities. In addition, there are 20,000 pupils receiving health, nutritional and special services from other special legislation: Economic Opportunity Act, Title II, Multi-Handicapped Legislation, Vocational Education Act, etc.

4. *If there is a disparity between the percentage in questions 2 and 3 above, to which of the following causes do you attribute the disparity? If more than one, please list according to the magnitude from 1 to 5:*

(a) ___x___ insufficient funds
(b) _____ insufficient personnel
(c) _____ insufficient knowledge of special areas
(d) _____ uncertainties of Federal funding
(e) _____ no disparity
(f) _____ none of the above

Additional comments:

5. *What percentage of your total enrollment is represented by the numbers of Title I children now counted in your official allocation for 1969–70?*

(a) _____ 0–9 percent
(b) _____ 10–19 percent
(c) ___x___ 20–29 percent
(d) _____ 30–39 percent
(e) _____ 40–49 percent
(f) _____ 50–59 percent
(g) _____ 60 percent +

Additional comments: $\frac{81,869}{290,179}$ Allocation population (AFDC and Low-Income Pupils) / Total enrollment x 100 = 28%

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6. *What percentage of your total enrollment is included in your eligible Title I schools?*

(a) _____ 0–9 percent
(b) _____ 10–19 percent
(c) _____ 20–29 percent
(d) _____ 30–39 percent
(e) _____ 40–49 percent
(f) _____ 50–59 percent
(g) __X__ 60 percent +

Additional comments:

Of the 290,179 students attending the Detroit Public Schools, 186,471 are in attendance at schools categorized as Title I eligible schools.

7. *What percentage of your total enrollment within your eligible schools is also eligible to receive Title I services?*

(a) _____ 0–9 percent
(b) _____ 10–19 percent
(c) _____ 20–29 percent
(d) _____ 30–39 percent
(e) _____ 40–49 percent
(f) __X__ 50–59 percent
(g) _____ 60 percent +

Additional comments:

94,529 students out of a total of 186,471 are eligible to receive Title I funds.

8. *What is the principal use of Title I funds in your district?*

(a) __X__ to make a significant improvement in performance of children in schools of *highest concentrations* of poor children
(b) _____ to improve services to all children in *eligible schools*
(c) _____ other—please specify in additional comments

Additional comments: The concentrations of poor pupils in more than 178 Detroit schools is better than 25%. In the attempt to maximize educational programming for eligible pupils in schools with concentrations of the poor greater than 40%, eligible pupils in schools with significantly high poor concentrations must be ignored. For example, some 50 schools with concentrations of the poor estimated at between 25 and 40% have had Title I services removed in order to further concentrate limited funds in schools with percentages of the poor greater than forty.

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9. *What level of funding for Title I would be necessary if your school district were to provide Title I programs and services for all children in need of such special programs and services during the regular session?*

(a) _____ less than the level of funding for the school year 1969–70
(b) _____ at the level of funding for school year 1969–70
(c) _____ 10 percent more than the school year 1969–70
(d) _____ 25 percent more than the school year 1969–70
(e) _____ 50 percent more than the school year 1969–70
(f) __x__ other—specify in additional comments

Additional comments: Better than 50% additional funding for Title I would be required to provide service to all children in this school district in need of such service. Presently approximately 27,000 pupils recieve direct Title I services. There are another 67,000 in Title I schools alone who are classified as low income. The majority of the 67,000 are eligible for and need service. These additional pupils, representing better than 50% of those now receiving concentrated services, would require service costing better than 50% additional funding. Increasing this funding percentage still further are approximately 36,000 eligible pupils in non-Title I schools requiring service.

10. *What level of funding for Title I would be necessary if your school district were to provide Title I programs and services for all children in need of such programs and services during the summer session?*

(a) _____ less than the level of funding for the school year 1969–70
(b) _____ at the level of funding for school year 1969–70
(c) _____ 10 percent more than the school year 1969–70
(d) _____ 25 percent more than the school year 1969–70
(e) __x__ 50 percent more than the school year 1969–70
(f) _____ more than twice as much as the school year 1969–70

Additional comments:

(Same as above, see No. 9)

11. *If any of the following represented a serious problem during the 1969–70 school year, please indicate the severity of the problem by ranking from 1 to 3 those that were the most difficult for your district:*

(a) __1__ inadequate Federal funding

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(b) 2 late Federal funding
(c) ____ restrictions on the use of Federal funds
(d) ____ complexities in securing approvals
(e) ____ no serious problems
(f) 3 other—specify in additional comments

Additional comments: (a) As indicated in answers 9 and 10, the most serious problem is inadequacy of Federal funding. (b) With some speed up of the Congressional appropriation process, the problem of late funding can be overcome. (f) The authorizations passed on by Congress are realistically recommended and based on known needs, but at no time during the operation of ESEA have adequate appropriations been made to meet the aspirations of those who expected to be served. Therefore, full appropriations or 100% of the authorization is required.

12. *If your program is hampered by operational deficiencies, please respond to the following by ranking from 1 to 3 the following problems according to their severity in your district:*

(a) 1 inadequate funds for regular programs
(b) 2 inadequate facilities and materials
(c) ____ unavailability of qualified professional personnel
(d) ____ need for greater parental support of program
(e) ____ need for technical assistance
(f) ____ no operational deficiencies
(g) ____ other—specify in additional comments

Additional comments:

(a) The school district is currently experiencing a $20,000,000 deficit in its operational budget. This situation prevails in spite of austerity measures that have been imposed. (b) As the result of legal restrictions on bonding authority, the school district has a manifest need of $250,000,000 additional dollars for school facilities.

13. *If your school services are encountering difficulties in student achievement and attainment, please indicate by a ranking from 1 to 3 the following problems which are most severe in your district:*

(a) 3 students leaving school before graduation
(b) 1 large numbers of students with low reading achievements
(c) ____ community dissatisfaction with school services
(d) ____ student unrest
(e) ____ no difficulties encountered in student achievement and attainment
(f) 2 other—specify in additional comments

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Additional comments:

See page 7a.

14. *What do you feel should be the next step in Federal assistance to education? Please list in order of your preference from 1 to 8:*

(a) 6 Federal aid for teacher salaries
(b) 4 Federal aid for construction
(c) 1 full funding for existing Federal programs
(d) 2 general Federal aid in addition to existing programs
(e) 5 general Federal aid in lieu of existing programs
(f) 7 revenue sharing
(g) 3 Federal aid for comprehensive preschool programs
(h) _____ no further Federal assistance

Additional comments:

Full funding at authorization levels must take place.

15. *In general, do you feel that Federal assistance has contributed to improved student performance?*

(1) Progress on standardized tests:
(a) _____ no gains
(b) X small gains
(c) _____ significant gains

(2) Progress in nonmeasurable areas:
(d) _____ no gains
(e) _____ small gains
(f) X significant gains

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ADDITIONAL COMMENTS ON QUESTION NUMBER 13 p. 7

An additional problem affecting student performance is a high level of student mobility in eligible attendance areas. Pupils receiving service move out and new pupils who have not received the full complement of service move in to an area, skewing mean student achievement data downward. Mobility rates of better than 50% in a given year have a great effect on (1) individual pupil achievement, (2) mean pupil achievement and (3) pupil social behavior.

Adding to the impact of pupil mobility is teacher turnover. In schools characterized as A (the most disadvantaged), it is not uncommon to find that 70% of the staff are at or below the 5th salary step suggesting that they are new (less than 6 years local teaching experience) and inexperienced teachers who have recently left the building. This suggests a high rate of teacher mobility not prevalent at non-Title I schools. These non-Title I schools show (1) a larger percentage of the staff above the 5th salary step (therefore, more experienced teachers) and (2) a larger percentage of staff serving for longer spans of time at a given school location. The correlation of these factors with pupil achievement scores is high.

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Additional comments (include other forms of school progress): Evidence coming from selected 1968-69 program year evaluations suggests improved pupil performance. After school enrichment and remedial experiences, reduction in class size and pre-school programs are among those showing signs of improving pupil performance. Some specialized reading programs and intensive in-service training also indicate an impact on pupil performance. The notation of "small gains" is a misleading one which should be carefully interpreted lest inappropriate conclusions be drawn. A small gain may in fact represent a very significant modification in pupil performance.

16. *Do you feel that Federal programs have contributed to improved teacher performance?*

(a) _____ yes, very much
(b) __x__ yes
(c) _____ no
(d) _____ undecided
(e) _____ not receiving Federal funds

Additional comments:

Evidence of improved pupil performance in selected Title I schools appears to correlate with intensive in-service training funded by Title I and other funding sources. Training has been directed toward the teaching of reading and mathematics, systematizing of instruction through behavorial goals and the individualization of instruction. Attention is given also to in-service activities relating to modificatior of teacher attitudes.

17. *Have Federal funds contributed to improving the quality of education in your school district?*

(a) ___x___ yes, very much
(b) _____ yes
(c) _____ no
(d) _____ not receiving Federal funds

Additional comments:

(Refer to answer No. 15)

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18. *What effect have any of the following had on the quality of education in your school district?*

	Improved Greatly	*Improved*	*No Impact*	*Reduced Slightly*	*Reduced*	*No Funds*
(a) ESEA–I Disadvantaged		x				
(b) ESEA–II Library Resources		x				
(c) ESEA–III Supplementary Centers		x				
(d) Vocational Education Act		x				
(e) Impacted Areas (P.L.–815)		x				
(f) Impacted Areas (P.L.–874)		x				
(g) Headstart		x				
(h) Emphasis on Disadvantaged in Federal Programs		x				
(i) Provision for Participation of nonpublic school children				x		
(j) Rules, regulations and guidelines which encourage parental involvement in education programs		x				
(k) Rules, regulations, and guidelines which encourage community participation in education programs			x			
(l) Federal requirements for evaluation of programs		x				

Additional comments: (1) Existing data provided to public school officials indicates that students in non-public schools show less educational deprivation than students in highly impacted public schools. Therefore, existing funds could legitimately be exhausted in behalf of highly eligible public school pupils before less eligible non-public school pupils would ever be served. Non-public school educational deprivation in Detroit is simply not as severe as public school deprivation. (2) The impact of general community involvement on quality of education (pupil performance) is indirect and difficult to assess. It could be argued that community decisions emerging from conflict filled negotiations have a negative effect on quality of education e.g., community decides to veto an apparently successful educational strategy because of their non-involvement. It can be suggested that this is contrary to the pursuit of quality education. (3) Non-public schools are closing at a faster rate in Detroit's inner city than they are in the outer city, imposing a burden on limited public school dollars not heretofore experienced. "Displaced non-public school pupils" increase public school enrollments in Title I (and non-Title I schools) schools causing some dilution of Title I services coming from the limited Title I funds.

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19. *Which of the following areas in your school district is in need of expanded programs and services? Please list according to priority.*

	1	2	3	4	5	6	7	8	9	10
(a) Compensatory education	1									
(b) Secondary vocational education	7									
(c) Postsecondary vocational education	10									
(d) Preschool education	3									
(e) Special education	6									
(f) Inservice education for teachers	2									
(g) Library and textbooks	5									
(h) Equipment	9									
(i) Facilities	8	(Construction - space needs)								
(j) Other—specify below	4	(Curriculum development, experimentation & utilization)								

Additional comments:

20. *Please indicate your assessment of Federal policies in the following areas:*

Parental involvement:

(a) x constructive
(b) _____ burdensome
(c) _____ no effect

Coordination with other agencies:

(a) _____ constructive
(b) x burdensome (due to fiscal independence of Detroit
(c) _____ no effect School System)

Evaluation:

(a) x constructive
(b) _____ burdensome
(c) _____ no effect

*Ranking applies to Title I schools only. 10

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Nonpublic school coordination:

(a) _____ constructive
(b) ___X___ burdensome
(c) _____ no effect

Additional comments:

Federal policies concerning parental involvement and evaluation parallel policies of the Detroit Public Schools. Coordination with other agencies and with on-public schools is not as supportive of effective program planning and operation as could be hoped for.

21. *Are Title I funds for the disadvantaged being directed to the areas of greatest need?*

(a) ___X___ yes
(b) _____ yes, but insufficient funds restrict scope of program
(c) _____ no—funds are not sufficiently concentrated on severely disadvantaged
(d) _____ no
(e) _____ no Federal funds under Title I

Additional comments:

Of the 290,179 students attending the Detroit Public Schools, 64% attend Title I schools. Of that number 94,529 come from low-income families and are eligible for Title I services. Of the 94,529 eligible pupils only 27,641 (28%) receive direct services from Title I. Serving only this reduced number of eligible pupils, Title I funds are still insufficient to meet the multiple needs of pupils.

22. *Classify your Title I services by checking the appropriate columns on the effectiveness of each service:*

	Effective Service	*Insufficient Service*	*No Service*
(a) Reaching all eligible children		X	
(b) Instructional services		X	
(c) Parent participation		X	
(d) Health services		X	
(e) Nutritional services		X	
(f) Other supplementary services		X	

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Additional comments:

A vast amount of eligible students are not receiving Title I services. It is estimated that less than 28% of the eligible Title I population (94,529) participants in Title I programs.

23. *During the most recent school year for which you have reliable achievement data for a significant number of your participating Title I children please report on the rate of progress of these children by relating their achievement, on the average, according to their progress for each full month of instruction provided:* (See additional comments, page 12a)

Reading:

(1) Indicate the following for the reported group:

Grade levels tested _____
Number tested _____
Period covered _____

For those reported, show average rates of progress by the following:

Percent who averaged .0–.25 per month _____
Percent who averaged .26–.50 per month _____
Percent who averaged .51–.75 per month _____
Percent who averaged .76–1.0 per month _____
Percent who averaged 1.0–1.25 per month _____
Percent who averaged 1.25–1.50 per month _____
Percent who averaged 1.50 per month or more _____

(2) Report comparable data for a prior period (if available) for a comparable group of Title I children:

Percent who averaged .0–.25 per month _____
Percent who averaged .26–.50 per month _____
Percent who averaged .51–.75 per month _____
Percent who averaged .76–1.0 per month _____
Percent who averaged 1.0–1.25 per month _____
Percent who averaged 1.25–1.50 per month _____
Percent who averaged 1.50 per month or more _____

Mathematics:

(1) Indicate the following for the reported group:

Grade levels tested _____
Number tested _____
Period covered _____

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ADDITIONAL COMMENTS ON QUESTION NUMBER 23, PAGE 12

Data has not been accumulated as requested in question number 23. The statement which follows describes the relative achievement progress of pupils in Title I schools receiving differentiated levels of service.

These findings are based upon the 4th grade Iowa Test of Basic Skills results of 47 priority "A"* schools, 36 priority "B" schools, and 30 priority "C" schools (total 113) participating in Title I projects during the five year period between the 1965-66 and the 1969-70 school year.

(a) During this period the means in reading comprehension and arithmetic show that Title I schools gained one month on the city means.

(b) The number of Title I schools above the city mean for reading comprehension increased from 11 (1-A, 3-B, 7-C) in 1965 to 22 (6-A, 6-B, 9-C) in 1969. During this same period the number of Title I schools above the city mean for arithmetic increased from 10 (1-A, 2-B, 7-C) to 19 (4-A, 4-B, 11-C).

(c) Of the 11 Title I schools making the greatest gains in reading achievement, 7 were priority "A" schools and 4 were priority "B" schools. No priority "C" schools were among this group; of the 12 Title I schools showing the greatest loss in reading achievement 2 were priority "A" schools, 4 were priority "B" schools, and 6 were priority "C" schools.

(d) There was no correlation between participation in any single project and gains in reading achievement.

*A schools characterized by having 55 percent or better of pupils from low income or ADC families.
B schools characterized by having 40 percent to 54 percent of pupils from low income or ADC families.
C schools characterized by having 25 percent to 39 percent of pupils from low income or ADC families.

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Chart Showing Gain (or Loss) in Reading Achievement by Title I Schools Between 1965 and 1969

No.	Classification	Gain (or Loss) in Months 65-66	66-67	67-68	68-69	65-69
45	Priority A	0	.1	.4	1.6	2.1
35	Priority B	.4	.8	(.8) loss	1.1	1.3
30	Priority C	0	.2	.3	(.7) loss	(.2) loss
110	Title I	0	.4	0	.7	1.0

Summary:

These data show that the gain on the city mean in reading achievement is proportionate to the degree of service rendered by Title I. Substantial gains were made by "A" and "B" schools while priority "C" schools fell slightly behind. The drop of the "C" school means corresponds with the removal of Title I service from "C" schools in 1968-69.

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For those reported, show average rates of progress by the following:

Percent who averaged .0–.25 per month _____
Percent who averaged .26–.50 per month _____
Percent who averaged .51–.75 per month _____
Percent who averaged .76–1.0 per month _____
Percent who averaged 1.0–1.25 per month _____
Percent who averaged 1.25–1.50 per month _____
Percent who averaged 1.50 per month or more _____

(No reliable data available)

(2) Report comparable data for a prior period (if available) for a comparable group of Title I children:

Percent who averaged .0–.25 per month _____
Percent who averaged .26–.50 per month _____
Percent who averaged .51–.75 per month _____
Percent who averaged .76–1.0 per month _____
Percent who averaged 1.0–1.25 per month _____
Percent who averaged 1.25–1.50 per month _____
Percent who averaged 1.50 per month or more _____

(No reliable data available)

Additional comments: As a result of Title I intervention, 50% of a group of pupils showed a rate of achievement progress less than 1 month/month, while 50% of the pupils showed a rate of achievement progress greater than 1 month/month. This is based on the fact that the mean rate of achievement for these pupils was approximately 1 month's achievement growth/month. In a control group not receiving Title I intervention, 50% of the pupils showed an achievement rate of less than .51 months/month; while 50% showed a rate better than .51 months/month. This means that without Title I intervention, Group B, the control group, gained at a rate of only one half as great as the experimental group, Group A.

24. *Has Title I improved the retention rates of students in the secondary grades of your school system?*

Over the past 2 year period: (See explanation p. 13a) _____ yes _____ no

If yes, please give the data—to the extent available on the following:

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ADDITIONAL COMMENTS ON QUESTION NUMBER 24 PAGE 13

A response to the question regarding the relationship of compensatory education to secondary school retention rates is necessarily as complex as the problem itself. Any reliable study of retention rates (or dropout rates as they are sometimes referred to) should be done on an individual pupil basis involving long term follow up throughout the pupil's entire school career or at least a period spanning no less than the secondary school (grades 7-12) experience. Such a study should take into consideration the many known characteristics of pupils who have dropped out of school and should seek to uncover other characteristics not yet revealed. It is generally understood that a student dropout has several, if not all, of the following characteristics:

1. Member of a poor family
2. Member of a disrupted or broken family
3. History of frequent changes in school enrollment
4. Excessive absence
5. Low reading achievement
6. Generally low scholastic attainment
7. Overaged in grade
8. Serious conflicts with teachers, counselors or other adults in the school
9. Positioned at the lower end of the scholastic aptitude spectrum
10. Non-participation in extra-curricular activities
11. Physical or medical problem (physical handicap, cyesis, etc.)
12. Need for employment
13. Untoward relationships with parents or guardian.

The list can be extended and dramatized even more than the complexity of the syndrome of the dropout.

Any change in an individual pupil's dropout behavior, or a group of pupils for that matter, must be carefully analyzed. To attribute a noticed change to a given type of programmatic intervention without some consideration of related pupil experiences

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or environmental conditions is misleading. Some correlation of dropout behavior with specific experiences is possible and is suggestive of strategies which, if applied with increased intensity, could favorably modify retention or dropout rates.

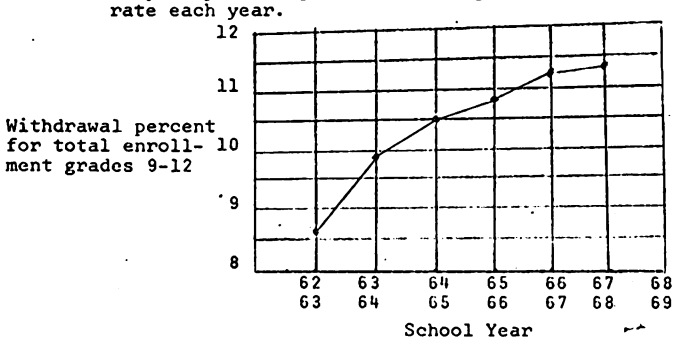
It might be suggested here that a more meaningful picture of the "pupil retention or dropout problem" could be painted by illustrating the number and percentage of pupils attending our secondary schools today as compared with data from the past six decades. For instance, far more pupils age 17 are in our high schools today than were in them in 1910. The implication here, that education has become more and more "public," includes the obvious implication that more and more students have the option of dropping out.

It is therefore apparent that a dropout analysis from this or any other large urban school district must account for:

1. individual pupil behavior for as long a span of time as possible
2. pupil mobility
3. poverty levels
4. matriculation of pupils at so called "specialized" or "open" schools, away from their home neighborhoods
5. migratory tendencies both into and out of the school system
6. availability of non-public school opportunities, etc.

Listed in what follows are the "knowns" as they relate to retention or dropout rates in the Detroit Public Schools.

1. An analysis of the dropout rates in the "Senior High School Annual Withdrawal Study" shows that for the total school district the year to year dropout percentage is increasing, but at a slower rate each year.



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2. Data from Title I schools also describes a dropout rate which is increasing, but at a slower rate. .

3. Though compensatory interventions at the secondary level are differentiated in accordance with concentration of economic and educational disadvantagement, programs are not applied as intensively and universally at the secondary level as they are at the elementary level. The most pervasive and intensive secondary school efforts are the work study programs. Neighborhood Youth Corps (EOA), Job Upgrading (Title I) and Junior High School Work Study program (Title I). Two or three other strategies are employed at selected secondary schools only: Continuing Education for Pregnant Girls (Title I), a Career Guidance Program (Title I), a Medical Careers Program (Title I), an Attendance Officers (Title I), Science-Pollution Project (Title III ESEA) and a project called Operation GO which provides recreational and enrichment activities for small groups (25) of pupils (Title I).

   Reports from one of these programs, Operation GO, suggests that the program is successful in promoting pupil retention, but only for as long as the strategy is applied. Once the pupil leaves such a program he reverts to less desirable behavior. There is the suspicion that, this is "true" for other program strategies.

   Due to the differing intensity of application of these interventions and due to the non-universality of their contact with secondary school pupils it is perhaps improper statistically to attribute the "plateauing" of the dropout curve to the impact of these programs. But, we cannot rule out the probability that whatever decrease has occurred has some relationship to compensatory interventions wherever they have been applied.

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Number and Percent of Dropouts for Two Year Period*

1966-67 to 1967-68 — 1968-69**

	SCHOOL YEAR (Title I A & B Schools)			SCHOOL YEAR (Title I A & B Schools Only)		
For all Title I schools	*Total Membership*	*Dropouts*	*Percent*	*Total Membership*	*Dropouts*	*Percent*
Grade 12	9462	1074	11	4175	820	19
11	9481	1732	20	5328	1451	27
10	11964	2466	18	7259	1942	26
9	11935	935	7	8028	833	10
8	12230	618	5	7510	509	6
7	11372	322	2	8287	352	4
For Title I schools having ½ or more pupils in Title I services	5698	903	15	3250	651	20
Grade 12	5689	1421	23	4246	1106	26
11	7178	1722	24	5825	1563	26
10	7161	714	10	3041	341	11
9	7338	441	6	3096	218	7
8	6823	205	3	3171	138	4

25. *In what percentage of schools does your school district have libraries?*

Meeting State standards:	*100%*	*75–100%*	*50–75%*	*25–50%*	*0–25%*
(a) Elementary schools		x			
(b) Junior high schools	x				
(c) Senior high schools	x				

Not meeting State standards:

(d) Elementary schools
(e) Junior high schools
(f) Senior high schools

There are no state standards for library service at any level. The North Central Association does assess senior high libraries as a part of total senior high assessment.

Additional comments:

Only in about 2% of the elementary schools is there no library, but even in these schools some library service is provided via a book exchange program. Detroit Public Schools libraries do not meet the national per pupil book standards but are approaching these standards thanks to the intervention of ESEA, Title II. Additional ESEA, Title II funds are needed to bring Detroit schools up to and above the national standard.

26. *Has Title II (school library resources) helped to expand or to establish the following?*

	Yes, very much	*Yes*	*No*	*No Federal programs*
(a) School library	x			
(b) Textbook and classroom		x		
(c) Instructional materials		x		
(d) Media centers		x		

ity Dropout Rates 1968-69

-3% 10-17
-5 11-18
-10 12-14

-Title I service in 1968-69 was limited to A and B schools (schools with highest oncentrations of poor pupils.) Increased percentages in 1968-69 would reflect ncreased pupil dropout behavior relative to the pervasive deprivation in A & B hools.

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Additional comments:

7. *Have programs initiated under Title III for supplementary education centers and services contributed to the improvement of over-all school programs?*

(a) ____X____ yes, very much
(b) _____ yes
(c) _____ no
(d) _____ undecided
(e) _____ no Title III funds

Additional comments:

The second year of the Title III experimental program is presently being completed. Data indicates some successful practices are a part of the Title III project. These practices or elements have been incorporated in other programs serving pupils in this school system.

8. *Has Federal funding for any of your Title III programs been discontinued?*

(a) ____X____ yes (b) _____ no (c) _____ no programs

If "yes," have you found other sources of funding?

(d) ____X____ yes (e) _____ no

Additional comments:

The Title III allocation for the 1969-70 school year (year 2 of a 3 year operation) was reduced 40%. The school system has assumed the cost differential for the funds that were lost.

). *Have Title V funds for State Departments of Education made any noticeable improvement in State services available to you?*

(a) _____ yes, very much
(b) ____X____ yes

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(c) _____ no
(d) _____ undecided

Additional comments:

30. *Have the programs initiated under the Vocational Education Act been of benefit to the students in your district?*

(a) _____ yes, very much
(b) __X__ yes
(c) _____ no, insufficient funds restrict scope of program
(d) _____ no
(e) _____ no funds

Additional comments:

31. *Has your school district initiated the new programs included in the 1968 Vocational Education Amendments?*

(a) _____ yes, we have greatly expanded our programs
(b) _____ yes
(c) __X__ we have expanded, but insufficient funds have restricted our programs
(d) _____ no
(e) _____ no funds

Additional comments:

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Senator MONDALE. Thank you very much.

The committee is in recess, subject to the call of the Chair.

(Whereupon, at 1:10 p.m., the Select Committee was recessed, to reconvene at the call of the Chair.)

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QUALITY IN URBAN EDUCATION

TUESDAY, AUGUST 3, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATION OPPORTUNITY
Washington, D.C.

The Select Committee met at 10:15 a.m., pursuant to call, in room 1224, of the New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senators Mondale, Javits, and Dominick.

Staff members present: Francis A. Hennigan, Jr., minority staff director; Leonard Strickman, minority counsel; Donald Harris, staff member.

Senator MONDALE. The committee will come to order. This morning we will be continuing our hearings on quality in urban education. This morning we will be focusing on the whole compensatory education movement, and where it stands at this point.

Since both of these distinguished educators are from the State of New York, perhaps Senator Javits would like to introduce them.

Senator JAVITS. I am very honored to be here today to greet Dr. Howe and Dr. Smith who are great authorities in this field, and our committee is honored to have you both. I am also very pleased that you are both New Yorkers.

I might explain that our mutual Governor is appearing upstairs before another committee of which I am a member, so if I have to leave, it will only be to hear him. That's just to explain in advance.

I am very grateful to you for appearing, and very pleased that such eminent authorities come from my home State. Thank you, Mr. Chairman.

Senator MONDALE. Thank you, Senator Javits.

Dr. Howe and Dr. Smith have agreed to testify without a long prepared statement. After the hearings are concluded today, you both might submit further written reactions to what it is that we are trying to better understand, and perhaps some of our questions will point up our concerns, and will submit responses that might help the committee in its efforts to grapple with this terribly difficult problem.

Dr. Howe, perhaps you will begin.

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STATEMENT OF DR. HAROLD H. HOWE, II, VICE PRESIDENT FOR EDUCATION AND RESEARCH, THE FORD FOUNDATION, NEW YORK CITY

Dr. Howe. Thank you, Senator Mondale, and Senator Javits. It's very good to be here, and particularly with my former associate—I will have to call him by nickname—Chuck Smith, who worked with me in the Office of Education for a number of years as my special assistant, particularly with concern for the problems of the large cities.

I would like to make some introductory and informal remarks. Perhaps the way to start them is to pick up two phrases, one which you uttered, Senator Mondale, and the other from Senator Javits. Senator Javits described Dr. Smith and me as "great authorities." We are grateful for that, but I suspect that there is not a great authority on this very difficult subject. At least not an authority in the sense that there is a person who has comprehensive overview of all the detail and innuendo and practice which constitutes this field of compensatory education.

So I'd like to begin by disqualifying myself slightly in terms of being any great authority. In fact, I have to say that I have been out of the United States for 2 full years, working on education problems in India, and have not had the chance to observe in detail the activities that have developed under Federal legislation in the last 2 years.

So perhaps you have a good team to testify here today in the sense that Dr. Smith has been here and has detailed acquaintance with what is going on in many places, and can look at that side of things, and I can look at broader policy considerations.

You wrote me a letter, or your staff did, suggesting that I comment on three or four points. The broad intent of the Elementary and Secondary Education Act of 1965 and particularly Title I of that act, the compensatory education funding title.

Second, something about what has been achieved under the act. Third, what major problems seem to be. And fourth something about the problems of assessment, which in a way combines with the third heading.

I'll say a few words under each of these subheadings.

INTENT OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

First of all the intent of the Elementary and Secondary Education Act of 1965, and particularly Title I. Of course, the legislation itself was very, very broad. It was in five major titles, and comprehended quite a spectrum of activity in elementary and secondary education. I won't comment on the remaining titles beside Title I, unless you direct our attention to them later on, but will jump immediately to the point that Title I, which provided upwards of a billion dollars a year in add-on money to local school districts in the United States was designed to make up for environmental handicaps of selected groups of children—children who research was showing at that time

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were not being successful in schools, or to put it the way I prefer, children with whom schools were not being successful.

The explanation offered—and I think the explanation still held by many authoritative people—is that the difficulty these children are having in schools grows from the difficulties that flow out of a poverty environment, and it was clear by the mid-1960's that very large proportions of our minority group people—blacks, Spanish-speaking people, others—found themselves in the category of coming from poor families and suffering these environmental handicaps.

The theory behind the legislation was that it was possible by adding to and improving education services, and focusing them particularly on these groups of childen who were having difficulty in schools, to make them more successful in school.

At the time the legislation was passed there was no broad educational prescription, no one had an automatic system that was guaranteed to work on behalf of these children. It was assumed that additional energy to provide a whole variety of different kinds of services—and many examples were given in the course of testimony on the legislation—it was assumed that these add-on services, ranging from remedial reading activities, to added teachers, to special guidance services, to health services, to meals for children, to a whole shopping list of possible additional aids to make education more effective on their behalf—would somehow solve their problems.

And the Congress, and indeed I think the administration, did not presume to say exactly what combination of things ought to be tried or how they ought to be worked together to produce the desired result.

LOCAL SOLUTIONS

The legislation did, however, say a couple of very definite things. It said that the decision about what was going to be done in the schools was a local decision, and that the prescription to be made for any group of children in New York or Detroit or in a rural area, would be decided by the local school district.

So, again, there was no national prescription. And secondly, the legislation—and I am picking out only two important points—said that there should be a concentration of these funds, that by various formulas that were worked into the administration of the program, funds should flow in a concentrated way to provide additional services to target groups and not be spread broadly among all the school population. The target groups being, of course children selected because of poverty considerations in their backgrounds.

This, in a very oversimplified way, was the intent of that major title, carrying over a billion dollars a year in the 1965 legislation.

I think it has to be said also that as with any piece of legislation, there were compromises made that had to do with getting the legislation passed in the form that it took. There had been a long history in the Congress of efforts to involve the energies of the Federal Government on behalf of the schools, and on behalf of the school children, and it was by and large a history of failure with the exception of the National Defense Education Act.

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You could trace it back on the Republican side to the time when Senator Taft was proposing school-aid bills back in the late 1940's and early 1950's. You can find it on the Democratic side in the Kennedy period when various bills were proposed. But all of these floundered.

The passage of the 1965 act was in a sense a very difficult balancing act, which I don't think we need to explore in detail, but it had characteristics about it which made it possible to pass it and which have made it difficult to administer.

BUREAUCRATIC RELATIONSHIP

It set up a whole new set of relationships involving the Federal bureaucracy, the State bureaucracies, and the local bureaucracies in education. And I use bureaucracies not as a term of condemnation at all, but as a word to describe the people involved in the administration of education affairs at the various levels of government.

The new set of relationships set up by the act, in which there was Federal responsibility for seeing that funds flowed in a certain way, State responsibility for approving projects carried through by local school districts, and local school district responsibilities for designing those projects in accordance with the legislation, created a brand new and very tricky set of relationships within which to work. This is still true, and I expect will so continue.

But I think those who are working within this set of relationships have moved, over this period of 5 years, from some very contentious relationships to some relationships which I think are considerably more constructive.

Well, these are some very broad comments on this matter of intent. What has been achieved? I am going to leave much of the detailed comment here to Dr. Smith and just point out some things that occur to me as a person who certainly has no comprehensive view of the United States in this regard.

RESPONSIBILITY FOR DISADVANTAGED CHILDREN

One thing that has been achieved is that as a result of this congressional action, we have put the matter of children whom schools don't serve well on the agenda of every school board in the United States.

There is a sense of responsibility about the problem which didn't exist before. And that sense of responsibility on behalf of these children I think is very broad and general across the country. That isn't to say the people have generally found the solution on behalf of these children, but if you look at the attitudes and actions of local school districts, let's say in the late 1950's and early 1960's, you find a singular absence of the kind of concern for the children of the poor and the children of minorities that now exists very generally.

Senator MONDALE. Will you yield there? A few weeks ago, Dr. Marilyn Gittell, a political scientist, appeared before the committee; and I asked her, why is it that 45 years ago the central school systems were the envy of the country and were working so well, and today apparently teachers are fleeing central districts.

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And she said, well Senator, they never were the envy of the country when it came to poor children. The disadvantaged children had been ignored. It wasn't a case of dealing with them, they were just ignored.

And she pointed out that in 1970 there were three times as many slots in elementary schools in New York City as there were in high school. It just was assumed that poor children never made it even to the high school. Although when we get so enormously frustrated with our inability to see clear answers today—and we should be frustrated by that because a just society must have these answers—it is, as you point out, an enormous step forward that American school districts and the Federal Government are now concentrating on the long overdue issue of how the children who have been cheated in the past can get a fair chance.

Do you agree with that?

Dr. HOWE. Certainly I would, and of course it is a fact that at that time you refer to, there were lots of fifth grade dropouts, as opposed to 10th and 11th grade dropouts we have now.

I think that the legislation has put on the agenda of many, many school districts some specific practices that hold great hope and have achieved some success.

For example, it seems to me that the new thrust across the country in emphasis on early childhood affairs has been in part influenced by this legislation, and in part influenced by other legislation that has passed the Congress. The whole Headstart operation, originally under OEO, an adventurous and good program, stimulated this program in many ways. I can recall during the years of my commisioner-ship pushing very hard to persuade school districts that one of the ways for them to plan good programs under Title I was to give preference in the use of these funds to early childhood activities, feeling that differences made in those years were probably more significant differences than could be made in later years.

That kind of interest has been much expanded, and you now have before the Congress appropriations and legislation concerned with day care and special early childhood legislation of various kinds. Although I am not actually up to date on all of this, it seems to me that that kind of thinking that is now going on in the Federal Government depends in part on the fact that this early legislation tended to emphasize preschool programs.

USE OF TITLE I FUNDS

Senator JAVITS. If I may, Mr. Chairman, before you go ahead.

Title I is causing Senator Mondale, myself, and others a lot of worry. We are its most ardent protagonists, but we run into a lot of evidence that its funds just get thrown in the hopper and used for general school budget purposes, whatever may be the labels on the bottle.

And that it really doesn't zero in to help the disadvantaged children with special projects, remedial reading, special instruction, and many things that we had hoped for which deal directly with this question of equal educational opportunity. Because that is a very important part of our target population.

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So we appreciate your just having come back, et cetera, but I would hope very much, sir, that you and perhaps Dr. Smith with you, as a team, could take a more continuing interest in this matter and perhaps before we close the record would be able to give us some critique on Title I which could be very helpful to us in this field.

I'll tell you frankly that I am very worried about it. It involves large sums of money. The only justification for it originally within the doctrine that Senator Morse laid down was for the disadvantaged children. It was extended to them even if they were educated in non-public schools. And we have reason to be very concerned about what is happening.

Dr. HOWE. Senator, I share your concern. And Dr. Smith and I would be glad to help in any way we can. I think however, that comprehensive studies of Title I and of compensatory education and its effects are a very large job. And I don't think that any individual in his spare time is going to offer this committee a real perspective on the matter.

Now this committee has done a great service in the type of study it has already done of the flow of funds for compensatory education. I refer to the study by Steve Bailey, who happens to be a friend of mine, and Seymour Saxe, and Allen Campbell, and others. This kind of study can be refined. Examples can be looked at on a sampling basis across the country, and this committee can find out more about what works and doesn't, and what is wrong and what is right.

But I think that a major assessment is probably going to take the design of large role studies, rather than the off-the-cuff reactions of people like myself.

Senator MONDALE. Let me follow Senator Javits on this point. The two of you are in a position where you can help this committee enormously in pointing up major problems, and hopeful strategies, as you see them. Both of you have worked in crucial positions, and I would hope that while you might respond with data and technical analysis, which are very important, that today you might hit hard at where you think the key problems are and where the key hopeful strategies might be found.

PROBLEMS WITH TITLE I PROGRAMS

Dr. HOWE. Let me go quickly to the problem areas. Let me mention first of all that I think there are some success stories in Title I, in local cities. No question of that.

I reviewed quickly, before coming down here, the publications of the Office of Education about success stories in title I. Some of them are impressive.

There is debate about many of these. The More Effective School program in New York City, Senator Javits, has been disagreed about by authorities. Some people are saying it is proving a great deal; others say it is not. The publication that the Office of Education puts out in regard to this indicates that it is a successful program. You find in the realm of education a less measurable kind of activity than you do in some other realms. It is therefore hard to come to facts and figures even when you are talking about reading achievement scores.

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When you get to other issues about what kinds of values children are learning, attitudes they are developing, that sort of thing, it is very difficult to measure these components. So it's a tricky business deciding whether Title I projects are really succeeding or not.

In the realm of problems, I could speak about this very broadly and also somewhat narrowly. Very broadly, the essential problem is that, we are trying to change a whole set of institutions, the schools. And institutions are very difficult to change. The Congress is aware of this. Institutional change always takes more time than is expected, and in connection with Title I, we are working against a background of expectations about the effectiveness of the program, which is probably unrealistic. Yet it is important to observe that I don't believe you can get a billion dollar program through the Congress of the United States without raising expectations beyond a reasonable point, to be very direct about it.

So that let's concede that expectations have been inflated. And let's say also that there are a set of definite operational problems in connection with this legislation.

This legislation says there should be concentration of these funds. There has been too much dispersion, and there is evidence of that. There are places where they have been spread around by the counties to which they go rather than focused on the children of the poor, who should benefit under the formula.

They have been used in some instances for things that they should never have been used for. I can recall in my period of responsibility for all this that somebody built some swimming pools with Title I money.

Senator MONDALE. All white.

Dr. HOWE. An improper thing to do.

Senator MONDALE. Known as the "Howe pool."

Dr. HOWE. Yes, sir. You have studies by Ruby Martin, well-known studies, which point to some of the abuses that have existed under Title I. I think it's a mistake to generalize those criticisms into all the activity supported by Title I, because again I believe there are success stories.

COMPARABILITY

So I think we have to keep in balance on this. The differential financing of city as compared to suburb, and of white school versus black school in the city, as developed in this publication [study by Barley and others], shows some of the real problems connected with Title I, and I understand that Commissioner Marland is now working on the problem of what people can call comparability. I applaud that. As school districts have evidence about what they are spending on particular schools and can begin to equate district expenditures from school to school, it will become possible to make Title I money a real add-on, rather than simply a catch-up device which helps schools for poor children get as much as the schools for rich children in the same district.

I will say just one word about the assessment business, which was in your letter to me. I raise the question of whether we don't, at this point, after some 5½ years of actual operation, really need a new

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comprehensive look at disadvantaged children in the United States and at their performance in the schools. I don't think that the so-called national assessment really provides us this in the kind of focus we require.

COLEMAN REPORT

I think the national assessment is a useful device to educators generally, but I don't believe it really comes into focus on the issues raised by title I. I don't think that the Coleman study, which was done before title I, had much impact or provides us any useful evidence about its operation. Indeed a restudy of the Coleman data has continued to raise issues about the validity of some of the conclusions the report reached.

So that about all I can tell you of what really comes from the Coleman study is simply that it documents the fact that as children progress through school, the gap between the rich kids and the poor kids grows greater. It documents that very well.

But in terms of really telling us what the cause of that is there is now much argument by researchers about the implications of the Coleman study.

I am not criticizing Alex Mood or Professor Coleman, who worked so hard on this. They were subjected to very serious difficulties of data gathering. They were subjected to time deadlines created by the Congress, and the Civil Rights Act, the timing of which operated in the way to handicap the study.

I tried at one time to get the Coleman Study delayed, so that we could do a better job on it. We concluded, in the administration, that we would ask Congress for another year to work on that study. I now think we were mistaken about that, but we did review that possibility at that time, back in 1966, when we were doing a crash job of bringing the Coleman study to a conclusion.

You might recall that we presented it to the Congress 1 day before it was due, and that Senator Ribicoff suggested that I was doing this because it was the weekend of the 4th of July, and it wouldn't receive any publicity. That was not the case. It was just 1 day before it was due.

In other words, we do have a real assessment problem, and perhaps one useful thing this committee could address itself to is the possible design of another major look at this whole area in a time when there is a lot more friendliness in local school districts to collecting data about children than at the time of Coleman.

One of the effects of title I has been to open up the whole business of willingness to release achievement data and find out about this thing.

Senator MONDALE. When you first started Title I, there was enormous resistance.

Dr. HOWE. Yes.

Senator MONDALE. And now there seems to be a growing willingness to release data.

Dr. HOWE. Right. Let me conclude this summary, and let Dr. Smith proceed.

Senator MONDALE. Thank you very much, Dr. Howe. Dr. Smith?

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STATEMENT OF DR. CHARLES H. SMITH, ASSOCIATE DIRECTOR FOR SOCIAL SCIENCES, THE ROCKEFELLER FOUNDATION, NEW YORK CITY

Dr. SMITH. Senator Mondale, Senator Javits. I do have a prepared statement which I will go through very quickly. And then perhaps if it is your desire, we can zero in on some of the specific questions that you might have.

I do not appear before you today as an official of the Rockefeller Foundation, but as one who became involved in many programs which were established to increase and improve educational opportunities for the poor and alienated. I was involved in Job Corps, community action programs, New Careers, consultant-advisor to the National Advisory Council for the Education of Disadvantaged Children when it decided to take a look at what was happening in Title I across the country.

I also appear as one who spent a couple of years in the U.S. Office of Education in various roles. The last year having been spent as an Assistant for Urban Affairs to former Commissioner Howe.

I have observed and participated in the hopes, struggles, frustrations, failures, and successes of the several ESEA programs intended to increase and improve educational opportunity. It is in this capacity that I would like to discuss briefly from a national perspective those hopes and struggles, frustrations, successes, and failures.

REPORT ON TITLE I

In 1966 with the National Advisory Council for the Education of Disadvantaged Children, I supervised a team of consultants and participated in all the field visits to a number of cities across the country. The objective was to report to the Council what was going on in those cities. Those reports were published and widely circulated. However some of the things that were learned were as follows.

Title I was forcing many school systems to focus on a population that had been neglected. Millions of dollars were spent on equipment and materials which were placed in the hands of people who were the most responsible for the neglect. We saw equipment and materials in storage rooms unused because school personnel did not know how to use them.

Many programs were very quickly and loosely designed and implemented. In many cases the programs were an expansion of programs already in operation such as remedial reading and after school recreation.

Community people knew that Federal money was coming in, but did not know the purposes and objectives nor were they involved in many of the programs.

Teachers in only a few systems were involved in training and retraining. In the second year we observed that the more innovative summer programs had not continued through the regular school year.

More money had been available for the preceding school year—especially summer programs.

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The target population had not been adequately identified and scaled in terms of greater to lesser needs.

No priority system, goals or objectives were clearly defined in many cases.

Some systems were beginning to deal with the "world of work" concept for students in bringing in community people and training them as teacher aides.

There was a realization on the part of a few of the size of the task, but they were not in a policymaking position, and had no opportunity or responsibility for program planning.

Those people who had the responsibility for program design had no responsibility for implementation, nor had a working relationship with those who did. And neither the design nor implementation people had any responsibility or working relationship with the people who had the responsibility for evaluation and reporting.

Much was lost between design, implementation, and evaluation.

We observed in some systems people who were regular kindergarten teachers teaching math or social studies to fifth and sixth graders who flatly stated they needed the money.

As time passed and cutbacks had to be made, there existed no mechanism for making intelligent decisions about the programs which should be cut. Evaluation data was poor if it existed—except in a few systems—and frequently programs were cut which had raised the hopes of many parents and students.

The history of concentration of funds on a smaller number of students is well known to you. Yet in many systems, the hardest-to-reach students were not being reached. Consequently the systems lost them to the streets.

It was a classroom in a summer school project in the Midwest in 1967 that the dawn of a new day was realized. It was in an old school—the plaster on the ceiling was falling, the temperature in the classroom was 96, but the classroom was buzzing with activity. Perspiration was rolling off the faces of the teacher and students, but the teacher had captured the imagination of the students and they were working.

I approached a youngster who was sharpening his pencil. His eyes moved to a group of boys playing basketball on the court. I asked him if he would rather be playing basketball; he said, "No, sir. At supper tonight my father will ask me, 'What did you learn in school today?' He will want me to tell him everything and then he will ask me questions. I had better have something to tell him."

It was clear that the supposed disinterest in education of poor people needed closer examination. Upon closer examination, it was discovered that poor people cared very much, but had not felt welcome in the schools. It was shortly after that when the U.S. Office of Education began to recommend parent participation in the goals and objectives of the educational programs and learning activities of their children.

TITLE III

Title III was supposed to be the cutting edge of ESEA. But most systems conducted title III as a separate project. There was neither planning, communication, nor working relationships between I and

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III. Very few systems were able to absorb the successful ingredients of III into I and for that matter of I into regular ongoing programs.

In many cases, the Title III programs were reduced each year for the 3 year period, so that original objectives were accomplished in limited ways.

As the funds have expired, the programs in many cases have not been absorbed into regular programs. They either obtain other sources of finance or they are dropped. Many schools feel that additional funds are required rather than incorporating the proven ingredients into regular program. Yes, systems change slowly—too slowly to meet the needs of our youngsters.

Urban systems are in such dire financial straits that the innovations of yesterday not only are not being absorbed, but without outside financing, they are being lost.

In late 1967, the concept of packaging the several programs which could affect impact on the system was discussed. Out of these discussions grew a central cities Title III effort which had the capability to effect instruction, teachers, parents, and midlevel management.

COMMUNITY PARTICIPATION

However, each year after the first the funds were reduced and the impact was subsequently reduced. It became very clear that the system was made up of people who had to be reached more significantly and that change would not come from the inside. The community would have to participate substantially.

Today with parents participating in the career opportunity program combined with some of the other training programs of EDPA and improved monitoring and technical assistance from the Division of Compensatory Education, and substantially greater participation in the decisionmaking process by the community, improvement is beginning to take place.

As one moves around the country, he sees programs which have given encouragement to the parents and students, formed partnerships with the community, provided black and brown youngsters with a climate for learning, capitalized upon their culture and heritage rather than shamed them, struggling for their lives or being phased out due to lack of funds.

One sees continued disenchantment with systems which are rigid to accommodate community input. One still sees teachers making judgments about students based upon the way they look and deciding they cannot learn, thereby not providing them with an opportunity to do so.

The alternative which grows out of the strife and alienation of black and brown youngsters who have sought other avenues to acquire an education have not been viewed as relevant to the systems. Many systems make no attempt to embrace the alternatives and the alternatives distrust the system.

Teacher aides and COP participants who have combined classroom assistance with college matriculation are making a substantial contribution in the communities. They are trusted by both parents and students. They are helping to make a difference.

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The community no longer entrusts their youngsters totally to systems which have failed them. They are demanding partnerships and are holding schools accountable for their performance. Title I, through local advisory councils, can and is participating in these efforts, and improvement is becoming visible.

Equal educational opportunity is yet to became a reality. Black and brown youngsters and their parents are still struggling to achieve that goal. Many communities are still divided on the question of equal opportunity. Bond issues are being defeated across the Nation because voters feel that large sums of money will go into the central city. But we must pay for years of neglect and exclusion.

Superintendents who dare to move their systems into a position to respond to the problems with major surgery rather than "band-aids" occupy their positions but a short while. In a Far Western State, the superintendent with the most time on the job of the major cities has been there less than a year. Those school boards who would dare to provide equal opportunity run the risk of recall or defeat or no reappointment.

Some teacher training department heads who dare to depart from traditional practices are highly criticized by their colleagues.

COMMITMENT TO EQUAL OPPORTUNITY

However, where differences are being made, they are being made by people who would dare to recognize that denial of equal opportunity to some endangers the opportunity for all. They have advocated vested interest coalitions and embarked upon strategies that have the potential for making the dreams and hopes of the black, the brown, and the poor a reality.

Every day of their lives, the forces of unequal opportunity make them suffer, but their commitment toughens them. We must be about the business of discovering, training, and placing these people in positions of responsibility for they do not mind being held accountable, in fact they insist.

Finally, the crisis that plagues our schools in the black and brown community is being addressed by the black and browns in those communities. If the systems do not open up, if they continue to respond poorly or not at all, and if they continue to be the first to suffer cutbacks, we will have a crisis of proportions that this Nation has not seen.

Thank you, Senator. That is the prepared statement.

Senator MONDALE. Thank you very much, Dr. Smith. I gather that both of you would agree that there are perhaps millions of children who are not afforded an equal chance in American education today. Now the question that this committee has before it—what do we do about it?

RESULTS OF COMPENSATORY EDUCATION

One of the great experiments to deal with the problem has been the compensatory education movement, which principally resulted in the adoption and funding of Title I.

That program has now been in being for 6 years. When it was adopted, I think most American educators, in response to that ques-

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tion, would say, "let us compensate for the disadvantages of the educationally disadvantaged by providing more money." That was essentially the plea which I think we heard almost unanimously from American educators.

That certainly was the basis for adoption of Title I. So that most American educators were carrying a flag which said compensation.

Now we have been at it for 6 years. In your opinion, is that philosophy still correct? Is there substantial hope that equality can be delivered to American children in education by the compensatory strategy, or not? Do we finish this first 7 years basically disillusioned, or basically optimistic about the compensatory strategy?

What changes would be made if it has been disappointing, to make it an optimistic strategy?

Now these are the kinds of tough questions we are asked in the Senate, the Congress. Mr. Howe made a very important point when he said you never passed Title I and funded it—it's now at a billion, five—really, unless you can say it is helping.

Now, is it helping? Or isn't it? And how you you react to that kind of political policy question with which we must grapple on this committee?

Dr. HOWE. Well, I have said to myself that I still believe in the idea of compensatory funding and I would pick up a word you used in your discourse just now, Senator, that Title I was a large national experiment.

I believe it was, and is. And I don't think that we knew when we started to use compensatory funding exactly what to do with it. I think we had a couple of good ideas, the idea of focusing it. We have not succeeded in fully focusing it.

We had the idea that the services that schools provide youngsters do differ tremendously across the country, and within a school district, and we wanted to bring these into balance to some extent. I think this still is a valid idea.

They will differ very greatly from State to State, however, and from city to city within a State, and Title I is not adequate to bring about a complete balance in that regard.

I think that one thing that Dr. Smith said is very important in this discussion of what we do now. He referred to the early emphasis in buying things in connection with Title I, and I quite agree. There was an overemphasis on audiovisual approaches, on apparatus for schools, in 1966.

PURCHASE OF EQUIPMENT UNDER TITLE I

Senator MONDALE. It's my impression that the first people to see the potential of Title I were not the educators but the equipment salesmen. They immediately saw its potential, did they not?

Dr. HOWE. I agree with you about that, and as a matter of fact, if you will recall Title I of the Public Broadcasting Act, which directed the Commissioner of Education to make a study of the use of media in education, in a very broad sense, I think I can lay claim to having written that personally. The reason was my concern for the fact of the overuse and misuse of media growing out of some of the ex-

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penditures of Title I funds and growing also out of a survey we made in the Office of Education which discovered that something like $700 million or $800 million a year, out of all our appropriations, was going into various types of media purchases, including books, and that it was a very large proportion of Federal spending for elementary and secondary education.

Senator MONDALE. Let me interrupt you again, if I may. Many people say that money doesn't make any difference. Dr. Coleman's report was taken to mean that what one must look for is the social and economic mix of a class, and if it was made up of predominantly advantaged children, then the poorer children would progress much more rapidly than otherwise. And it didn't make an awful lot of difference what the inputs were, the theory being apparently that children learn more from each other than they do from the system.

COST OF COMPENSATION

There are many people who believe that. I recall a study 2 or 3 years ago of the more effective schools program in New York which had a per pupil expenditure of I think, $1,800 per pupil. When that first analysis was made, there was a big argument as to whether the children did any better or actually slipped.

And a Harvard economist said that if you were going to use that strategy nationally, it would cost $190 billion in the first decade.

Now, how can you sell that to the American Congress and say, look, we don't know if it will help at all, but let's spend $190 billion on it and see what happens.

I don't think you can sell a program on that basis. What we have to grapple with here is the question of whether the compensatory education theory has failed or not. Whether money is helpful or whether it is a combination of money and better administration, tighter administration. What is it? If we know, that might help.

Dr. HOWE. Let me get back to Dr. Smith's observation, because I think it's directly applicable. He was suggesting that materials by themselves are not the answer, and he was implying that in bringing about changes that make a difference, the teachers in the schools are key elements. And he made the direct observation that the same people in the schools who had failed with children were now being asked to succeed with them, with perhaps some different materials. But without much else.

FUND HELPS TEACHING STAFFS LEARN

Now I think that one of the great possibilities within Title I, in addition to the whole business of community participation in the schools, is the option of using some of those funds to help teaching staffs learn more about the problems of children who have difficulty in education.

The concept of using the open classroom in the United States, which is now being much discussed—by and large a British product—a more informal type of approach, an approach which brings greater personal rewards to children and recognizes them more as individuals—is a

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concept which certainly can't be tried effectively without a great deal of teacher training.

Title I funds can be quite properly use by a school district to provide teacher training opportunities, and I think there ought to be more focus on people than things, at least relatively in using these moneys.

Interpreting the Coleman report to indicate that school services if added to won't make any difference, seems to me to be now challenged by some. There have been, I understand, studies in Michigan which indicate that school factors do make a difference contrary to the generalizations produced by Dr. Coleman.

Senator MONDALE. What study is that?

Dr. HOWE. I will have to get the citation for you. My staff informed me yesterday, and I am giving you a generalization, but I believe I can send you specific information.

Senator MONDALE. All right.

Dr. HOWE. There are practices which hold hope, and there are success stories that have been told about the operation of Title I in specific districts.

I believe in Dr. Smith's view, that parent participation is a hopeful element, and I believe that the Office of Education is trying very hard and may have succeeded in writing the requirement for that into the guidelines for Title I. Do you know?

Dr. SMITH. Yes.

Dr. HOWE. I am just not sure of the detail on that, but I believe it has been tried. I know I tried to do it, and failed because of pressures that we were unable to withstand in trying to make a requirement in that regard. But I think it might happen.

Senator MONDALE. We have to go over and vote. We will be back in a few minutes.

Senator DOMINICK. Let me ask one question while I have a chance, before I go over.

In any school, regardless of its makeup, there are kids who do well, and others who don't. As far as I have been able to determine—and I am only basing this on watching my own kids as well as myself—friends and people that I have been to school with—this is due in part to the particular person's makeup. Either he is not interested in different things and therefore doesn't concentrate on them, or he is having difficulty in absorbing the standard method of teaching.

A great number who do well in school aren't really absorbing anything. They are simply making good grades in order to get the rewards that go with the grades, but are not necessarily getting educated.

Now if that is true, in every district, regardless of where it is, then how could you really come down to the problem of equality of education, when in an equal education setup there are kids who don't make it?

Dr. HOWE. One brief comment. I don't think anybody it talking about having all children achieve the same results in school. I think that the essential point is having all children have a fair opportunity

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to have some sort of success, which is within the realm of that particular child's ability.

Senator DOMINICK. But the point I am making is that in order to determine whether they do or not, everybody always looks at the results: what children are getting what grades. What their reading average is, and so on.

And if you have that unequal situation in any school district now, my question really is pretty basic—how do you motivate them enough so that everybody wants to pick themselves up from where they are, regardless of what his color is?

Dr. HOWE. Well, it doesn't matter what color. It does seem to me that if we operate schools as a sorting-out process, with the assumption that these are institutions in which a certain proportion of people are destined to achieve failure, that we base the schools on the wrong assumption.

And that we ought to operate our schools as a set of institutions which assumes a level of success for everybody who attends them and a reasonable level of mastery of certain skills for everybody who attends them, although perhaps with a different pacing.

I think that the assumptions we make in some of the rather mechanistic structures of our schools that says everybody has to learn the same thing at the same time, when we know there are very great differences among human beings, are unreasonable assumptions.

And when you apply to this the fact that some youngsters come to that school with a distinct handicap that grows out of a deprived environment, that youngster needs a very special chance to achieve success. And that is what constitutes equality of opportunity, getting that very special extra chance through whatever imaginative ways we can design to provide it.

Now we have to agree that educators have not been, by any means a hundred percent successful in designing ways to provide it. They are stretching their imaginations on that, and they are having some favorable results in some places.

Senator DOMINICK. I am going to have to go, but I will come back because I think this is of interest and help.

Thank you.

Senator MONDALE. Now, as I understand the thrust of your answer when I had to leave—and I'm sorry I didn't hear your response to Senator Dominick's question—you are essentially still in favor of compensatory education, but with new directions, new safeguards, new kinds of administrative tools, teaching training, open classrooms, parental involvement, perhaps community control, and so on.

In other words, it is a sophisticated system of compensatory education.

HUMAN ELEMENT IN COMPENSATORY EDUCATION

Dr. HOWE. The focus on the people aspect, as opposed to the things aspect, as well.

Dr. SMITH. I would additionally say that if you were to go into a community 5 or 6 years ago and start talking to people about Title I, they didn't know what you were talking about. Even individual

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schools, the teachers and school principals didn't know what Title I was all about.

You go into the same communities today and you talk to mothers and fathers and kids, and they know what Title I is all about, because they are involved.

I think several of the things that have happened, and there have been experiments around the country with Title I programs, and sometimes just using that allocation to the schools, that have proven that it is possible for children to grow and develop, to their own potential, with this kind of a mix.

The thing that frightens me the most is the fact that we still have a large number of schools, even many systems, that have people in those classrooms who do not want to be there. Who have not changed their minds about teaching black, brown, and poor children, are still under the impression that these children cannot learn, and therefore there is no motivation to learn.

And even though there has been an increased participation on the part of the parents, one force is fighting the other. Where these forces have combined to focus on the child—and there are several programs around the country that have proven this—children have developed.

The program here in Washington—Adams-Morgan—the Woodlawn, and Project SEED in San Francisco. These programs with the right kind of leadership, which have opened up the schools and opened up the classrooms, have proven that a difference can be made.

It frightens me though that we still have a large number of these people calling the shots for kids who have no confidence in their ability to learn.

Combining the COP program and some of the other training programs that have reached out to the community for their involvement and participation of these people, has helped to make a difference.

EDUCATIONAL ALTERNATIVES

I think one of the other things that ought to be considered in the deliberation about Title I is the fact that many of the alternatives that have developed over the last few years to the traditional classroom approach to education, that have resulted in children achieving, ought to be capitalized upon and incorporated into the system. Such as the whole street academy concept, as an alternative to the traditional approach to education.

Many of these programs are dying on the vine for lack of resources. The resources are there, but there is this tendency to be fearful of incorporating them into the regular program, and I think this has to be reconsidered, because many of these alternatives have produced results.

INTEGRATION VERSUS COMPENSATORY EDUCATION

Senator MONDALE. Now I think it's very important to try to understand where you would place your emphasis. Suppose plan A is a quality integrated school approach. We saw that Coleman found

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that children from disadvantaged backgrounds will learn best if introduced early into quality, sensitive, respectful, integrated school environment. That is plan A.

So we develop a series of programs to achieve that.

Now plan B is compensatory education, with many of the sophisticated adjustments that you have been talking about, and which perhaps might include an element of community control, parental involvement, an effort to make the bureaucracy more responsive to the needs of children in dealing with the attitude problems you are talking about. I am not sure that is all teaching training; I think who controls the purse may have something to do with that, too.

Which strategy would you recommend, or would you recommend both, and if you do, how do you fit them together?

Dr. SMITH. In my opinion, this time and place in public education as it deals with urban systems, I do not feel that it is a matter of either/or. I fear that a total thrust on plan A to the neglect of plan B leaves black, brown, and poor children out there hanging where they once were hanging, with nothing to hold onto.

It seems to me that plan A and plan B have to move forward equally strong, for while the process of desegregation is taking place—and it has been a slow process, it may even get slower—that all efforts and all stops have to be pulled out to improve those schools where they now stand, because the kids are going to be there. They have no place to go.

And we have no alternative but to make those schools the quality schools that they ought to be. I am hopeful that this is beginning to take place, particularly in some black communities, because the youngsters that I talk to, who are fresh out of college, for the first time in the last 8 or 10 years are returning to the communities from whence they came to work in those communities to help to make them better. Whether it's the schools or the public agencies within the communities, or other kinds of agencies, they are returning, and participating in that effort to improve the total community.

In my own view, it is not a matter of either/or, but I think both have to take place simultaneously.

Dr. HOWE. I share that view. I could make a couple of comments.

I thought the testimony of Dr. Ruth Holloway, who appeared before this committee, was very interesting on this point.

Senator MONDALE. Yes, the director of the Right to Read Program.

Dr. HOWE. Formerly in California, and now with HEW.

Senator MONDALE. Right.

Dr. HOWE. She pointed out a very interesting fact. Evidently there is a transition from a Title I project into more fortunate schools, and that the more fortunate schools, that is, schools that enrolled more fortunate children, picked up practices from Title I projects in schools which had engineered them originally, and this seemed to be having the effect of providing very great stimulation and a better performance.

Senator MONDALE. Did you read that testimony?

Dr. HOWE. Yes, it was very interesting.

Senator MONDALE. I didn't think anyone read testimony.

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Dr. HOWE. I read quite a lot of it.

Senator MONDALE. We have been hearing testimony for a year and a half, and you are the first one to acknowledge it.

Dr. HOWE. We watch the Federal Government, we of the Ford Foundation.

Senator MONDALE. Usually on tax matters.

That's right. She testified that perhaps one of the most remarkable and dramatic results of Title I had been the rich schools that have adopted programs designed for the poor.

TEACHER RETRAINING PROGRAMS

Dr. HOWE. Right, they picked up the practices. The only point being, there is an interesting interaction there. Going back to my earlier point about teacher training, I want to emphasize that what I am talking about is not initial training of teachers in teacher training institutions, but recognizing the fact that the people who are now teaching in the schools of the United States are by and large the people who are going to be there for the next 10 to 15 years.

There will be some turnover, but a very high percentage of these people are the same people who are going to be there 15 years from now. So we need to be imaginative about thinking up retraining activities that really make sense.

Now I am not at all sure that those retraining activities ought to take place in the old-fashioned ways in schools of education. Rather I would suggest that volunteer school districts think about how they identify the small proportion of teachers they have who are being more successful with difficult classroom situations, with kids from deprived backgrounds, and letting those teachers get into effective training relationships with other teachers in the school system, as helping teachers, as people who can demonstrate practices, as people who therefore are not supervisors but are in a role of trying to build their own skills in other people.

Now Title I can be used for that kind of thing. We have been supporting, through Ford Foundation funds, some small experiments in that area. We have found at least the initial results very, very positive.

And I think that you would find probably, if you examined this one activity across the country, a fair amount of that sort of thing. I can't just cite it for you. But it seems to me worth emphasizing.

Senator MONDALE. Let me go back to my question. I sense here a certain reluctance to do more than pay respectful reference to integration, and that the real thrust of your hopes is to be found in very sophisticated changes in the compensatory education movement. Am I correct in that feeling?

REALITY OF RACIALLY ISOLATED SCHOOLS

Dr. HOWE. No, I have a reputation as an enthusiastic integrationist, and I'd like to preserve it. As I testified before your committee in regard to the very important piece of legislation to provide major

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funds to get at the problem of racial imbalance, which is now apparently beginning to move in the House, it seems to me that encouraging integration is an important role for the Federal Government.

But any realist is going to have to admit that the processes that are involved in integration, no matter whether pushed by law or pushed by money, are going to take time, and you are going to continue to have groups of racially isolated youngsters, groups of poor youngsters, who don't have whatever advantage is provided by association with youngsters from other backgrounds, and therefore, for such groups of youngsters, the compensatory education idea ought to remain with integration and be worked with, just as Dr. Smith said a moment ago.

So I don't regard these as exclusive categories, but I think that the push to expose Americans of all backgrounds and persuasions to each other ought to keep alive.

Senator MONDALE. Dr. Smith, is that essentially your answer to that?

Dr. SMITH. I believe we have to move toward an open society. I believe that has to be.

But for black youngsters and parents that I talk to across the country, by virtue of their experience, by virtue of their feeling, they have reason to believe that the forces that oppose integration are more powerful than that which meets the eye.

The only hope they have for increasing the opportunities for themselves and for their children, is to participate in that activity that they have some responsibility for in terms of decisionmaking, planning, and accountability.

They are not able to move any distance from where they are now, and I support the theory that it is extremely crucial that that school where it now exists is not going to pick up and go away, and it has to be improved, and has to be improved with and by the people who are there.

So that the system up until this point has not delivered for these people. They see more results by their direct intervention than they saw when they sat back and waited for the system to deliver for them.

So yes, that is it essentially, I come out that way. I think both have to take place at the same time. But in terms of that community that has been left out of it up until this point, I think that more and more resources have to be placed within their reach so that they can participate in the process. And where this has happened, we are seeing some results.

COMMUNITY CONTROL

Senator MONDALE. We talked about quality integration, we talked about compensation. There is another movement called community control. It takes the position that, while money is important, what really is at fault, particularly in the central school systems, is rigid, remote, unresponsive and often insulting bureaucracy, which develops a set of incentives that are not conducive to those children learning.

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Dr. Smith, you yourself said you thought one of the biggest problems is that there are teachers who don't believe black children can learn.

The Coleman report, for example, found that 30 percent of the teachers in Indian schools didn't want to teach Indians. So one out of every three teachers didn't want to be there. I think that probably is a disastrous situation.

Dr. SMITH. It might be a little higher in central cities.

Senator MONDALE. Probably higher, that's right.

So that now the parents and the community say, give us control of our own schools, let us run them in a real sense, the budget, the hiring, curriculum; and we can then better teach the pride, respect, desire to learn, the decency that is needed, than we can through any kind of compensatory strategy controlled by the establishment.

Now if you had a choice of plan B, a sophisticated compensatory effort trying to direct these things through Federal guidelines, or plan C, community control—which would you choose, or would you choose both, and how would you combine them?

Dr. SMITH. Once again, I think there are communities that have reached that level of sophistication whereby to totally exercise control over the schools might be very feasible.

There are those communities whose involvement up to this point has been minimal and who haven't had much experience with the operation of schools or innovation of curriculum, and they perhaps need to participate in programs that will raise that level of sophistication.

SHORT-TERM EXPECTATIONS

I think in those communities where it is possible, that there is nothing wrong with that taking place. The problem I have is that wherever it has taken place, up to this point, they have been short run, and that results are expected overnight where communities are exercising their prerogatives by participating, and within a very short period of time it is expected that these children will achieve what an entire system for a century has been unable to deliver.

I think once again we have to do both where in those communities that level of sophistication and the level of interest is present, that the opportunities for this ought to take place. I don't think it's a matter of either/or. I think we have to assess communities where they are, and people have to be provided an opportunity to participate at that level of their sophistication and interest. And in some communities which are much more sophisticated than others, I think this can take place.

The danger, of course, is an expectation on the part of the general public that immediately after this takes place, the changes are going to come. Sometimes it takes a longer period of time just to break down the system that has participated in the destruction of these children.

Senator MONDALE. Dr. Howe, where do you stand on plan C?

Dr. HOWE. Well, I certainly believe in bringing an element of community participation into the operation of the schools. In doing so there are very definite problems of two kinds. One is the fact that

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sometimes this results in people, whose ambitions have nothing to do with the schools but may be politically oriented and relate to their own fortunes and visibility, can abuse the processes of community control and hurt the schools, and that has to be watched for. Second—

Senator MONDALE. Some say that even happens in the U.S. Senate.

Dr. HOWE. I think that turning over the schools 100 percent to a very small local entity probably won't work. There is a need for some general policies to be reflected in all schools in order to attract support for the schools in a school district generally and in order to have some common denominators of education that are significant for American citizens guaranteed in schools.

But it is possible to turn over a good deal to a community and certainly a great deal more than is typical of most schools, and I think the intelligent way to start on the process of community involvement in the schools is to begin to give people in a community, on an organized basis, with understood responsibilities, some prerogatives over two things—some money, and some time.

RESPONSIBLE COMMUNITY INVOLVEMENT

If it costs $500,000 to run school X—you don't need to give it all to the community and say, "do anything you want with it." But you can say to an organized community group that has some recognized responsibility for the schools and give it $50,000 or $100,000 of that money. You can ask such a group what new options for its children it proposes to design and bring into being with this funding, and you can really let them do it.

Providing some funds for local decision will take a lot of work on the part of community people, and yet it can be most productive, both in building their sense of responsibility and building useful changes in the school.

Second, you can give school time for local community use. This is the other thing the school spends for children. Time. And typical school routines are fairly rigid. You might say to a community group, "a fifth of this school day is up for grabs, what would you propose," or "a fifth of the children's time can be used for different directions to see if they are more productive for your children."

So that by getting into community control with some understood options and with responsible groups, I think you have a different situation than if you just create an anarchy, just say to a lot of people who aren't organized, this is your school, you run it.

I am in favor of community activity in these senses, and I think it can develop a kind of responsibility in a community which will justify further community control.

But I don't think you can start with a big bang, all at once, and just turn the whole show over a hundred percent. I don't think it will work, and what's more I think some of the forces arrayed against local community control, like the organized teaching profession, for one, will be very difficult to contend with if you try the whole hog approach. These are my general observations on the subject, and I don't think they necessarily deny plan B. I think plan B for compensatory education can go along with the idea of community

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control, and that some of the add-on money that might be provided could well be the compensatory funds that come from the Federal Government and the Federal Government might, along with the school district, bet on the imagination and ability of local community people.

Senator MONDALE. All right. Now, we agree that there are millions of kids that don't get an even chance in American education. I think all of us agree that there has to be a full effort to erase this tragedy.

If I were to ask you the four or five—or pick your own number—things that you would place as high priority essential steps to be taken by the Federal Government to assist in achieving that objective, what would you recommend? And essentially in what order of priority. Start with Dr. Smith.

Dr. SMITH. I have one comment on a previous statement before I comment on that, if I may, please.

Senator MONDALE. Sure.

POLICYMAKING OPPORTUNITIES FOR MINORITY PARENTS

Dr. SMITH. I know a number of people in public life today who launched their careers from classrooms as teachers, and then on school boards, and eventually presidents of school boards, and so forth, and as I float through minority communities, particularly the black or brown communities, I find that some of the most able leadership in that community is from parents who became involved with the schools, found out just how bad they were, and began participating in those efforts to improve them, and were so successful in doing so, at least focusing on the problem, that the community began to view them as able people.

And I have no objection whatsoever to that kind of a person eventually ending up on the school board as president, and perhaps affording himself the luxury of a heretofore denied opportunity to launch the political process, career type thing from there, too.

I think that is very helpful, and healthy.

In terms of priority——

Senator MONDALE. We just had the president of the New York City school board, and he said he had nothing to do with the school system. He had no power at all.

Dr. SMITH. That may be.

Senator MONDALE. He was sure it was.

Dr. SMITH. Well, in terms of my own priorities—and I'm not sure that in all cases the Federal Government can participate, but——

Senator MONDALE. We'd like to hear the Smith Plan for a Better America.

Dr. SMITH. The thing that I am the most interested in is opening up the doors of opportunity for minority groups to accelerate themselves to positions of responsibility in decisionmaking. Too frequently, as one moves around the country to various systems, he finds at the top of that system people making decisions about the life of children that they never focused on before and know very little about, and are in many cases totally inadequately prepared to make decisions about those children.

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In those systems where we find the doors of opportunity have opened, they have at the top of that echelon people who are representative of the groups that are being served, participating in those decisions and participating in the education of those children, and we find things happening that are good for those children.

MINORITY GROUP ADMINISTRATORS

At the top of my list then would be opening up the doors of opportunity for minority group administrators to move themselves into positions of greater responsibility, and by that I specifically mean into superintendents and deputies and so forth, which has been an area that has been completely closed up until recently, and when the door first opened, the first position that they began moving into were positions such as director of human relations, specialist in integration, coordinator of integration, or whatever.

And they were staff, at no budget, had no responsibility and had no power.

The community, of course, is responsible for this, and in those places where those people have moved into greater positions of responsibility, in those systems we find things happening that are healthy, and I will name one or two where this has happened.

As I look around the country, one of the systems that has one of the best records of accelerating minority group administrators into positions of responsibility is Detroit, which a few years ago had a very few even in line positions and today it is maybe 40 percent or better.

But certainly better than any other system anywhere in the country.

The same thing has happened in the Philadelphia area, where minority group administrators have been moved toward positions in the higher echelon, and have participated in making decisions about people they know something about. That is No. 1, in terms of what I see that needs to take place.

No. 2, I think we have to find the means whereby people can move into positions at the mid-level, the principal level, the coordinator and supervisor and director level, while they are still young enough to be innovative and still have enough energy to participate in the crisis that is taking place in the schools, rather than having to wait until they are way after 50 years of age, by dancing over all the musical chairs to participate in the education of these children.

The third thing that I think needs to take place is understanding on the part of that system and that individual school that it is there to serve a constituency, which is the parents and the children of that community, and they cannot serve them unless they participate in making decisions about the goals and objectives of that school.

RELEVANT CURRICULUM

The other thing that I think needs to take place, and I see it happening in some places, is an understanding that curriculum innovation is not taking Dick and Jane and giving them a paint job, and calling it curriculum relevant to the black community.

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I think that the culture and the heritage of individual students, whatever the melting pot mix may be, has to be representative of that culture and that heritage, taken into consideration in the total curriculum, and instructed by people who understand that the Indian is not someone who rides across the TV screen with a tomahawk in hand.

And I could say more about the black and brown community too. I think these four things begin to recognize the necessity for the school becoming an institution that responds to its constituency, regardless of what the mix is in the individual community.

And of course we get into the whole business of teacher training, which begins with a healthy respect for he who is being instructed as one in his charge. I have no reason to believe that the poor teacher of 20 is going to be a better teacher of 40, or vice versa. I have no reason to believe that the poor teacher of 40 will become that much a better teacher when that teacher has 20 students.

The good teacher of 40, I suspect, will be a better teacher of 20.

I don't want to play the numbers game to that extent because we have to recognize individual ability of those people.

These would be the top things on my list.

Senator MONDALE. What is the Howe Plan?

Dr. HOWE. Well, Senator Mondale, I had a chance to develop a list while Chuck was talking, and I have five items, but I won't necessarily defend any priorities. But here they are for what they are worth, on a quick basis.

EARLY CHILDHOOD

First, a continued thrust in the area of early childhood concerns, very broadly supported by the Federal Government. And here I am not just talking about education legislation but day care legislation, and interest in program activities related to day care. In other words, what happens in the day care center is more important than having the day care center in lots of ways. Day care centers can be destructive.

Senator MONDALE. So you would place strong emphasis on a comprehensive preschool child care program?

Dr. HOWE. Right, involving a whole variety of kinds of activity related to health, to intellectual stimulation, and to the social development of children.

Senator MONDALE. Right.

RESEARCH ON LEARNING

Dr. HOWE. Second, I think that there is still a need for more attention to research on learning and research on motivation. I think that all the conversations we have had today and the conversation that educators have had for the past 5 years about contemporary education tends to be at a kind of middle experimental level of dreaming up an idea and giving it a try, rather than going back to some basic theory of learning and motivation and developing from that a rational set of possible procedures to try.

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And therefore, to a degree, we are tinkerers. And we need to become systems men. And if we are honest about it, we haven't yet become systems men in education.

In that sense, I support the sorts of things that are being talked about in the Congress regarding the National Institute of Education.

Senator MONDALE. We have recommended the creation of a National Institute of Education as part of our education act. I think funded at $400 million—with the objective of gearing up the whole area of educational research, evaluation, and experimentation.

Is there something along that line on which you would place a high priority?

Dr. HOWE. I would, and I observe further, that we tend to approach this problem in a different way than the people who go to the moon have approached their problem. I think we must not assume that this is an easy problem to solve. This problem is a lot tougher problem to solve than the problem of going to the moon, because there are so many variables and human elements in it.

FEDERAL ENFORCEMENT

Third, I think that the continued concern about racial isolation both in terms of the program aspects, Federal money available to help school districts do something about it, and in terms of the legal aspects, the activities of the Justice Department and HEW in enforcing the Civil Rights Act, is an important area of concern for progress in the schools.

LEADERSHIP TRAINING

Fourth, I would pick up and agree with the point that Dr. Smith made, the whole question of personnel training, and he brought in a new element with which I heartily agree, the business of leadership training, which we haven't discussed this morning.

As a small example, I guess about half the budget I now administer for the Ford Foundation, related to elementary and secondary education, is going into leadership training activity, because we have decided it is an important area.

I think much more needs to be done on this, and I don't mean just in the training of superintendents of schools, but in the training of teacher leadership also. Via the Education Professions Development Act that is now administered in HEW, training needs can be met.

And finally, the subject of our conversation today, continued emphasis on compensatory education, because I don't think we have milked all the possibilities dry, and I think that ought to continue and be funded. We have to exercise more patience than may be comfortable for us to exercise in regard to putting money into that legislation. I believe it continues to be worth it.

Senator MONDALE. What is your attitude on funding levels?

Dr. HOWE. Two things. One, there is too much dispersal of the funds and not enough concentration. And second, that the funds are probably not adequate. They need to be higher.

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FUNDING FOR COMPENSATORY EDUCATION

Senator MONDALE. What would you recommend as a current funding level for Title I?

Dr. HOWE. I really would like to have a chance to think seriously about that, rather than give an off-the-cuff answer, because I think it's an important question, but also a technical question.

Senator MONDALE. Why don't I ask both Dr. Smith and you to respond by letter if you would, on the funding levels you would recommend, and more specific detail on the changes you suggested somewhat generally in your testimony so that we can include your recommendations in the record.

Dr. HOWE. I'd be happy to do that. Let me make a final observation about these five points, and that is that these points are calling for Federal money with a mission, as opposed to Federal money without a mission, and I believe that in education, at least in the crisis aspects of education, where the Federal Government is concerned with bringing about intelligent change, that the money invested has to be money with a mission.

I am not totally opposed to the concept of revenue sharing with the States, but I think that a large portion of the funding provided by the Congress that is going to make a real difference, is going to be money that has more than a dollar sign attached to it. It is going to have to have a mission attached to it, designated by Congress.

Dr. SMITH. Senator, if I may, I'd like to support the four or five points that Doc just related, and emphasize one in particular.

I am very much supportive of the necessity for preschool day care and what happens within that as being extremely important in the early development of children, but along with that is a necessity to provide the next stages so they don't get destroyed after they come out of that.

INSTITUTE FOR EDUCATION

And I'd say, on the Institute for Education, it seems to me that this is an extremely critical program. I would hope, however, that it would represent in its composition of staff and expertise the problems that we are now confronted with in education, and bring unto it that kind of representation and thinking, rather than just a poor think tank of poor scholarship, rather than the people who can deal with the realities of what we are fighting with and struggling with every day, both in terms of composition of staff as well as expertise.

Senator MONDALE. Let me ask you to respond to a couple of other items which, at least in my mind ought to rank very high on the list of obvious things to do.

BILINGUAL EDUCATION

One is bilingual and bicultural efforts. Now we have maybe 2 or 3 million American school children who do not speak English whose teachers by and large are monolingual in English. In addition to that, the textbooks and so on are not sensitive to those different cultures.

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Our hearings on educational problems of Mexican-Americans, Puerto Ricans and Portuguese, Asians and other minorities, would indicate absolutely disastrous results.

Would you not also support a well-funded national program to bring bilingual, bicultural educational opportunity to the children in this country?

Dr. SMITH. I certainly would. I would list that as a very high priority. I have seen some programs, Senator, that appear to me to have a great deal of the answers in terms of how these children can be reached very early.

I have seen classrooms where there are Chicano students, Chinese students, in separate classes, in San Francisco, for example. I have seen a bilingual program that has in that classroom a teacher who is proficient in Spanish, and a teacher who is proficient in English, and both are bilingual. The children are taught in Spanish, it's translated into English, they are tested in Spanish and then in English, and it's amazing to see the difference in the achievement scores between the Spanish and the English, and how much better they come out with this kind of an arrangement than the way they come out when they are in a classroom where no recognition of the language and the culture is made.

I have seen the same thing happen in the Chinese community, and the results are very encouraging.

Senator MONDALE. Frances Sussna testified before our committee. I think she is in charge of that program.

Dr. SMITH. The one I was referring to was in the San Francisco schools. I do know, however, about the multiculture institute.

Senator MONDALE. That's what I was referring to.

Dr. SMITH. And we expect that out of that program will come a model that will prepare teachers and administrators from across the country to deal specifically with that problem by being able to develop those kinds of programs, whatever the ethnic mix may be in the communities in which they work.

They are two different models, but I think aimed at the same goal, and I would place that as a very high priority.

Senator MONDALE. It's interesting that the three top witnesses we have had on Spanish-speaking education in this country—Dr. Palomares from California, Dr. Pantoja from New York City, and Armando Martinez, a graduate student at Harvard—each had spent from 2 to 3 years in subnormal classes when they began school. They were put down as dumb kids. They are young people.

So this is not something that happened in medieval times. This is happening right now. And these people are each experts in their field. If that kind of child is put down as dumb, what is happening to the average kid in these schools?

I think it's disastrous.

Dr. SMITH. I have friends who now hold degrees from very prestigious institutions who as youths were placed in special education classes because they didn't know what to do with them. The situations are parallel.

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Senator MONDALE. Of course a lot of States provide incentives to school districts to place children in special classes for the subnormal or near normal.

Now another point relates to higher education, but relates back to your point about bringing minority principals and administrators and superintendents into the system. Every year in our American schools there are about a million kids that go through the system, do very well, are clearly college material, but unable to go to school because of the financial reasons, motivational problems too, but financial barriers are still very difficult, indeed are probably getting worse with inflation and the cost of our education.

Wouldn't it make a lot of sense to have a crash program to make certain that these people that have somehow made it through the system, nevertheless get to go on to college or vocational school, and get that additional education they need?

Would that not be in itself a tremendous source of reform in American education?

Dr. HOWE. Yes, it would be to some degree a motivational thing for youngsters themselves in the sense that they see opportunity at the end of the educational tunnel, rather than a dead end. Also it would be a very good social investment from the point of view of the United States to have a broader program of student aids that would help young people to pay the cost of college.

The cost of college in both public and private institutions is going up partly through inflation, and partly through the colleges raising the cost at the same time the inflation is going on. And I think that is going to continue.

So that it seems to me that reconsideration of the whole structure of Federal assistance to higher education that is now before the Congress is a very, very crucial matter, and that this point you raise is perhaps the most crucial aspect of it.

There is an aspect of it which is important, if not equally important, which is how the institutions survive. How do the institutions get enough funding to remain physically healthy and viable, and that is also being debated before the Congress now.

But the point you raise has specifically to do with helping students, and I believe that a broader program than the one that has been in existence ought to be designed in the process of this year's discussions.

Senator MONDALE. Very well. We would like, perhaps in the next 2 or 3 weeks, for you to respond to some of these things we are talking about more fully by letter. We will be submitting questions to you for further response,* if you would.

And we are most grateful to you for your very helpful contribution here this morning.

The committee is in recess, subject to the call of the Chair.

(Whereupon, at 12:06 p.m., the Select Committee was recessed, to reconvene at the call of the Chair.)

*See Appendix 1, p. 5787.

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APPENDIXES

Appendix 1

MATERIAL SUBMITTED BY THE WITNESSES

FROM DR. MARCUS A. FOSTER

AUGUST 24, 1971.

DR. DONALD HARRIS,
Executive Educational Specialist, Select Committee on Equal Educational Opportunity, U.S. Senate, Washington, D.C.

DEAR DON: During my testimony on July 14, I mentioned how closely achievement (the way it is usually measured) follows socioeconomic status. I mentioned a list that I had with me that gave the percentage of students at our secondary schools who are on AFDC and pointed out that this is in inverse order of achievement. Senator Mondale asked me to leave a copy of the list with him. I had written some notes on the back of the list and did not leave it at that time. Enclosed you will find a copy of the list (Exhibit I) and I hope that it will be useful to you now. My Research staff indicates that correlations between the AFDC percentages and the percentages of students below grade level in reading and arithmetic are as follows: AFDC vs. reading .87; AFDC vs. arithmetic .90. These are, of course, inverse relationships since the achievement figures are what they are. These are indeed grim figures and represent enormous challenges to the schools and other agencies in Oakland.

There were two other questions to which I promised to respond and these questions and the responses follow:

1. *What is the present per pupil cost in Oakland as compared to Orinda, Moraga and Piedmont?*

Exhibit II is a table that shows some comparative figures for these districts. You will note that our costs are, in fact, the highest. The differences shown do not reflect fully the situation, however. It was costing us over $960 per pupil in 1969–70 to support a markedly curtailed program. During the years preceding my coming to Oakland the district had cut supplies budgets literally to the bone as was the case in many other categories. Schools throughout the district have gone unpainted for years. Reserves of paper, pencils and books have been exhausted. Our costs related to the cafeteria program which includes services to high percentages of students from AFDC families are heavy. We also have a substantial investment in community services programs but our transportation and capital outlay costs are practically non-existent.

By way of contrast the neighboring districts have been able to support their programs at a more normal level with the costs that they are reporting. Where this district has not obtained the approval of the electorate for a tax increase for twelve years, these districts have received such approvals more recently and have sometimes had an unused taxing margin in reserve. While their funding levels have allowed for normal maintenance, growth, and development, the static Oakland funding has forced continual curtailments and cutbacks for several years.

In all fairness, I will note that some of our suburban neighbors are *now* beginning to feel the budget pinch. They have not yet felt the cumulative impact, however.

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2. *How extensive is the bilingual program in Oakland?*

Oakland's programs for students whose dominant languages are other than English, in the past, have focused on the ESL (English as a Second Language) approach. Some limited district and grant funds have been made available for these programs which have been concentrated in 3 elementary schools, 1 junior high school, and 1 senior high school.

I am happy to say that we are on the threshold of significant program improvements in the sense that the staff and community have developed two elementary projects which have both a bilingual and bicultural orientation. The number of staff and students involved will be nearly doubled in 1971–72.

The "Total Participation for Excellence" program which will be funded by $40,000 of ESEA, Title I money will expand services to two new elementary schools which enroll high percentages of Spanish-speaking youngsters. A second new program, "Bay Area Bilingual Education League", or BABEL, will be a three-district project, funded under ESEA, Title VII (approximately $60,000 for the Oakland component).

Even with these program improvements and the expansion of services planned for 1971–72, we will be able to serve only about one-third of the students who need bilingual programs. In order to launch the kind of thrust that we should be providing, Oakland would need from $400,000 to $500,000 in additional funds on an annual basis.

I hope that these responses will be of assistance to you in your study of urban education problems. It was a pleasure seeing you again and having the opportunity to make some input into the work of the Select Committee.

(S) MARCUS A. FOSTER,
Superintendent of Schools, Oakland Public Schools.

Enclosures.

EXHIBIT I.—OAKLAND PUBLIC SCHOOLS RESEARCH DEPARTMENT: SELECTED NEEDS INDEX INFORMATION FOR SECONDARY SCHOOLS, 1970–71

	Students From AFDC Families			Achievement needs	
				Reading	Arithmetic
	Number enrolled (January 1971)	Number AFDC enrolled	Percent AFDC enrolled	Percent below grade level	Percent below grade level
				(8th-grade class)	
Junior high schools:					
Montera	1,172	14	1.2	30.9	38.8
Bret Harte	1,010	86	8.5	51.7	44.0
King	917	101	10.4	56.0	58.6
Westlake	870	119	13.7	73.9	59.8
McChesney	1,184	185	15.6	54.8	41.7
Claremont	786	144	18.3	65.3	64.5
Frick	991	368	37.1	84.6	81.6
Hamilton	1,326	615	46.3	79.5	73.5
Madison	724	345	47.7	94.7	89.7
Elmhurst	1,104	655	59.3	87.6	88.6
Havenscourt	1,068	642	60.1	93.5	89.3
Lowell	631	421	66.7	89.9	83.7
Woodrow Wilson	589	451	76.6	90.4	93.7
Hoover	549	477	86.9	91.5	92.8
Roosevelt	826	763	87.5	92.9	89.3
				(12th-grade class)	
Senior high schools:					
Skyline	2,504	40	1.6	36.4	41.5
Oakland High	2,298	653	28.4	58.1	54.4
Technical	1,976	611	30.9	74.7	76.6
Fremont	1,698	786	46.3	72.7	80.3
Castlemont	2,462	1,252	50.9	79.5	81.9
McClymonds	861	753	87.5	90.8	91.2

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EXHIBIT II.—OAKLAND PUBLIC SCHOOLS, RESEARCH DEPARTMENT—PER PUPIL EXPENDITURES FOR 1969–70 IN OAKLAND AND 3 NEIGHBORING DISTRICTS

District	Fiscal ADA	TCE [1]	Percent of Total	Other costs [2]	Total per ADA expenditure
Oakland (unified)	$62,876	$890.13	92.7	$69.99	$960.12
Orinda (elementary)	3,371	862.70	92.9	65.67	928.37
Moraga (elementary)	2,375	717.09	93.5	49.55	766.64
Piedmont (unified)	2,535	921.08	96.4	34.57	955.65

[1] Total current expenses per ADA: Expenditure categories which have direct application to operation and maintenance of instructional program.
[2] Other costs: Includes transportation, cafeteria, community services, and capital outlay.

Source: CTA Research Bulletin No. 253, December 1970.

FROM DR. GORDON L. McANDREW

The School City of Gary, Indiana, today reported success in its first annual review of the Banneker Elementary School, which last year became the first public school in the nation to be operated by an educational service company under a contract whereby the cost to the taxpayers depends on the children's progress.

During the first year at Banneker, 72.5%, or 396 or 546 children in the program in grades 2 through 6, made average or better than average gains in reading, mathematics or both. Thirty-two per cent, or 176 students made one and one-half year's gain or more. In addition, 90%, or 72 of 80 kindergarten children in the program scored at or above national academic "readiness" norms, indicating the likelihood of their future success in school.

The review was based on studies by the school system, parents, faculty and administrators; an independent evaluation by the Center for Urban Redevelopment in Education (CURE); an outside audit by Price Waterhouse and Company and appraisals by educators and observers such as the Rand Corporation and the Office of Economic Opportunity.

Under the four-year contract, the company, Behavioral Research Laboratories (BRL) of Palo Alto, California, and New York, is attempting to bring the achievement levels of Banneker students up to or above national norms in all basic curriculum areas, with early emphasis on the fundamental skills of reading and mathematics.

Today's announcement indicated that, based on at least one measure, standardized achievement tests, marked progress had been made toward this goal.

"Banneker was the next to lowest achieving elementary school in Gary prior to this new program in September, 1970," said Dr. Gordon L. McAndrew, Superintendent of Schools, at a briefing in Gary's School Service Center.

"Seventy-five percent of the school's graduates were below grade level in reading and mathematics. Given the present rate of gain in the new program at Banneker, that statistic will be reversed and children now in the primary grades wil graduate from Banneker performing at or above grade level."

Last school year, student performance was measured in terms of gains between October 1 and June 1 administrations of the Metropolitan Achievement Tests. The 546 students measured in Grades 2–6 in the Banneker program averaged nine and one-half months growth in reading and mathematics combined during the eight months between the two tests.

Kindergarten students were tested at the end of the year on the Metropolitan Readiness Test, an indicator of the child's kindergarten preparation and his likelihood to succeed in first grade work. Seventy-two of eighty students, or 90% of those in the program scored "A", "B", or "C" (superior, high normal, or average). National norms for this test indicate that only 69% of all children in the nation do this well. The average achievement level of 91 first grade students in the project was 1.7, reflecting time that was devoted to teaching readiness skills during the first two months of the school year.

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Eighteen students who entered Banneker last fall averaging 6.9 in both reading and math ended the year averaging 8.4 in both.

"As encouraging as the first year's results are, no definitive conclusions will be drawn at this time," Dr. McAndrew said. "Up to now much effort has gone into organizing this new program and making improvements. The second year at Banneker began this month, and we are optimistic that future results will be even better than those obtained so far. Final evaluation of the program will be made at the conclusion of the project in 1974."

Following an audit by the accounting firm of Price Waterhouse and Company, which also certified the accuracy of the CURE report, the amount payable to BRL for the first year of the program was determined to be $662,982.08, out of a potential maximum of $737,671.20.

Price Waterhouse reported that the average cost per student to the Gary schools was $830 for Banneker, almost $100 per child, or 10% less than the $924 spent on each student city-wide last year. Gary's school costs have been rising by 10% per year despite a fixed income.

Dr. George H. Stern, President of BRL, said today, "The program's first year's results demonstrate enormous effort by teachers, parents, students, administrators and all others in Gary concerned with the welfare of the public schools. We have never worked with a more dedicated and responsible group of educators. We all still have a lot more work to do. But considering the kind of energy everyone is putting into the Banneker program, nothing but success is possible." Mr. Stern also said that BRL would earn a profit in the project.

As part of the C.U.R.E. evaluation, parents' reactions to the program were surveyed. Eighty-seven per cent of the parents felt that the Banneker program should be continued. Seventy-nine per cent thought their children had made greater improvement this year than last year in reading; eighty-four per cent, in mathematics. In addition, 76 to 81% of the parents said that their children had made good progress this year in social studies, science, art and music.

Seventy-one per cent of the parents noted that their children read more at home and seventy-nine per cent indicated that their children talked more about school. Seventy-eight per cent said that their children liked school more.

C.U.R.E. interviewed each staff member at the school and reported that both "curriculum managers" and "learning supervisors"—teachers and paraprofessionals—at Banneker expressed a unanimous desire to continue the program into the next school year and wanted to return to Banneker.

The Banneker program was initiated last year by the Superintendent and Board of School Trustees. Then Board President, Dr. Alfonso D. Holliday, II, stated that "the basic educational reason for this contract is the gross underachievement of our children. We are at rock bottom and must try new approaches. We must be willing to be pioneers and no longer say our children can't learn."

Dr. Holliday said that the Board decided to sign the unique $2.6 million contract with BRL because it couldn't continue to present an increase in educational costs to the public in view of the fact that three out of every four sixth graders were achieving below grade level.

"With education costs rising every year, our projected budget this year (1970–71) is for $51 million. Under our arrangement with Behavioral Research Laboratories, Banneker will not cost us any more than we are presently spending," Dr. Holliday had explained.

BANNEKER SCHOOL—1ST YEAR TEST RESULTS

	Scores on metropolitan readiness test (June 1, 1971)					
Kindergarten	Total	A (superior)	B (high normal)	C (average)	D (low normal)	E (low)
Number of students	80	7	28	37	7	1
Percent	100	9	35	46	9	1

	Average grade level on metropolitan achievement test (June 1, 1971)			
Grade 1	Total	Reading	Mathematics	Combined basic skills
Number of students	91	1.7	1.7	1.7

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Grades 2 to 6	Individual gains—metropolitan achievement test (Oct. 1, 1970–June 1, 1971) Total	Average (month for month) or better gains in basic skills (reading, math, or both)	Less than average gains in basic skills	Average or better: Reading only	Average or better: Math only
Number of students	546	396	150	224	361
Percent	100	72.5	27.5	41	66

	Average gains—metropolitan achievement test, 8 months (Oct. 1, 1970–June 1, 1971) Total	Reading	Mathematics	Combined basic skills
Number of students	546	0.72	1.18	0.95

Advanced students	(6th grade students entering the program at 6.9 to 1 year above grade level or higher) Average grade levels—metropolitan achievement tests (June 1, 1971) Total	Reading	Mathematics	Combined basic skills
Number of students	18	8.4	8.3	8.35

PRICE WATERHOUSE & Co.,
Chicago, Ill., September 23, 1971.

To the BOARD OF DIRECTORS,
Behavioral Research Laboratories, Board of School Trustees of the School City of Gary, Indiana

In accordance with your request, we have prepared the accompanying computation setting forth the net consideration for services rendered at Banneker School for the school fiscal year 1970–1971 provided under Sections 5 and 7 of the Agreement between Behavioral Research Laboratories and School City of Gary, Indiana dated September 22, 1970. This computation was prepared utilizing data obtained from certain financial, enrollment and attendance records of School City of Gary, Indiana. Such records from which the data was taken, were not audited by us.

In addition, as you requested, we have prepared a summarization of test results for students in grades 2 through 6.

EXHIBIT A

Computation of consideration for services rendered and refund of fees in accordance with sections 5 and 7 of the agreement dated Sept. 22, 1970

Annual per pupil ADA current expenditure costs, grades 1 through 12, for school city of Gary, Ind., for 1970–71 [1]	$924.40
Active enrollment at Banneker School as of Oct. 30, 1970 [2]	×798
Gross consideration before refund of fees for students who did not achieve guaranteed results	$737,671.20

[1] The annual per pupil ADA current expenditure costs, grades 1 through 12, was obtained from form 9A Annual Financial Report of Indiana Superintendent of Public Instruction as filed by School City of Gary, Ind.

[2] Active enrollment at Banneker School as of Oct. 30, 1970 comprised:

	Number of students	Full-time equivalent students
Grades 1 to 6	751	751
Kindergarten	94	47
Total	845	798

Kindergarten students attend school for half-days. To convert such students to full-time equivalent students, they have been reduced by 50%.

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Portion of fee per student at Banneker School attributable to the instructional phase of the program for 1970–71 [3]	$848.74
Number of 6th-grade students who did not achieve at least month-for-month advancement in reading and mathematics for the fiscal school year 1970–71 [4]	×88
Refund of fees due for students who did not achieve guaranteed results	$74,689.12
Net consideration for services rendered [6]	$662,982.08
Active enrollment at Banneker School as of Oct. 30, 1970	÷798
Average cost per student at Banneker School for 1970–71 [6]	$830.80

[3] The agreement defines the costs attributable to the instructional phase of the program as "all expenditures with the exception of clerical and custodial costs."

Gross consideration before refund of fees for students who did not achieve guaranteed results	$737,671.20
Less, clerical and custodial costs	60,373.74
Cost attributable to the instructional phase of the program	677,297.46
Active enrollment at Bannecker School as of Oct. 30, 1970	÷798
Portion of fee per student attributable to the instructional phase of the program	$848.74

[4] An accounting for the 6th-grade students with respect to the guarantee provisions of the agreement is as follows:

	Number of students
Achieved month-for-month advancement in both reading and mathematics	43
Achieved less than month-for-month advancement in reading and/or mathematics	88
Subtotal	131
Withdrew or transferred out	12
Attended less than 150 days	3
Other	3
Total	18
Total number of 6th-grade students	149

Of the students who achieved less than month-for-month advancement in both reading and mathematics, 10 students achieved month-for-month advancement in reading only and 47 students achieved month-for-month advancement in mathematics only. Thus, of the 131 sixth-grade students covered by the guarantee, 53 students (40%) achieved month-for-month advancement in reading and 90 students (69%) achieved month-for-month advancement in mathematics.

[6] The agreement states that Behavioral Research Laboratories (BRL) guarantees . . .

"with regard to any student enrolled in the Center for each applicable year (a school year consisting of an attendance of at least 150 days during the course thereof):

(i) Each student enrolled in the program for three (3) full consecutive years will perform at least at grade level at the end of the third year, as measured by nationally recognized tests; (ii) Each student enrolled in the program for a full school year but for less than three years will each year achieve at least a year's advancement in reading and mathematics for each such year when he is enrolled, as measured by nationally recognized tests, or in the case of any student who cannot read at the beginning of any school year, that he will score at least in the 50th percentile on a nationally recognized reading readiness test.

If a student does not achieve the results guaranteed, BRL will refund the entire fee due it for each student that is attributable to the instructional phase of the program for the applicable guarantee period."

For purposes of this computation, the phrase "at least a year's advancement in reading and mathematics" has been interpreted by the parties to the agreement to mean that a student must achieve a month's advancement for a month's instruction in both reading and mathematics to meet the guarantee.

It should be noted that only sixth-grade students have been considered in the computation of the refund of fees due for students who did not achieve the guaranteed results. No provision has been included in the computation to provide for future refund of current year fees as required under the guarantee section of the agreement.

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EXHIBIT B.—SUMMARIZATION OF TEST RESULTS FOR STUDENTS IN GRADES 2 THROUGH 6

	Number of students	Percent
Students who achieved at least month-for-month advancement in:		
Both reading and mathematics	189	34.6
Reading only	35	6.4
Mathematics only	172	31.5
	396	72.5
Students who achieved less than month-for-month advancement in both reading and mathematics	150	27.5
	546	100.0
Students in grades 2 through 6 not accounted for above:		
Withdrew or transferred out	62	
Attended less than 150 days	16	
Other	20	
Total students, grades 2 through 6	644	

SCHOOL CITY OF GARY,
Gary, Ind., September 7, 1971.

HON. WALTER F. MONDALE,
Senator From the State of Minnesota,
Washington, D.C.

DEAR SENATOR MONDALE: As a follow-up to my testimony before your Committee on July 14, I am enclosing an evaluation of the first year of Gary's Bilingual Pre-School Program. Most of the funding for this effort came from Title VII ESEA.

I have attached to the report an abstract which indicates the very significant progress made by the children enrolled in this program. Needless to say, we are very encouraged.

The report on the first year of the Banneker Contracted Curriculum Center has been delayed. As of now, I expect it the latter half of this month and will send you a copy as soon as we receive it.

I appreciate the opportunity of appearing before your Committee and wish to thank you for the commitment you have made to improving the quality of urban life in this cocuntry.

With all best wishes.

Sincerely,

GORDON MCANDREW,
Superintendent of Schools.

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EVALUATION REPORT

PRE-SCHOOL BILINGUAL EDUCATION PROGRAM

Gary, Indiana Public Schools

Prepared by:
Catherine Hughes

This report is prepared in compliance with the requirements of Title VII of Public Law 89-10 for any project funded by Title VII. The Project Director of this program is responsible for making the distribution of this document. Date of this report is August 16, 1971.

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PRE-SCHOOL BILINGUAL EDUCATION PROGRAM

Gary, Indiana Public Schools

EVALUATION REPORT

Evaluation is done to assess whether objectives have been realized and the extent of the progression or regression. The data that results from an evaluation well conducted with appropriate instruments also provides information that will lead to improvements in the operation of subsequent programs. But the most important immediate function of evaluation is the information on each child available to the learning team (teacher, teacher aid, parent volunteer, and program director) to help each child individually with his difficulties in the classroom or home and to change the curriculum and/or schedule, when advisable.

This report is based on the testing and sampling of two evaluators, Benjamin Luna, Research Assistant, and Catherine Hughes, Foreign Language Supervisor. Teachers trained in workshops conducted by William Hoock, Research Associate, and the two evaluators assisted with some phases of the evaluation.

Testing dates were determined in advance with the Director of the Program, Tom Miranda. Meetings to review data with teachers were held during their inservice time, with the Director both at his office and at the Service Center, and with the Advisory Board at their regular meetings.

The scope of the report will encompass the following:

1. Review of objectives and evaluation results
2. Conduct of and observations on the evaluation
3. Recommendations for improvement of the evaluation for next year's program
4. Appendix

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Part I. Review of Objectives and Evaluation Results

Objective	Evaluation Result
To improve children in motor control and visual-auditory perception	The Beery Developmental Test of Visual-Motor Integration was given at the beginning, midpoint, and end of the program. The pretest was administered to 113 pupils (57 boys, 56 girls). The Age Equivalent High was 67 months and the low was 0. Chronological age ranged from 69 months to 36 months. The midpoint test was administered to 30 pupils (11 boys, 19 girls) with an Age Equivalent ranging from 77 months to 34 months and chronological age ranging from 65 to 42 months. The post-test was administered to 19 pupils (13 boys, 16 girls) ranging in Age Equivalent from a high of 67 to a low of 49 months. The evaluator's reports are attached. See Part IV, Appendix. The Wepman Auditory Discrimination Test was tried with 25 pupils at the start of the program, but none could take it successfully. At the midpoint it was administered to a sample of 12 (5 boys and 7 girls) and at the end of the program to all pupils present who will participate in bilingual kindergarten next year (28). At the midpoint, of the 12 tested, three were at or above norm, five close to but below norm, and 4 were far below norm. On the final testing, 32 were at or above norm, 22 were close to but below norm and 14 were far below the norm. The evaluator's reports are attached. See Part IV, Appendix. In two and a half months, the pupils tested at both the midpoint and end of the program improved an average of 8.8 points. Only one did not reach or surpass the norm and he came close. The Goodenough-Harris Draw-a-man also has implications regarding motor control and visual perception. 19 subjects scored an average of 90.3 on the pretest, 100.6 on the midtest, and 17 of the 19 averaged 111 on the final test. 99 pupils were pretested and 93 posttested. The growth demonstrated by the sample is typical as can be seen from the charts in the Appendix. Jefferson Three Year Olds had a standard score of 88 on the pretest and 100.3 on the posttest; Jefferson Four Year Olds 89.7 and 116 respectively; Brunswick 87.9 and 105.4 respectively; Spaulding 88 and 94.6 respectively.

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Objective

To help children acquire the concepts and skills to speak and understand Spanish and to speak and understand English

Evaluation Result

The Peabody Picture Vocabulary Test was administered to 89 children at the beginning of the program, both in English and in Spanish, at the midpoint to a sample of 12, at the end to 114 children. The sample was to have been the same as that for the Draw-a-Man, but mumps caused absences.
Those students who did Form A in Spanish and Form B in English on the pretest and were in the midpoint sample took Form B in Spanish and Form A in English then. On the final test, all but the midpoint sample took Form A in English and Form B in Spanish. The sample took Form A in Spanish and Form B in English then.
The PPVT, which gives an IQ based on the student's understanding of concepts and vocabulary, yielded the following results.

Center	Test	IQE	IQS
Jeff. 4's	Pre	64.1	57.2
	Post	90.1	68.3
	Growth	26	11.1
Jeff. 3's	Pre	74.7	67.2
	Post	86.2	79.3
	Growth	11.5	12.1
Brunswick	Pre	80.7	40.3
	Post	89	59.5
	Growth	8.3	19.2

The growth of the students in the sample of 3's and 4's from Jefferson and students from Brunswick and Spaulding was greater.

	Pretest	Midtest	Posttest
English	70	92	102.2
Spanish	60	88	101.3

See chart in the Appendix

The Caldwell Pre-school Inventory was administered to 113 children as a pretest, a sample of 30 as a midtest, and a sample of 29 as a posttest. Section B in English pertains to this objective since it deals with associative vocabulary. On that subtest the pretest average was 7.8 and on the posttest it was 10. Individual scores are available on the listings in the Appendix.

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Objective	Evaluation Result
To help children acquire basic number concepts of classification, seriation, and one-to-one correspondence, along with spatial and temporal relationships.	Subtest C_1 of the Caldwell Pre-school Inventory yielded the following average scores: Pre 7.6 Mid 11.8 Post 10.4
To foster and/or strengthen positive attitudes toward learning. To help children develop qualities of leadership, self-confidence, self-direction and socialization.	Home and classroom teachers' Lesson Evaluation Sheets filled out every day are a daily report on the progress of the children in willingness to respond, eagerness to participate, desire to help others, etc. Copies are attached as a sample. The difference in response of the children on "A" of the Caldwell Preschool Inventory on the pretest as compared with the midtest also attests to the change in the children. There is significance in the fact that many children either could not or would not work with the teacher or one of the evaluators on the pretests but all participated willingly and even eagerly on the midtests. All tests are given individually. The language evaluator even had difficulty testing the children in the sample because other children kept coming to her and insisting that they take the test, too.
To help children become multi-cultural by developing an understanding and appreciation of the various cultures involved - Cuban, Mexican, Puerto Rican, Black, Anglo.	Attached is a schedule of cultural activities for the second semester. All days cultucally significant are celebrated by the telling of appropriate stories, singing of songs, dancing, and dramatization. All children have participated actively. Parents have come to school frequently to see their children perform in classroom and special program activities. Teacher Lesson Evaluation Forms record class activities. Some of them are attached along with copies of programs of special activities.
To improve parent and volunteer's skills in communication with children and positive reinforcement of their behavior.	The Home Observation Form, filled out monthly is the best evidence of change in the amount and nature of the interaction between child and parent. Change has been especially significant in the Brunswick area but progress has been made in the Jefferson and Spaulding areas as well. See attached copies of Home Observation Form.

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Objective	Evaluation Result
To expand adult participation in school and community activities.	As a result of surveys by one of the evaluators, the conclusions are: 1. The Advisory Board, only a few of whom had had previous involvement with the schools, is deeply concerned about and determined to insure that the students in the program receive proper instruction and attention. 2. The parents of children in the program are extremely interested and have demonstrated this interest by their attendance at and participation in meetings conducted bilingually. 3. The feeling prevails which can be characterized as "belonging" and "being a part of" in the communities which have been involved in the Bilingual Program. 4. The Spanish-speaking community as a whole is becoming more "relaxed" and trusting not only of the school system but also of the "dominant" system. They are coming to and participating in School Board Meetings, PTA Meetings, etc. Attendance lists from the various meetings held by the Bilingual Program are attached.
To develop, improve and maintain needed instructional skills of home teachers (paraprofessionals), aides and classroom teachers.	Bi-weekly inservice meetings have been held within the program and also with other pre-school programs in the city. The home teachers have, in addition, met every afternoon to review the day's lessons and problems and make preparations for the next day. The director of the Bilingual Program, the Elementary Supervisor working with pre-school programs, outside specialists, the Foreign Language Supervisor, etc. have been involved with in-service activities. Attached is a copy of the in-service program.
To acquire, adapt and develop materials in the areas of instruction, staff training, evaluation and parent education.	The Latin Family Program has purchased or provided most of the materials used with the adults. Materials for the instructional program, staff training, and evaluation were often obtainable from the Instruction or Research Departments at no cost to the Bilingual Program or by stock requisition from the School City Warehouse at cosiderable savings because they were purchased in quantity. Demonstrations and evaluations of materials available for purchase

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have occurred during the year as could be arranged with publishers and importers. Some of the materials purchased are listed in the attachments. Materials have been adapted during the year, but the real curriculum development will take place for five weeks this summer with a group of three teachers working cooperatively.

Standardized test results corroborate the informal recording of children's progress in improved motor control and visual auditory perception; acquisition of the basic concepts, vocabulary, and skills to speak and understand Spanish and to speak and understand English; acquisition of basic number concepts of classification, seriation, and one-to-one correspondence and to some extent personal-social responsiveness.

Informal evaluation instruments have been used by teachers in relation to children, teachers and social worker in relation to parents, parents and community in relation to program, staff, etc., teachers in relation to the program. Lesson Evaluation Forms filled out daily, Home Observation Forms filled out monthly, surveys of parents, members of the communities, staff made by the evaluator, programs and schedules of activities, attendance lists, etc., provide evidence that children's attitudes have improved, that they have developed qualities of leadership, self-confidence, self-direction and socialization, and they they have participated in numerous multicultural activities while their parents have become active participants in school activities and have improved their skills in communicating with their children and positively reinforcing their behavior.

In addition to the in-service activities of the Bilingual Program additional instruction was needed by the staff and is described later. Another area where additional work is needed is in the area of adapting and developing materials for the instructional program. Plans are being made to give this facet of the program proper attention through a summer curriculum development project.

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Part II - Conduct of and Observations on the Evaluation

Sex Factor

Difficulty was experienced initially in the pretesting of a few children. They did not respond to or cooperate with female bilingual teachers who were administering the tests. Having a bilingual male administer tests to those children brought results.

Once the children were started in the instructional program, interference between teacher and/or aide on the one hand and the child on the other disappeared. However, the initial difficulty led one evaluator to compare performance of boys and girls on the PPVT Pretest in Spanish and English and on the PPVT Postest in Spanish and English using the Jefferson four-year olds. The results are as follows:

	Sex	IQ Spanish	IQ English
Pretest	M	51.7	61.1
	F	55.9	67.3
Postest	M	76	88.9
	F	61	90.3

On the pretest the girls surpassed the boys in both languages - Spanish by 4.2 and in English by 6.2. On the postest the boys surpassed the girls in Spanish by 15 and almost closed the gap in English with the girls demonstrating only 1.4 superiority.

Language Dominancy

Some of the students would not or could not respond on the PPVT pretest to the administrator either in English or Spanish. Some could respond only in English or only in Spanish. Most of the students did respond in both languages to the extent that they could. The average IQ scores in English and Spanish at the various centers indicate that English was the dominant language for more of the students than Spanish. However, individual scores on the PPVT for the two languages together with the results from the Wepman Auditory Discrimination Test indicate that there will be groups learning to read initially in Spanish as well as groups learning to read in English.

Program Housing and Staffing

The difference in the housing of children in the various communities and the difference in the teaching personnel, teachers and paraprofessionals in the classroom on the one hand and paraprofessionals in the home on the other, seem to have resulted in little difference in the achievement of the children. It is difficult to classify all children as school-based or home-based because the Jefferson four-year olds were the only ones school-based all year and the Brunswick children the only ones home-based all year. Jefferson threes moved out of homes and into portables, Borman Center, and finally Jefferson Annex, respectively. Spaulding, for which there is no PPVT data because tests were either not administered or incorrectly administered, moved into St. Luke's Convent.

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Part II - Conduct of and Observations on the Evaluation (continued)

As can be seen from the PPVT evaluation result data, the Jefferson fours demonstrated the greatest growth in English but Brunswick the greatest growth in Spanish. School-based, teacher taught Jefferson fours registered a combined English and Spanish growth of 37.1; home-based, paraprofessional taught Brunswick pupils registered 27.5; primarily school-based, paraprofessional taught Jefferson threes 23.6.

Administration and Scoring of Tests

Pretests were administered by teachers in the program after workshops were held to train them to give the specific tests. During the pretest period meetings were held to answer the questions of the teacher-testers. Tests were scored by the evaluators.

Evaluation of the midpoint sample and scoring answer forms was done by the evaluators.

In the case of the Beery and Caldwell posttests, the evaluator administered and scored answer forms for his sample of 29. Because of the large number of children posttested using the Draw-a-man, PPVT, and Wepman, the Director and one evaluator arranged with the teachers for them to secure a Draw-a-man specimen and to administer the PPVT in English and Spanish, providing there was an aide or another teacher present to assist with group instruction while individual testing was testing was being conducted. Where the latter was not possible the evaluator administered the tests to the children individually while the teacher taught. The evaluator administered the Wepman to all children tested. She scored all test forms.

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An analysis of successes and failures in meeting performance objectives

(1) The planners of the first proposal submitted to the Office of Education for approval, for the most part, wrote a plan geared to the needs of the children and the needs of the community. The availability of additional funds could have made a difference in the plans.

(2) The director, who has filled the position of administrator for the first time, has acquired a great deal of "know how" and expertise in handling his duties this year. He has often worked under trying conditions in a poised manner and dealt with difficult problems whose resolution was satisfactory. Supervision of curriculum and instruction need a little more attention from him or from someone delegated that responsibility. Most of the hats the director had to wear were worn well.

(3) Classroom teachers and aides and home teachers have been sincere, dedicated, and willing to expend much time and effort to insure the progress of their pupils. All of these staff members have had to learn about a new area - the preschool child and his education. Classroom teachers had no training in the field and classroom aides and home teachers, having only a high school education, needed first an overall orientation and then some in-depth instruction. In addition, the staff had to learn to interact successfully with children, parents, director, evaluators, community members, etc. For the most part all have done well.

(4) The Advisory Board is concerned, dedicated, and determined to insure the success of the program. They have learned much about an educational operation. They have served well as links between program and community. They have often fought successfully for things for the program that could not have been obtained without community pressure, for example, the housing for the program until old Jefferson School was available.

(5) Parents have demonstrated their interest in the program through participation in meetings and as volunteer aides in the classrooms and in the homes. Many have made their homes available for home-based instruction. Most have been cooperative in such situations, but a few have not. However, home-based instruction, for the most part has had a great impact on improving parent-child interaction.

(6) The program auditor has expertise in bilingualism as well as the understanding, insight, and empathy for the community involved in this program. He has made every effort to become familiar with every component of the program and its operation and evaluation. He has met with some staff and Advisory Board members as well as members of the community.

(7) The two evaluators both have other duties with the School City of Gary. They have made every effort to train teachers and aides to help administer tests. They have scored them and fed information important in the instruction of the children back to the director and the teachers. They have been handicapped in overseeing the testing of new children who entered the program late and had some difficulty getting a midtest sample because of moving the location of the school-based program and the incidence of the mumps. Both evaluators have been active in staff and Advisory Board meetings.

(8) Overall, communication has been good. Verbal and written communications have been bilingual when appropriate. A clear understanding of the objectives of the program, information necessary to perform effectively and clarification of roles and job responsibilities must be provided all who have any connection with this program, however.

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Part III. Recommendations for the Improvement of the Evaluation for Next Year's Program

1. The whole non-instructional phase of the evaluation needs to be addressed in terms of instruments, techniques, and timetable.

2. Identification numbers should be assigned to children and used on all tests so that the progress of an individual child can be followed from pretesting through midtesting to posttesting, correlation of a child's performance on one test can be made with his performance on another, and the identity of the child is available through reference to his file to teachers, director, and/or supervisor so that the test results can be used.

3. Part time employment of bilingual college students to assist with the administration and scoring of tests could eliminate the improper administration of tests and insure administration of all tests to all students. Because of the migratory nature of the pupil population in the program, periodic pretesting needs to occur so that there is a yardstick by which to gauge posttest information. Scoring of tests by college students would give the evaluators more time to analyze the data, hold feedback sessions and planning meetings so that the evaluation results have an impact on curriculum and instruction

4. Participation of the evaluator in the study of the National Consortia for Bilingual Education on the PPVT as it is used by Title VII projects and the establishment of norms and forms for the target population could result in the availability of better forms and more realistic norms.

5. The scheduling of testing periods as a part of the program calendar of activities for the year could minimize the conflicts.

6. Instruments to assess pupil progress in the area of cognitive and psychomotor development have been satisfactory; however, the area of affect needs greater attention. For this reason consideration is being given to the periodic use of a pupil behavior inventory.

This has been a "learning year" for everyone on the program team. Better communication among the program team, more time to do the tasks of evaluation, and secretarial help to prepare charts, make records, type, duplicate, and compile reports will improve the evaluation phase of the bilingual program.

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DEVELOPMENTAL TEST OF VISUAL-MOTOR INTEGRATION
(Keith E. Beery)

The Developmental Test of Visual-Motor Integration (VMI) is a series of 24 geometric forms to be copied with pencil and paper. The forms are arranged in order of increasing difficulty. The test can be administered to children in the age range of two to fifteen years, but it was designed primarily for the preschool and early primary grades. The format is suitable for both group and individual administration.

Since visual-motor behavior is a composite of other behaviors, including visual perception and motor coordination, techniques for determining specific areas of difficulty are provided. They are to be used after the VMI is given. As the goal assessment is usually that of improved educational programming, teaching techniques to parallel areas of assessment are suggested.

Beery Developmental Test of Visual-Motor Integration--This is a paper and pencil test of copying geometric forms and is designed primarily to assess the degree of visual perception and motor integration or expression of the young child. It is a behavioral not a neurological instrument and may be given to an individual as was done at the Early Learning Center or to a small group of children. Time for administering is not usually more than five to ten minutes.

The Developmental Test of Visual-Motor Integration (VMI) was devised as a measure of the degree to which visual perception and motor behavior are integrated in young children. The copying of geometric forms is well suited to this purpose because there is a close correlation between the visual perception and the motoric expression that is required and because, unlike letter forms, geometric forms are equally familiar to children of varying backgrounds.

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PRE-SCHOOL INVENTORY (CALDWELL)

Pre-School Inventory

(1) 3-6 yrs of age

(2) For measure of achievement in areas regarded as necessary for success in school

(3) Is not culture free

(4) To help determine the degree of disadvantage which a child from a deprived background has at the time of entering school

Factors

(A) Personal-Social Responsiveness, item 1-26

Child's name, address, parts of body, friends, also establish rapport with and respond to the communications of another person (simple and complicated)

(B) Associative Vocabulary, items 27-47

The ability to demonstrate awareness of the connotation of a word by carrying out same action or by associating to certain intrinsic qualities of the underlying verbal concept (geometric figures, verbal or gestural labels for certain functions, actions, events, and time sequences, and describe verbally essential characteristics of certain social roles)

(C_1 & C_2) Concept Activation, Numerical, items 48-66 and Concept Activation, Sensory, items 67 - 85

Ordinal or numerical relations, and sensory attributes, such as form, color, size, shape, and motion. Relating shapes to objects, color-names to objects or events or to execute motorically some kind of spatial concept. (Label quantities, judgments of more or less, to recognize seriated positions, first, last, middle) also (to be aware of certain sensory attributes shape, size, motion, color, and to be able to execute certain visual-motor configurations.) geometric forms

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EXPLANATION OF TERMS

1. Students will be identified by number rather than by name. The instruments will be on file in the offices of the Research Department of the Gary Public Schools.

2. Sex - M will refer to males and F will refer to females.

3. A refers to first sub-test of the Pre-School Inventory, Personal-Social Responsiveness.

4. B refers to second sub-test of the Pre-School Inventory, Associative Vocabulary.

5. C^1 refers to third sub-test of the Pre-School Inventory, Concept Activation, Numerical.

6. C^2 refers to the fourth sub-test of the Pre-School Inventory, Concept Activation, Sensory.

7. Tot. or Total - raw score obtained by the child.

8. % - refers to percentile or where child ranked as determined by national norms.

9. Ins. - refers to place of instruction, H - home, C - classroom.

10. A.E. - means age equivalent as determined by national norms.

11. C.A. - chronological age or the actual age of the child.

12. Diff. or difference between Age Equivalent and Chronological Age.
    A. + - Positive. - (minus) - child did not score as well as his actual age.

13. Chronological and Equivalent Ages were computed and ranked in years and months.

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BILINGUAL EDUCATION PROGRAM

		Pre-School Inventory								VMI		
udent	Sex	A	B	C^1	C^2	Tot.	%	"I"	Ins.	A.E.	C.A.	Diff
1.	M	22	22	16	17	77	95	66.5	H	60	59	+1
2.	F	19	13	10	11	53	95	66.5	H	52	48	+4
3.	F	20	09	06	16	51	95	66.5	H	38	44	-6
4.	F	22	08	09	08	47	94	65.6	H	49	48	+1
5.	F	23	17	11	14	65	93	64.8	C	49	57	-8
6.	M	18	17	11	17	63	91	63.4	H	54	59	-5
7.	F	15	08	08	14	45	91	63.4	H	56	46	+10
8.	F	22	13	14	14	63	90	62.8	C	52	50	+2
9.	F	22	14	13	13	62	90	62.8	H	36	49	-13
10.	M	17	06	12	09	44	90	62.8	H	49	46	+3
11.	M	09	16	07	11	43	89	62.3	H	38	46	-8
12.	F	24	15	17	18	74	87	61.3	H	59	69	-10
13.	M	18	17	11	15	61	87	61.3	C	59	54	+5
14.	F	19	14	12	16	61	87	61.3	C	56	52	+4
15.	M	17	11	04	09	41	85	60.4	H	38	46	-8
16.	M	16	14	12	17	59	84	60.0	H	63	52	+11
17.	M	18	10	13	17	58	83	59.6	C	57	51	+6
18.	F	13	11	08	07	39	83	59.6	H	36	46	-10
19.	M	14	07	08	10	39	81	58.8	H	49	48	+1
20.	M	16	07	06	09	38	80	58.4	H	49	48	+1
21.	F	18	17	10	11	56	80	58.4	H	38	51	-13
22.	M	22	09	10	16	57	80	58.4	C	46	56	-10
23.	F	19	14	11	13	57	80	58.4	C	57	56	+1
24.	M	15	11	14	17	57	80	58.4	H	54	59	-5
25.	M	16	15	10	13	54	79	58.1	H	38	49	-11
26.	F	21	11	08	15	55	77	57.4	H	38	55	-17
27.	F	14	09	06	07	36	77	57.4	H	38	48	-10
28.	M	16	14	10	14	54	77	57.4	H	49	53	-4
29.	M	14	06	05	11	36	75	56.7	H	38	39	-1
30.	F	22	10	09	15	56	75	56.7	C	56	59	-3
31.	F	19	08	18	06	51	73	56.1	H	38	53	-15
32.	F	08	01	00	05	14	70	55.2	H	32	36	-4
33.	F	18	10	00	05	33	70	55.2	H	34	45	-11
34.	M	12	09	03	09	33	70	55.2	H	34	47	-13
35.	F	17	08	10	15	50	70	55.2	C	49	52	-3
36.	M	16	12	11	16	55	70	55.2	C	63	58	+5
37.	F	17	03	05	07	32	68	54.7	H	38	45	-7
38.	F	19	11	09	14	53	65	53.9	C	52	57	-5
39.	F	12	04	07	10	33	64	53.6	H	36	42	-6
40.	M	15	10	13	10	48	63	53.3	C	36	54	-18

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		Pre-School Inventory								VMI		
Student	Sex	A	B	C^1	C^2	Tot.	%	"T"	Ins.	A.E.	C.A.	Diff.
41.	M	16	10	12	10	48	63	53.3	C	50	49	+1
42.	M	18	14	15	14	61	63	53.3	C	54	65	-11
43.	F	17	17	05	13	52	60	52.5	C	56	57	-1
44.	M	20	07	12	13	52	60	52.5	H	34	57	-23
45.	M	15	17	07	13	52	60	52.5	C	63	57	+6
46.	F	18	07	07	14	46	57	51.8	C	49	49	0
47.	F	10	05	04	10	29	55	51.3	H	38	42	-4
48.	F	18	10	06	11	45	55	51.3	H	38	50	-12
49.	F	15	10	09	11	45	55	51.3	C	49	54	-5
50.	M	16	11	11	12	50	55	51.3	C	34	55	-21
51.	F	17	07	11	15	50	55	51.3	H	49	56	-7
52.	M	14	11	11	11	47	53	50.8	H	60	55	+5
53.	M	15	09	08	12	44	53	50.8	C	54	52	+2
54.	M	17	09	09	13	48	53	50.8	H	54	60	-6
55.	F	14	12	10	08	44	53	50.8	C	46	53	-7
56.	M	16	10	07	11	44	53	50.8	C	52	53	-1
57.	M	10	13	07	16	46	50	50.0	H	60	59	+1
58.	F	12	05	05	27	48	48	49.5	H	38	43	-5
59.	F	16	12	07	10	45	48	49.5	C	49	56	-7
60.	M	16	10	08	10	44	48	49.5	C	57	59	-2
61.	M	12	11	09	12	44	48	49.5	H	53	59	-6
62.	F	18	10	13	11	52	48	49.5	H	49	61	-12
63.	M	14	08	09	10	41	45	48.7	C	52	53	-1
64.	M	17	07	08	09	41	44	48.5	H	38	56	-18
65.	F	13	09	08	10	40	43	48.2	C	38	52	-14
66.	F	13	11	08	08	40	43	48.2	C	38	52	-14
67.	F	17	03	06	13	39	40	47.5	H	49	54	-5
68.	F	13	05	11	10	39	39	47.2	H	38	57	-19
69.	M	12	07	06	13	38	37	46.7	C	57	60	-3
70.	M	11	08	09	10	38	37	46.7	C	57	56	+1
71.	M	11	04	09	13	37	35	46.1	H	36	49	-13
72.	M	15	04	09	09	37	35	46.1	C	49	57	-8
73.	F	12	06	09	10	37	35	46.1	H	38	60	-22
74.	F	12	04	10	11	37	35	46.1	C	52	60	-8
75.	F	13	06	03	03	25	34	45.9	H	34	46	-12
76.	M	15	07	06	08	36	33	45.6	C	52	59	-7
77.	M	11	08	05	12	36	33	45.6	C	63	59	+4
78.	F	17	04	05	09	35	30	44.8	C	50	56	-6
79.	F	12	04	06	13	35	30	44.8	C	38	60	-22
80.	F	15	08	05	07	35	30	44.8	H	57	54	+3
81.	F	15	07	12	12	46	30	44.8	C	59	62	-3
82.	F	10	02	06	04	22	30	44.8	C	38	48	-10
83.	F	11	05	06	12	34	28	44.2	H	56	51	+5
84.	M	11	06	07	10	34	28	44.2	C	38	54	-16
85.	M	15	05	06	08	34	28	44.2	C	49	55	-6
86.	M	13	05	07	09	34	28	44.2	C	67	58	+9
87.	M	12	04	08	09	33	25	43.3	H	52	54	-2
88.	F	13	03	03	01	20	25	43.3	H	34	42	-8
89.	F	02	00	00	00	02	25	43.3	H	00	36	-36
90.	F	08	08	05	10	32	23	42.6	H	52	52	00

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	Pre-School Inventory									WMI		
Student	Sex	A	B	C^1	C^2	Tot.	%	"Z"	Ins.	A.E.	C.A.	Diff.
91.	M	15	06	04	06	31	20	41.6	C	34	54	-20
92.	F	13	00	04	01	18	20	41.6	H	--	37	-37
93.	F	16	02	06	06	30	19	41.2	H	46	50	-4
94.	M	09	06	05	11	31	18	40.8	C	49	57	-8
95.	F	10	02	06	13	31	18	40.8	C	52	59	-7
96.	F	11	04	07	08	30	18	40.8	C	34	49	-15
97.	F	14	02	07	06	29	17	40.4	C	38	53	-15
98.	M	15	03	04	07	29	15	39.6	H	00	56	-56
99.	M	09	02	06	10	27	14	39.2	C	52	51	+1
100.	F	16	05	01	05	27	14	39.2	C	--	54	-54
101.	F	10	03	03	10	26	14	39.2	C	34	56	-22
102.	M	13	05	01	07	26	13	38.7	C	34	50	-16
103.	M	10	05	03	08	26	11	37.7	C	36	56	-20
104.	M	10	01	07	07	25	11	37.7	C	52	49	+3
105.	M	12	04	03	06	25	10	37.2	H	34	59	-25
106.	M	09	03	05	05	22	09	36.6	H	52	50	+2
107.	M	16	03	03	02	24	08	35.9	C	52	59	-7
108.	M	08	00	04	10	22	08	35.9	C	49	54	-5
109.	F	08	03	05	06	22	08	35.9	C	38	60	-22
110.	M	09	03	04	04	20	08	35.9	H	36	55	-19
111.	M	06	01	01	08	16	07	35.2	H	52	54	-2
112.	F	11	01	02	06	20	06	34.4	H	00	58	-58
113.	M	15	02	06	08	31	05	33.5	C	34	64	-30

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FINDINGS

There were 113 students who were ranked on the pre-test, of this number 57 are males and 56 are females.

The raw scores range from 77 high to a low of 31 on the Pre-School Inventory. The percentile rank is a high of 95 to a low of 5. The "T" scores ranked from a high of 66.5 to a low of 33.5.

Age Equivalent ranged from 67 months to 0 months. Chronological Age ranged from 69 months to 36 months.

Of all students being ranked 18 are three-years of age, 84 are four-years of age and 11 are five-years of age.

Fifty-seven (57) students ranked at and above the 50th percentile, of those who scored above the 50th percentile there are 23 boys and 34 girls. Those below the 50th percentile totaled 28 boys and 28 girls.

Of those above the 50th percentile, 35 received home based instruction and 22 received classroom instruction. Those below the 50th percentile 23 received home based instruction and 33 received classroom instruction.

Relative to age, three five-year olds, forty two-year olds and thirteen three-year olds scored above the 50th percentile. In addition eight five-year olds, forty-two four-year olds and five three-year olds scored below the 50th percentile.

The mean or middle score of this pre-test was a raw score of 46, a 50th percentile and 50.0 "T" score.

Those scores obtained most by the students (mode) were at the 80th percentile-five children, 70th percentile - five children, 55th percentile - five children 48th percentile - five children and 30th percentile - five children.

The average score for this pre-test is 41 or the 45th percentile or a 48.7 "T" score.

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BILINGUAL EDUCATION PROGRAM

		Pre-school Inventory								Visual Motor Integ		
Student	Sex	A	B	C^1	C^2	Tot.	%	"T"	Ins.	A.E.	C.A.	D
1	F	20	10	13	16	59	95	66.5	H	4-11	3-7	+1.
2	F	24	18	11	18	71	95	66.5	H	4-4	4-0	+4
3	F	23	20	14	18	75	95	66.5	C	4-11	4-6	+5
4	M	23	14	13	17	67	95	66.5	C	5-0	4-7	+5
5	F	25	13	13	16	67	95	66.5	C	4-1	4-	-5
6	M	26	25	18	19	88	95	66.5	H	6-5	4-10	+1-7
7	M	24	18	14	18	74	95	66.5	C	4-9	4-10	-1
8	M	26	17	12	19	74	95	66.5	C	4-6	4-11	-5
9	F	24	22	15	16	77	95	66.5	C	4-1	5-1	-1-3
10	M	21	22	14	18	75	95	66.5	H	5-0	5-4	-4
11	F	24	22	13	17	76	95	66.5	H	3-10	5-5	-1-7
12	F	16	5	7	16	44	90	62.8	H	4-4	3-7	+9
13	F	23	10	16	13	62	90	62.8	C	4-1	4-8	-7
14	M	18	20	12	17	67	89	62.3	C	5-3	5-3	0
15	F	23	9	12	17	61	88	61.8	C	4-8	4-8	0
16	M	21	13	12	19	65	85	60.4	H	5-7	5-3	+4
17	F	17	5	8	9	40	83	59.6	H	3-10	3-6	+4
18	F	20	14	11	13	58	83	59.6	C	4-5	4-2	+3
19	F	21	10	12	15	58	83	59.6	H	3-10	4-5	-7
20	M	18	8	15	19	60	80	58.4	C	4-6	5-2	-8
21	F	19	17	8	16	60	80	58.4	H	4-4	5-2	-10
22	M	22	9	10	15	56	75	56.7	C	4-6	4-10	-4
23	F	20	11	9	14	54	68	54.7	C	4-4	4-10	-6
24	F	17	9	11	15	52	60	52.5	H	4-1	4-8	-7
25	F	18	3	14	16	51	58	52.0	C	4-8	4-9	-1

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	Personal Inventory									Visual Motor Test		
Subject	Sex	A	P	C^1	C^2	Tot.	%	"T"	Ins.	A.E.	C.A.	D.Q.
26	M	21	14	13	9	57	53	50.8	H	4-1	4-9	-1
27	F	22	3	6	13	44	48	49.5	C	4-8	4-11	-3
28	F	18	6	11	15	50	40	47.5	H	3-2	5-3	-2-1
29	F	9	3	10	13	35	30	44.8	H	4-1	4-8	-7
30	M	15	5	9	5	35	30	44.8	H	2-10	4-7	1-9

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FINDINGS AND SUMMARIES
(Mid-test and Pre-test)

There were 30 students who comprised the sample for the Mid-testing, of this number 19 were females and 11 were males.

The raw scores range from a high of 88 to a low 40 as compared to a a high of 77 and a low score of 16 on the Pre-test. This represents an increase of 11 points over the highest score and an increase of 24 points over the lowest score.

The percentile rank of the Mid-test is a high of 95 to a low of a 35th percentile as compared to a high of 95 and a low of a 5th percentile on the Pre-test. The number of those scoring at the 95th percentile on the Pre-test was 3 or about 3% of those tested as compared to 11 who scored at the 95th percentile or 37% of those who were tested on the Mid-test.

The "T" scores ranked on the Mid-test are from 66.5 to 44.8 as compared to a ranking of 66.5 to 33.5 on the Pre-test an increase from the lowest score of 11.3. Also, percentage wise about 3% of those tested on the Pre-test ranked 66.5 as compared to 37% who ranked at this level on the Mid-test.

Age Equivalent ranged from 77 months to 34 months on the Mid-test as compared to 67 months to 0 months on the Pre-test, a difference representing an increase of 10 months over the highest score on the Pre-test and 34 months over the lowest score of 0 months.

Chronological Age ranged from 65 months to 42 months on the Mid-test as compared to a range of 69 months to 36 months on the Pre-test. The three individuals at the 95th percentile on the Pre-test ranged in chronological age of 44 months to 59 months, of the 11 who ranked at the 95th percentile on the Mid-test 8 ranged in chronological age of from 43 months to 59 months.

Twenty-six students ranked above the 50th percentile on the Mid-test or 87% of those tested as compared to fifty-seven (57) students who ranked at or

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above the 50th percentile on the Pre-test or 50% of those tested on the Pre-tests.

Of those above the 50th percentile on the Mid-test, 12 received home based instruction and 14 received classroom instruction, or 46% above the 50th percentile received home based instruction as compared to 31% who ranked at or above the 50th percentile on the Pre-test. In addition 58% of the sample scored above the 50th percentile and were classroom instructed as compared to 19% who scored at or above the 50th percentile on the Pre-test, who were classroom instructed.

The mean or middle score of the Mid-test was a raw score of 60.0, an 80th percentile and a "T" score of 58.4 as compared to a Pre-test raw score of 46.0, a 50th percentile and a 50.0 "T" score.

Those scores obtained most by the students (mode) on the Mid-test were at the 95th percentile - 11 children, 90th percentile - two children, 83rd percentile - three children, 80th percentile - two children and at the 30th percentile - two children. As compared to the Pre-test, at the 80th percentile - five children, 70th percentile - five children, 55th percentile - five children, 48th percentile - five children and at the 30th percentile - five children.

The average score (raw) is 60.0 or at the 80th percentile or a 58.4 "T" score as compared to the Pre-test average raw score of 41 or at the 45th percentile or a 48.7 "T" score.

The number of subjects totaled thirty (30) who had previously been tested using the Visual Motor Integration Test (Beery) and the Preschool Inventory Test (Caldwell). Both of these instruments will be utilized for the mid-testing.

Fifteen of the subjects were selected from the regular classroom situation and fifteen were selected from the home based program.

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BILINGUAL EDUCATION PROGRAM
Post-test, May , 1971

	Pre-school Inventory								Visual Motor Integration		
Student	Sex	A	B	C^1	C^2	Tot.	%	Ins.	A.E.	C.A.	Diff.
1	F	24	22	15	19	80	95	C	4-8	5-0	-4
2	F	22	23	14	15	74	95	H	4-8	5-5	-9
3	M	20	15	14	17	67	88	H	5-7	5-2	+5
4	F	17	21	13	14	65	87	C	5-3	5-3	0
5	M	20	13	16	16	65	87	H	5-3	5-4	-1
6	F	21	13	12	17	63	84	H	4-11	5-3	-4
7	M	20	14	10	18	57	75	C	4-9	4-9	0
8	M	20	11	10	18	59	75	C	5-3	5-4	-1
9	F	21	5	13	17	56	75	H	4-1	4-7	-6
10	F	19	11	7	15	52	75	H	3-2	4-4	-1-2
11	F	22	10	9	7	58	70	C	5-3	5-4	-1
12	F	21	7	12	18	58	70	C	5-3	5-3	0
13	F	18	9	12	16	55	70	H	5-3	4-11	+4
14	M	16	9	12	14	51	57	C	6-0	4-11	+1-1
15	M	19	11	9	15	54	55	C	5-0	5-1	-1
16	F	17	6	11	16	50	55	H	5-6	5-0	+6
17	M	17	4	12	16	46	50	C	5-3	4-8	+7
18	F	18	4	13	16	51	45	C	4-1	5-1	-12
19	F	18	7	10	15	50	45	H	5-3	5-5	-2
20	M	17	15	11	14	58	43	C	4-9	6-3	-1-6
21	M	15	7	12	18	52	43	H	5-0	5-7	-7
22	F	17	3	11	13	49	37	C	5-3	5-6	-3
23	M	10	10	7	11	38	37	H	4-6	4-1	-5
24	F	10	7	6	13	36	33	H	3-2	4-6	-1-4
25	M	14	5	5	12	36	33	H	3-2	4-11	-1-9
26	M	14	9	9	13	45	28	H	4-1	5-2	-1-1
27	F	17	8	7	12	44	25	C	4-11	5-1	-2
28	F	10	5	4	13	32	20	C	4-11	5-1	-3
29	M	14	4	7	6	31	19	H	3-0	4-10	-1-10

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FINDINGS AND SUMMARIES
(Post-test)

Twenty-nine students comprised the sample for the Post-testing, of this number 16 were females and 13 were males.

The raw scores range from a high of 80 to a low of 31.

The percentile rank of the Post-test is a high of 95 to a low of a 19th percentile.

Age Equivalent ranged from 67 months to 36 months. Chronological Age ranged from 67 months to 49 months.

Seventeen students ranked at and above the 50th percentile on the Post-test, of those nine (9) received classroom instruction and eight (8) received home based instruction, below the 50th percentile five (5) received classroom instruction and seven (7) received homebased instruction.

The mean or middle score of the Post-test was a raw score of 54 a 55th percentile.

The number of subjects totaled 29 who had previously been tested using the Visual Motor Integration Test (Beery) and the Pre-School Inventory Test (Caldwell).

The areas cover by the sample testing included the Jefferson, Spaulding and Brunswick districts, the number of those tested in each area follows:

Jefferson	14	(classroom)
Jefferson	5	(homebased)
Spaulding	5	(homebased)
Brunswick	5	(homebased)
	29	

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WEPMAN AUDITORY DISCRIMINATION TEST

Student Number	Form I Midpoint	Form II Final	Difference
J15	-2	absent	none
J14	-7	-3	4
J21	-7	-4	3
J38	-8	-3	5
J27	-8	-4	4
J 7	-10	-2	8
S10	-10	-7	3
J28	-12	-5	7
J 5	-20	absent	none
J75	-34	-14	20
J60	-35	absent	none
J30	-38	-12	26
		average growth	8.8 points

5706

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WEPMAN AUDITORY DISCRIMINATION TEST

Jefferson Four-year-olds

Name	Error Score	Name	Error Score
Angela Vargas	0	Elaine Miles	11
Peter Barraza	1	Noel Argote	12
Kim Donald	1	Vicki Badron	12
Stefan Powell	1	Alma Rosa Jimenez	14
Joey (TuTu) Ranel	2	Mari Elena Magana	14
Daniel Rogue	2	Jesse Serrano	15
David Ferrer	3	Javier Guadiola	16
Rosita Robles	3	Nancy Jimenez	16
Dahlia Trinidad	3	Gilbert Sanchez	17
Gilbert Camacho	4	Manuel Mendoza	23
Sherry Jo Heridia	4	Diana Wriston	24
Israel Almodovar Silva	4	Ray Gonzalez	27
Russell (Rusty) Taylor	4	Lisette Carmen Del Pazo	29
Lili Trevino	4	Patsy Cartagena	40
David Verdusco	4	Henry Garron	40
Terrence Allen	5	Ronald Richardson	40
Leslie Pena	6	Sergio Vargas	40
Yvette Del Carmen Ramos	6		
Gerardo Miranda	7		
#20 Lillian Vega	7		
Rosario Ornelas	8		
Elizabeth Arceo	9		
David Collins	9		
Alberto Garcia	11		
John Keffer	11		

42 students

Norm - Error Score of 7

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WEPMAN AUDITORY DISCRIMINATION TEST

Brunswick Four-year-olds

Name	Error Score
Hippolito Jimenez	0
Marlette Gonzalez	3
Julio Torres	5
Adam Hernandez	5
Gloria Maldonado	5
Ferdinando Perez	6
Lisa Rubalcana	6
Comer Garthell	7
Claudine Morales	9
Fernando Martinez	12
Arcelia Aburto	13
Junior Trinidad Gutierrez	14
Anthony Jackson	14
Teresa (Terry) Torres	16
Kimberly Mancera	18
Alicea Cantu	20
Arthur Guel	20
Arturo Leon	23
Adella Pineda	30
Oscar Flores	30
Eduardo Gutierrez	40

21 STUDENTS

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WEPMAN AUDITORY DISCRIMINATION TEST

Spaulding Four-year olds

Name	Error Score
William Sindlinger	5
Eva Melendez	6
John Butler	7
Diana Guevera	7
Cynthia Garcia	12

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JEFFERSON BILINGUAL PROGRAM 3 Year-Olds

DRAW-A-MAN

STUDENT		PRE TEST			POST TEST			
SEX	NO.	CA	RS	SS	CA	RS	SS	
M	J1				4-2	15	122	
M	J2	4	13	87	4-6	17	130	
M	J35				4-1	3	70	
F	J5	4-1	7	81	4-6	15	115	
F	J7	4-1			4-7	9	89	
F	J39				4-4	6	78	
F	J10	3	13	113	3-7	9	104	
F	J49	3-8	6	81	4-2	13	107	
M	J46				3-3	9	109	
M	J47				4-4	10	100	
M	J14				3-10	11	118	
F	J15			81	4-2	11	100	
M	J16				3-9	9	109	
F	J51	3-2	4	74	3-9	9	100	
M	J53				3-10	4	86	
M	J23				4-6	19	139	
F	J54				4-6	0	0	
F	J24			74	4-7	8	89	

5710

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STUDENT		PRE TEST			POST TEST			
SEX	NO.	CA	RS	SS	CA	RS	SS	
F	J56	3-9	6	81	4-3	12	104	
F	J25				4-7	13	104	
F	J27				4-2	15	115	
F	J26				4-2	14	108	
F	J28				4-2	11	100	
F	J29				4-7	11	100	
M	J57				4-3	1	61	
M	J58				3-7	6	95	
F	J30			81	4-2	12	104	
F	J32				3-8	1	70	
F	J60				4-4	9	92	
F	J9	4-2	12	100				
F	J8	4-7	11	96				
M	J3	4-11	7	87				
M	J4	5-4	6	71				
F	J6	4-5	7	85				
M	J55	4	6	83				
M	J50	4-9	5	78				
F	J48	4-9	16	119				
AV.				88			100.3	

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JEFFERSON BILINGUAL PROGRAM 4 Year Olds

DRAW-A-MAN

STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
F	J29	4-4	14	108	5	19	99	-9
M	J28	4-2	9	96	4-10	20	143	47
M	J31	4-7	9	96				
F	J32	3-11	12	104				
F	J33	4-10	7	85	5-6	25	122	37
M	J35	4	4	74				
F	J37	4-9	11	96	5-6	20	102	6
M	J38	4	9	96	4-7	21	147	51
M	J40	4-9	11	104	5-4	24	122	18
M	J43	4-7	7	87				
M	J44	4-9	2	66				
M	J4	5-4	9	80				
M	J30	4 5		55	5	13	87	32
M	J26	5-4	7	74				
M	J24	4-7	8	91	5-3	14	95	4
F	J23	4-1	11	100	4-10	20	130	30
M	J20	4-8	2	66				
F	J53	4-4	2	63	5	13	84	21

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STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
M	J1	4-3	5	78	4-10	20	134	56
F	J16	4-9	11	100.				
F	J21	4-3	12	104	5-2	14	90	-14
F	J22	4-7	9	92	5-2	24	119	27
F	J17	4-9	8	89				
M	J18	4-9	12	109				
M	J19	4-3	8	91	4-11	22	152	61
F	J14	4-11	16	119	5-7	30	136	17
M	J7	4-10	27	173	5-6	30	139	-34
F	J15	4-4	6	81	[illegible]			
F	J13	4-2	13	107	4-10	20	134	27
M	J12	4-2	4	74	4-10	18	134	60
M	J11	4-6	8	91	5-1	17	103	22
M	J27	4-6	4	74	5-1	18	106	32
F	J9	4-2	12	100				
F	J8	4-11	11	96	5-7	30	136	40
M	J10	4-5	13	113	5	22	117	4
M	J3	4-11	7	87	5-6	15	97	10

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STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
M	J4	5-4	6	71				
F	J6	4-5	7	85	5	27	119	34
F	J5	4-8	7	81	5-4	19	105	24
F	J2	5-11	13	87				
M	J55	4	6	83	4-8	15	122	39
M	J51	4-2	4	74	4-9	16	119	45
F	J56	4-1	6	81	4-9	29	99	18
F	J54	4-5		58	4-11	20	98	40
M	J50	4-9	5	78	5-4	19	108	30
F	J48	4-9	16	119	5-4	22	113	-6
F	J49	4-6	6	81	5-2	21	104	23
AV.				89.7			116.0	

5714

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BRUNSWICK BILINGUAL PROGRAM

DRAW-A-MAN

STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
M	B1	4-10	6	84				
M	B5	4-4	5	78	4-9	10	100	22
F	B6	3-4	3	82				
M	B19	4-4	9	109	5	22	117	8
M	B20	4-7	10	100	5-2	24	125	25
M	B26	4-6	6	83	5-1	11	86	3
F	B22	4-7	15	115	5-3	26	117	2
M	B23	4	2	66				
F	B17	4-5	6	81	5-1	22	113	32
M	B15	4-11	10	100	5-4	13	92	-8
F	B21	4-3	8	96	5-3	16	101	5
F	B41	4-3	9	92				
F	B3	4-2	8	89				
F	B2	4-10	4	70				
M	B18	4-10	6	74	5-6	24	125	51
M	B12				5-6	15	98	
F	B11				4-11	16	84	
F	B16				4-10	14	111	

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STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
M	B35				5-5	23	122	
M	B27				4-9	15	122	
F	B24				4-9	14	117	
F	B32				5-4	10	77	
F	B33				5-2	18	97	
M	B38				5-6	15	98	
F	B31				5-4	17	94	
F	B36				4-8	18	126	
F	B37				5-7	16	92	
F	B29				5-1	19	99	
M	B10				4-7	12	109	
F	B34				4-10	14	108	
AV.				87.0			105.4	

5716

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SPAULDING BILINGUAL PROGRAM

DRAW-A-MAN

STUDENT		PRE TEST			POST TEST			DIFFERENCE
SEX	NO.	CA	SRS	SSS	CA	SRS	SSS	SSS
M	S1	4-6	4	74	5-2	11	86	12
M	S6				5-3	15	98	
F	S9				4-11	13	107	
F	S10				5-1	12	82	
F	S12				5-6	17	99	
F	S13				4-11	12	104	
M	S14				5-6	12	92	
M	S17				5-2	12	89	
M	S2	3-9	7	100				
M	S3	5-5	11	104				
M	S4	4-1	4	74				
			AV.	88			94.6	

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PPVT SAMPLE

Student	First Test				Second Test				Third Test	
Number	RSE	IQE	RSS	IQS	RSE	IQE	RSS	IQS	RSE IQE	RSS IQS
J 30(3)	0	0		50	26	69	19	61	76	94
J15	25	61	19	54	61	121	50	100	85	114
J 27	39	88	27	68	55	110	56	111	122	160
J 24(3)	0	0	0	0	46	101	4	23	146	39
J 14	33	69	26	56	34	70	49	99	87	74
J 38	19	61	18	65	50	110	53	113	108	150
J 75	0	0	0	0	10	37	40	90	ABSENT	
S 10	0	0	0	0	49	98	52	104	ABSENT	
B 50	0	0	0	0	40	90	33	78	ABSENT	
B 51	0	0	0	0	43	78	63	123	ABSENT	
J 7	[illegible]				[illegible]				103	97
J 21	19	50	24	63	48	97	40	81	91	83
12 average	70		60		92		88		102.2	101.3

The students with zero scores either could not or would not take pretests with teachers. These student scores were not counted in figuring the average IQ in English and Spanish on the pretest.

DRAW-A-MAN SAMPLE

Sex	Student Number	March SSS	September SSS	Difference	JUNE
F	J24(3)	83	74	9	89
F	J15(4)	107	81	26	100
F	J30(3)	100	81	19	104
F	S10(4)	92	0	92	82
F	J56(4)	107	81	26	99
M	B51(5)	95	0	95	—
M	B50(4)	110	0	110	—
F	J22(4)	113	92	21	119
F	J30(4)	81	55	26	87
F	J15(4)	107	81	26	—
M	J33(4)	92	85	7	122
M	B 5(4)	104	78	26	100
M	J 7(5)	118	173	- 55*	139
F	J14(5)	96	119	-23 *	136
F	J21(4)	108	104	4	90
M	J38(4)	104	96	8	147
M	J28(4)	100	96	4	143
F	J 5(5)	104	81	23	105
M	J27(5)	84	74	10	106
F	J 6(4)	107	85	22	119

20 students Av. 100.6 Av. 90.3 Av. 111

30.7 not counting the two students who did not want to concentrate on the figure but preferred drawing in background

23.8 counting all 20 students

Catherine Hughes, evaluater

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JEFFERSON BILINGUAL - 3 Year Olds

PEABODY

STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
M	J1						4-3	4-8	102	2-5	49				
M	J2	3-11	3-0	81	2-1	48	4-5	3-4	80	2-4	47				
M	J34						3-11	2-3	59	2-5	59				
M	J35						4-1	2-2	58	3-5	79				
F	J5	3-11	2-4	62	2-2	52	4-5	5-5	111	3-9	89				
M	J38						3-7	3-0	105	3-1	93				
F	J39						4-5	10-2	163						
F	J6						3-9	3-8	94						
F	J7	3-11			2-11	76	4-8	3-3	78	4-7	102				
F	J41	3-10	2-2	48	2-8	74	4-5	2-2	42	2-8	57				
M	J40						4-5	12-2	180						
F	J43						4-5	2-11	68	3-10	90				
F	J10						3-8	2-8	57	3-11	108				
M	J45	3-6	1-9	51	3-6	101	4	2-1	58	5-10	120				
F	J15	3-7	2-4	71	2-2	65	4-2	3-8	94	3-0	78				
M	J16	3-3	1-8	60			3-9	2-9	73	1-9	37				
F	J50						4-3			3-3	78				
F	J52	3-2	2-9	92	2-5	82	3-9	2-2	58	3-2	83				

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STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	ACE	MAS	IQS	MAE	IQE	ACE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
M	J22	3-3	2-3	68			3-11	3-10	97	3-9	95				
M	J23	3-11	3-11	78	3-11	54	4-8	4-7	101	3-6	81				
F	J51						4-6	2-2	43	4-4	98				
F	J24						4-8	1-11	39	8-6	146				
F	J56						4-5	1-10	40	6-2	121				
F	J25	4			4-9	100	4-5	3-9	89	7-3	133				
F	J27						4-2	2-2	58	2-6	62				
F	J26						4-3	2-2	55	2-10	68				
F	J28	3-6	2-7	79	3-2	95	3-10	3-3	87	3-7	90				
M	J57						4-3	2-1	42	2-10	65				
M	J58						3-8	2-2	65	2-11	89				
F	J21						4-6	4-0	94	3-11	92				
F	J30	3-6	1-7	50			4-2	3-8	94	2-11	76				
F	J60						4-5			5-9	115				
AVERAGE				67.2		74.7			79.3		86.2		12.1		11.5

5720

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JEFFERSON BILINGUAL - 4 Year Olds

PEABODY PICTURE VOCABULARY TEST

STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
M	J28	4-2	2-0	52	2-11	74	4-10	1-11	50	4-6	91	-0-1	-2	1-7	17
F	J29	4-4	2-4	49	4-7	102	5	4-1	87	6-10	119	1-9	38	2-3	17
M	J30	4-5	4-8	102	2-4	44	5-1	8-9	138	3-10	81	4-1	36	1-6	37
M	J39						5	3-0	63						
F	J33	4-10	2-8	50	2-6	44	5-7	2-7	50	4-11	85	-0-1		2-5	41
M	J35	4	2-0	52	2-3	52	4-8			2-0	41			-0-3	-11
F	J9	5	4-3	89	3-5	71	5-8	3-10	67	2-8	39	-0-5	-22	-09	-32
F	J36	4-4	2-5	55	2-6	53	5	2-1	41	4-0	86	-0-4	-11	1-6	33
M	J38	4	2-5	65	2-5	61	4-8	8-11	150	5-1	108	6-6	85	2-8	47
M	J40	4-9	2-8	52	2-8	53	5-5	4-4	90	3-10	81	1-8	38	1-2	28
M	J41	4-5	2-6	57	2-4	46	5-1	2-11	57	3-11	84	0-5		1-7	38
M	J43	4-7	2-5	55	2-9	61	5-3	3-2	65	4-9	95	0-9	10	2-0	34
M	J45	4-7			2-2	36	5-3	1-11	40	2-9	54	1-11	40	0-7	18
M	J47	4-7	2-4	50	3-4	77	5-3	2-3	46	6-10	119	-0-1	-4	3-6	42
F	J49	4-6	2-11	68	2-2	35	5-2	2-6	46	3-11	84	-0-5	-22	1-9	46
F	J48	4-9	2-11	57	2-6	46	5-4	6-10	118	4-4	90	3-11	61	1-10	44
M	J50	4-9	3-3	67	4-4	90	5-4	2-6	50	5-9	107	-0-7	-17	1-5	17
F	J54	4-5	2-5	55	2-1	32	4-11	2-8	51	2-1	40	0-3	4		8

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JEFFERSON BILINGUAL - 4 Year Olds - Peabody Picture Vocabulary Test

STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
M	J55	4	2-5	65	2-8	69	4-9	4-4	90	4-7	92	1-9	25	1-11	23
F	J56	4-1	2-1	38	5-4	115	4-9	2-4	42	7-3	123	0-3	4	1-11	8
M	J51	4-2	2-6	68	1-8	35	4-9	5-4	103	2-8	53	2-10	35	1-0	18
F	J53	4-4	2-5	53	2-4	47	5-1	3-0	62	3-1	63	0-5	9	0-7	16
F	J5	4-8	2-2	41	4-8	102	5-4	2-1	33	7-1	120	-0-1	-8	2-5	18
F	J6	4-5	3-9	89	2-1	32	5	2-11	59	3-6	73	-1-2	-30	1-5	41
M	J3	4-11	2-3	34	5-2	101	5-6	3-1	49	7-3	115	0-8	15	2-1	14
F	J62						5-3	3-5	72	4-11	97				
M	J10	4-5	1-6	48	5-2	109	5-1	2-1	34	7-0	121	0-7	-16	1-10	13
M	J11	4-6	2-4	50	2-3	42	5-1	4-6	91	3-6	74	2-2	41	0-3	32
M	J12	4-2	2-1	54	2-2	56	4-10	2-1	40	3-4	69		-14	1-2	13
F	J13	4-2	2-1	55	3-3	85	4-10	2-1	40	4-9	95		-15	1-6	10
F	J14	4-11	2-6	56	3-4	69	5-7	4-2	74	4-11	87	1-8	18	0-7	18
F	J15	4-4	2-5	54	2-9	61	5-1	6-4	114	4-0	85	3-11	60	1-3	24
M	J7	4-10	2-9	54	4-10	96	5-6	5-10	97	6-3	103	3-1	43	1-5	7
M	J19	4-3	2-4	50	2-4	45	4-11	3-0	62	4-5	90	0-8	12	2-1	45
F	J70						5-5	2-2	32	9-2	140				
F	J21	4-3	2-8	63	2-5	50	4-11	3-11	83	4-6	91	1-3	20	2-1	41

5722

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STUDENT		PRE TEST					POST TEST					DIFFERENCE				
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE	
F	J22	4-7	2-0	36	4-8	102	5-3	2-2	35	6-4	114	0-2	-1	1-8	12	
F	J23	4-1	2-3	61	3-8	91	4-8	3-8	84	5-7	113	1-5	23	1-9	22	
M	J24	4-7			2-6	61	5-3	2-6	48	3-8	78	2-6	48	1-2	17	
F	J25	5	2-5	48	3-2	65	5-7	2-5	30	7-5	117		-18	4-3	52	
M	J27	4-6	2-10	68	3-9	88	5-2	11-11	160	7-3	122	9-1	92	3-6	34	
41Students Averages		4.44	2.35	57.2	23.3	64.1	5	3.4	68.3	4.6	90.1	1.05	11.1	1.3	26	

MAS = Mental Age Spanish

MAE = Mental Age English

IQS = Intelligence Quotient Spanish

IQE = Intelligence Quotient English

5723

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BRUNSWICK BILINGUAL

PEABODY

STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
F	B24						4-9	4-6	91	4-0	85				
F	B2						5-6	2-6	27	3-3	55				
M	B25						4-11			3-9	79				
M	B26						5-2	2-8	61	5-5	111				
M	B27						4-10	2-0	24	5-7	105				
F	B29						5-2	3-11	84	5-2	101				
F	B22	4-7	2-1	39	4-5	100	5-3	2-11	60	7-1	120	0-10	21	2-8	20
M	B21	4-8			2-9	25	5-3	2-3	37	4-11	97			2-2	72
M	B20	4-6	2-1	39			5-2	3-4	71	2-8	50	1-3	32		
M	B28						4-9	5-1	100	4-4	90				
M	B19	4-4			5-4	112	5	2-2	23	6-1	111			0-9	-1
M	B18	4-11			4-3	89	5-6	2-6	27	5-1	89			0-10	—
F	B17	4-5			3-2	75	5-1	3-6	73	4-0	85			0-10	10
F	B31						5-5	1-9	20	6-1	111				
F	B16	4-3					5	3-1	65	2-11	57				
M	B15	4-11	2-4	37	3-7	76	5-7	3-8	61	5-9	97			2-2	21
F	B32						5-4	3-3	67	3-9	80				
F	B11						4-11	2-5	45	3-3	67				

5724

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STUDENT		PRE TEST					POST TEST					DIFFERENCE			
SEX	NO.	AGE	MAS	IQS	MAE	IQE	AGE	MAS	IQS	MAE	IQE	MAS	IQS	MAE	IQE
F	B34						4-10	3-1	65	4-10	96				
M	B35						5-6	8-4	127	3-11	70				
M	B12						5-7	4-6	78	5-9	97				
M	B10	4-1	1-6	48	3-4	88	4-8	2-8	59	6-3	120	1-2	11	2-11	32
F	B36						4-8			4-11	106				
M	B41						4-10			4-1	87				
F	B37						5-7			4-7	81				
M	B38						5-7	2-10	42	5-5	93				
F	B33						5-3	2-10	56	3-0	62				
M	B5	4-4					4-9			4-5	90				
AVERAGE		4.6	2.	40.3	3.8	80.7	5.1	3.4	59.5	4.6	89.	1.4	19.2	.8	8.3

5725

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LESSON EVALUATION SHEET

Teacher:_____ Date:_____

Supervisor:_____ Group:_____

Week:_____ Day:_____

1. List each activity and briefly describe how each activity was accepted by the children:

2. How did the children seem interested?

3. Did they ask questions?

4. How well were you prepared to give the lesson?

5. Which activity seemed most interesting to the children?

6. Which activity seemed least interesting to the children?

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Lesson Evaluation Sheet
(cont'd):

7. Comments:

Signed: _____
Teacher

Approved: _____
Supervisor

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Trinidad, Santa Fe — Nov. 30, 1970

8 — 1 — Burnswick

1 Spanish Revolt
2 Pledge of Allegiance
3 Music in English
4 Songs
5 Big game
6 Story time
7 Understanding story
8 Coloring
9 Snack time

Very

yes

Well prepared

Story

none

This is my second week with Mrs. Steel. She offered it again before her walls get dirty (she said)

Thomas Trinidad
Tom Trinidad

Trinidad, Colorado — Nov. 1, 1970
8 — 2 — Brunswick

1. Spanish Song
2. Review on addresses and
3. Pledge of Allegiance
4. Songs
5. Songs
6. Stories
7. Stories
8. discussion on Story (Today
9. Crafts (Cut out Xmas tree)
10. Planning (We say the
11. Snack (Apple

Very much

yes

Well prepared

Cutting out Xmas trees

none

Mrs. Ford was very helpful with the children. I had nine children today, as one of the teachers is ill, I took over 3 of her children. The children adjusted to one another very well. We discussed Christmas, Amazing, only one child knew why we celebrate Christmas.

Today, Mrs. Jimenez also helped with the children on their coloring.

Trinidad, Colo.
Toni Piranio

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[illegible] EVALUATION PROGRAM
[illegible]
125 Redfern Street
[illegible], Andrew [illegible] 95602

LESSON EVALUATION SHEET

Teacher: Trinidad, Henri Date: Nov. 23, 1970

Supervisor: Group: Brunswick

Week: 7 Day: 1

1. List each activity and briefly describe how each activity was accepted by the children.

1. Lesson Spanish
2. Song in Spanish
3. Pledge of Allegiance
4. played with puppet - Simon Says
5. listened to records - Let's sing a song
6. did coloring - tried to color inside lines
7. In Art time - we always say that in English & find words in Spanish after.

Very

2. Was the lesson too difficult?

yes

3. Were you required to give too much?

Well enough

4. What activities were interesting to the children?

Records

5. What activities caused undue tensions to the children?

none

6. Other:

When are we getting our free Milk

to-day my milk cost 28¢ again

My hostess was very helpful.

They painted the walls, so that it could be washed in a short time (they said.)

Mrs. Juel is my hostess this week

Signed: Henri Trinidad

Tom Miranda

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BILINGUAL EDUCATION PROGRAM
JEFFERSON SCHOOL CENTER-BORMAN
728 Madison Street
Gary, Indiana 46402

LESSON EVALUATION SHEET

Teacher: Trinidad Enriquez Date: Jan 25, 1971

Supervisor: Thomas L. Mars Group: Brunswick

Week: 16 Day 1

1. List each activity and briefly describe how each activity was accepted by the children.
   1. Spanish lesson-review-parts of body
   2. English lesson-review-Shapes + Size
   1. Spanish Song
   2. pledge of Allegiance
   3. Songs + Song games English Spanish
   4. Crafts-cutting
   5. Snack
2. How did the children seem interested?
   Very
3. Did they ask questions?
   yes
4. How well were you prepared to give the lesson?
   Well enough
5. Which activity seemed most interesting to the children?
   children enjoyed everything
6. Whic activity seemed least interesting to the children?
   none
7. Comments:
   Parent participation has been good.

Signed: Trinidad Trinidad
Teacher

Approved: Thomas L. Mars
Supervisor

egv/ 12-7-70

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Trinidad, Colorado Nov 18 1920

Brunswick

6 3

1. Like most of the first parties of the season
2. Mexican dinner and Colorado Spanish
3. Very Spanish song
They are always entertaining

4. Pueblo of adobe
5. Suburb in Spanish
6. Pueblo Indians
7. Caught
8. Shack time

yes

Chile con carne

(Hurrah Skip (Caught parking overlooking)

more

7.

This is our 6th week in service.

2 hours always has the party participate in
(Jesus) Mexican dinner. Sometimes they last as much as three (3)
hours. Tonight we are getting the $1.62½ an hour per
Brunswick terminal our program.
Six men singing Phil's now for 5 months, at
an average of 28 a day.
Tom Reardon
Heard about 50 cars of Fruit Mail
Hear the Programme

BILINGUAL EDUCATION PROGRAM
JEFFERSON SCHOOL CENTER-BORMAN
728 Madison Street
Gary, Indiana 46402

LESSON EVALUATION SHEET

Teacher: Reynaldo Virgen Date: January 15, 71

Supervisor: Mrs. Brandon Group: K Jefferson

Week: 15-20 Day 1

1. List each activity and briefly describe how each activity was accepted by the children.
Spanish, English lessons - learned parts of body, songs, witches face, snack - stories
2. How did the children seem interested?
All children participated. Sesame Street
3. Did they ask questions?
yes
4. How well were you prepared to give the lesson?
Well prepared
5. Which activity seemed most interesting to the children?
Learning parts of the body
6. Which activity seemed least interesting to the children?
none
7. Comments:
Today, I went to visit one of my students that was sick, her mother Mrs. Torres invited me for a short delicious meal.

Signed: R. Virgen
Teacher

Approved: T. Miranda
Supervisor

egv/ 12-7-70

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PARENT'S NAME: _____ DATE: _____

CHILD'S NAME: _____

HOME TEACHER: _____

HOME OBSERVATION

I. Are there any observable materials which are now in the home that were not apparent at the beginning of the Project--i.e., children's books, educational toys, etc?

II. Does the mother or parent seem interested in the Project? If so; how is it demonstrated?

III. How does the Mother participate in the lesson?

IV. Does the mother volunteer materials at home for home teacher's use...i.e., kitchen utensils, scissors, etc.,

V. Does the Host Mother make the Home Teacher seem welcome in the home at the class session?

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HOME OBSERVATION FORM

Page 2

VI. Have you noticed any change in the way she deals with her children and others in the class?

VII. Have you noticed any change in the home--i.e., clean house, mother clean, mother's preparation for class, etc?

VIII. Parent Comments--include any comments, either positive or negative, made to you regarding his child--i.e., child's change of behavior (aggressive, talks more, asks more questions to parents).

IX. How does the mother feel about visitors coming in to observe the class with or without previous notice?

X. Home Teacher's Comments:

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The Bilingual Education Program
Activity Calendar

MARCH

8 Advisory Board Meeting
Brunswick School 7:00 PM

? Move to Jefferson Latin Studies Center

12 In-Service Training Staff Meeting-- No School
11:00 - 12:00 ALL PERSONNEL

15 25 Neighborhood Parent Meetings-- Brunswick, Spaulding- Three-year Olds

16 Immunization Clinic

22 Advisory Board Meeting
Closed

22 Classroom Parent Meeting
(Dr. Vargas) ? Miss Corona

26 All Day--In Service
No School--Staff Meeting
11:00 -- 12:00
Content to be announced

26-27 Indiana Reading Council Convention
Your attendance requested

APRIL

1 April Fool's Day

5 Advisory Board Meeting
Open--7:00 P.M.
Spaulding School

9 Good Friday--No School

12 - 16 Easter Vacation

19 - 22 Neighborhood Parent Meetings--Brunswick
Spaulding-Three-year Olds

20 Immunization Clinic

23 All Day In-Service
Staff Meeting - 11-12
No School-All Personnel

26 Classroom Parent Meeting
Daytime

26 Advisory Board Meeting
Closed

28 Bilingual Parents' Meeting
Jefferson Multipurpose Room

Panel --
Dr. Del Campo Mr. Fierro
Miss Corona Rev. Stacey
Mr. B. Luna

MAY

2--9 Latin American History Week
Mexican, Puerto Rican and Cuban Festival
May 5, 1971---7:00 P.M.
Horace Mann High School
Auditorium

7 In-Service--No School
Staff - 11-12

10 Advisory Board Meeting-Open
Jefferson Latin Studies Center
7:00 P.M.

12-20 Neighborhood Parent Meetings

18 Immunization Clinic

21 In-Service - No School
Final Records

24 Classroom Parent Meeting
Content to be determined by the classroom teachers

31 Memorial Day - No School

Take children to Deep River

JUNE

4 In-Service--No School
All Day-- All Personnel
Final Records to be prepared
Report cards. Forms for folders. Preparation of forms for Kindergarten

9 General Parent Meeting
Jefferson Latin Studies Center.

1. Commencement
2. Closing Remarks:
   Teachers
   Director
   Advisory Board

15 Last Day of School for Students

16 Last Day for Teachers

Luncheon--All Staff

TZM/egz/2-24-71

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The Bilingual Education Program
Lincoln School
720 Madison St.
Gary, Indiana 46402

Phone: 938-7500

January 29, 1972

Minutes of Advisory Board

There were (3) three Christmas programs.

1. Jefferson
2. Brunswick
3. Spalding

Also a field trip to the Museum of Science and Industry to see Christmas Around the World and also to see the Christmas Tree in the Circle Center. Mr. Miranda was asked for a round about figure of how much money was used on the trip. He did not know however Mrs. McClellan makes all the arrangements of trips. It was then proposed that Mrs. McClellan be asked to present a monthly financial statement. The board wants the fiscal report monthly as of September and we would like to have it continued.

An evaluation of the program was asked for by the Advisory board. The (4) four main points in the evaluation asked were:

1. Attendance of personnel.
2. Attitude of teacher to children.
3. Supervision
4. How often Mr. Miranda observes homebound program.

Mr. Miranda was also asked for a break down of how many children started in September and how many are left now. He was also asked by Lucia Family Center is in our building (Monroe Square).

Elections were held. Mr. Jesse Luna was elected. The results were as follows:

1. David Grijalva--Chairman
2. Gloria Silva--Vice President
3. Grace Vega--Secretary
4. Mrs. Morales--Treasurer

Publicity Chairman will be appointed. Also was needed was to set up a Personnel Screening Committee and a Program Committee.

Mr. Miranda was told by Dr. McAndrew that the program will not be expanded until the budget is settled. As a school we could get our own funding by the state.

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The Bilingual Education Program
Jefferson School-Community Center
710 Perkins Avenue
Cury, Indiana 46402

Phone: 888-7530

November 16, 1970---Jefferson School, 7:00 pm.

ADVISORY BOARD MINUTES

Persons who were present:

1. Rev. Eva Sanchez
2. Miss Grace Vega
3. Mrs. Amalia Velazquez
4. Mr. David Enfield
5. Mrs. Gloria Silva
6. Mrs. Concepcion Rodriguez
7. Mrs. Zoraida Morales
8. Br. Jose Valdivia
9. Rev. Aquilino Vivas
10. Mrs. Henrietta Twinidge
11. Miss Kathy Ortiz
12. Mrs. Maria Velazquez
13. Miss Rachel McMillin
14. Sister Roberta Larson
15. Miss Anna Herrera
16. Mrs Rita V. Garcia
17. Miss Lucia Sanchez
18. Mrs. Maria Moro
19. Miss Maria Morales
20. Mrs. Alba Rodriguez
21. Miss Glenda Solomon
22. Mrs Lidia Tenes
23. Miss Juanita Salazar
24. Miss Catherine Hughes
25. Mr. Ben Luna
26. Mr. Solomon Flores
27. Brunswick parents
28. Jefferson parents
29. Spalding parents

The following points were discussed:

1. Our trip to the Ice Follies in Chicago on October 31st was a great success--thanks to the parents.

2. Educational trips:
   a. All trips will be announced a week in advance.
   b. All the teachers will go.
   c. Parents will sign the permission slips before the trip. All the permits will be turned in to the teachers.
   d. One parent for each room or two parents for every 20 children will be invited. Those parents who have volunteer their services to the program will have first preferences.

3. Plans for the coming year:

   All parents should think about the program's future in the coming year. Next year we should consolidate our program at Jefferson School.

   a) This will be possible today that the Jefferson School Building will be vacant when the new school is finished.
   b) Each child in the program will qualify for state funds.
   c) With the consolidation of the program the opportunity to work with the children for a long period of time will exist.
   d) Each 5 year old would would be with us for six hours, from 8:30 to 3:30 p.m. Each 4 year old child would be with us for half-a-day.

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4. Parents' Meetings:

On the incoming weeks we will start a series of meetings with the parents and the community where we are now working.

These meetings will help to organize the community and there will it will help to resolve some of the problems that perhaps some of the parents have.

The meetings will take place in the Brunswick, Spaulding, and Jefferson Districts.

5. Officials elected to the Advisory Board were:

Mr. David Fielded--------President
Rev. Aquila M Viles--------Vice-President
Mrs. Gloria Silvas--------Secretary
Mrs. Kennet--------Treasurer

Miss Irma Nawrem was elected to take care of the publicity for all the program's functions.

Cordially,

Miss Miranda
Director

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Bilingual Education Program
Lowman Seaton Center
728 Madison Street
Gary, Indiana

The Advisory Board Meeting

Date: Tuesday, September 15, 1970
Time: 7:30 P.M.
Place: Jefferson Elementary School

Present were:

1. Gloria Silva
2. Concepcion Rodriguez
3. Haydee Velez
4. Lolly Otero
5. David Trinidad
6. Catherine Hughes
7. Benjamin Luna
8. Amelia Velasquez
9. The Rev. Aquilino Vines
10. Thomas T. Miranda
11. Raisa Otero
12. Rachel Medellin
13. Bilingual Program Home Teachers 17
14. Eve Sanchez

AGENDA

I. Development of the Bilingual Program since July 1, 1970

A. Hiring of Personnel to begin program.
   1. 22 Para-professional Home teachers
   2. 2 classroom teachers
   3. 1 secretary
   4. 1 Social Worker

B. Advertisement of the Program

   1. Schools
   2. Headstart Program
   3. Churches
   4. Radio
   5. Television
   6. Newspapers

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C. Acquisition of Kennedy Square Center
720 Madison Avenue, to house the Jefferson Preschool Program and offices.

D. Enrollment of Aides in the Career Opportunities Program.

II. In-Service Training begin September 8, 1970, with:

A. Orientation on Early Learning and the Bilingual Program Service Center.
B. The Physiological Development of the child.
C. The Psychological Development of the Child- Dr. Manuel Vargas.
D. Language and children- Dr. Miranda.
E. English/Spanish as a Second Language Methodology- Mr. T. Miranda.
F. Early Learning Methodology and Materials. --Dr. Imogene Okes.
G. Motor Coordination and Visual Perception Exercises Methodology- Miss Felicia Shonta.
H. Practice Teaching- Entire Staff.
I. The Evaluation of the Program
Mr. Ben Luna
Miss Catherine Hughes
J. How to make Home Visitations--Sr. Palmira Peros, O.L.V.M.

In-Service Training will last for approximately 3 weeks.

III. Parents Meetings--- Week of September 21, 1970

IV. Home Visitations and Child Testing.

A. Jefferson School- Week of Sept. 21, 1970

B. Brunswick & Spaulding Elementary School-- Week of Sept. 28, 1970.

V. Classes will begin:

A. Jefferson- 4 year olds- September 30, 1970 -- 8:30 A.M.

B. Brunswick & Spaulding- October 5, 1970-if testing and visitations are finished.

VI. Evaluation of the Program

A. Internal Evaluation
1. Team: Mr. Ben Luna
Miss Catherine Hughes
2. Evaluation of:
a) Management of the Program
b) Community Participation
c) In-Service Training of Staff
d) Early Learning
e) Language: English & Spanish

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B. External Evaluation
Dr. Solomon Flores
The University of Maryland

VII. Meetings:

A. Bi-Monthly
B. First and last Wednesday of every month.
C. Meeting Schedule:

October 7, 1970-- 7:00 P.M.

October 28, 1970- 7:00 P.M.

at Bowman Square, 728 Madison Street, Gary, Indiana.

Thank you,

T. Miranda
Project Director

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[illegible]

[illegible] Dec. 28, 1921

[illegible] (1) [illegible] (2) [illegible]:

1. That [illegible] development [illegible] of [illegible].

2. What [illegible].

The first [illegible] the Drew Mine Trust. The results [illegible] as follows: (1/3 [illegible])

[illegible]

[illegible] (2 years old)—63.2

[illegible]

[illegible]

The second [illegible] the Brotherly Trust [illegible] both Anglais and Spencerian. The results are as follows:

[illegible].	[illegible]
[illegible] 2 years old— 62.5	[illegible] 2 years old—64.5
[illegible] 3 years old— 63.5	[illegible] 3 years old— 65.6

[illegible] averaged [illegible] and 61.5 [illegible]. [illegible] and 63.7 [illegible] Anglais and 64.1 [illegible].

[illegible] (3) and (4) [illegible] the Brotherly Variety [illegible]. [illegible] may be [illegible] grade.

Money [illegible] and Money Taken were given by Mr. Ben Wood, the Young Boy, Mr. Wood [illegible] the [illegible].

Mr. Wood [illegible] Mr. Edwards gave [illegible] and the [illegible]. Miss Hughes has [illegible] and they are also in the child's [illegible].

Miss Ruth, Miss [illegible], [illegible] the [illegible], [illegible], [illegible] and the [illegible].

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Minutes of Advisory Board

We are hoping to get raises for teachers aides. If we can get a 40¢ raise for them they will be making $2.15 an hour. The program started out with $25,000 of Title I for payment of teachers and now there is $3,400 left. We still have some money left for custodian supplies, while al supplies, rent, food, $1690 for nurse and $1322 for social worker. Eight tenth of Title I is for salary. It was suggested that homebound teachers be supplie with a first aid kit.

Mr. Trinidad asked if a homebound teacher should call off, could the other 2 or 3 homebound teachers be asked if they would be willing to take the children so that they would not be left out of a days education. The teacher who calls off should be aware that she will be docked that day's pay.

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Rev. [illegible]
[illegible]
[illegible]
Gary, [illegible] 46402

Phone: 883-1551

Resumen de la Junta Celebrada: Jun. 23, 1971

Hubieron tres (3) programas de Navidades:

1. Jefferson
2. Brunswick
3. Spaulding

Tambien un viaje al Museo de Ciencia e Industria para ver el arbol de Navidad en el Centro Civico. Al Sr. Miranda le fue pedido un estimado de cuanto dinero se gasto en este viaje. El no sabia porque la Sra. Mathiews hacia todos los preparativos para los viajes. Una sugerencia sugerida que la Sra. Mathiews prepare un reporte financiero cada mes. La junta quiere estar mejores especificos en este recibo y lo quieren detallado.

Una evaluacion del programa fue pedida por la junta consultora. Los cuatro puntos principales fueron:

1. Aprobacion del personal
2. Ambiente agradable durante todo el dia.
3. Seguridad
4. Hizo con el Sr. Miranda la decision del programa que fue exito. El Sr. Miranda trabajo la publicidad en algunas de nuestras radio estaciones en el programa y nuestro periodico local. Tambien le fue entregado personalmente a algunos de [illegible] Para Familias Latinoamericanas. Esto fue el mismo edificio que el Programa Bilingue.

Las elecciones fueron llevadas a cabo. El Sr. Don Lane, se encargo de las elecciones. Los resultados fueron los siguientes:

1. David Trinidad, Brunswick——Presidente
2. Gloria Silva, Jefferson——Vice Pres.
3. Chana Vera, Brunswick——Secretaria
4. Sra. Bowman, Spaulding——Tesorera

Una peticion arreglada de publicidad sera llenada. Se hizo una recomendacion que un comite de escoger el proximo fuera arreglado y un cambio de programas.

El Dr. Matthews le dijo al Sr. Miranda que el programa no sera ampliado hasta que el presupuesto no sea aumentado.

Empezamos arreglado arreglos para los ayudantes de recreacion. El podemos conseguir muchachos de 40¢ para estos entrenamientos pero no $7.25 por hora.

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Página dos

Informes de la reunión de la junta encabezada

El programa empezó con $26,000 del Título I para organizar a los maestros y ahora quedan $2400. Tenemos algunos dólares para especiales de mantenimiento, materiales médicos, pruebas, diferencias, hemos [illegible] para la enfermera y $1322 para [illegible] embajadores sociales. Este semestre [illegible] (8/8) con Título I en pago al salario. Pre[illegible] seguridad que el personal de los maestros en los pasos tengan equipo de primera ayuda.

El Sr. Trinidad preguntó si alguna de los maestros de los casos se reportan ausentes, si antes de [illegible] pueden reemplazo y [illegible] ellos no le faltaría la enseñanza de un día. La maestra que se reporte ausente debe de saber que no se le será pagado un día.

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The Bilingual Intercultural Program
Jefferson Elementary School
926 Madison Street
Gary, Indiana 46402

Phone: 883-7554

January 4, 1971

PARENT MEETING SCHEDULE:

The following is the Parent Meeting Schedule for January and February.

NOTE: Remember your parents—but at same place and time of meeting as least 2 the days before.

January 19th——————— Juanita De Jesus

" 20th——————— Yolanda Garcia

" 21st——————— Lucia Sanchez & Mary Vasquez

" 26th——————— Gloria Jaramillo & Mary Rodriguez

" 27th——————— Rita Rodriguez

" 28th——————— Ana Villarreal

February 2nd——————— Lupe Calderon

" 3rd——————— Maria Morales

" 4th——————— Rosa Moreno

" 9th——————— Classroom Parents A.M. & P.M.

" 10th——————— Phyllis Delgado & Virginia Campos

" 11th——————— Henrietta Trevino

" 16th——————— Elena Alcocer

" 17th——————— Susan Jurdinski

Parent Meetings will be held on Tuesday, Wednesday and Thursday afternoons. You are invited to attend.

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The Bilingual Education Program
Jefferson School
640 Jefferson St.
Gary, Indiana

February 15, 1971

Parents' Meeting---Borman Square — Reunion de la mañana

Present were:

Marjorie Collins
Anita Scriven (Ronald Richardson"s mother)
Graciela Cabrera
Luz Ma. Magaña
Maria de Jesus Ornelas
Amparo Verduzco
Jose Treviño
Erulia Treviño
Rosa Maria Garcia

1. The purpose and make-up of the advisory Board were discussed by Mr. Miranda Parents were invited to attend the open meetings and to make their views heard at such meetings.

2. Parents expressed their desire to have a parents' manual and guide. They will be receiving this as soon as possible. Parents expressed their appreciation of the program. Children are learning very much through their participation.

3. Mr. Miranda announced Mr. Ruben Cruz, producer of Oiga Amigo seen on Channel 7 on Saturdays will be in Gary, February 23 & 24. The Bilingual Program as well as the Latin American Family Education Program will be filmed. A parent's meeting will be called so that this can be part of the film.

4. Film was shown in English and Spanish. Jenny is a Good Thing. Parents enjoyed the film and were stimulated to ask for similar program activities in our program.
A filmstrip on Bilingual Education was shown. This helped the parents to understand important concepts in Bilingual Education.

5. Plans are being made for a program and festival to be held at Jefferson School sometime in May. Some parents have volunteered to help in various aspects. Mrs. Verduzco teaches Mexican Folk dances.

6. Plans for the program for next year were discussed. Questions on transportation and lunch arrangement were discussed.

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The Bilingual Education Program
Jefferson School
640 Jefferson St.
Gary, Indiana

February 15, 1971

Parents' Meeting------Borman Square — Reunion de la tarde

Attendance-

Mr. George Arce
Juanita Reyes
Henrietta Trinidad
Elena Alcocer
Pearl Miles
Jose Vargas
Efrain Padron
Luis E. Ferrer
Elsie Ferrer
Reatha Camacho
Faustino Jimenez
Florence Frymire
Clemente Ramos
Candita Ramos

Agenda

I. Bilingualism-Filmstrip
--Notion of Bilingualism
--Programs in U.S.A.

II. Jenny Is a Good Thing--
--Nutrition
--Love, Warm friendship
--Instruction--Key to Educational growth

III. Discussion of Program
--Organization of Parents groups
Advisory Board----Who? When?
Parent Organization
Plans for September
Bilingual Kindergarten

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Parent's Meeting

However, Mr. Miranda explained that the bus would probably make 2 stops at Holy Rosary parking lot and at Brunswick school, and that on the bus would be 2 women from the local community for the care of the children. When the parents heard this explanation, they were open to the idea. It seemed as though most of the parents would be willing and wanting for their 5 year olds to attend a full day Bilingual Kindergarten. This plan however would necessitate a lunch program for the children.

Parents were invited to act as Parent-Volunteers in the classroom at present and when the program will be centralized.

Sister Palmira, the social worker, briefly explained her role in the program and told the parents of her involvement with the family, but at present has been limited because of time. She said it was important to share the strengths of some families with other families, thus strengthening the Latin Community.

Sister Palmira

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The Bilingual Education Program
Jefferson School
640 Jefferson St.
Gary, Indiana 46402

4 de febrero de 1971

Parents' Meeting at Amelia Villarruel, 201 Hovey St.

Attendance

Thomas Z. Miranda
Sister Palmira Herea
Miss Naomi Comer
Mrs. Ma. Luisa Aburto
Mr.& Mrs. Teresa Perez
Garthell Comer
Ernestina Flores
Miss Villarruel

Parents' Impressions on Program

1. Have learned English
2. Good modeling on part of May
3. Child has learned to play and socialize better
4. Child has become more and more interested
5. Small group helps child more and teacher can give more individual attention.
6. Better to have class in set home and not to change, children take time to adjust to surroundings.

Plans for next year--Busing of children to Jefferson School, 3 hours of class and would be brought back. Teachers would ride with children to and from class.
1) Parent like idea of bilingual program
2) Book rental would be taken care of by program
3) Hot lunch will have to be arranged to have children.
4) If room were available in Brunswick, parents would prefer/Clinic Scheduled February 16. All should have signed the permission slips, etc.

Explanation of Social Worker's role

We are interested in getting more children enrolled in the program.
Parents were asked to help with the recruitment of new students.

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SCHOOL CITY OF GARY SCHOOL SERVICE CENTER
620 EAST 10TH PLACE
PHONE 886-3111
The Public School System of GARY, INDIANA 46402

The Bilingual Education Program
Jefferson School
Gary, Indiana

Parent's Meeting--Lucia Sanchez's class
Thursday, January 21, 1971
Meeting: Mrs. Ortiz's House
536 Porter Street

Present:
Mr. Tom Miranda
Mrs. Josephine Kivikangas
Sister Palmira
Mr. & Mrs. _____Ponce
Mrs. Ortiz
Mrs. Martinez
David Trinidad

Meeting opened with Mr. Miranda asking for impressions on the program. Positive value of the program as vocalized by the parents included:

1) Progress in the whole socialization process.
2) Children are making more use of Spanish.
3) Children have learned to use English.
4) Children are improving in the formation of sentences.
5) Parents have observed a very good class structure that contributes to the development of the child.
6) Most of the parents had very positive comments to make about Miss Sanchez's methods and her patience in dealing with the children.

Asked about the value of the home-based program, the parents prefer the home-based program to the classroom, especially were it to be at Brunswick. This group lives about 10 blocks away from Brunswick Shool, and it is difficult to get the children to the school.

Mrs. Kivikangas explained the importance of having the medical forms signed by the parents. The immunization clinic will be held in February for all the children in the program. The children from Brunwick & Spaulding will be based to Borman Square. The Home Teachers will be informing the parents on the date and time.

Projected Plans for next year:

Mr. Miranda explained the possibility of centralizing the entire program at the "old Jefferson School'. Plans would be to bus the children to Borman Square for class time. The parents initially were not willing to have the children bused.

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Page 2 of Parents' meeting held Feb. 1st, 1971, at Mrs. Guevara's house.

Parents: The children will learn proper Spanish if in a centralized school with teachers of Mexican, P.R. and Cuban descent rather just home Spanish, which is not always correct.

Mr. Miranda:

Please feel free to bring items from home such as books, records, etc. for the classroom.

A Father: The program will be a great benefit for Latin Americans because the children will retain their Spanish and learn Englist too.

Mr. Miranda: The children will always be bilingual whether we have a program or not. Therefore a Bilingual Program can only help them.

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The Bilingual Education Program
Jefferson School
640 Jefferson St.
Gary, Indiana 46402

February 1st, 1971

Juanita De Jesus parents meeting: 532 Rhode Island St.

Mrs. Guevara's home

Present were:

Mrs. Inocencia Hernandez
Mrs. Juventino Hernandez
Mrs. Juliana Espinosa
Miss Kivikangas
Sister Palmira Perea

1. Explanation of Bilingual Education Program
2. Future centralization of program at Jeff. School

Parents impressions of program:

1. My child talks more, plays more with other children, and has been learning many new things.
2. I don't like my child having to go out in the cold.
3. I like the classes in the home because I can see the daily progress.

How will you (parents) feel about a central school at Jefferson. Your children will go by bus.

1. I think a school has more facilities than private homes to offer.

February 16-----1st clinic for kindergarten. Explanation of need for immunization children will be picked up by bus.

Sister Palmira explained her role in program.

Parents' Comments--
I think the children will get tired if kindergarten is held all day.

Mr. Miranda---Children usually do not get tired if the pace is kept fast with varied subjects so they won't get bored. Also they will have nap time.

Sister Palmira---Do you see ny other benefits of having class in homes

Yes, I can meet the other parents, and the children all with their same kind meaning children who talk Spanish. I am able to participate in the class.

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[illegible]
[illegible]
740 Madison St.
Gary, Indiana

Phone: 882-7884

October 6, 1970

ATTENTION: All Directors and Aides

The following is the In-Service Training Schedule from October to December.

October 9, 1970---- All day In-service training: 40 clock hrs--The Early Learning Center--1618 N. 10th Avenue.

October 22 and 23, 1970----Teacher Institute Days--20 clock hrs.
October 22, 1970--- Trip to Milwaukee to observe the Bilingual Education Program there

Combined TRIP to Bilingual Visit..
& Institute

October 23, 1970---- All Day In-Service --
Combined TRIP to Bilingual ----Resume Tutor

December 4, 1970---- In-Service -- All Day--40 clock hrs.

December 20, 1970---- In-Service---All Day --20 clock hrs.

December 4, 1970---- In-Service---All Day---20 clock hrs.

December 18, 1970---- In-Service---All Day---20 clock hrs

..... CONTINUED CONCERNING PART!.....

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SCHOOL CITY OF GARY, IND.

ABSTRACT

During the school year 1970–71, a bilingual program was operated in three areas of Gary: Jefferson which has a population over 50% Spanish Surnamed Americans (Cuban and Puerto Rican); Brunswick over 33⅓ Spanish Surnamed Americans (Mexican); Spaulding over 20% Spanish Surnamed Americans (Puerto Rican and Mexican). Jefferson had classroom based four-year olds and three-year olds; Brunswick home-based four-year olds; Spaulding home based and convent-based four-year olds.

Briefly, the data in this report will show that considerable growth occurred in the measurable intelligence of the participants during eight and half months.

GOODENOUGH-HARRIS DRAWING TEST (NON-VERBAL INTELLIGENCE MEASURE)

Pretest number of students, 83.
Average score, 88.4.
Posttest number of students, 93.
Average score, 104.
Growth, 15.6.

PEABODY PICTURE VOCABULARY TEST (VERBAL INTELLIGENCE MEASURE)

English pretest number of students, 89.
Average score, 73.1.
English posttest number of students, 114.
Average score, 88.4.
Growth, 15.3.
Spanish pretest number of students, 89.
Average score, 54.9.
Spanish posttest number of students, 114.
Average score, 69.7.
Growth, 14.8.

On the Wepman Auditory Discrimination Test students also demonstrated progress. This test, which is often used to determine reading readiness, consists of minimal pairs and requires the child to discriminate initial, medial, or final sounds.

Pretest number of students, 25.
Results, 0.
Midtest number of students, 12.
Results, one-third at or above norm; one-third close to norm; one-third far below norm.
Posttest number of students, 68.
Results, one-half at or above norm; one-third close to norm; one-sixth far below norm.

The time lapse between the midtest and posttest was two and a half months.

FROM DR. ROBERT F. WHEELER

INNER CITY PRIMARY STUDENTS LEARN TO READ: PROGRESS IN TITLE I READING IN KANSAS CITY, MISSOURI*

By Daniel U. Levine, May 1971

Until recently, no one had ever seen a group of inner city schools in which students were being successfully taught how to read. Here and there in the big cities one might find an isolated Title I school which seemed to be doing the job, but invairably its neighboring schools showed all the usual dismal characteristics of an educational disaster area.

*A report prepared at the Center for the Study of Metropolitan Problems in Education, School of Education, University of Missouri—Kansas City.

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Now, the Kansas City, Missouri Public School District has released data that provide some support for those who have argued that if properly taught, most first and second graders in a large big city poverty area can acquire the basic reading skills needed for later success in school and society. The data, available in a mimeographed report released by the district in April of 1970[1] and a printed report[2] published by Webster/McGraw-Hill a month later, demonstrate that much progress has been made with first and second graders who participated during the 1968–69 and 1969–70 academic years in Project Uplift, a reading project instituted in all the District's Title I elementary schools. In no other city, apparently, are beginning readers throughout a big city's poverty neighborhoods achieving at a level that allows real hope most will become not just functionally literate but fluent in reading.

PROJECT UPLIFT

Initiated in 1968, Project Uplift is a multi-faceted reading improvement program in all eleven Kansas City elementary schools which were certified as eligible to receive funds for economically and educationally disadvantaged students under Title I of ESEA and were placed under the Division of Urban Education in 1966. After years of struggle, the Division, under Area Superintendent Robert R. Wheeler, won the right to function with considerable autonomy from the traditional central office bureaucracy. Key components in Project Uplift, which is described in some detail by Acting Director of Elementary Instruction and Reading Jimmie Marie Thomas and other school district officials in the Webster/McGraw-Hill booklet, include:

Utilization of the Sullivan Programmed Reading Series published by Webster/McGraw-Hill.

Assignment of one Building Reading Consultant to each school with less than 500 pupils and two to each school with more than 500 pupils.

Employment of Speech Improvement Teachers whose work is closely coordinated with reading instruction.

Assignment of Teacher Aides full-time in each K–3 classroom and half-time in each 4–7 classroom.

Three-day training workshops were held for all classroom teachers and reading specialists when the project was initiated.

An Instructional Services Center staffed by a Reading Coordinator, a Speech Coordinator, an Audio-Visual Coordinator, four General Consultants, and other personnel has been set up to provide inner city teachers with training, supervision, and other specialized services for improving curriculum and instruction. For example, pupil worksheets and learning games to accompany the Sullivan workbooks and story books have been developed and distributed by Center staff working closely with classroom teachers.

Continuing consultant help is available from Webster/McGraw-Hill personnel.

A Coordinator of Parent Involvement works with groups of parents who then work with other parents in their neighborhoods on learning to use materials found in the home to reinforce and extend the Division's reading program.

Several fundamental aspects of the organization and implementation of the Project Uplift reading program have been summarized by Elementary Reading Consultant Eunice B. Johnson as follows:

"In all primary grades there are two reading periods daily, each one hour long. All intermediate classrooms in which Programmed Reading is taught also have reading twice a day. Third- and fourth-grade pupils . . . who did not finish have continued in Programmed Reading in fifth or sixth grade until the twenty-one books are finished.

". . . teachers aides were hired with the main objective being to help with reading. Aides do not give initial instruction, because only the teacher is permitted to do this by state law. They do such things as review and practice for individuals or small groups on the skills taught by the teacher, checking on mastery of vocabulary . . ., helping pupils record daily progress, listening to pupils read storybooks, checking on comprehension, and recording any word recognition errors for the teacher.

---

[1] "Report on Reading Achievement in the Division of Urban Education for Period 1966 to 1970." Report published by the Division of Urban Education, Kansas City, Missouri Public Schools (mimeo, n.d.).

[2] Programmed Reading. An Exemplary Project. Webster/McGraw-Hill Research Report 2.

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"Pupils were assigned to flexible groups according to skill needs. In some classrooms whole-class instruction was geared to the needs of the pupils in the highest books. In other classrooms whole-class instruction was geared to those in the lowest books. Whole-class instruction has been followed by instruction on specific skills in small groups to ensure that there are no gaps in skill mastery.

"Whole-class instruction is not given every day. On some days pupils are grouped and taught according to individual needs. The key to success in this decoding program is flexible grouping, and from 20 to 30 minutes of each reading period are spent on teaching decoding skills. For the remainder of the period, the pupils work independently in their readers. During this time the teacher moves from child to child listening to their reading, helping with unknown words, giving individual skill instruction, and checking test.[3]"

RESULTS

To anyone familiar with the syndrome of despair and futility among both teachers and students and the rock-bottom achievement levels which have been characteristic of inner city schools in Kansas City as in other urban centers throughout the country, some of the results reported after the first two years of Project Uplift cannot help but offer a certain amount of encouragement. For example, a questionnaire distributed to 65 participating K–4 teachers by the school district's evaluation department showed that 49% believed their students had demonstrated greater interest and motivation in reading, 60% believed their pupils were experiencing and enjoying greater success in reading, 72% through their students were registering successes in recognizing and decoding words, 75% felt the Programmed Reading Materials were proving effective with slower readers, and 78% reported that "The slow learner no longer feels left out or behind." Barbara Moten, Coordinator of Reading Laboratories, summarized the perceptions of a number of observers familiar with Project Uplift when she reported that the students' progress in reading has been "instrumental in swaying opinions of teachers who disbelieved and resisted . . . Students' confidence, success, and self-esteem seemed further to help teacher attitudes."[4]

Achievement data on the reading performance of approximately 3,000 students in grades one, two, and three have been described and analyzed in a chapter prepared by William Griffith of Webster/McGraw-Hill and Ed Downey of the school district evaluation department for the company's research report on Project Uplift. The data show that substantial progress has been made by first and second graders, particularly those who started in first grade in the fall of 1968 and consequently had participated for two academic years by the time achievement tests were administered in the spring of 1970. Among the most impressive findings:

An increase of 8.88 raw score points (from 20.82 to 20.70) had occurred in mean performance on the vocabulary section of the Gates-MacGinitie Primary Reading Test (Primary A, Form 1) among the first graders tested in 1970 as compared with first graders tested in 1966. Similarly, mean raw score performance on the comprehension section increased by 4.18 points, from 13.22 to 17.40.

Raw score vocabulary means of second graders (Gates-MacGinitie Form B) increased by 6.97 points (from 22.02 to 28.99) between 1966 and 1970 and comprehension means increased by 4.50 points (15.07 to 19.57).

Second graders in 1969–70 gained an average of 1.1 years (in grade equivalence scores) in both reading comprehension and vocabulary.

First and second graders tested in 1970 made long strides toward closing the achievement gap in reading comprehension and vocabulary customarily found between economically disadvantaged inner city populations and national samples used to obtain grade equivalence norms for achievement tests. In 1969, after one year in Project Uplift, 35% of the first graders were at or above grade level in vocabulary and 31% were at or above grade level in comprehension. Among second graders tested in 1970, most of whom had been in the program two years, 35% were at or above grade level in vocabulary and 33% were at or above grade level in comprehension, as compared with the 19% of 1969 second graders who were at or above grade level on these measures. Moreover, all these gains had been attained across a relatively full range of student-

[3] *Programmed Reading, op. cit.*, pp. 7–8.
[4] *Ibid.*, p. 10.

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achievement groups, from low-achieving youngsters to youngsters at the high end of the achievement spectrum.

Whereas in 1966 five of eleven schools had first-grade mean raw scores below 20 on the vocabulary section of the Gates-MacGinitie test, by 1970 all eleven schools had mean scores of at least 25. Similarly, whereas five of the eleven schools had second-grade mean raw scores below 22 in 1966, all eleven had mean scores above 22 in 1970. Between 1966 and 1970, eight of the eleven schools registered mean gains of at least two raw score points on second-grade comprehension. These patterns suggest that improvement in reading has taken place throughout the inner city area (i.e., neighborhoods served by Title 1) since Project Uulift was initiated in 1968.

COMMENTS

It is possible that the Kansas City Public Schools Division of Urban Education may be in the process of demonstrating that masses of disadvantaged youngsters isolated in the declining core area of a big city can succeed in school. Long before federal guidelines were modified to avoid spreading Title I funds too thin trying to accomplish too many vague goals with too many children, Area Superintendent Wheeler had moved to concentrate Kansas City efforts on preschool programs to bolster readiness and on teaching fundamental learning skills in the early grades. Unlike impractical attempts made in the Washington, D.C. Public Schools in the fall of 1970, plans to improve reading among inner city students in Kansas City have been carefully implemented and have not been abruptly launched before sufficient training and supporting services were made available for teachers. Like a number of successful compensatory education programs in California, Project Uplift has identified clear-cut and feasible goals and then concentrated funds on teacher training and other components needed to achieve the goals—with the difference that Kansas City appears to be the first case in which such successes have been registered for a large inner city population in a dense urban poverty ghetto. Plans carefully worked out and implemented by the Division of Urban Education are beginning to bear fruit.

At the same time, accomplishments after two years of Project Uplift constitute only a beginning toward the solution of very difficult problems which still remain to be solved if inner city children in Kansas City are to succeed in school. For one thing, March, 1971 achievement scores released just before the final draft of this paper was finished showed that ITBS reading comprehension and vocabulary mean grade equivalent scores of Title I third graders had increased to only 3.1, thus indicating that the high scores this class registered in the first grade and the relatively rapid rate of progress it made in the second grade had not been sustained in the third grade.[5]

Third grade mean grade equivalent scores	1966	1969	1970	1971
Vocabulary	2.8	2.8	2.9	3.1
Reading Comprehension	3.0	2.9	2.9	3.1

1971 third grade cohert-grade equivalent history	1969 first grade	1970 second grade	1971 third grade
Vocabulary	1.6	2.7	3.1
Comprehension	1.6	2.7	3.1

In addition, median reading scores of third graders tested in the fall of 1970 after two years in Project Uplift were exactly at the dishearteningly low level (a median grade equivalent of 3.0 in comprehension) one would have predicted given their low verbal scores (16th percentile median) on the Lorge-Thorndike ability test, and no substantial progress had been made between 1966 and 1970 in reading performance at the third, fourth, sixth, and seventh grade levels; thus the gains which have been made in the Project Uplift reading

[5] It is possible that the low rate of progress among 1970–1971 third graders was due in part to problems of low test sensitivity and discrimination in the ITBS and that this cohort may resume its relatively rapid advance in future years.

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program have been pretty much limited to first and second graders.[6] And since parts of the gains registered among first and second graders probably are attributable to improvements in test-taking skills and motivation as opposed to actual growth in academic or cognitive skills,[7] the real test for these pupils comes in the later grades when the conceptual content of the curriculum necessarily becomes more abstract and the familiar "cumulative deficit" phenomenon found among inner city populations usually appears most markedly. The spring 1971 report published by the Division of Urban Education claims to have disproved "the widespread theory that so-called negative forces in the environments of inner-city children created permanent learning impairment."[8] Along these lines, division administrators have insisted that disadvantaged students can learn as well as non-disadvantaged students. While this is a desirable operating position to impress upon staff who are unlikely to succeed unless they believe in the potential of their students, the Division has not yet demonstrated the validity of the no "permanent learning impairment" proposition. Neither has it proved that compensatory education can result in permanent gains on any widespread basis in the socially-and psychologically-debilitating environment of a big city poverty area.[9] What Project Uplift has shown is that economically disadvantaged first and second graders in a big city can be set on the road toward becoming competent readers but it will be some years before data from the project possibly might be used to disprove the "learning impairment" position or to prove that compensatory education is a viable alternative to destratified schooling. Nevertheless, a beginning is a beginning and is better than no beginning at all, so that the data cited above assuredly must be viewed as both refreshing and encouraging.

What will happen as Project Uplift students move out of the primary grades is a moot question at this point—all one can say with assurance is that the road ahead is strewn with pitfalls that will be difficult to negotiate. Partly due to lack of funds and partly due to other reasons including the enormous difficulties involved in changing secondary schools, on the whole curriculum and instruction in junior—and senior—high classrooms in the inner city in Kansas City are not much different than was true ten or twenty or forty years ago. Equally important, students emerging from the primary grades with adequate reading skills before long will be old enough to come more directly under the influence of the inner city "street culture." This, of course, is one reason why there are very few if any successful inner city secondary schools (exceeding street academies and storefront-type schools) anywhere in the United States, and it means that the Division of Urban Education will have to begin to involve inner city parents and citizens as full partners in deciding how the schools are to function and how they are to relate to their neighborhoods if the Division is to have any chance at all to extend Project Uplift gains into the secondary schools.[10] In a city and a metropolitan area which have opted almost exclusively for "gilded ghetto" strategies rather than recognizing much less trying to alleviate the problems generated when low income minority children and adults are isolated in enclaves of defeat and despair, the precedent-breaking waves of first and second graders emerging from Project Uplift have a long journey ahead before they are home free, no longer oppressed, in the words of Margaret Walker's most beautiful poem, by a life of

> walking blindly spreading joy, losing time
> being lazy, sleeping when hungry, shouting when
> burdened, drinking when hopeless, tied and shackled
> and tangled among ourselves by the unseen creatures
> who tower over us omniscently and laugh.[11]

---

[6] Data relating achievement among these pupils to Headstart and Follow Through experience would be very valuable but are not now available.

[7] This comment is not meant to minimize the importance or significance of such improvement or to downgrade the legitimacy of working to bring it about or the difficulty of doing so.

[8] "Report on Reading Achievement," *op. cit.*, p. 1.

[9] It also should be noted in this regard that the mean ITBS arithmetic score for third graders in 1971 was almost exactly the same as it had been in 1966, and 1971 sixth grade scores on the vocabulary, reading comprehension, and language skills sections of the ITBS were very similar to the 1966 means.

[10] Ironically, Area Superintendent Wheeler recently has been endeavoring with some success to use political support stimulated as part of a major decentralization controversy to block the demands being made by several inner city organizations for a serious role in decision-makng processes regarding the operation of Title I and Model Cities schools.

[11] From "For My People," in Margaret Walker, *For My People* (New Haven: Yale University Press, 1968), p. 14.

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Webster/McGraw-Hill
Research Report

Programmed Reading 2
AN EXEMPLARY PROJECT

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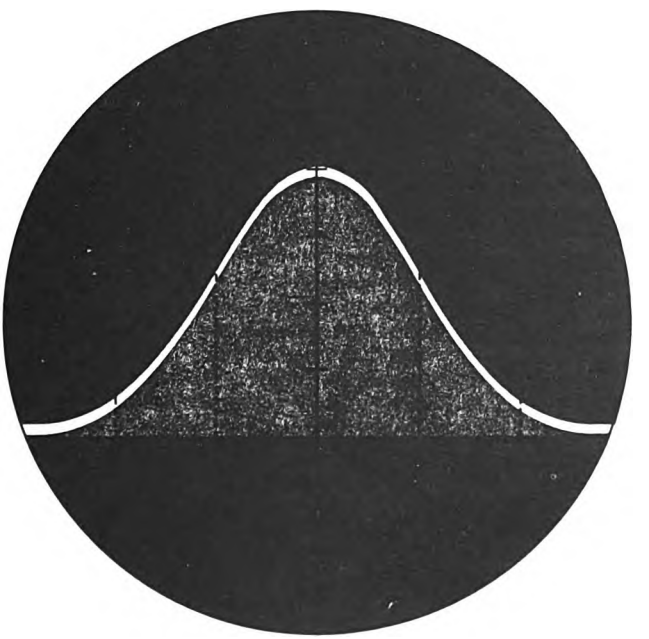

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Purpose of WEBSTER/McGRAW-HILL RESEARCH REPORTS

These reports provide research information on the development, field trials, and school use of WEBSTER/McGRAW-HILL INSTRUCTIONAL MATERIALS. The reports include:

1. Outcome studies of students.
2. Studies of teachers.
3. Pedagogical considerations.

The sources of articles for Webster Research Reports are teachers, administrators, researchers in schools using Webster materials, summaries and reviews of published research related to the materials, and special studies initiated by Webster and conducted by appropriate educational specialists on a consultative basis.

The research personnel of Webster will make selections of articles to be included in these reports. Guidelines for such articles and further information on submission may be obtained from Dr. William Griffith, Director, Webster Research Department, Webster/McGraw-Hill, Manchester, Missouri.

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PROLOGUE

The reading achievement scores of over 3,000 students, in grades one, two, and three, attending schools in the inner city of Kansas City, Missouri, were studied to evaluate the effectiveness of changes in reading methodology. These changes were made as a part of an Elementary-Secondary Education Act Title One project, Project Uplift, which began in the fall of 1968. Scores resulting from two years of project activity were compared with the achievement results of a previous program conducted during the 1965-66 school year.

The major findings include:

1. Reading Achievement scores increased significantly for each class entering the Project by grade one.
2. Mean Achievement scores in Vocabulary and Reading Comprehension (Gates-MacGinitie Form A) for the 1969-70 first grade were at grade level for published national norms.
3. Average Grade Equivalent score growth for second-grade students (1969-70) was more than one year in both Vocabulary and Reading Comprehension.
4. Increases in grade scores were observed for the most able students as well as the least able in the population of the Project, indicating that the program was effective in assisting all students to read better.

The first part of this report is intended to provide a brief overview of the methodology associated with these findings. The directors, managers, supervisors, and teachers have provided a discussion of

1. The philosophical position of the Project Administration.
2. Personnel and organizational structure of the Project.
3. Pre-service and In-service training of teachers and supervisors.
4. Webster/McGraw-Hill Programmed Reading.
5. Classroom practices.
6. Karnes Theater and Fine Arts Center.
7. Teacher attitude.

Our aim is to present a complete overview. We recognize, however, that more questions will be raised than can be answered in a report of this type.

The second part of the report is the statistical analysis of observed scores, the summary of important findings reported in the first part. Two important questions meriting further research result from the data analysis:

1. Observed discrepancies in Lorge-Thorndike Intelligence Non-Verbal over Verbal scores would be reduced for students in third grade (1970-71).
2. Significant increases in Vocabulary and Reading Comprehension scores are predicted for grade three students in the May 1971 administration of the Iowa Test of Basic Skills.

Analysis of the scores for both of these predictions will be reported in future Webster Research reports.

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PROGRAMMED READING
AN EXEMPLARY PROJECT

Contents

Prologue — William Griffith 1
PART I
Introduction — Robert R. Wheeler 1
Personnel and Organization — Jimmie Marie Thomas 3
Training — Stella Minturn 5
Programmed Reading — Dorothy E. C. Lillard 6
Classroom Practices — Eunice B. Johnson 7
Karnes Theater and Fine Arts Center — Mrs. Helen Dysart 9
Teacher Attitude — Barbara T. Moten and Lynda Griffith 10
PART II
Review of Statistical Data — William Griffith and Ed Downey 15
Population 16
Methodology 16
Results
First Grade Reading Achievement 17
Second Grade Reading Achievement 18
Third Grade Reading Achievement 19
Year-to-Year Growth Comprehension 20
Year-to-Year Growth Vocabulary 20
Discussion and Conclusions 28

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Tables

TABLE 1: **First Grade** — t-test of differences in Gates-MacGinitie Form A scores reported in Raw Score, same grade year-to-year comparison 18

TABLE 2: **Second Grade** — t-test of differences in Gates-MacGinitie Form B scores reported in Raw Score, same grade year-to-year comparison 18

TABLE 3: **Third Grade** — t-test of differences in Iowa Test of Basic Skills scores reported in Grade equivalence, same grade year-to-year comparisons. 19

TABLE 4: Class Growth 1969 to 1970 in Mean Grade Equivalence Score 20

Graphs

GRAPH 1: 1969 Grade 1 compared with 1970 Grade 1 achievement in Vocabulary 22

GRAPH 2: 1969 Grade 1 compared with 1970 Grade 1 achievement in Comprehension 23

GRAPH 3: 1969 Grade 2 compared with 1970 Grade 2 achievement in Vocabulary 24

GRAPH 4: 1969 Grade 2 compared with 1970 Grade 2 achievement in Comprehension 25

GRAPH 5: 1969 Grade 3 compared with 1970 Grade 3 achievement in Vocabulary 26

GRAPH 6: 1969 Grade 3 compared with 1970 Grade 3 achievement in Comprehension 27

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Part 1

INTRODUCTION

The Division of Urban Education, School District of Kansas City, Missouri, has designed and implemented an educational program to stimulate pupil growth through multi-resources, multi-levels of materials and equipment, and the talents of an involved staff. This varied program has been specifically developed to meet the needs of disadvantaged children.

To achieve academic excellence or even normal learning patterns from pupils who are severely handicapped by economic and social depression, a program must be imaginative, systematic, and flexible. The development of appropriate activities, growing directly out of the unique needs of inner-city children, should enable them to reach their full potential.

The primary objective was to effect learning which would develop attitudes within the framework of American ideals of democracy and individual achievement commensurate with innate ability. This program has provided some initial results which substantiates our original position that the real capacity to learn is equally distributed among pupils from poor families — minority group pupils — in the same manner that it is distributed among the privileged.

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Inherent within this philosophy was a need to mount an in-service training program which would develop staff expectations contributing to student advancement. The staff has to believe the pupils can and will learn before they can convince the students that they are not doomed to fail. Outlets must be provided for the children to obtain recognition for individual talents which can be coordinated with instruction.

Karnes Theatre provides this outlet through art, dance, drama, and music. Instruction in art, dance, drama, and music is provided by professional staff members. Opportunity for extra-curricular student participation becomes possible through six theatre productions during the year. Pupils relate to the arts when they identify, through roles played by peers, with problems and activities often related to current classroom instruction.

A speech improvement program serves as an integral part of the Intensified Reading Program. Speech Improvement teachers coordinate their instructional activities with reading and the language arts. Paraprofessionals assist the teacher in routines to allow the teacher to spend more time in instruction. The school and community have established better lines of communications through a parent visitor program which serves as a link in the chain affecting educational change.

All these movements have been built around the highest priority, that of overcoming reading deficiencies. The reading program is the key to overcoming the debilitating environmental factors of the disadvantaged. Central to this effort is the utilization of the Sullivan Programmed Reading Series with extensive in-service training to maximize its effectiveness. Project Uplift has combined the strengths and experience of the involved schools with the special resources made available through Webster/McGraw-Hill consultants. Continuous assistance and direction is provided, on a systematic basis, through specialized reading consultants for the regular teachers.

This unique program is making inroads into making it possible for inner-city children to develop positive patterns of success, but resources are inadequate to meet the total educational needs. We have moved toward the singular goal of reading competency by giving attention to as many details as funds allow to overcome the entire array of negative circumstances which typically surround the disadvantaged. Our goal remains the fullest development of all children, according to their potential, through concentrated action. This is dependent upon equality of educational opportunity as a way of life instead of historical phraseology. Recognition of needs translated into fruitful action has begun acceleration of student learning.

Robert R. Wheeler
Area Superintendent
Division of Urban Education

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Personnel and Organization

One of the key factors contributing to the success of the Project Uplift using Sullivan Programmed Reading materials is the organization and utilization of personnel.

In the Division of Urban Education for Project Uplift a specialist in reading, certified by the State of Missouri, has been assigned to each school as the Building Reading Consultant to work with the classroom teacher. Each consultant has been a classroom teacher with five or more years of experience and has demonstrated that she can present reading instruction effectively. In schools with more than 500 pupils, two Building Reading Consultants are assigned to the school. The number of teachers and classrooms is usually divided equally between the two specialists.

Another specialist, the Speech Improvement Teacher, is assigned to work with the classroom teacher to strengthen the total language arts program and reinforce reading. She plans and coordinates her program with the Project Uplift reading program. Her objective is to help children use spoken language to communicate more effectively. This speech specialist has used a variety of techniques and approaches to improve pupils' verbal facility so that youngsters can move from the neighborhood dialect to English used in the classroom.

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Instructional Services Center

In addition to special personnel, administrative-supervisory personnel located at the Instructional Services Center offer a variety of ancillary services to the teachers in the schools. The Center has a supervisor who coordinates the work of the various staff members.

There is a Coordinator of Elementary Reading and a Coordinator of Secondary Reading. The Coordinator of Elementary Reading has four General Consultants who serve as a liaison between the Instructional Services Center staff and the elementary schools. The Coordinator of Secondary Reading works with the four secondary schools and their Building Reading Consultants. A Speech Coordinator gives direction and guidance to the speech program and the Speech Improvement teachers at the elementary level.

An Audio-Visual Coordinator plans in-service training for classroom teachers on the utilization and operation of Audio-Visual software and equipment. He plans with the staff what is needed for their instructional program and prepares and processes orders to secure desired equipment within limits of their budget.

One of the most helpful components of the Center operation is the Materials Preparation Rooms. The Coordinator of Curriculum and Materials Preparation produces a number of teacher-designed instructional materials to be used with the Sullivan Programmed Reading program. Some of these materials have been developed in workshops by groups of teachers; others have been developed by individual teachers and shared; and some have been designed by members of the professional staff at the Center. The Coordinator of Curriculum and Materials Preparation has available the services of certified personnel (a Materials Developer), two aides (paraprofessionals) that were trained on the job, an artist illustrator, and all other staff members located at the Center, to assist him in supplying materials, slides, filmstrips (developed at the Center), and original skills tapes to the classroom teachers. There is a soundproof recording room and a darkroom, duplicating and mimeograph machines, laminating machines, a printing press, and a variety of other equipment for production of effective teaching aids and materials.

Groups of parents from the various schools' Parent Councils (not P.T.A.) come to the Center with their Coordinator of Parent Involvement and learn how to make and use materials found in the home to extend skills, ideas, and concepts taught in the reading program at school. Word cards coordinated with the word list from the Sullivan Programmed Reading program are used to develop games made from hosiery boxes and a "Bingo-type" game made from cereal boxes. These parents are called parent visitors, and they work in their individual neighborhoods, sharing what they have learned with other parents.

Aides (teacher aides) help teachers in all classrooms K-3 all day, and in Grades 4-7 for one-half day every day.

Jimmie Marie Thomas
Acting Director of Elementary
Instruction and Reading

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Training

Prior to starting the Sullivan Program in our eleven Title I schools, a three-day pre-service workshop was held for all classroom teachers and reading teachers who would be involved in the program. Consultants from McGraw-Hill and members of the Instructional Services Reading Staff conducted the workshop.

Since the inception of the program, a Webster/McGraw-Hill Consultant has been available one week a month to give in-service training in the buildings. In addition to meeting with grade-level teachers, he demonstrates with students in their classrooms while teachers observe.

At present the Building Reading Consultant conducts in-building in-service training based on the needs of teachers and pupils. The reading staff of the Instructional Services Center assists in many of these in-service meetings as well as by visiting in the classrooms and giving help where there is a need.

The Coordinator of Elementary Reading is responsible for monthly in-service meetings for the Building Reading Consultants. Help with regard to the Sullivan Programmed Reading program is given at most of these meetings.

Stella Minturn
Coordinator of Secondary Reading

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Programmed Reading

We think the effectiveness of the Sullivan Programmed Reading Series in Title I Schools of Kansas City, Missouri, is due to the following:

Close relationship of the Webster/McGraw-Hill regional consultant who has visited, observed, demonstrated, answered questions, and made suggestions to the classroom teachers monthly.

Building Reading Consultants who tested and conferred with the classroom teachers for correct placement of pupils in the programmed readers and continued to adjust pupil placement, if necessary.

The assignment of Building Reading Consultants to teach Sullivan skills through use of supportive materials.

Building Reading Consultants and general Division of Urban Education staff consultants who explained use of materials to the teachers and demonstrated with the pupils.

Many creative ideas developed by ingenious classroom teachers and reproduced in the Materials Preparation Center for others.

Games and books for the pupils and teachers, providing a variety of methods to establish vocabulary and reading skills that were created and designed by the Materials Preparation staff to correlate with the Sullivan Programmed Reading Series.

A catalogue of independent pupil worksheets to accompany the three series (including the storybooks) made by the Division of Urban Education reading consultants.

A comparative study of Programmed Reading with Scott Foresman for placement of pupils going from a Title I school to schools not using the program and vice versa.

A check sheet which included reports on pacing, raised (higher) requirements for test scores before proceeding to next level, and mastery of sight vocabulary.

In-building conferences and workshops with aides directed by general staff consultants to make specific materials to fit the need of each classroom at teacher's request.

Dorothy E. C. Lillard
Elementary Reading Consultant

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Classroom Practices

Time

Because of the wealth of introductory, supplementary, practice, and remedial exercises found in the Teacher's Manuals, planning time has been minimal. Teacher planning time is spent noting pupil needs and selecting appropriate exercises to strengthen the observed weaknesses. The teacher has the instructional secretary prepare copies of the items she needs for practice work. However, many creative, resourceful teachers make additional games and devices which put fun in learning the skills.

In all primary grades there are two reading periods daily, each one hour long. All intermediate classrooms in which Programmed Reading is taught also have reading twice a day. Third- and fourth-grade pupils who started the program three years ago and did not finish have continued in Programmed Reading in fifth or sixth grade until the twenty-one books are finished.

Special Student Help

With the initiation of Project Uplift, teacher aides were hired with the main objective being to help with reading. Aides do not give initial instruction, because only the teacher is permitted to do this by state law. The aides do such things as: Review and practice for individuals or small groups on the skills taught by the teacher, checking on mastery of vocabulary (the goal for each pupil is 100% mastery of the vocabulary of each book), checking pupils' tests and record scores, helping pupils record daily progress, listening to pupils read storybooks, checking on comprehension, and recording any word recognition errors for the teacher.

Building Reading Consultants also give special help to pupils in small groups or one-to-one tutoring when they can find time.

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Examples of Approach

Project Uplift began two years ago in the Title I schools with the giving of placement tests to second-, third-, and fourth-grade pupils. Although the program was designed for primary pupils, fourth-grade pupils were included because of low reading achievement. Four Webster/McGraw-Hill consultants assisted general reading consultants and the building consultants in the placement of students. Pupils were placed in the books indicated by the test and teacher judgment. All first graders were started in the Pre-Reader, Stage I.

Pupils were assigned to flexible groups according to skill needs. In some classrooms whole-class instruction was geared to the needs of the pupils in the highest books. In other classrooms whole-class instruction was geared to those in the lowest books. Whole-class instruction has been followed by instruction on specific skills in small groups to ensure that there are no gaps in skill mastery.

Whole-class instruction is not given every day. On some days pupils are grouped and taught according to individual needs. The key to success in this decoding program is flexible grouping, and from 20 to 30 minutes of each reading period are spent on teaching decoding skills. For the remainder of the period, the pupils work independently in their readers. During this time the teacher moves from child to child listening to their reading, helping with unknown words, giving individual skill instruction, and checking tests.

Recently Programmed Reading was introduced in the primary grades of eight additional schools (fall 1970). The first and second grades were started in the Pre-Reader, first graders in Stage I and the second graders in Stage II, without being given the placement test. Teacher judgment and the type of errors made determined the placement of pupils. In some cases pupils were placed lower or higher than the placement test indicated. In some schools tests covering letter recognition and letter sounds were given third-grade pupils to facilitate grouping for skills.

Eunice B. Johnson
Elementary Reading Consultant

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Karnes Theatre and Fine Arts Center

Language, whether written or spoken, is purposeless without experiences to give it meaning. Karnes Theatre and Fine Arts Center was developed as a facility through which feelings could be germinated and expressed. Inner-city children are given the opportunity for sensory perception through the arts.

The Karnes Theatre facilities are located in the Karnes elementary school. Here, a professional staff teach all theatre-connected arts in a modern well-equipped theatre and shop. Through a production-oriented curriculum, the program is designed to meet problems as dictated by the production.

The theatre is open from 8:00 a.m. to 9:00 p.m. Student involvement begins at noon. The twelve-week summer session is from 8:00 a.m. to 4:30 p.m. with evening performances. Activities at Karnes Theatre, though varied, are channeled in the following general areas:

1. Theatre Crafts course for high school credit — Credit is offered to Juniors and Seniors in high school.
2. Fine Arts program — Individualized instruction is given in art, music, drama, and dance.
3. Production company — Productions are performed at Karnes and toured.
4. Community Involvement — Participation is open to the adult public, as well as students, free of charge.
5. Consultant Services — Professional staff gives assistance to individual schools for school activities.
6. Occupational and Vocational — Training given to aspirants in theatre-connected fields.

Helen Dysart
Artistic Director

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Teacher Attitude

Classroom teachers have displayed various attitudes concerning the Sullivan Programmed Reading Program since its inception. Their attitudes ranged from highly receptive, to skepticism, to resistance.

The vast majority of the teachers in Project Uplift had used the basal approach in teaching reading and were accustomed to grouping pupils according to their reading level to meet academic needs. Some teachers welcomed Project Uplift because they felt it would provide pupils with independent power in decoding and encoding the language. The greatest concern among others was how to pace individual pupils and also to teach this highly individualized program and guide individual students into attaining maximum achievement. Another major concern among first-grade teachers was introducing vowel sounds at this level.

To quell teacher anxieties and frustrations concerning teaching techniques, pacing, and the introduction of skills at a particular level, a series of workshops was planned. This was a joint effort between Webster/McGraw-Hill and the Staff of the Division of Urban Education. Webster/McGraw-Hill provided a group of consultants to demonstrate teaching techniques, pacing practices, and testing procedures during the initiation of the program and monthly consultant services for each building thereafter. Monthly in-service training was held by the Staff of the Division of Urban Education for teachers at each grade level — Grades 1, 2, and 3 — during school time. During these sessions, staff members demonstrated teaching techniques, pacing and testing procedures, various types of worksheets, and teaching devices that reinforced specific skills. They also explained the role of the teacher aide in this type of program. An Idea Swap Shop time was held during these meetings. During this period teachers shared various ideas, teaching devices, games, and skill sheets that enhanced the program in this particular classroom.

Pupil progress was instrumental in swaying opinions of teachers who disbelieved and resisted. Test scores at Grades 1, 2, and 3 revealed that pupils had shown more progress with the decoding than the basal approach. During the second year the test scores were even higher. First-grade pupils had shown tremendous progress. Both pupils and teachers were anxious for visitors as well as staff members to hear students read.

Students' confidence, success, and self-esteem seemed further to help change teacher attitudes.

Barbara T. Moten, Coordinator
Reading Laboratories

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In the spring of 1969, at the end of the first year of the project, teacher opinions of the Programmed Reading were collected by Lynda Vial Griffith, Evaluation Coordinator. A complete summary of teacher responses is provided.

1969 TEACHER QUESTIONNAIRE
SULLIVAN MATERIALS

A. STATISTICAL DATA

1. School: ALL ELEMENTARY
2. Grade taught: K 8% 1 22% 2 23% 3 27% 4 20% N=65
3. Education: B.A. 56% B.A.+15 30% M.A. 14%
4. Year's taught: K.C. 8.6 Total 11.6
5. Members in your class: 28.7
6. Time spent on reading daily:

	K	1	2	3	4
a. Less than 30	2			1	
b. 30 to 45	4	1	1		
c. 45 to 59			1		2
d. 60 to 74		2	4	1	2
e. 75 to 89		1	2	3	
f. 90 to 104			1	1	
g. 105 to 119		1		1	
h. 120 to 134		3	2	4	1
i. more than 135		3	2	1	2

7. Number of periods:

	K	1	2	3	4
a. One in a.m.	1	1	2	2	4
b. One in p.m.					
c. Two in a.m.	2				
d. Two in p.m.	2				
e. One a.m., one p.m.	3	14	9	18	11

8. Length of period:

	K	1	2	3	4
a. Less than 15	3				
b. 15-29	3	2	1	1	1
c. 30-44		4	3	3	2
d. 45-60		3	4	13	9
e. More than 60		5	2	3	1

9. To what point do you work with children as a group before they are permitted to proceed independently:

	K	1	2	3	4
a. End of Programmed Prereader					
b. End of Programmed Reader Book I		4		2	
c. End of Programmed Reader Book II		10	8	7	3
d. Other (specify)		2	1	6	10
e. Not applicable, do not teach this level	7	1	3		4

10. As of May 15 indicate the number of the Programmed Reading books your most and least capable student is in:

	K	1	2	3	4
a. Most capable	4.7	11.7	10.6	16.4	18.1
b. Least capable	2.5	2.6	4.0	7.1	6.0

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11. Indicate any undesirable habits which may have resulted from using Sullivan Materials
    a. 9 Word calling
    b. 8 Poor study habits
    c. 15 Poor handwriting
    d. 9 Ineffective use of time
    e. 41 "Shortcutting" or cheating
    f. 5 Other (specify)
12. Indicate any attitudinal changes toward reading which may have resulted from the use of Sullivan Materials:
    a. 12 Independence in selection
    b. 32 Interest and motivation toward reading
    c. 13 Willingness to share reading experiences
    d. 10 Desire to research and find out
    e. 39 Likes reading success
    f. 3 Other (specify)
13. Indicate those materials that the publisher should add to the present program:
    a. 14 More in-service procedures
    b. 14 More in-service material
    c. 23 More comprehensive teachers' guides
    d. 8 Non-glare vinyl overlays
    e. 22 In-between-text extension units of similar materials
    f. 24 Tapes for each storybook
    g. 18 Storybooks to accompany Series III
    h. 36 Teacher-directed skill activities on tape or transcription for individualization
    i. 17 Prescribed forms and instructions for record keeping
    j. 7 Other (indicate)
14. Indicate those objectives of any complete reading program which, in your opinion, are realized when using Programmed Reading as a basic program:
    a. 47 Facility in word recognition (decoding word analysis)
    b. 15 Facility in determining the origin of words
    c. 26 Facility in literal understanding
    d. 16 Facility in interpretive reading
    e. 10 Facility in critical reading
    f. 29 Strong positive attitudes toward reading
    g. 13 Literary appreciation
    h. 1 Other: (indicate)
15. Indicate those techniques and drills which you regularly use with the group, as prompted by the individual progress in the programmed texts:
    a. 47 Sound-symbol preparation for a new unit
    b. 40 Sound-symbol review for a unit just finished
    c. 55 Vocabulary review (at least once per week)
    d. 51 Word discrimination (daily)
    e. 45 Word formation (at least twice per week)
    f. 47 Dictation (at least twice per week)
    g. 43 Group activities, such as story and picture discussion and oral reading (at least once per week)
    h. 25 Review with the child the contents of each book finished
    i. 44 Supplementary work for practice, homework, and for special testing
    j. 3 Other: (indicate)

59-411 O -71 - pt. 12 - 18

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B. PHILOSOPHY AND PROCEDURES

16. Is the alphabet posted in the classroom all the time?
    Yes 63 No 1
17. Do you use the overhead projector in conjunction with the program?
    Yes 33 No 27 (no response) 1
18. Do you have pupil repeat the programmed text when he does poorly on the end-of-book test?
    Yes 36 No 26 (no response) 1
19. At the end of reading class is the text in which the child is working stored elsewhere in the room other than in his desk?
    Yes 45 No 17
20. Do you use a separate series for the teaching of spelling?
    Yes 32 No 28 (no response) 2
21. Have you found cheating or shortcutting, to be a problem of any consequence?
    Yes 28 No 30 (no response) 3
22. Do boys do as well as girls in this reading series?
    Yes 54 No 8 (no response) 1
23. When a pupil needs to have a within-book-test scored, do you go to his desk and score it there?
    Yes 48 No 13 (no response) 2
24. Do you use most capable pupils to help in scoring of tests and assisting the slower pupils?
    Yes 35 No 24 (assisting, not scoring)
25. Do you permit a child to take home overnight the programmed text he has just finished?
    Yes 9 No 51
26. Do you use another phonics program to supplement Programmed Reading?
    Yes 37 No 30
27. Are you able to provide sufficient opportunities for oral reading?
    Yes 44 No 19
28. Have you been furnished with sufficient amounts of the materials to use the program as intended by the authors?
    Yes 29 No 31
29. Is Programmed Reading effective with slower pupils?
    Yes 49 No 10
30. Are your gifted, or talented children, "Bridled" or held back in any fashion while working in Programmed Reading?
    Yes 16 No 44
31. Are you any better informed as to each particular child's reading strengths and weaknesses since using Programmed Reading?
    Yes 46 No 15
32. Are children sufficiently motivated by the materials?
    Yes 43 No 14
33. Do children really prefer the cartoon-like pictures accompanying the texts and the storybook?
    Yes 46 No 9 (no response) 4
34. Can children learn to spell satisfactorily while being taught to read with Programmed Reading?
    Yes 53 No 8 (no response) 1
35. Does the program insure that children's oral reading is accomplished and with expression?
    Yes 21 No 36

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36. The role of the teacher changes when using Programmed Reading as a basic program. Has the adjustment to this tutoring role with the individual pupil been especially difficult?
Yes 23 No 34 (no response) 1
37. Do you find a strong need to be constantly and consistently aware of each pupil's daily progress in order to know the proper time to support, direct, and evaluate him in his progress?
Yes 54 No 7
38. When the class is working in the programmed texts, do you spend all this time as a roving tutor working with individual pupils?
Yes 45 No 14 (no response) 1
39. Do you ever have pupils working in pairs?
Yes 43 No 19
40. Are you a better teacher since using Programmed Reading?
Yes 25 No 26
41. Would you prefer to consume the program — this is, write directly into the books using them only the one time?
Yes 40 No 17

C. PERSONAL OPINIONS

The following statements have been made by others such as yourself who use Programmed Reading as a basic program. Check those with which you agree.

42. 48 Children like Programmed Reading.
43. 42 Children are not as pressured or frustrated as in the conventional basal program.
44. 51 The slow learner no longer feels left out or left behind.
45. 20 Children using Programmed Reading have better attitudes toward school.
46. 14 Shortcutting, or cheating, is not a problem.
47. 29 The classroom is more relaxed.
48. 22 Seatwork is no longer needed and is practically eliminated.
49. 34 Children soon become more confident and independent.
50. 22 Since using Programmed Reading I know my pupils better.
51. 23 With Programmed Reading I have more reading class time to spend with the slower pupils.
52. 17 Lesson planning can be done in much less time.
53. 41 I am much busier during the reading blocks than when I was using a conventional program.
54. 29 Discipline problems during the reading periods are greatly reduced.
55. 24 The teachers' guides leave a lot to be desired.
56. 14 What a relief not to have to prepare all that seatwork each day, not to mention all the scoring and posting of it.
57. 33 A greater variety of storybooks would be welcome. They are wonderful.
58. 12 I have never seen such creative writing in this grade.
59. 37 Children learn to spell — and better — without even knowing it.
60. 23 The response to dictation is tremendous.
61. 6 I could never go back and teach reading the "old" way.
62. 33 The children love the storybooks. They read them time and time again.
63. 39 What to do with a child who has been absent is no longer a problem — he just continues where he left off the last day he was here.
64. 11 The children in Programmed Reading want to check out more difficult books when they go to the library.
65. 32 Any teacher can use Programmed Reading.
66. 31 Children given free rein to proceed will just amaze you in their reading tastes and capabilities.

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Part II

Review of Statistical Data

Concern over the achievement of the inner-city youngster in reading ability exists nationwide. In 1968, this concern lead to action in the Division of Urban Education of Kansas City in the form of Project Uplift. One goal of Project Uplift is to increase Reading Achievement through the use of Programmed Reading, an individualized program. This program is supported by pre-service and in-service training conducted cooperatively by the school district and the publisher.

Because it is a Title 1 project, evaluation of the results was made an integral part of the original proposal. This report summarizes the achievement resulting from two years of operation of the project.

Many reasons dictated that a public report of this project be made. Not the least of these is the professional obligation that the teachers, coordinators, and administrators have to the thousands of students in similar educational settings across the nation who might profit from such an approach to reading instruction. With this obligation in mind, the story of a major reading project in Kansas City is presented.

One is never so acutely aware of the limitations of applied research as when the question is asked, "What did you do that worked?" The problems associated with operations evaluation are related to the large number of variables impinging on the student body over any period of time. Not only are there a number of variables affecting student achievement over which educators exercise no control, such as population mobility, social attitudes, and economic conditions, but also with the introduction of a new program many variables under the control of the educator are altered by the new program. This makes virtually impossible the isolation of the contribution of each factor. Such is the case in Project Uplift.

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Population

The population of interest consisted of all students in grades one, two, and three of the eleven elementary schools administered by the Division of Urban Education. Students served by the Division come from the inner-city sections of Kansas City, Missouri. All students having end-of-year Reading Achievement scores were included in the analysis. Base-line data on reading achievement were avilable from the results of the 1965-66 school year. Another approach to reading instruction was used at that time.

Knowledge of the students' abilities and reading instruction experience is necessary to a discussion of the observed results. In addition to the three base-line sets of students, grades one, two, and three, 1965-66, there are six treatment groups. Scores are available for three grade levels over the two years the project has been in operation. The following table summarizes their experience with Programmed Reading materials.

Level	Year	Experience in Programmed Reading
*1st Grade	1968-69	1 year; entered at the beginning of 1st grade
*1st Grade	1969-70	2 years; entered at kindergarten level
2nd Grade	1968-69	1 year; entered at beginning of 2nd grade
*2nd Grade	1969-70	2 years; entered at the beginning of 1st grade
3rd grade	1968-69	1 year; entered at beginning of 3rd grade
3rd Grade	1969-70	2 years; entered at beginning of 2nd grade

*Note that the first formal Reading instruction for 1st grade 1968-69, 1st grade 1969-70, and 2nd grade 1969-70 was with Programmed Reading materials

Lorge-Thorndike ability scores for third-grade students of the 1969-70 school year indicate an average mean difference of about 5 IQ points, Non-Verbal mean score ($X=90.85$) over Verbal mean score ($X=85.78$). This difference is significant at 0.001 level of confidence for the 561 cases available. The discrepancy is comparable to the results for many inner-city student populations.

Teacher Experience As A Variable

Most of the teachers working with the students in the first year of the project (1968-69) had not used Programmed Reading materials before. Over 90% of the teachers stayed on the project 1969-70. Therefore the previous experience of teachers in year 1969-70 averaged almost one year.

Methodology

Student scores used in this analysis were collected by Kansas City School District as a part of their normal evaluation program. Specific analyses of the results for the Division of Urban Education students were conducted as part of the cooperative project between this Division and Webster Research of McGraw-Hill. For each class in the population, scores for all students tested were used in the analysis, because the criterion of success of the Project is achievement for all students enrolled at the time of testing. Summaries of 1966 base-line data were available from the original Title 1 proposal and differ from current data because two elementary

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schools (Carver and Humboldt) closed. Students previously attending these schools were reassigned to the eleven remaining elementary schools of the Division. Populations for each grade level are considered to be representative samples in time of all students attending from this geographically defined area and comparable for longitudinal analysis. Tests used to obtain student scores and administration times are as follows:

	Base Data	1969	1970
Grade One — Gates-MacGinitie Reading Test — Primary A, Form 1	May 1966	May 1969	May 1970
Grade Two — Gates-MacGinitie Reading Test — Primary B, Form 1	May 1966	May 1969	May 1970
Grade Three — Lorge-Thorndike Intelligence Test Form 1			January 1970
Iowa Test of Basic Skills Form 3	May 1966	April 1969	April 1970

The degree of comparability between the Gates-MacGinitie A & B and Iowa Test of Basic Skills scores is not considered in the analysis. It is acknowledged that the vocabulary and comprehension subtests of the two instruments were not designed as comparable scales. Justification for comparisons on dissimilar instruments results from their being chosen as evaluation instruments of this continuous program. Of major concern is that reported increases in mean Reading Achievement scores be actual gains and not chance fluctuations in scores. To reduce the probability of erroneously reporting chance differences (Type I error) a One in One Thousand level of confidence has been chosen. That is, in using this statistical technique, other assumptions of the test being satisfied, there is only one chance in one thousand in the long run that a reported result might not be an increase but a chance phenomenon.

Severity of a Type I error as represented by project investment dictates the assignment of a small alpha coefficient. Therefore, 0.001 is used for all tests of difference. Use of raw scores for test of differences in Gates-MacGinitie scores is based on the test author's admonition that grade scores are not equal-interval scales.

Results

First Grade

Students in first grade 1968-69 participated in the Project only during the school year 1968-69. Observed mean raw score increases of 5.76 vocabulary and 2.12 comprehension, 1968-69 data over 1965-66 base-line data are significant at the 0.001 level of confidence.

Students in first grade 1969-70 participated in the Project in both kindergarten and first grade. Observed mean raw score increases of 3.12 vocabulary and 2.06 comprehension 1969-70 over 1968-69 students are both significant at the 0.001 level of confidence. Total increases of 1969-70 over base-line data are 8.88 vocabulary and 4.18 comprehension.

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TABLE 1
FIRST GRADE
t-TEST OF DIFFERENCE IN GATES-MacGINITIE FORM A
SCORES REPORTED IN RAW SCORE
SAME GRADE YEAR-TO-YEAR COMPARISON

	Base data 1966	1969	1970	increase	(alpha 0.001)
VOCABULARY					
Means	20.82	26.58		5.76	Sig.
		26.58	29.70	3.12	Sig.
SD/N	10.06/930	11.43/903	12.75/733		
COMPREHENSION					
Means	13.22	15.34		2.12	Sig.
		15.34	17.40	2.06	Sig.
SD/N	4.72/922	5.75/893	6.12/727		

Second Grade

Students in the second grade 1968-69 participated in the Project only during the second grade school year 1968-69. Observed mean raw score differences of 0.7 vocabulary and 0.08 comprehension 1968-69 over base-line data are not significant at the 0.001 level of confidence.

Students in second grade 1969-70 participated in the Project in both first and second grade. The observed mean raw score differences of 6.26 and 4.42 are both significant at the 0.001 level of confidence. Total increases of 1969-70 students' scores over 1965-66 base-line data are 6.96 vocabulary and 4.50 comprehension.

TABLE 2
SECOND GRADE
t-TEST OF DIFFERENCE IN GATES-MacGINITIE FORM B
SCORES REPORTED IN RAW SCORE
SAME GRADE YEAR-TO-YEAR COMPARISON

	1966	1968-69	1969-70	increase	(alpha 0.001)
VOCABULARY					
Mean	22.02	22.73		.71	Not Significant
		22.73	28.99	6.26	Significant
SD/N	10.26/995	10.94/842	12.04/845		
COMPREHENSION					
Mean	15.07	15.15		.08	Not Significant
		15.15	19.57	4.42	Significant
SD/N	9.45/989	9.16/842	11.04/843		

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Third Grade

Students in the third grade 1968-69 participated in the Project only during the school year 1968-69. Observed mean grade equivalence differences of 0.02 vocabulary and —0.08 reading 1968-69 over 1965-66 base-line data are not significant at the 0.001 level of confidence.

Students in third grade 1969-70 participated in the Project in both second and third grade. The observed mean grade equivalence score differences of 0.07 and 0.10 are not significant. Total increases of 1970 student scores over base-line data are 0.09 vocabulary and 0.02 reading comprehension.

TABLE 3
THIRD GRADE
t-TEST OF DIFFERENCE IN IOWA TEST OF BASIC SKILLS SCORES REPORTED IN GRADE EQUIVALENCES SAME GRADE YEAR-TO-YEAR COMPARISONS

	1966 (May)	1968-69 (April)	1969-70 (April)	difference	(alpha 0.001)
		VOCABULARY			
Mean	2.80	2.82		0.02	Not Significant
		2.82	2.89	0.07	Not Significant
SD/N	0.93/768	0.93/853	0.95/666		
		READING			
Mean	2.94	2.82		0.08	Not Significant
		2.82	2.92	0.10	Not Significant
SD/N	0.91/770	0.98/855	0.97/665		

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Growth

Comprehension

Using grade equivalent scores for total tested first-grade class 1968-69 and second grade-class of 1969-70 from Gates-MacGinitie Form A and Gates-MacGinitie Form B, respectively, the average grade equivalent growth is 1.1 years. In comparing Gates-MacGinitie Form B and ITBS comprehension for total grade two 1968-69 and grade three 1969-70, respectively, the average grade equivalency growth is 0.7 years. In interpreting these results, remember the lack of comparability of the norms and items for these tests and the fact that students are not matched.

Vocabulary

Similar growth patterns of 1.1 (first grade 1969 and second grade 1970) and 0.9 (second grade 1969 and third grade 1970) were observed on vocabulary scores.

TABLE 4
CLASS GROWTH 1969 TO 1970
IN MEAN GRADE EQUIVALENCE SCORES

First Grade 1968-69	to Second Grade 1969-70	Increase in Years
READING COMPREHENSION		
1.6 N=893	2.7 N=845	1.1
Second Grade 1968-69 to	Third Grade 1969-70	
2.2 N=842	2.9 N=665	0.7
VOCABULARY		
First Grade 1968-69	to Second Grade 1969-70	
1.6 N=903	2.7 N=843	1.1
Second Grade 1968-69 to	Third Grade 1969-70	
2.0 N=842	2.9 N=665	0.9

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Graphs

Graphs 1-6 are included to provide information concerning the source of the increase in class scores at various points within each class distribution. The question being answered is, "Do students at a given point in these class distributions (low, middle, or high) seem to be profiting more from the particular approach to teaching reading than others?" From the uniformity of the separation of the 1969-70 results from the 1968-69 results shown in Graphs 1-6, one would conclude that each point on the distribution of scores has increased and that no particular benefit has accrued to any such subset of the students. In Graphs 3 and 4, small numbers of students may account for the inversion of the curves in each of the cases in which less than 5% of the students are involved.

Graphs 3 and 4 represent classes that differ by student experiences in starting in Project, Grade 2 (1968-69) vs. students starting in the Project at Grade 1 (1969-70).

Graphs 5 and 6 represent classes that differ by student experiences in starting in Project, Grade 3 (1968-69) vs. students starting in the Project at Grade 2 (1969-70). The expected number of students at grade level is 16%. This value is computed from Lorge-Thorndike verbal scores of the third-grade population and conversion tables provided by the publisher of the test in technical manuals. Roughly 16% of the third-grade population have Lorge-Thorndike Verbal scores average or above (100). By using this value, the observed percentage of students at or above grade norm for the reported population may be put in the context of expected achievement provided by the test publishers. Examples are: 42% vocabulary, 31% comprehension for the first grade 1969-70; 35% vocabulary, 31% comprehension for second grade 1969-70. As previously noted, 16% of the third-grade population is at or above grade equivalent norm for third grade.

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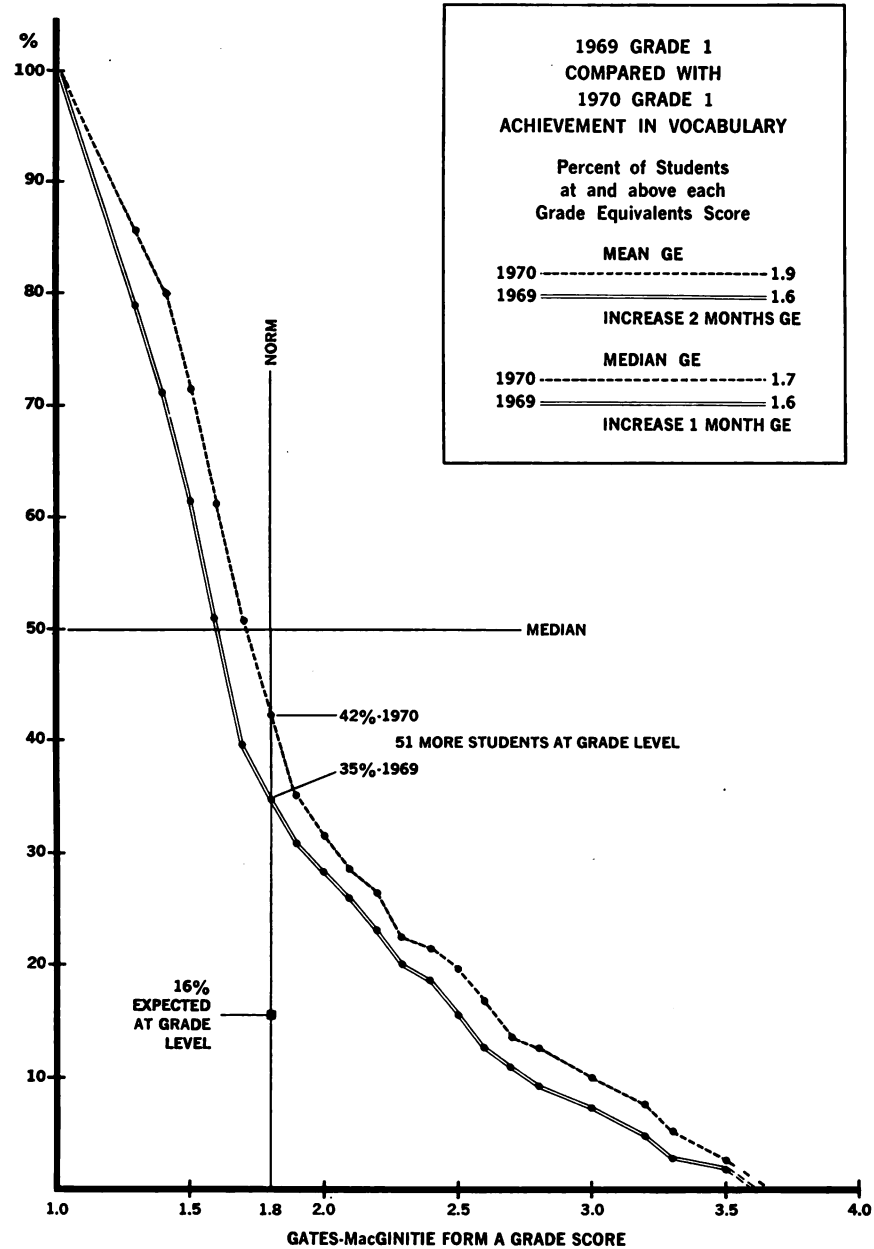
GRAPH 1



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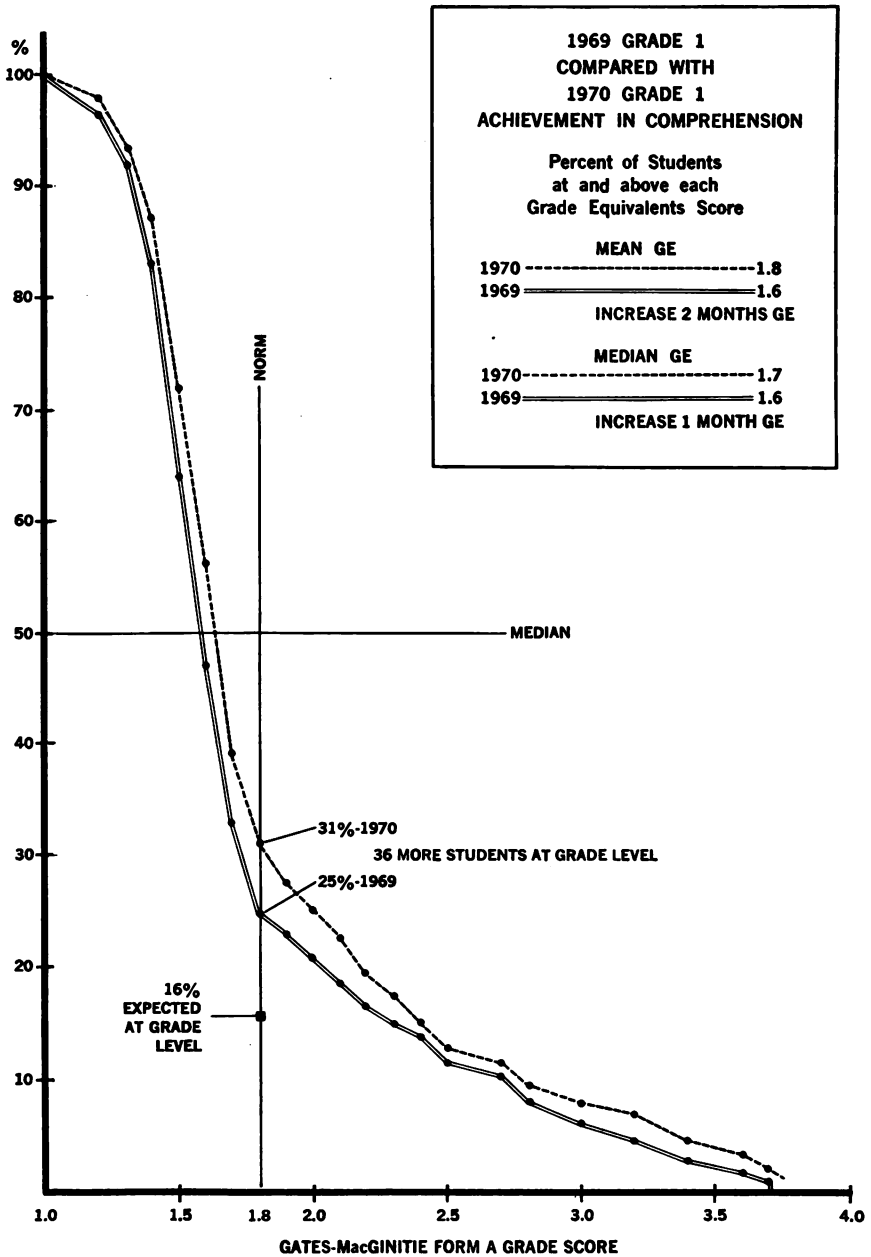
GRAPH 2



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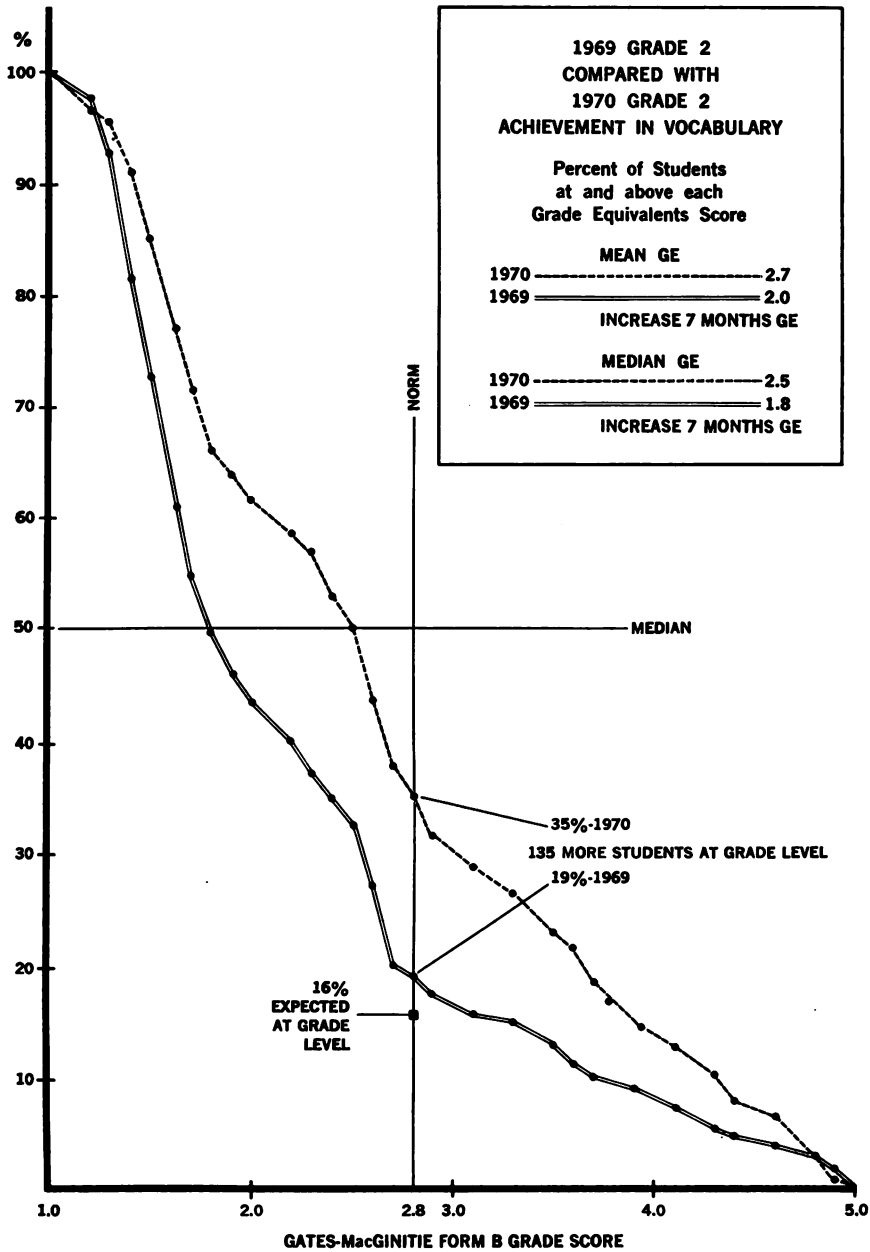
GRAPH 3



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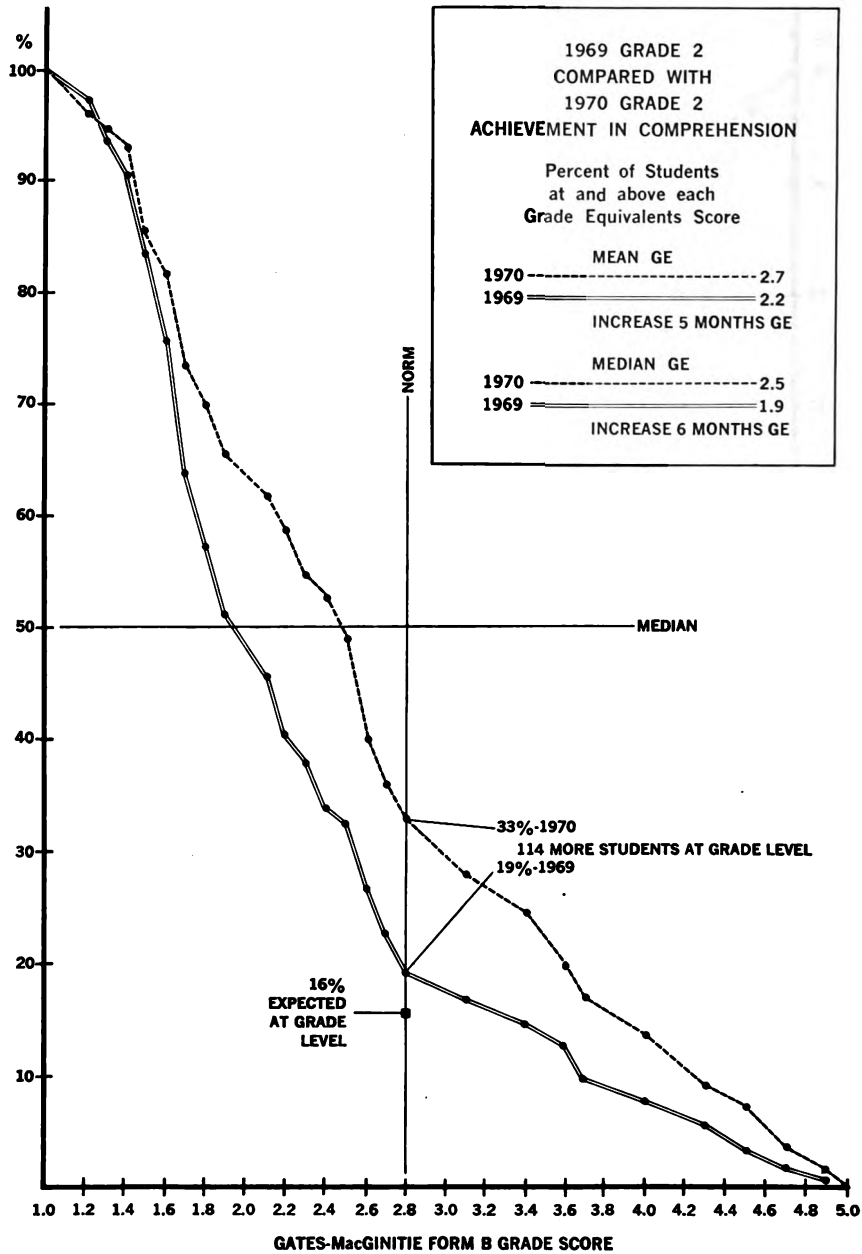
GRAPH 4



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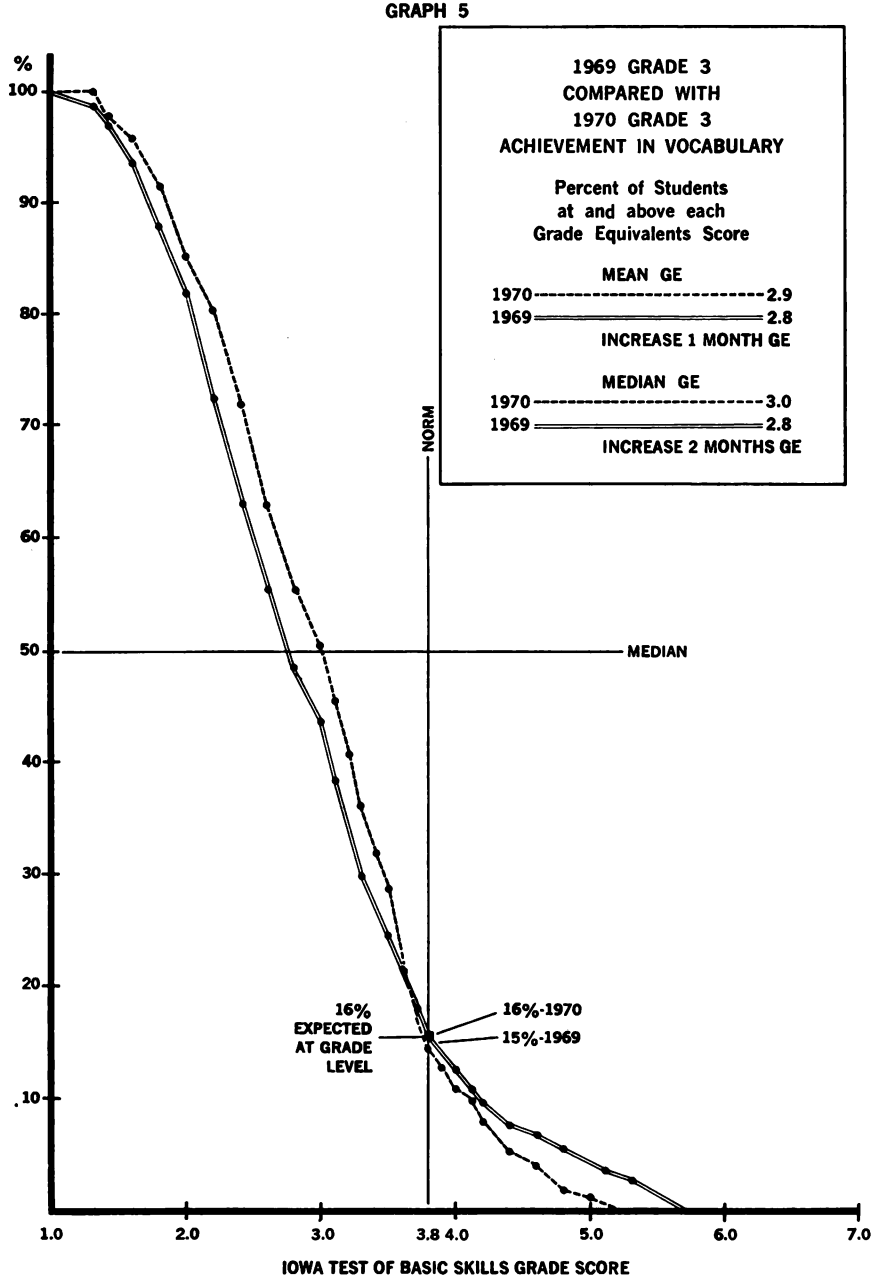
GRAPH 5



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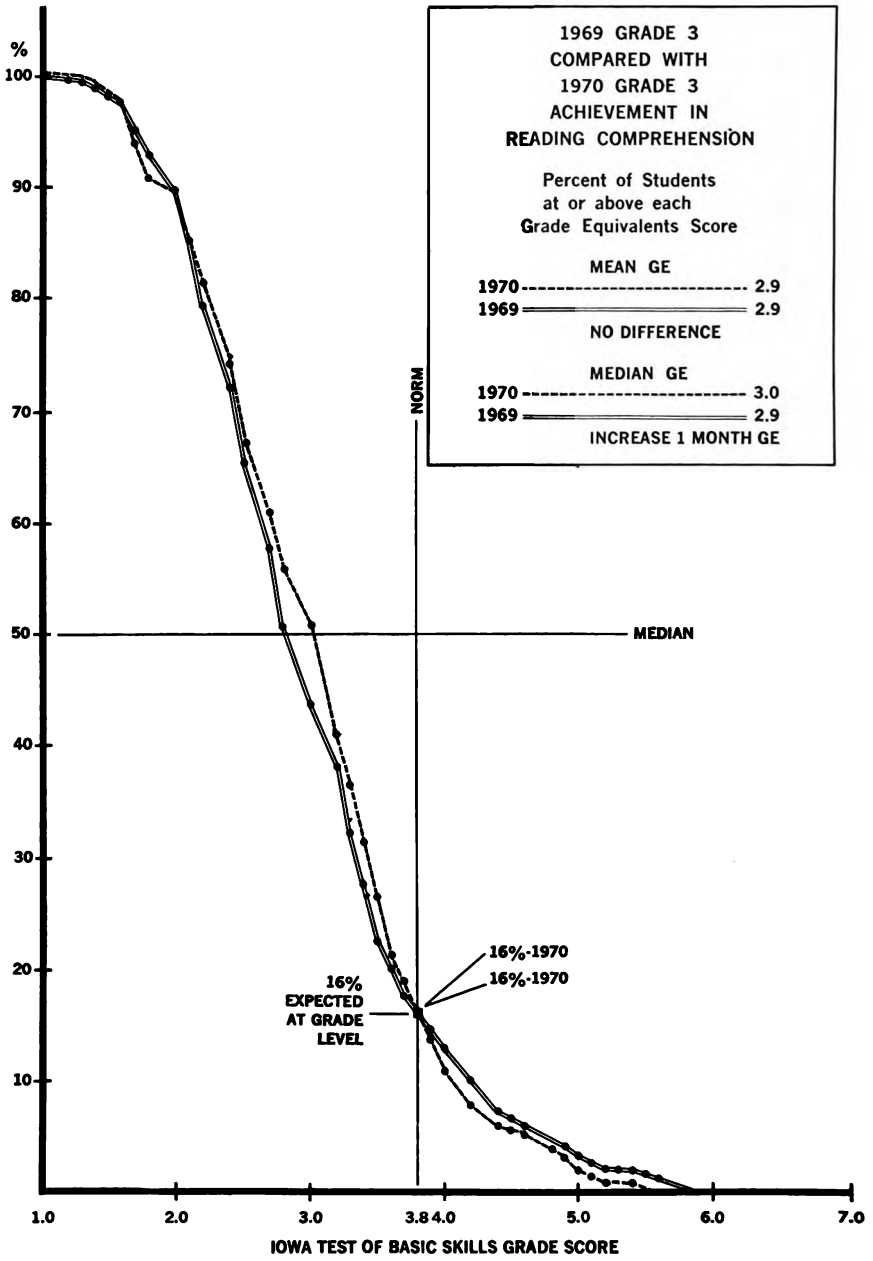
GRAPH 6



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Discussion and Conclusions

There is little question that the introduction of Project Uplift has improved reading achievement scores for students in these schools. The Project activities have been of maximum value for groups starting in the program no later than first grade.

Some concerns: It may be that the inner-city school population has undergone a dramatic shift in character in a single year. The third-grade students drawn from the same population do not reflect this, however. More information will be available with the administration of the Lorge-Thorndike test to the 1969-70 second-grade population in spring 1971. The correlation 0.71 between Lorge-Thorndike Verbal Battery and Iowa Test of Basic Skills Vocabulary and 0.68 between Lorge-Thorndike Verbal and Iowa Test of Basic Skills Reading Comprehension reported at the third-grade level would indicate a correlation between the verbal-nonverbal discrepancy reduction and Project Uplift.

Perhaps there are unique portions in the Gates-MacGinitie test that are not a part of the Iowa Test of Basic Skills, but should prior growth record be maintained for another year, one would predict third-grade ITBS results of 3.4 Vocabulary and 3.4 Comprehension in 1971. Such results seem unreasonably high in light of other data available on Programmed Reading projects. An increase of 2 months in Mean Grade Equivalence for both Vocabulary and Reading Comprehension to 3.1 would represent a significant increase in scores and seems reasonable. A follow-up report on the students in Project Uplift will be available in fall 1971.

89-411 O -71 - pt. 12 - 19

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BIBLIOGRAPHY

Farr, Roger: Reading: What Can Be Measured? Eric/Crier, International Reading Association Research Fund, Newark, Delaware, 1969.

Gates, Arthur I., and MacGinitie, Walter H.: Teacher's Manual, Primary A and Primary B, Teachers College Press, Teachers College, Columbia University, New York, 1965.

Lindquist, E. F., and Hieronymus, A. N.: Manual for Administrators, Supervisors, **and Counselors, Iowa Test of Basic Skills,** Houghton-Mifflin Company, Boston, 1964.

Lorge, Irving, Thorndike, Robert L., and Hagen, Elizabeth: Technical Manual **Lorge-Thorndike Intelligence Tests,** Houghton-Mifflin Company, Boston, 1966.

Walker, Helen M., and Lev, Joseph: Statistical Inference, Holt, Rinehart, and Winston, Inc., New York, 1953.

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FROM DR. RUTH LOVE HOLLOWAY

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

OFFICE OF EDUCATION,
Washington, D.C., August 9, 1971.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: May I take this opportunity to express my appreciation to you for the invitation to provide testimony before the Select Committee on Equal Educational Opportunity.

As indicated in my testimony, we have found that compensatory education has in fact, had a great deal of impact on regular education. In my new capacity as Director of the Right to Read Program, I shall endeavor to capitalize upon some of the positive aspects of compensatory education, as well as profit from the errors made in Federal programs. We would be pleased with any assistance you can give us in the Right to Read Effort.

Thank you again for your interest. I am providing more detailing information relative to reading difficulties, socio-economic, and ethnic groups, as found in the Harris Survey.

Sincerely yours,

RUTH LOVE HOLLOWAY,
Director, Right to Read Program.

[From the Congressional Record, Nov. 18, 1970]

HOW MANY AMERICANS READ WELL ENOUGH TO SURVIVE?

Hon. MARGARET M. HECKLER,
House of Representatives,
November 18, 1970

Mrs. HECKLER of Massachusetts. Mr. Speaker, a recently completed study has revealed a grim fact of American life: One out of every eight adult Americans may have great difficulty in obtaining Government medicaid or public assistance, a bank loan, or even a social security number—simply because he cannot read well enough to fill out the application form. This is a shocking revelation for a Nation which prides itself in making quality education available to the greatest possible number of its citizens.

In the words of Walter W. Straley, chairman of the new National Reading Council, which commisioned the special study:

The study shows that as many as 18.5 million Americans—or 13 percent of the U.S. population 16 years and older—lack the reading ability necesary for survival in the United States today.

I believe that the findings of this significant study, called the "Survival Literacy Study," should be of concern to every American. I am pleased to insert it in the RECORD. The study was conducted for the National Reading Council by Louis Harris and Associates, Inc.

This study may be the first to attempt to measure reading ability as a survival technique rather than as an academic pursuit. It is especially disturbing to consider how very many Americans may be deprived of necessary services because they lack reading ability. In presenting the results of the 6-week study at the inaugural meeting of the National Reading Council on September 10, 1970, in Washington, Mr. Harris said that 1,685 persons were interviewed. They were chosen to represent a cross section of the overall population. Those interviewed were asked to fill out five common application forms, with this result:

Thirty-four percent had trouble reading a simplified medicaid application form; 8 percent could not complete a typical driver's license form; 7 percent were unable to handle an application for a social security number and 3-percent failed to fill out a public assistance form.

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The "Survival Literacy Study" evaluates literacy levels according to factors including regional differences, rural-urban differences, age, race, income, and education. I found it particularly disheartening—which this conclusion could be anticipated—to note that "the old and the poor each have serious reading problems," as the Harris study states, "but the elderly poor must struggle most for 'survival.'"

I think that Mr. Harris, appearing before the council, summarized very expressively the purpose for which the study was undertaken:

We want to find out how a person's behavior—his whole life-style—is affected by reading trouble; what mainstream experiences he misses because of it.

In an effort to combat illiteracy and to develop a national reading program, the National Reading Council was appointed by President Nixon on July 31, 1970. It is operating with a first-year budget of $1.5. Its members include prominent representatives of the fields of education, business, labor, entertainment, communications, science, and government. Its chairman, Mr. Stanley, is vice president in charge of environmental affairs of the American Telephone & Telegraph Co.

The council recently established a National Reading Center in Washington, under the direction of Dr. Donald G. Emery, superintendent of schools of Scarsdale, N.Y., to serve as its working and research arm and, as Mr. Straley emphasized, as "a center of innovation."

Innovation will be vital if the Nation is to meet the challenge to curb illiteracy. I commend the National Reading Council for the initial effort to define the dimensions of the problem which confronts us.

The full text of this important document, the "Survival Literacy Study," September, 1970, follows:

SURVIVAL LITERACY STUDY

(Conducted for the National Reading Council by Louis Harris and Associates, Inc.)

PURPOSE OF THE STUDY

On July 31, 1970, President Nixon announced the appointment of 40 men and and women (including businessmen, teachers, Congressmen, civic leaders and entertainers) to serve on the National Reading Council, a supervisory board to a new national reading program. The Council's most immediate and urgent task was to measure the extent of reading deficiencies in the United States. To undertake this task, the National Council commissioned Louis Harris and Associates, Inc. This study, a ground-breaker in its attempt to measure scientifically the literacy rate among all sectors of the United States population, was to be completed in time for the Council's first annual meeting in Washington, D.C., on September 10th.

From its inception, the study was planned to measure the "survival" literacy rate in the United States. It would determine the percentage of Americans lacking the functional or practical reading skills necessary to "survive" in this country. How many Americans were prevented by reading deficiencies, we asked ourselves, from filling out application forms for such common needs as a Social Security number, a personal bank loan, Public Assistance, Medicaid, a driver's license? Fundamentally, this is a study of functional rather than by-rote literacy.

The purpose of this study was to measure reading ability and *not* application forms. In order to avoid a defensive reaction on the part of the respondent, however, he was told, "we are doing a survey on the subject of different application forms people have to fill out. It seems these days that nearly everyone has to fill out application forms for many of the things they do."

Included in the questionnaire were five application forms similar to the ones mentioned above. The five forms were selected both on the basis of their common utility and frequent appearance in the lives of many Americans and according to the degree of difficulty of the reading material included in each. The forms were, however, simplified significantly to assure that the study evaluated reading ability and not the lay-out of the form itself.

Each respondent was presented the five forms in the same order. The interviewer was instructed under no conditions to read to the respondent any information printed on the forms. If the respondent was unable to *write* because of physical handicap or problems with penmanship, the interviewer was then instructed to write in the answers provided by the respondent. The study did not seek to measure writing ability, only reading. If the respondent was un-

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willing to supply any information requested on the form, he was instructed on the bottom of each application to draw a line through the space provided. These were counted as correct answers, since the respondent's ability to read and follow the instructions indicated his literacy. The respondents were also assured that these forms were unofficial and to be used only for purposes of public opinion research.

Interviewing on the study took place between August 17th and 24th, 1970.

SCORING METHODS

Performance on each individual application form and overall performance on the five forms together were measured according to a simple percentile scoring system. The Harris firm first counted the number of correct answers and compared them to the number of possible answers on each form. On Form I (Identification Form), for example, 15 answers were required and should have been supplied by the literate respondent. Fifteen, therefore, was used as a base for scoring purposes. If only three appropriate answers were supplied, the raw score was 3/15.

The base for each of four of the five forms varied according to the nature of the questions asked. Some questions were to be answered only by those respondents who had answered the previously question negatively. (For example, one form asked: "Are you able to work now?———. If unable to work now, why are you not able to work now? ———.") In cases where the respondent correctly skipped a question, the scoring base was reduced.

In tabulating the scores recorded by the coding department, our computer operators followed the percentile reference code shown below:

Percentage correct:	*Punch*
0	1
1 to 9	2
10 to 19	3
20 to 29	4
30 to 39	5
40 to 49	6
50 to 59	7
60 to 69	8
70 to 79	9
80 to 89	0
90 to 100	x
Refusals	v

If on Form I with a base of 15 possible answers, for example, the respondent supplied only three correct answers (20% correct), this score was recorded in Punch 4 of the computer column. Refusals to fill out an individual form also were recorded. After scoring each form separately, the computer arrived at an overall percentile score for each respondent.

"RANGE OF ILLITERACY"

Respondents who completed correctly 90–100% of the five forms averaged together are considered fully literate for the purposes of this study. Incorrect answers up to ten percent are overlooked in the scoring and attributed to carelessness, difficulty of the form structure and content, but not to reading deficiencies.

The basic approach in analyzing this study has been to order people on a continuum which reflects four types of "literacy groups":

1. "*Low Survival Threshold*"—Respondents who averaged more than 30% incorrect, that is, less than 70% correct on all five forms. The survival probability of this group must be assumed to be low. Relatively, they are therefore considered functionally illiterate in modern American society. Despite the fact that these respondents may show anywhere up to 70% correct answers, they are still considered relatively illiterate. This pattern was followed in order to include in the functionally illiterate group those Americans who might recognize certain familiar words (i.e., "age", "name", "address"), but have serious reading and comprehension problems.

2. "*Questionable Survival Threshold*"—Respondents who average more than 20% incorrect answers, that is, less than 80% correct answers. Since the

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groups are figured cumulatively, this group includes respondents in the more-than-30% group also. Members of this literacy group filled out the forms with considerable difficulty and belong therefore in a questionable survival group.

3. "*Marginal Survival Threshold*"—Respondents who answer more than ten percent incorrect answers, that is, any number of correct answers below 90%. Generally, this group lacks total survival reading ability and includes members of the above two groups.

4. "*Likely Survival Threshold*"—Respondents who answer less than ten percent incorrect answers, that is, between 90–100% correct answers. This group is considered functionally literate.

The term "range of illiteracy" will appear throughout the report. It refers to the range between the "Low Survival" and "Marginal Survival" groups. This range includes members of groups 1, 2, and 3 above.

I

Chart I lists the application forms in the order of difficulty indicated by the results of the survey. Form IV (Application for Public Assistance) proves overall the easiest to read: only three percent of the people answered incorrectly more than ten percent of the form. Form V (Application for Medicaid) proved most difficult: nine percent of the people read incorrectly more than 30% of the form and 34% read incorrectly more than ten percent. The average range of illiteracy was from three percent (the percentage of people who averaged more than 30% incorrect) to 13% (the percentage who averaged more than ten percent incorrect). Converted into population, this represents a range of 4.3 million to 18.5 million. A total of 4.3 million Americans fall into the "Low Survival Threshold" group, 7.1 million into the "Questionable Survival Threshold" group, and 18.5 million into the "Marginal Survival Threshold" group.

The results of the study show, therefore, that, due to reading deficiencies, three percent of all Americans had difficulty filling out an application for Public Assistance, seven percent had difficulty completing a simple identification form (the equivalent of an application for a Social Security number), eight percent had trouble with an application for a drivers license, 11% with an application for a personal bank loan, and 34% with an application for Medicaid.

CHART I

[In percent]

	More than 30 percent incorrect	More than 20 percent incorrect	More than 10 percent incorrect
Total:			
Form IV	(1)	1	3
Form I	1	2	7
Form III	1	3	8
Form II	2	4	11
Form V	9	17	34
Average	3	5	13
Projected to population (in millions)	4.3	7.1	13.5

[1] Less than 0.5 percent.

II

Charts II, III, IV and V break down the results of the study into the four locations where respondents live: Rural Areas, Cities, Towns and Suburbs. The average range of functional illiteracy for rural inhabitants (see Chart II) was 4–16%; that is, four percent of the rural population interviewed missed more than 30% of the answers, seven percent missed more than 20% of the answers, and 16% missed more than ten percent.

III

City dwellers had similar difficulty in filling out the forms. Their average range of functional illiteracy (see Chart III) was 4–13%; that is, four percent of the city population interviewed missed more than 30% of the answers, six percent missed more than 20%, and 13% missed more than ten percent.

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IV

Fewer people who live in small towns and cities had difficulty reading the forms. Only an average of two percent read incorrectly more than 30% of the forms, a total of five percent failed on more than 20%, and 12% left more than ten percent unanswered.

V

Suburban residents filled out the forms most easily of these four groups. Their average range of functional illiteracy was a low 2–9%. Only Form V (Application for Medicaid) was difficult for some suburban residents: on this form six percent missed more than 30% of the answers, 11% missed more than 20%, and 28% missed more than ten percent.

CHART II–V

[In percent]

	More than 30 percent incorrect	More than 20 percent incorrect	More than 10 percent incorrect
Rural:			
Form I	1	2	9
Form II	1	9	12
Form III	2	4	11
Form IV	2	3	4
Form V	13	25	42
Average	4	7	16
Cities:			
Form I	1	3	9
Form II	4	6	13
Form III	2	5	9
Form IV	1	1	3
Form V	10	17	32
Average	4	5	13
Towns:			
Form I	1	1	5
Form II	1	3	12
Form III	1	3	7
Form IV	2	2	3
Form V	7	15	33
Average	2	5	12
Suburbs:			
Form I		(1)	2
Form II	2	3	6
Form III	1	2	7
Form IV	(1)	(1)	3
Form V	6	11	28
Average	2	3	9

1 Less than 0.5 percent.

Note: Forms ranked according to difficulty with least difficult from first.

VI

The results of the study also were looked at in terms of regional areas: the South, the East, the Midwest and the West. The South had the highest average range of functional illiteracy—a range of 4–15%. Four percent answered incorrectly more than 30% of all forms averaged together; seven percent answered incorrectly more than 20% and 15% answered incorrectly more than ten percent.

VII

Among the regional groups, the East had the second highest range of functional illiteracy. Four percent of all Easterners interviewed missed more than 30% of the answers, six percent missed more than 20% and 14% missed more than ten percent.

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VIII

The functional illiteracy rate of Midwesterners ranged from 3 to 18%. These figures suggest that the Midwest has an average illiteracy rate only slightly higher than that of the East and the South.

IX

People in the West tend to have fewer reading deficiencies than inhabitants of the other three regions, the study showed. A small average of one percent of all westerners interviewed answered incorrectly more than 30% of the five forms. Four percent missed more than 20% and ten percent missed more than ten percent.

CHART VI–IX

[In percent]

	More than 30 percent incorrect	More than 20 percent incorrect	More than 10 percent incorrect
South:			
Form I	2	4	9
Form II	3	5	15
Form III	2	5	10
Form IV	2	2	3
Form V	11	21	37
Average	4	7	15
East:			
Form I	2	3	7
Form II	3	5	12
Form III	3	5	11
Form IV	1	2	5
Form V	10	16	34
Average	4	6	14
Midwest:			
Form I	1	2	7
Form II	3	5	10
Form III	2	4	9
Form IV	1	1	3
Form V	9	17	34
Average	3	6	13
West:			
Form I	(1)	1	5
Form II	1	3	9
Form III	(1)	1	5
Form IV	(1)	(1)	2
Form V	5	14	28
Average	1	4	10

[1] Less than 0.5 percent.

Note: Forms ranked according to difficulty with least difficult form first.

X

Chart X illustrates that practical literacy decreases in direct proportion to income in the United States. A large five percent of the people with an annual income under $5,000 missed over 30% of the answers, compared to only two percent with an income from $5,000 to $9,999, two percent with an income of $10,000 to $14,999, and a small one percent with an income of $15,000 or more. While nine percent of those earning under $5,000 missed 20% or more, only three percent of those earning $15,000 or more missed the same number of answers. Likewise, 18% of those earning under $5,000 missed more than ten percent, compared to seven percent who earn $15,000 or more.

For the income group under $5,000, the range of illiteracy was 5–18%, compared to 2–13% for the $5,000–$9,000 group, 2–10% for the $10,000–$14,999 group, and 1–7% for the $15,000-and-over group.

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CHART X.—INCOME

[In percent]

	More than 30 percent incorrect				More than 20 percent incorrect				More than 10 percent incorrect			
	Under $5,000	$5,000 to $9,999	$10,000 to $14,999	$15,000 and over	Under $5,000	$5,000 to $9,999	$10,000 to $14,999	$15,000 and over	Under $5,000	$5,000 to $9,999	$10,000 to $14,999	$15,000 and over
Form I	2	1			4	3	1		12	8	3	2
Form II	4	2	1	1	8	4	2	1	19	13	5	3
Form III	2	(1)	1	1	6	2	3	2	13	7	9	3
Form IV	3	(1)	(1)		3	1	(1)	1	6	3	1	3
Form V	16	9	7	5	25	17	14	10	40	35	30	24
Average	5	2	2	1	9	5	4	3	18	13	10	7

[1] Less than 0.5 percent.

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XI

When reading deficiencies were correlated with race, the study revealed some striking figures. While the range of illiteracy for white respondents was a low 2–12%, the range for black respondents was a high 8–22%. Only two percent of all whites missed more than 30% of the answers, compared to eight percent of the blacks. While only five percent of the whites missed more than 20%, 13% of the blacks missed the same number. While only 12% of all whites answered incorrectly more than ten percent of the forms, a high 22% of all blacks interviewed answered incorrectly the same number.

CHART XI.—RACE

[In percent]

	More than 30 percent incorrect		More than 20 percent incorrect		More than 10 percent incorrect	
	White	Black	White	Black	White	Black
Form I	1	3	2	6	6	15
Form II	2	6	3	11	10	21
Form III	(1)	4	2	9	7	18
Form IV	1	4	1	5	3	8
Form V	8	23	16	32	32	50
Average	2	8	5	13	12	22

[1] Less than 0.5 percent.

XII

In comparing race with literacy the study focused particularly on one limited sector of both racial groups—those respondents earning less than $5,000 annually. Even among members of this low income group, the illiteracy range of non-whites* (8–25%) was much higher than that of whites (4–16%). While only four percent of whites in this income group missed more than 30% of the answers, eight percent of non-whites missed the same amount.

*Non-white here includes blacks (Negroes), orientals, Puerto Ricans, and Mexican Americans.

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While only seven percent of whites in this group answered incorrectly more than 20%, 14% of non-whites answered incorrectly the same number. Finally, while 16% of whites here missed more than ten percent, an enormous 25% of all non-whites earning less than $5,000 a year missed more than ten percent of the answers on the forms.

CHART XII.—INCOME UNDER $5,000 BY RACE

[In percent]

	More than 30 percent incorrect		More than 20 percent incorrect		More than 10 percent incorrect	
	White	Nonwhite	White	Nonwhite	White	Nonwhite
Form I	1	3	2	7	10	18
Form II	4	6	7	13	18	23
Form III	2	4	5	11	10	22
Form IV	2	6	2	6	5	9
Form V	12	21	21	31	35	52
Average	4	8	7	14	16	25

XIII

For the purpose of this study, the U.S. population was divided into four age groups: people 16–24 years old, 25–29 years, 30–49 years and 50 and over years of age. The youngest group proved to be the most literate; their illiteracy range was a low 1–9%. The oldest (50 and over) group proved most deficient in reading ability, with an illiteracy range of 5–7%. Both the 25–29 year olds and the 30–49 year olds had an identical illiteracy range of 2–11%.

While only one percent of the youngest group missed over 30% of the answers on all forms averaged together, two percent of the 25–49 year olds missed over 30%, and five percent of the 50 plus group missed the same number. While only four percent of the under-25 year olds averaged more than 20% incorrect, five percent of the 25–49 year olds and eight of the 50 and over group missed more than 20%. Only nine percent of the 16–24 year olds answered incorrectly more than ten percent of the forms, while 11% of the 25–49 group and a large 17% of those 50 and over answered incorrectly more than ten percent.

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CHART XIII.—AGE

[In percent]

	More than 30 percent incorrect				More than 20 percent incorrect				More than 10 percent incorrect			
	16 to 24	25 to 29	30 to 49	50 and over	16 to 24	25 to 29	30 to 49	50 and over	16 to 24	25 to 29	30 to 49	50 and over
Form I	(1)	1	(1)	2	1	2	1	4	3	5	5	12
Form II	1	1	2	4	2	4	3	7	5	9	9	19
Form III	(1)	1	1	1	2	3	4	4	9	7	8	9
Form IV			(1)	2	1	2	(1)	2	2	5	2	4
Form V	6	9	8	15	12	14	16	25	27	29	33	43
Average	1	2	2	5	4	5	5	8	9	11	11	17

[1] Less than 0.5 percent.

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XIV

In comparing age with literacy, the study focused particularly on a limited sector of all age groups—those with an income of less than $5,000 annually. For this low income group, the illiteracy range for all age groups is noticeably higher than the range for age groups regardless of income. The illiteracy range for people under 30 years under $5,000 is 2–13% (compared to a 2–10% range for all income groups together). The range for 30–49-year olds and older under $5,000 is 4–16 (compared to the 2–11% range for all income groups). The range for 50 year olds and older earning less than $5,000 is 7–21% (compared to the 5–17% range for all income groups in that age category). The old and the poor each have serious reading problems, but the elderly poor must struggle most for "survival".

CHART XIV.—INCOME UNDER $5,000 BY AGE

[In percent]

	More than 30 percent incorrect			More than 20 percent incorrect			More than 10 percent incorrect		
	Under 30	30 to 49	50 and over	Under 30	30 to 49	50 and over	Under 30	30 to 49	50 and over
Form I	1		2	4	4	3	8	12	13
Form II	1	3	7	5	5	11	12	17	24
Form III		4	4	4	7	8	13	10	15
Form IV			5			5	4	3	8
Form V	7	12	19	13	20	30	28	36	45
Average	2	4	7	5	7	11	13	16	21

XV

In their fight for equality, women have managed to surpass men slightly in reading ability. While only two percent of all women interviewed missed more than 30% of the answers, three percent of the men missed the same number. Only five percent of the women compared to six percent of the men incorrectly answered more than 20% of the forms. Only 11% of the women missed more than ten percent of the answers, while a larger 14% of the men missed the same number. Thus, the illiteracy range for the men were three to 14%, compared to a lower two to 11% for the women.

CHART XV.—SEX

[In percent]

	More than 30 percent incorrect		More than 20 percent incorrect		More than 10 percent incorrect	
	Men	Women	Men	Women	Men	Women
Form I	1	(1)	3	1	10	4
Form II	2	1	4	2	12	9
Form III	1	1	4	3	9	8
Form IV	1	1	1	2	4	3
Form V	9	9	18	17	36	33
Average	3	2	6	5	14	11

(1) Less than 0.5 percent.

XVI

Americans born outside the United States have assimilated relatively well into the literate population of this country. Their illiteracy range is only seven to 16%, compared with the three to 13% range among the total population. Seven percent of these immigrants (compared to three percent of all Americans) missed more than 30% of the answers. Nine percent missed more than 20% (compared to five percent of all Americans). Finally, 16% missed more than ten percent of all answers (compared to 13% of all Americans).

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CHART XVI.—BORN OUTSIDE OF UNITED STATES

[In percent]

	More than 30 percent incorrect		More than 20 percent incorrect		More than 10 percent incorrect	
	Respondents born outside of United States	Total respondents	Respondents born outside of United States	Total respondents	Respondents born outside of United States	Total respondents
Form I	3	1	5	2	9	7
Form II	8	2	9	4	19	11
Form III	5	1	6	3	10	8
Form IV	5	*	5	1	5	3
Form V	13	9	19	17	37	34
Average	7	3	9	5	16	13

XVII

The final dimension was educational background. Not surprisingly, reading ability increased in direct proportion to years of education. The illiteracy range of people who completed eighth grade or less was seven to 23%, compared to a two to 12% range for those who completed some high school, and a one to eight percent range for people with some college education. It is striking, however, that 26% of the people with some college education missed more than ten percent of Form V. These figures suggest that the practical reading ability needed to complete the forms essential for "survival" may differ somewhat from the achievement-oriented or theoretical reading skills stressed in many of our schools and colleges.

CHART XVII.—EDUCATION

[In percent]

	More than 30 percent incorrect			More than 20 percent incorrect			More than 10 percent incorrect		
	8th grade or less	High school	College	8th grade or less	High school	College	8th grade or less	High school	College
Form I	2	1	(1)	5	2	1	17	6	3
Form II	6	1	1	9	3	2	27	9	5
Form III	4	1	1	8	3	2	17	8	4
Form IV	4	(1)	1	5	1	1	8	3	2
Form V	20	8	4	29	17	10	46	34	26
Average	7	2	1	11	5	3	23	12	8

[1] Less than 0.5 percent.

SAMPLING METHOD

The Harris study for the National Reading Council was based on a national sample survey of the civilian non-institutional population of the United States. (Alaska and Hawaii, however, are not represented in the sample.) Interviews were conducted with randomly designated respondents in 100 different locations throughout the country. The schedules (completed questionnaires) and forms were edited and coded in New York. The coded questionnaires were key punched and the data tabulated by standard computer equipment. Analysis of the data was done by Louis Harris and Associates, Inc.

The national sample used for this study is based on intercensal estimates

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of the population of each state in the country, and of the population resident in standard metropolitan areas and in the rest of the country. These population estimates are produced annually by the Bureau of the Census. The sample locations are selected biennially to reflect the cumulative changes in the country's demographic profile.

The national sample is stratified in two dimensions—geographic region and metropolitan (and non-metropolitan) residents. Stratification insures that the sample will reflect, within one percent, the national proportions of the constituent strata.

Within each stratum the selection of the ultimate sampling unit (a cluster of adjacent households) was achieved in a series of steps, technically called multi-stage cluster sampling. First states, then counties and then minor civil divisions (cities, towns, townships) were selected with probability proportional to census estimates of their respective household population.

Maps of the selected civil divisions were obtained and partitioned by segments containing approximately the same number of households. This was generally done in New York, but for the smaller civil divisions, segmenting was generally performed in the field. One of the segments in each civil division was included in the literary survey.

Interviewers contact 16 households within each segment. At each household the respondent was chosen by means of a random selection pattern, geared to the number of adults sixteen years or older of each sex who live in the household. On the average a segment produced one dozen respondents who met the age, sex and voting requirements of the survey.

When the completed interviews were received in New York a subsample of the respondents were re-contacted to verify that the data had been accurately recorded. Occupation, industry, and "open-ended" public opinion questions were coded. The information contained in the coded questionnaires was then transferred to punch cards to permit computer processing and tabulation of the data.

Attempted interviews	1,685
	Percent
Interviews completed	88
Interviews not completed	12
Communication barrier (language, deafness)	8
Refused to fill out forms	3
Continuation prevented by blindness, visual defect	1

FROM LOUIS D. MONACEL, OF DETROIT, MICH.

[From the Washington Post, Sept. 22, 1970]

PUPIL TEST SCORES BETTER, SCOTT SAYS

(By Lawrence Feinberg)

Washington School Supt. Hugh J. Scott released test scores yesterday that he said indicated that public school students here made "encouraging gains" in reading and mathematics during the past school year.

An official of the testing company, contacted by a reporter, disputed the validity of Scott's conclusion.

But the tests do show, both men said, that students in the first three grades are reading slightly better, while pupils in upper elementary and junior high years are slipping slightly further behind national norms.

At a news conference yesterday morning, Scott declared: "We are encouraged by the fact that there is a reversal in the downward trend of test scores, and (believe) that instructional supports properly applied will stabilize these gains and lead to progressive improvement in next year's scores."

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He said his optimism was based on scores made on standardized tests given in May, compared to the results on the same tests given at the start of the year in September.

Giving the tests twice a year in all grades was part of the reading mobilization plan prepared by psychologist Kenneth B. Clark and approved by the school board in July, 1970. Previously, the tests were given only once a year in grades three, six and nine.

Since Scott became superintendent on Oct. 1, he has said repeatedly that he did not expect any major increases in average achievement. He said Clark's promise that scores could be raised to national norms in one year was "unrealistic."

Regardless of how the latest scores are interpreted, they are considerably below national norms, which include children in city, suburban and rural schools, but much less below the norms for schools in 12 big cities.

Compared to the national norms, the systemwide deficit in Washington for reading was four months in the second grade, 1.4 years in the sixth grade and 2.3 years in the ninth grade.

Compared to the big-city norms used in May, Washington was one month below the big city average in grade two; five months below in the sixth grade and 1.2 years below in the ninth grade.

The pattern of an increasing deficit behind both norms was similar in the test results for mathematics. The D.C. math averages in general were slightly below those for reading.

"Our results indicate," Scott said at his press conference, "an average growth of 1.1 grades in reading and 1.0 grades in arithmetic over the September-May period for grades three to nine."

However, in a telephone interview later, George Burket, director of technical services and research for the California Testing Bureau, the company that prepared and scored the tests, said the scale used for computing these scores was changed between September and May.

Burket explained that the scale used in September compared D.C. public school children with a sample of about 54,000 students in both public and Catholic schools in 12 cities. When the May scores were computed, he said, the 12,500 Catholic school students, who generally scored high, were omitted.

Thus, he said, Washington was competing in "an easier league"' in May than in September.

The new big-city norms, he said, give a fairer picture of how Washington public school pupils compare with their counterparts in other cities. But he said comparing the May scores directly with those computed in the tougher scale in September would show a gain that actually had not occurred.

Scott could not be reached for comment late yesterday.

However, Wilbur Millard, assistant D.C. superintendent for pupil personnel services, said he discussed the scores with Burket, whose office is in Monterey, Calif., in a telephone conversation in late afternoon.

Millard said he "couldn't be sure we made a mistake," until he speaks to Robert Farr, the D.C. official who had direct charge of the testing. Farr was out of town yesterday, Millard said.

He explained that if Burket is right, "It would be legitimate to use the May scores to compare ourselves with other big cities," but that it would "not be proper" to compare them with previous tests.

Millard said that he and Burket agreed that if the same big-city scale was used for both the September and May tests, the average improvement for Washington pupils would be about four months less than reported yesterday.

Thus, the average gain for reading would be seven months, and for math, six months. For all 12 big cities there was an average gain of eight months between the two tests.

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The school-by-school results in yesterday's report are given in terms of the big-city grade equivalents that are generally about 25 per cent below the national norms.

As in previous years, the pattern of high and low scores generally followed the socio-economic levels of the students attending the different schools.

Millard said it was "much better" to compare individual D.C. schools directly with the standards of public schools in other big cities than with nationwide norms.

Burket said he was opposed to this practice because it "sanctifies a standard which is pretty low."

"It's a way of encouraging people to settle for a status quo that they oughtn't to be satisfied with," he added.

Burket said school-by-school averages, based on big-city grade equivalents, were requested in 1970 by D.C. school officials and that one of the firm's salesmen agreed to supply them without consulting the head office. He said he decided reluctantly to honor the salesman's promise.

The tables below give reading and mathematics scores for Washington's public elementary and junior high schools on standardized tests given in May.

The scores are expressed in grade equivalents based on norms for public schools in big cities. Because the tests were given in the eighth month of the school year, the norm for the grades listed are, respectively, 3.8, 6.8 and 9.8. Each tenth of a grade in a test score is equivalent to the achievement expected in one month.

The figures given for each school are medians, the level at which half the students taking the test exceeded and half fell below.

The big-city norms used in this compilation are approximately 25 percent below overall national norms. The precise gap differs from grade to grade, but generally becomes larger in the upper grades than in lower ones.

9TH GRADE

School	Reading	Arithmetic
Backus	9.6	9.1
Banneker	7.2	7.3
Browne	9.6	7.8
Deal	11.1	10.8
Douglass	7.4	7.5
Eliot	8.0	7.5
Evans	7.3	7.2
Francis	8.9	9.0
Garnet-Patterson	7.1	7.1
Gordon	9.6	9.4
Hamilton	8.0	7.5
Hart	8.3	8.7
Hine	7.5	7.5
Jefferson	7.4	7.0
Johnson	7.1	6.8
Kramer	8.4	7.6
Langley	7.5	7.6
Lincoln	7.2	7.0
Macfarland	9.1	8.4
Miller	8.1	7.7
Paul	9.9	9.3
Rabaut	9.6	8.8
Randall	7.7	7.7
Roper	7.5	7.4
Shaw	6.8	7.0
Sousa	9.1	8.4
Stuart	7.4	7.1
Taft	9.2	8.4
Terrell	7.4	9.4
Woodson	8.9	8.8
Sharpe Health	9.9	7.5

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MEDIAN GRADE EQUIVALENTS, MAY 1971

	Reading		Arithmetic	
	3d grade	6th grade	3d grade	6th grade
Adams	2.9	5.4	3.9	5.7
Alton	3.1	6.4	3.6	6.3
Amidon	3.4	(1)	3.7	(1)
Bancroft	2.7	6.3	3.1	6.0
Barnard	4.1	6.8	3.8	6.9
Beers	3.9	7.4	3.8	7.0
Benning	4.7	8.0	4.8	8.4
Birney	3.8	5.6	3.5	5.7
Blair-Ludlow-Taylor	2.8	5.6	3.1	5.9
Blow-Pierce	4.1	6.3	4.1	6.0
Bowen, A	(1)	6.2	(1)	6.1
Brent	4.0	7.0	4.0	6.1
Brightwood	4.6	7.0	4.2	6.6
Brookland	3.9	6.5	4.0	6.6
Bruce	3.3	6.4	3.6	6.8
Bryan	3.4	6.3	3.7	6.1
Buchanan	3.6	5.9	3.7	6.0
Bundy	2.5	4.5	3.0	5.0
Bunker Hill	3.9	8.3	4.0	7.6
Burroughs	4.8	8.3	4.1	7.6
Burrville	3.4	6.2	3.4	5.9
Carver	2.9	6.1	3.5	5.9
Clark	3.2	6.6	3.4	6.0
Cleveland	3.0	5.9	3.3	5.7
Congress Heights	3.5	6.4	3.6	6.1
Cook, J. F	3.3	6.3	3.4	5.9
Cooke, H. D	2.7	5.5	3.2	5.7
Crummell	3.0	5.9	3.0	6.5
Davis	3.3	6.4	3.3	6.2
Draper	3.8	6.2	3.9	6.0
Drew	3.2	5.6	3.2	5.5
Eaton	6.7	9.3	6.2	7.9
Eckington	3.3	5.4	3.6	5.7
Edmonds	3.3	(1)	3.3	(1)
Emery	3.2	6.5	3.3	6.4
Fillmore	7.1	7.0	4.6	7.0
Gage	3.5	6.1	3.6	6.7
Garfield	3.2	6.2	3.0	6.0
Garrison	2.6	5.7	3.2	5.6
Gibbs	3.2	6.7	3.5	6.1
Giddings	2.7	5.8	3.2	5.8
Goding	3.1	6.6	3.4	6.3
Green	3.7	6.6	3.7	6.3
Grimke	2.7	4.8	3.0	5.2
Hardy	4.1	6.7	4.5	6.6
Harris	3.2	6.2	3.6	6.1
Harrison	2.5	5.6	3.3	5.5
Hearst	6.5	9.1	5.7	8.3
Hendley	3.2	6.2	3.3	6.0
Hendley II	2.9	6.3	3.1	6.0
Houston	2.8	6.0	3.1	5.8
Hyde	3.0	(1)	3.3	(1)
Jackson	4.4	7.1	4.2	7.3
Janney	5.7	9.3	5.4	8.0
Keene	4.0	7.2	4.0	6.8
Kenilworth	3.3	5.0	3.4	5.1
Ketcham	3.5	6.0	3.5	5.9
Key	5.7	9.1	4.6	7.4
Kimball	3.6	6.5	4.0	6.3
Kingsman	3.9	6.4	4.1	6.4
Lafayette	6.3	10.1	5.7	9.5
Langdon	3.4	7.3	3.6	6.6
Langston	(1)	(1)	(1)	(1)
LaSalle	4.2	7.6	4.2	7.3
Leckie	4.8	6.3	4.6	6.5
Lenox and Annex	3.3	6.6	3.8	6.4
Lewis	3.6	6.2	3.4	6.1
Logan	3.3	5.4	3.3	5.6
Lovejoy	2.9	5.8	3.2	5.4
Madison	3.0	5.7	3.8	5.4
Mann	5.9	9.1	5.0	8.3
Maury	3.2	5.8		6.1
McGogney	3.4	5.9	3.6	5.7
McGogney Annex	3.0	5.1	3.2	5.7
Merritt	3.7	6.0	4.1	6.0
Meyer	2.7	6.2	3.0	6.0
Miner	3.3	6.2	3.6	6.8
Monroe	3.2	5.2	3.2	5.9
Montgomery	2.6	5.6	3.7	6.1

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MEDIAN GRADE EQUIVALENTS, MAY 1971—Continued

	Reading		Arithmetic	
	3d grade	6th grade	3d grade	6th grade
Morse	2.2	6.8	3.4	6.5
Moten	3.3	6.0	3.5	6.0
Mott	2.6	5.8	3.1	5.7
Murch	6.0	9.7	5.2	9.1
Nalle	3.4	6.4	3.5	6.1
Nichols Avenue	3.3	(1)	3.4	(1)
Noyes	3.8	6.5	4.1	6.6
Orr	3.4	6.2	3.9	6.5
Oyster	4.7	8.0	4.4	7.6
Park View	3.1	6.2	3.3	6.2
Patterson	3.9	7.4	4.0	7.4
Payne	3.6	6.0	3.5	5.7
Peabody	2.4	6.2	3.4	5.3
Perry	(1)	4.6	(1)	(1)
Petworth	3.7	6.7	4.2	6.7
Plummer	3.8	6.6	3.7	6.5
Powell and Annex	3.8	7.2	3.9	6.9
Randle Highlands	3.9	6.7	3.7	6.4
Raymond	3.3	6.7	3.3	6.3
Richardson	3.3	5.8	3.5	5.7
River Terrace	3.9	6.8	3.2	7.2
Rudolph	3.8	6.6	3.9	6.3
Savoy	3.4	5.7	3.5	5.8
Seaton	2.9	5.9	3.3	5.9
Shadd	3.0	5.2	3.2	5.4
Sharpe Health	3.1	5.9	2.9	5.5
Shepherd	5.2	8.9	4.2	7.6
Simmons	3.1	6.0	3.9	6.0
Simon	3.6	6.3	3.6	6.0
Slater	3.1	6.0	3.5	6.8
Slowe	3.5	6.2	3.3	6.1
Smothers	5.0	7.1	4.1	6.7
Stanton and Annex	3.3	6.7	3.6	6.3
Stevens	3.8	6.9	3.5	7.2
Stoddert	6.2	9.6	5.6	8.8
Sumner	2.9	6.6	3.8	6.6
Syphax	(1)	(1)	(1)	(1)
Takoma	4.2	7.3	4.0	6.9
Thomas	3.7	6.0	4.0	6.1
Thomson	3.9	6.8	4.0	6.4
Truesdell	3.4	6.6	3.6	6.5
Tubman	2.6	5.3	3.3	5.8
Turner	3.2	5.2	3.4	5.6
Tyler	3.0	5.5	3.1	5.3
Van Ness	3.2	6.0	3.9	6.6
Walker-Jones	3.8	7.2	4.1	7.2
Watkins	3.5	5.9	3.5	6.0
Weatherless	3.4	5.7	3.4	5.8
Webb, R. K	3.4	6.9	3.7	6.4
West	4.6	7.7	4.2	6.5
Wheatley	3.5	6.3	3.4	5.7
Whittier	4.2	6.7	3.7	6.5
Wilson, J. O	3.3	5.9	3.4	5.9
Woodridge	3.9	7.0	3.7	6.4
Young	3.4	6.4	3.3	6.4

[1] Not applicable.

FROM HAROLD HOWE II

TENNIS AND TEACHING—REVISITED

I understand that those of you who are attending this meeting are connected with schools of education at universities throughout the country and that you have been inveigled into coming together as the result of Grant Venn's scheduling the event in Las Vegas. I shall have to admit that I have never been in this progressive city before, so that I can't advise you on the best uses of its various delights. After being here for only 12 or 15 hours, I can testify to the fact that there are a number of distractions, and I wish you all joy in them during your few days of meeting together. I sincerely hope that you aren't too diverted from pursuit of these matters by people making speeches, and I pledge, as an opener, that I will not take too long about this one.

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What I would like to do is to think out loud with you about the place of the university and the role of other agencies in preparation of professional people who serve the schools, be they teachers or administrators or functionaries of some specialized kind in the realm of guidance and counseling or other particular fields.

To introduce this discussion, I would like to hark back to a meeting I attended about 15 years ago at the Canoe Island Club on Lake George in New York State. It was a seminar run by Dr. James Allen, then the head of the New York State Education Department, with his chief staff members—an annual event at which they got together to discuss education away from the telephone and away from the rest of the bureaucracy. I was asked to make a presentation to the group, to which I in no way legitimately belonged, on the subject of the training of teachers, and I entitled my remarks "Teaching and Tennis."

The burden of my message at that time, which seems to me still appropriate and useful now, was that a very high proportion of what the able teacher or the able administrator does to make himself effective on the job he learns to do by doing it. And I drew the analogy of learning how to play tennis. It could just as well have been golf, except that I don't understand that game. Indeed, I understand it even less since I visited a place called Hilton Head in South Carolina last spring where golfers are forbidden to walk. They are required to rent little electric cars in order to ride from one golf shot to the next, thus separating the game from the element of exercise.

But returning to tennis, which I do understand and still play even in my old age, I can guarantee you that the only way to learn to play tennis is to do it in company with someone who is better than you and who can provide what psychologists now call "immediate feedback." There are very few rewards at all, as far as one's tennis game is concerned, in reading about tennis, in watching other people play tennis, in seeing movies or television of tennis, or in mastering scientific and technical details of how to build tennis courts, string tennis rackets, and put the fur on tennis balls. The game is an activity demanding judgment of the actions of others, a capacity to anticipate, a set of physical skills, and endless practice. One can talk about tennis all he wants, drink cocktails with tennis players, and spend large amounts of money to set in the front row of Forest Hills or Wimbledon without improving his tennis game very much, even though he may improve the way he talks about it.

Now while teaching has an intellectual context, which tennis does not, and therefore requires the mastery of information, both about subject matter and about the peculiarities of human beings who teach and learn and the way they interact, teaching also has large components of what are sometimes called methodology, and what I regard as largely a skill. It is a skill which involves the capacity to size up individuals, to judge their responses, to make your responses relevant to theirs, to diagnose their needs and problems, to present ideas and activities which will motivate their particular interest in learning, to coordinate a variety of materials into their most effective possible impact, to sense the emotional and attitudinal nuances of individuals and of groups, and to deal with all these variables on a constantly changing, kaleidoscopic scene involving multiple personalities with different rates of learning, different backgrounds, and totally different feelings. The human equation of teaching is infinitely variable, and the person who learns to solve it learns not by reading about the solutions of others or by being told in lectures how others have approached the problem or even by seeing moves of others doing it. He will comprehend the problem only by getting into a classroom, contending with the real situation, and getting some immediate feedback from someone, who is more skillful at it than he, about how the task might have been better performed, about why this or that activity seemed more or less productive, and about the ever present question of whether alternative approaches to a particular learning situation might not have done better with it.

If this observation is true of teaching, even though the tennis analogy may be stretching the situation somewhat, I believe that it is even more true of the leadership role in schools. While there may be practices of management and techniques of systems building which are applicable to education and its leadership and which need to be learned along with a variety of background information from the fields of economics, psychology, history, and other areas, the large fact still remains that being an effective school principal, or a really outstand-

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ing superintendent, or a person with the capacity to do the balancing act now required of a state commissioner of education, involves a set of political skills, a kind of emotional balance and personal confidence, and a capacity to deal calmly in crisis, all of which are best learned by practice rather than by academic study.

All of this may sound as if I was warming up to the idea that the best educators don't need a university education in the traditional sense. I don't intend to go quite that far, but I do want to observe that the best educators, be they teachers or administrators or specialists or some combination, do what they do best every day not entirely because of what happened in academia but also in large part because of the capacity to assimilate and learn from and make use of experience.

Of course, this fact about the importance of direct experience has long been recognized in the processes of teacher training and in the preparation of administrators by universities. Practice teaching, internship assignments, special studies of actual situations in the schools, and the like abound in our formal programs of teacher preparation and in-service training. So that in theory there is a recognition of the need for learning by doing along with the requirement to develop an intellectual component in the educator. What I want to say here is that I think this particular aspect of teacher training and administrative training, the aspect which involves internship, the practice teaching, the away-from-the-university-and-out-in-the-schools element is the part of professional preparation which gets most neglected.

One of the reasons for this neglect is that the professors in schools of education are more comfortable in schools of education than they are in schools. Therefore, they and their institutions tend to be isolated and insulated from the realities of the business. Their research and writing is frequently oriented to bookish problems rather than to people problems. Their course work is too frequently a well packaged academic exercise, rather than a confrontation with the disturbing reality of a public school situation in which the needs of children in a rapidly changing world have outstripped the capacity of the schools to respond.

If I were allowed to make only one suggestion for the improvement of the pre-service and in-service training programs of teachers and administrators in the United States, it would be that a higher proportion of the process take place away from the university and in the schools. This does not mean at all that I advocate abolishing schools of education or reducing their significance of the numbers of people on their staffs. But it does mean that I would locate a good proportion of the people on those staffs in the schools rather than in the universities. One of the greatest untapped resources in American education is the minority group of extremely skillful teachers and administrators in our schools. I say minority group not to denigrate the majority, but simply to recognize that there are a small proportion of people who are particularly talented about teaching the second grade or about running the school library or about making the guidance services fit pupils or about orchestrating the entire school program in the role of a principal or about establishing the complex set of relationships between school and community for which the superintendent sets the tone. I think that if I were going to reorganize a school of education, I would have almost half the staff made up of these people and have their jobs so organized in the schools that they would have some time to work with both the pre-service and in-service trainees trying to learn how to be educators.

In addition, I would invite into some sort of relationship to the staff of my school of education a group of people who don't appear there except in a few institutions. Perhaps these people couldn't qualify as professors, associate professors, assistant professors, and instructors in the usual academic ranks. But I would find a way around that bureaucratic difficulty and appoint as staff members officers from the city police department who are regularly in contact with young people, social workers who are in and out of the homes which produce the school's toughest problems, court officers and probation agents of various categories who deal with juveniles in problem situations, workers from the recreation department of the city and the parks department, businessmen who operate establishments where young people congregate, and a variety of other characters whose interests and backgrounds you can dream up as well as I.

What I am trying to recognize in making this suggestion are the simple facts that young people in the schools spend most of their lives out of school, are more influenced by what happens out of school than what happens in it, and that somehow the school has got to understand and be in alliance with the positive

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forces that are elsewhere while understanding and working constructively against the negative forces both within and without. Teacher training conducted in rather complete isolation from the realities of the community doesn't prepare teachers or administrators to deal with the realities of children. One thing has been proved, it is that the school can't beat the community—it has to join it. If it exists in isolation, acts as if the community was not there, and assumes that the five hours of daily leverage on the pupil the school has can beat the 10 or 12 hours the community has, it is clearly wrong.

Perhaps I exaggerate to say that half the staff of the schools of education should consist of these kinds of untypical resources, but I am reasonably sure that it will make a very great difference in the training of teachers and administrators to have a major resource for purposes of conducting training in schools and communities rather than in universities.

Having said all this in what may seem opposition to the university, let me now say that I would still conduct a considerable proportion of the in-service and pre-service training of educators of all descriptions in the university, but in doing so I would try to do everything possible to widen and broaden the contact of the university and to knock down the walls, figuratively speaking, of the school of education. Those walls are too restrictive.

In the law school, in the school of social work, in the school of public health, in the school of public administration, in the graduate departments of the arts and sciences, both in the humanites and the social sciences (and particularly the latter), and in all manner of specialized urban institutes and other centers, there are stimulating activities going on both in research and teaching which are potential resources for the intellectual background and understanding of those who would serve the schools. In spite of significant changes which have made some of these resources available to students of education in a number of universities, I would say that the general rule is still one of having inconvenient fences which keep students enrolled in the department or school of education away from some of the university activities which might be helpful to them in further developing the understanding necessary to be a successful educator, whether in the classroom or in an administrative office. Of course, these fences are not all maintained by the school of education. They are built by all the agencies I have named, particularly the academic departments which are more interested than anything else in turning out people who will become academicians in such departments in the future and less interested in providing a useful service to people who may have some other goal in life. Economists really wanted to turn out more economists and sociologists are most interested in more and better sociologists, so that the courses they design and the research activities they pursue aren't always useful to people in schools of education. The result is that the schools of education try to develop their own departments of sociology, economics, and what not, sometimes with a rickety bridge to the major department of the university itself. Perhaps if that bridge can be strengthened, a school of education can proceed along this pattern usefully. But basically, I think, there needs to be an opening up on the total institution in the cause of education. There isn't a much higher mission than that of educating the people who will educate the young, and while I dont' believe that the economists will ever see such activity as more important than developing more and better economists, I think that there are a growing number who are willing to give some time and thought to the contributions their discipline can make. I use the example of economics not because I think it is the most significant discipline involved in this conversation, but rather because I know a fair number of economists who have broken out of that posture and who see that using their tools for a look at the problems of education can be extremely useful both in analyzing those problems and in training the people who must do so on a professional basis in the future.

So if you are looking for a suggestion about how to change the school of education in ways that will make it more responsive, I can summarize at this point by saying I have mentioned three possibilities. Two of them lie outside the university and say first of all that the school of education must have a much more effective expression in the schools themselves and secondly that it must find ways to enlist community resources in the training process as well as school resources. Inside the university as a third point the school of education must take down its own fences as an act of good faith and then seek to batter down the fences of other schools and departments on behalf of a set of students who really need the full sources of the university for their learning.

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Having said these things I would now like to shift my ground somewhat and consider the role of the school of education which I don't think gets talked about enough, even though it represents a considerable portion of the activity of professional educators in universities. I refer to the in-service training aspect of the education school's activities as compared to what it does in the name of pre-service training. We all know that these divisions are not neat and tidy, yet they do have some validity.

I can remember the day 15 or 20 years ago when in many, many school systems in-service training was tightly connected to the salary schedule and involved build-in requirements that in order to qualify for next-year's automatic raise teachers had to take a couple of semester hours of work. It was assumed that doing so would make them better teachers. Also, this arrangement helped to provide jobs for professors of education. Usually there was a process within the school system in which the teacher submitted a form for approval by the chief persnnel officer or the superintendent indicating his plans to enroll for a course to qualify for the salary increment. Then, on a couple of afternoons a week or, for those who were not adept at arranging their schedules well, on Saturday mornings, the teacher would go to the local university to take a course. I can testify personally to the fact that this was frequently a deadly experience, since I had to do this myself at one time when I found myself employed as a high school principal in a place where my academic credentials (which happened to be as a historian rather than as an educator) did not allow me to serve as principal for lack of courses in education, even though I had spent some three or four years as the principal of two other schools before that. So on Tuesday evenings and Saturday mrnings I sweated out 26 hours of education, taking courses in supervision, administration, the history of education, and the like. One course which I can still remember was excellent. The rest were awful, ranging from pure tedium to obfuscation of the obvious. But I am not trying to condemn an institution or comment on individuals. I am really trying to say that the tedium I encountered, which is familiar to many, many teachers, principals, and superintendants to whom I have talked, may have grown more from the sort of run-of-the-mill processing of large groups of people in order to qualify them for automatic salary raises, with which the school of education did not want to interfere, than from anything else.

I haven't kept track sufficiently of the details of how these things are run today to be able to generalize about them. No doubt they have been reformed. If they haven't, I can't imagine why not. But speaking from that experience of 15 years ago, I have to say that every single semester hour of in-service training which I took in a school of education was conducted in a school of education classroom ; by a professor of a school of education, and never introduced anybody who came from the real community or the real school system. I don't think anyone then considered the idea of moving the education classroom to the school or the community. Some of the professors I encountered were doing supervision work related to practice teachers in the schools, but that was about their only contact.

If that system has not been reformed, one suggestion I have for it is that a major proportion of the in-service training of teachers be conducted away from the school of education in the schools themselves and in the communities that surround them along lines and with faculties like those I have already mentioned. I see nothing wrong with having a school of education give semester hours of credit, if they are necessary for salary increments or other reasons, for a whole variety of activities that teachers might undertake right within their own schools. Basically any time anyone takes a responsibility for something new and different that he has had experience with before, he is having a learning experience. If he does well, he adds to his resources and is in some way a more valuable person to his employer. Going back, therefore, to my teaching and tennis analogy, I suggest that schools of education consider systems by which teachers and administrators in the school working with each other can get analysis and criticism of their work and be helped to grow and can receive credits from the university for the process. Remember that the way you get to be a better tennis player is to get on a court with someone who is better than you and that one of the ways you get to be a better teacher is to get in the classroom with a more experienced, confident, and successful person and obtain that person's assistance in working on the problems which exist there. To do either, you have to have responsibility for the situation, for swinging your own tennis racket on the one hand and for teaching the children who are there on the other.

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It doesn't do you very much good to watch either. Although I could be wrong, I suspect that the reforms needed in this situation based on the criticism I have made from my own experience are not yet fully complete and that there may be teacher training institutions in the United States which could improve more than they already have.

Also on the subject of in-service education let me suggest that it may well be the most important role of the school of education in the years immediately ahead. We have a vast oversupply of teachers right now. The pre-service training activities of schools of education is going to continue to add to it. While there will be some shift of personnel in the schools, the fact of rising teacher salaries is going to make these jobs more popular, and a very high proportion of the teachers in the schools today are the same people who will be there five or ten years from now. I have seen estimates which say that the turnover in teachers tends to involve the same 10–20 percent of the teaching force in constant change and that some 80 percent or more remain year after year in the classroom. It is particularly important, therefore, that more imaginative ways than the simple requirement of taking of course in order to get a salary increment be arranged to help in-service teachers become more effective people in the service of youngsters.

When I was testifying the other day before Senator Mondale's subcommittee on compensatory education, I pointed out to him and Senator Javits and others who were there that there are vast resources in the Federal funds being provided to school systems available for the retraining of teachers. I argued particularly that Title I of the Elementary-Secondary Education Act, now funded at the rate of a billion and a half dollars a year, had never been adequately tapped for this purpose. Instead school systems seem to think that buying movie machines or providing special sets of materials are the best ways to assist youngster who need special help. I submit that a much more significant investment of these considerable monies would be to build the capital of the school system which is in its teaching force, to develop deeper understandings among teachers of the problems young people have in today's world with both living and learning, and to develop at the same time higher degrees of expertise with the teaching process itself.

I might add that wherever I say "teacher" in these remarks, I could equally well have said "administrator," and at this point I would like to add a special footnote about training administrators. It is first of all to the effect that during the 1970's some fifty major cities of the U.S.A. will enroll more than 50 percent of their pupils from minority groups. The demand for well trained black and Spanish speaking school leaders is already high—much higher than the supply. It will continue to grow. Your fellowship awards and selection procedures will determine whether or not that demand will continue to be frustrated or whether it will be more effectively met. Secondly, I suggest that, particularly for administrators in schools and state departments of education, the design of internship opportunities is a matter demanding careful and immediate attention. Too many internships avoid providing real experience by giving real responsibility. The analogy of the medical intern has been over-used by educators, but in this situation it is valid. The intern should feel that it is up to him to both diagnose and prescribe, and he should be allowed to see the result of his decisions, with the simple reservation that the patient not be allowed to expire.

If you follow the prescriptions laid down in these suggestions for the school of education, you are going to find that it will become a different place. Much of the faculty will be in the schools and in the community rather than in the university, and so will many of the students. But when they do come into the university, they will be people who have been exposed to realities of all kinds, for whom the important philosophical, psychological, historical, economic, and sociological studies the university has to conduct, if educators are to have understanding in depth about the processes they are charged with, will have new, direct and immediate meaning. Studying theoretical backgrounds out of contact with reality has been too typical of what we do in the training process, as has exposure to reality without giving the individual real responsibility for contending with it. Too much of our practice teaching and internship activity has has been observational rather than participatory. Perhaps our syndrome for watching TV and watching sports has made us feel that watching education is the way to learn about it. Really it is not, any more than is the case with tennis. What I am looking for is a new kind of exposure to reality in the training process and its marriage to the significant functions of the university that have to do with the disciplines and with knowledge.

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Of course you may say, "What about research?", and so do I. I tend to think that most research in education which is going to be very useful is itself going to be done in close touch with reality situations rather than isolated from them. I know that there are some exceptions. Historical research, for example, may develop in the traditional scholarly atmosphere of library study, but it will be arid unless its author has some immediate sense of how things are in the schools which allow him a mirror in his mind for a greater sense of how things were. There are, of course, important areas of research which should be emphasized and better financed in schools of education. I guess I would argue that they need a firm base in the reality of home, school, and community just as teaching does for a very large proportion of their stimulation.

Well, I said I was going to think out loud. That is exactly what I have done. These remarks come to you as dictated with my feet on my desk at the Ford Foundation, late last Friday afternoon, a sleepy midsummer day, a time when things here are so slow at the Foundation that people have forgotten to call us up—even to ask for money. I know I was supposed to talk about "the forces demanding reform in schools of education." Instead I have treated only the second half of my subject, "The Kinds of Reform Which Seem To Be Needed." The reason I have steered clear of the first half is that I think you know the answers better than I. The forces asking for reform are basically three: the the students, the parents, and the teachers. Neither parents nor students think the schools are doing a good job. So far they are harrassing the schools, rather than the schools of education. I expect that before long they will be on your doorstep. I hope you're ready. The teachers and administrators are aware that they are not prepared for the problems they are confronting, particularly in the cities. They look to you for new resources which will be helpful to them.

Of course there are deeper forces at work which lie behind these discontents. The College generation has articulated many of these. The insistent cry for relevance in education seems to me a symptom which expresses some of these more fundamental matters. The list of them is all too familiar:

> The goal of affluence as the individual's salvation has turned out to be inadequate for many Americans who have achieved it. Can education help us to find new and more meaningful goals.
>
> The position of a nation which monopolizes the world's wealth and shares its good fortunes in decreasing proportion with its own have-nots and with those of other countries is deeply disturbing to many Americans of both older and younger generations. What might the schools do about this?
>
> The effects of rapid technological change on jobs, on leisure, and on the movement of people to cities accompanied by the slowness of all our institutions of education, of government, and of other kinds to make constructive and rapid adjustment to changing needs and circumstances. How can teachers and school leaders be helped to understand these shifts and to respond to them?

This listing of problems and pressures could go on and on. The fact is that schools of education must be brought to the center of these worries and concerns. I am particularly encouraged that the AASA has sponsored this meeting and many others around the land to search for the handles which will allow the slow-moving machinery of education to accelerate its pace of change. In a very fundamental way schools and departments of education have a most significant role in forging the America which will enter the 21st Century in the not to distant future. There is plenty for you ladies and gentlemen to do and plenty of pressure demanding reform. I wish you a happy and turbulent future.

THE FORD FOUNDATION,
New York, N.Y., February 2, 1971.

Hon. JOHN BRADEMAS,
Chairman, Select Subcommittee on Education, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR JOHN: Thank you for your letter of January 7 inviting me to comment on the proposed National Institute of Education, which your Subcommittee is presently considering, and enclosing the draft *Preliminary Plan for the Proposed Institute* prepared by the Rand Corporation.

I strongly support the basic idea of a National Institute of Education to focus increased federal energy and resource—both human and financial—in an ex-

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panded program of educational research and development. Such an Institute is greatly needed because of four related but distinct problems that have long plagued federal research efforts in education.

The first of these existing difficulties is the fragmentation of education research within the federal bureaucracy. A variety of federal agencies within and outside of HEW currently support educational research activities. A new National Institute of Education could provide coordination among existing federal research programs concerned with education, and I hope it will be assigned such a role. The NIE proposal makes sense in its own right, but if it is to be truly effective it must help to get the Federal government's education research house in order. Only when there is an overall Federal research policy for education in which the research efforts of OEO, NSF, NFAH, the Labor Department, and other agencies play purposeful parts in an overall research strategy for the nation, will there be truly significant progress on the education research and development front.

A second problem with federal research efforts is that they are frequently changed to meet short-term budget problems or short-term political decisions regarding priorities, thus reducing the likelihood that research activities will be allowed the continuity necessary for meaningful results. Tough problems facing educational research today are not amenable to quick and easy solutions. A good research program will require a persistence and continuity that has not been present in most federal education research efforts in recent years. I would expect the proposed National Institute of Education to be able to resist short-term cycles of political priority and to function as an effective problem solver over the long haul. Provision for a five-year term for its Director and continuity for its governing board will help to guarantee this capacity to keep working on important problems.

I believe that the Congress should make a dramatic and meaningful commitment to the funding of the NIE by stating a specific funding goal, say one billion dollars in new funds over a five year period. You will recall that this was done in the case of the one hundred million dollar authorization for construction purposes in the research program under Title IV of the Elementary and Secondary Education Act of 1965. While this authorization did not of itself ensure such funding, it did make clear the government's serious interest in the area.

In addition, you may recall that the construction funds which were actually appropriated under this Title IV authority were available for a period of years rather than expiring at the end of the fiscal year in which appropriated. This is an extremely important principle to establish for the funds appropriated for NIE. Research activities do not fit the one year budget cycle. In research more than any area, it is important to avoid the "end of the fiscal year syndrome" in which Federal funds are hurriedly committed to marginal projects simply because they are there. Ideally NIE should be launched with an appropriation of approximately $400 to $500 million—over and above current costs—to meet its needs for a period of three years. Actual expenditure of these new funds would be small in the first year and grow rapidly in the second and third years.

If, however, Congress establishes a National Institute of Education and provides no new money or, even if it appropriates just a few million dollars a year of new money, the great potential of a strong National Institute of Education will have been sabotaged on the rocks of bureaucratic shuffling and the fiscal status quo. The creation of an Institute in and of itself cannot be allowed to become a rationale for failing to appropriate the money required to attract the nation's finest scholars to a serious program of educational research. The problems facing educational research are considerably more difficult to resolve than some issues which natural and physical scientists have conquered through research in recent years. Good research requires both adequate money and adequate time. A new generation of young scholars in the behavioral and social sciences must be attracted to focus their research on significant educational research problems through the course of their careers. The Institute must provide not only the leadership, but also significant new resources to train and attract first-class people to the educational research field.

The third problem with present educational research activities is that they are grossly under-funded. Public education is the largest government supported, domestic program in the country; expenditures for public schools alone will be close to 45 billion dollars in 1970–71. Yet the current USOE budget for educational research and development is approximately 130 million dollars. The Rand

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document does a good job of highlighting this shortcoming. My general recommendations for change in this situation are stated in the preceding paragraphs. If the establishment of NIE signals not merely a bureaucratic restructuring but rather a long-term commitment to substantially increased Federal funding for educational research and development, I can only herald it as a much needed policy initiative.

A fourth problem is that research and development staff in USOE lack the status within the federal structure needed for effective national leadership in the research and development community, and essential for interagency federal coordination purposes. The proposals in the draft document by the Rand Corporation offer one sensible solution to this problem. No doubt there are others.

Apart from offering solutions to inadequacies in present efforts, there is a more positive rationale supporting the proposal for a National Institute of Education. As President Nixon pointed out in his education message of 1970, the present "state of the art" in education is woefully lacking in solid evidence about "what works." A great deal of shapeless floundering goes on in education, at least partly because research has not yet provided answers to many of our toughest educational problems. A major function of the proposed Institute, therefore, should be to spot the big questions and work seriously over extended periods of time to get them answered, or at least rendered answerable.

While I have considerable agreement with the objectives of the Preliminary Plan for the Proposed National Institute of Education described in Chapter II of the Rand document, I suggest that the priorities implied in that chapter be changed. For a research organization the order of priorities should be:

1. Strengthening foundations of basic knowledge about education (Objective III);
2. Building a vigorous educational research and development system (Objective IV);
3. Helping with solutions to particular problems of schools and colleges or education as a profession (Objectives I and II).

In other words, the National Institute of Education should encourage fundamental research and help to develop a system which will support applications and experiments related to it. Only as a third priority and in limited ways should the NIE get directly involved in administering programs, schools, and experiments. In this connection I have some doubts about the advisability of NIE assuming all the tasks assigned to the Directorate of Programs in Chapter IV of the draft document. Its grant and evaluation efforts should reach to all kinds of organizations, but it should steer clear of direct operational responsibility for experiments on a large scale.

Given this background, the Institute should focus its attention on a few long-range, basic educational problems. The Institute must avoid the danger of diluting its energies across a multitude of overlapping, non-cumulative smaller efforts; it cannot be all things to all people. I suggest a formulation of priority problems such as the following which are offered as examples and not as a complete listing:

1. High priorities should be given to the heart of education itself—learning—particularly learning in the early years. Evidence is reasonably clear that early learning significantly shapes later learning and restricts later efforts to relearn. We are just beginning to scratch the surface of knowledge about how children learn, how they respond to various educational programs at different stages of development, and how schools and colleges can be managed to induce the most effective possible student performance.

2. Parallel to its focus on learning, the Institute should concentrate on the important by-products of the learning process. I include here consideration of attitudes, behavior, and viewpoints which accompany learning and which may be as important for the individual and for society as what is learned in the way of skills or knowledge.

3. Education is a labor-intensive activity which has not been responsive to the introduction of alternative technologies. The Institute should place major emphasis on the realistic development of educational technologies which hold promise of extending the reach of educational institutions beyond the classroom and of improving the cost-effectiveness of classroom instruction itself. Sesame Street, for example, reaching several million children daily at an annual cost of about eight million dollars, has begun to realize perhaps for the first time, the enormous educational potential of television.

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The development of alternative technologies and the use of cost-effectiveness analyses of educational processes is needed both in higher education and in schools.

While I am not opposed to the Center for Education Studies mentioned on page 116, I think that it could create some problems which need to be foreseen. For example, I would have real concern about a national curriculum for social studies being developed in a center which is directly a part of the Federal establishment, although I would think it quite appropriate for NIE to make grants for the development of social studies curriculum to schools, universities, or other agencies. So the role and purpose of the center needs careful thought. Perhaps its most useful function would be as a center for developing research strategies in education. I would like to see more discussion of the relationship of NIE to the universities than occurs in the draft document. In general, I think that permanent staff of high quality in sufficient numbers is going to be difficult to attract and hold in a Washington-based center. The universities will remain the places which harbor the teaching and research that nurtures new scholars interested in education and related issues. At the least the center needs authority to establish liaison with universities in a variety of ways.

I think it would be a mistake for the Congress to legislate in great detail in regard to the NIE and prescribe program and organization in the kind of detail outlined in the Rand Corporation draft. If this draft is discussed by your committee and a legislative record established in regard to it, the next step should be the creation of the agency and the advisory committee with broad directives in the legislation but with options to develop details of program and organization.

With regard to the structure of the Institute, the National Advisory Council should include scientists, laymen, and perhaps a few foreign as well as American educators and researchers. It must not be allowed to become the captive of any particular branch of the educational establishment—certainly not of the educational research community or the eduactional administrators. The presence of a few distinguished foreign scholars and educators on the Council would help to insure the autonomy and broad orientation needed for the Institute.

Organizationally, the Institute should be separate from the day-to-day operations and programs of the USOE, yet working in close parallely with it. It should certainly not be expected to perform the routine planning and evaluation functions now conducted by USOE bureaus. The fundamental point is whether the Director of NIE takes his budget to the Secretary of HEW and to the appropriations committees of the Congress separately or through the chief education official in HEW, whatever his title may be. Although there are good arguments on both sides of this question, I think that the Director of NIE should report through the chief education official of HEW.

There are other organizational issues to be solved. Over the past six years a large number of education research centers of various kinds have been started with Federal funds. There are Regional Education Laboratories, Research and Development Centers at universities, special research activities to serve vocational education, education of handicapped children, and teacher training, all currently maintained by research funds of the Office of Education. Many of these programs and centers are just beginning to be productive. Like any new research effort, they have been through all sorts of growing pains. While these activities clearly need periodic evaluation to determine their worthiness for continued support, my judgment would be that most of them should be kept going. There is considerable evidence that they have made really useful contributions to educational change or are on the threshold of doing so. It is important, therefore, that NIE supplement and coordinate this existing network of activities rather than attempting to supplant it. The funding of NIE will require money to continue these existing activities and to add new functions and programs as well.

The establishment of such a National Institute of Education would be an important step in organizing within the Executive Branch the research and management capabilities needed for an attach on the educational problems facing this nation.

I trust that these views have been helpful to you and the members of your Subcommittee. If I can be of any further help, I will be pleased to do so.

Sincerely,

HAROLD HOWE II.

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SEPTEMBER 21, 1971.

Hon. WALTER MONDALE,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR FRITZ: Shortly after I testified before your committee in August, you sent me some questions and asked for written answers. I have at last completed that exercise, and I enclose my response. I hope it is helpful.

This brings personal best wishes.

Sincerely,

HAROLD HOWE II.

Enclosure.

RESPONSES BY HAROLD HOWE II TO QUESTIONS SUBMITTED BY THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY OF THE UNITED STATES SENATE (SENATOR WALTER F. MONDALE, MINNESOTA, CHAIRMAN)

Question One: Doesn't the rationale for compensatory education presume a deficiency problem with the child and its family rather than the school system?

The rationale for compensatory education rests on the idea that a deprived environment, particularly in the early years of a child's life, can create handicaps to developing the individual's full potential. It assumes further that properly designed educational efforts can in some measure make up for those handicaps. An implication of this second assumption is that the schools as presently constituted are indeed deficient in meeting the needs of children who have difficulties with learning, growing out of bot henvironmental and hereditary handicaps, and it implies further than educators with imagination and the drive to change the schools can make them considerably more relevant to the needs of these children and more effective in developing their potentials.

Perhaps the best way to illustrate the idea of an environmental handicap is to describe an actual situation in which working mothers typically return to work some two months after giving birth to a child. During the time that they are working, the child will be placed with another mother whose business is taking in children of working mothers, each of whom might pay a dollar a day or so to have her children cared for during working hours. In such a center will be children from several months of age up to four or five years, and an individual caretaker might look after up to ten or twelve such children in her home.

For the caretaker who has neither training nor equipment and facilities to provide a stimulating environment the entire emphasis is frequently on the passivity of children. The child who doesn't cry, who doesn't need attention, who doesn't ask questions after he has learned to speak, who doesn't move about—in other words the child who does not seek, demand, and get stimulation and is least troublesome to the person in charge—is the child who gets rewarded. Such an environment discourages the early and very significant development of every aspect of human sensitivity and potential. The qualities fortified in children so treated are the qualities which lead to failure in school. The lack of positive stimulation from human contact, from active exploration of objects, from verbal interchange, and from the kind of play through which a child learns shapes and sizes and colors depresses and inhibits the development of capabilities which are extremely important not only for success in school but for success in life. The development of language as a most important component of any individual's early growth often suffers in this sort of environmental handicapping system.

Contrast this situation with many well-financed day care or pre-school arrangements staffed by trained personnel in which stimulation of all kinds is provided. Children get all sorts of attention and praise for their achievements on a regular basis from interested adults, they are encouraged to talk over their ideas and feelings, to handle objects, explore the differences of sound, shape, color, texture in all kinds of materials, to solve problems—and therewith their early intellectual development is much advanced. Further they are offered choices and a range of independent activities that exercise initiative, allow the child to set his own pace, and develop goals of his own—thereby giving him a sense of power over his environment.

Add to this the situation in the home for many of the kinds of families which would make use of the type of day care activity described two paragraphs above, homes in which economic handicaps deny proper nutrition and certain aspects of

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stimulation, even though just as much love and care may be present as in the middle class home, and you get a picture of environment denial which pyramids in its effect on children as they mature. Indeed the handicaps from the home are probably much more important than those growing from ill designed day care.

Children who have these environmental "handicaps" typically enter a school system which has set its tasks and its expectations in terms of more fortunate children. Early in such a schooling arrangement the child who comes with a handicap finds the school saying to him in no uncertain terms that he is not a success, that he doesn't measure up, that there is something wrong with him. Whether the individual teacher ever utters such words or not, the operation of the entire system effectively carries the message.

When we speak of "equal educational opportunity," we use a phrase which potentially has many meanings. It could be understood to imply that every child should have access to the same kind of schooling. If that is what it is taken to mean, many, many children are going to be denied effective education. The reason for this is that schooling has to be different for each child. It has to fit him. It has to start where he is, with his level of intellectual performance, his linguistic abilities or the lack of them, his interests, his capacities to deal with other people and to do things that the school assumes or expects. Children differ tremendously as a result of inheritance, and the schools have to be able to allow for this. They also differ as a result of the environment of their early years. Some children come to school already able to use numbers and even to read. Others do not yet have these or other skills. If the school calls the child "a dummy" because he can't do what others can, it starts the inevitable process of diminishing him in his own eyes and guaranteeing his future failure. So equal educational opportunity has to mean the opportunity to have an education specifically designed for the child without any expectation that he must perform identically with other children who happen to be around him. The expectation should be that he progress from where he is. Some are going to progress more rapidly than others. A good school experience will help some children to progress more rapidly than they otherwise would have.

Question Two: What are the elements of a sound compensatory education strategy? How much money should be spent per child?

The concept of compensatory education as an "add-on" component needs examination at this point in our history. Schools are not only poor for low-income children, they very often shortchange the more affluent. Additional funds while a necessary condition for improving the quality of education in deprived areas are not alone a sufficient condition. Federal money can merely result in "more of the same," while barely touching the child. A more sound compensatory education strategy, therefore, would seek to "turn around" the school, supporting efforts of the staff and community institutions to learn how to respond with sensitivity, imagination and resourcefulness to the children for whom they are responsible. This is far more complex than it sounds for if anything has been learned through these recent years, it is that, in general, we have oversimplified the problems of human learning and individual growth and development. We have tended to seek easy solutions, and in our search for definable goals, are relying too exclusively on narrow, highly specified objectives that avoid dealing with processes of growth and with values and human relationships.

To use Federal monies well, to redress the balance of educational opportunities more in favor of deprived children requires the kind of careful searching and questioning and planning, at national, state and local levels, that has not been encouraged enough by Federal programs. Planning time has not been budgeted and monies are committed prematurely in response to immediate deadlines. Moreover, Federal guidelines and prescriptions, established in part in the interests of effective controls, sometimes inhibit the kind of long-range local planning that could lead to basic improvements in education. Far too often one hears of schools that apologize for a program they are running, explaining that they do it because it fits into Federal guidelines and not because it is regarded as a means for improving the child's educational experience. The quick and easy add-on of additional services while the basic program of the classroom remains exactly the same is, for all these reasons, a questionable strategy. To do an effective job compensatory education should invest in the training of teachers as the first step in redesigning the school to fit children it now fails to serve. Then it should look at organization, curriculum, and relationship to community and consider

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changes in all three areas based on a philosophy of making children successful rather than one of seeing if they measure up.

Probably nobody can give you clear proof that any particular amount of money ought to be spent per child. I believe, however, that the general concept of "a critical mass" makes good sense. Minor accretions of funds leading to minor changes in school services are in my judgment unlikely to provide sufficient difference in the education offered to have any potential for redressing severe environmental handicaps. The State of California has worked on this question and has come up with the idea that at least $300 per child is necessary in order to make the required differences. I believe that Connecticut has reached about the same conclusion. To my knowledge, this is the best rule of thumb we have, and it would make sense to me to have the Federal programs operate in accordance with it. After all, $300 per pupil per year is only about $1.65 per child per day, surely not an extravagant amount for this important service. But it is important to add a qualification. In most schools attended by the children of poor families, the amount of money provided by city and state to pay for school services is considerably less than the amount provided in schools attended by the children of more fortunate families. So that all the Federal compensatory education money does for poor children in many localities is give them additional services to help them to catch up in terms of school quality with what the more fortunate children already have. In other words there is a real issue of comparability of service before *Federal* money enters the picture. There isn't much sense in arguing that we are doing a special job for the children of poor people if all we do is to use the add-on money provided for them to put their schools on slightly improved footing compared with schools for the affluent which remain better financed even after the compensatory funds are added to schools in poor areas. So systems need to be built into state and local school financing which will provide comparability of services through funds from those sources before the Federal add-on enters the picture. I certainly think the idea should be explored of making school districts ineligible for the Federal add-on until they have achieved comparability within the state or, at least, within schools in a district.

The Advisory Commission on Intergovernmental Relations and others have proposed Federal fiscal incentives to reward states which have equitable school revenue systems. Such proposals should be seriously considered in view of the recent California State Supreme Court decision in the *Serrano* case. So long as the Federal Government contributes only a small percentage (e.g., 7 percent) of revenues for schools, it must seek leverage on state and local programs and actions if any significant Federal influence is to be achieved. Obviously, if the Federal intent of funds for compensatory programs is to "add to" the education of disadvantaged children, such funds can only meet that objective if, at first, local and state support of education for such youngsters is equal to that of youngsters who are not disadvantaged.

A final observation on this matter of dollars per child to support an adequate compensatory program is that different types of activities have very different cost levels. The $300 figure I have given is an average. Some types of programs will cost more than this and some less.

What kinds of special teacher and paraprofessional training and/or retraining should be conducted?

Teacher and paraprofessional training or re-training is a very important component in compensatory education. The teacher is the main agent of learning as well as a powerful influence on attitudes and behavior, and unless teachers understand the problems of children from poor families, respect those children as individuals, and work with them on a basis which lets them know that they too have a right to succeed in school and are expected to do so, their education is not going to be successful.

As millions of poor people have concentrated in the centers of our cities and as school classrooms have become crowded with large concentrations of children tion for which they have not been adequately prepared by the schools of education to which they went. Indeed schools of education generally have a difficult time figuring out what to do to help teachers be constructive in such environments.

A child who isn't learning should be a signal to the school that its methods and its climate may need modification for that individual. Of critical importance here is the repertoire the teacher brings to his job. The very "sameness" of

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school after school, class after class—in the material of learning, in teaching techniques, in the schedules and rules of behavior—suggests that teachers are not acquiring an arsenal of tools and responses that could be brought to bear differentially in helping children to become good learners. Too many schools are applying packages of programs to whole classes of children without regard for their suitability for any one child. In retraining teachers who need to encourage more initiative in teachers and help them to explore wider options, teach them to observe children carefully in different ways, and to make deliberate, selective choices based on cues provided by individual children. Teachers who do not have specific intents in mind in their work with individual children and who do not test out their observations and learn from their successes and failures are not fulfilling children's needs nor are they having a rewarding teaching experience themselves.

One school of education that discovered the children of the poor long before the Federal Government did is the Bank Street College of Education in New York. Anyone looking for some sensible approaches to training teachers, especially for disadvantaged pupils in elementary schools and for materials for such pupils might well get in contact with that institution and its capable staff. In general the recommendations that I have for improving teacher training and re-training are included in the attached remarks delivered in Las Vegas on September 1, 1971 to a meeting of Deans of Education. I submit them for whatever interest you may have.

Basically what is necessary in teacher training and re-training is to have much of that process conducted in the schools, tapping the very important resource of the effective, able, and experienced teachers who are there. These teachers are not a majority of the teaching staff by any means, but the schools do have very successful people doing an effective job with all kinds of children. Title I money can be used to provide the time of some of these people for the teacher training process. In addition, I see a need for a new type of organization, a kind of teacher training clinic, or teacher advisory service, which is maintained within the school system (rather than operated by way of courses in the school of education), which has access to all sorts of resources in and out of schools that can be used by teachers, and which can bring teachers into its orbit for discussion of their problems without any threat to their status. A good example of this kind of thing, currently funded by the Ford Foundation, is the Community Resources Institute run by the City University in New York City. On a small scale it is being teachers, other school staff and parents in training activities. It is developing practical materials that will also help them, and it is tapping some of the interesting new ideas about the open classroom which offer hope in American schools when carefully planned.

Training programs in this country have by now come to be so compartmentalized and narrowly professional that they have lost sight of their primary objective which is to prepare adults to be effective in their work with children. This is a criticism not only of teacher training but also of the way school administrators, especially principals, are trained and, incidentally, the way we train psychologists and social workers for service and research in education. Principals are, in fact, heads of schools: to do their job effectively requires extensive knowledge of learning processes and learning materials and, further, is dependent on their having had successful teaching experience so that they can exercise a role in furthering staff development in their own school. Far too many school principals are not chosen for their teaching ability, and when their roles are limited to office work, teachers are thereby denied help and support in shaping better learning environments for children. We may also be erring when we allow psychologists, social workers and others who seek careers in schools to go to work without ever having had any direct teaching experience themselves. In other countries, England for example, there are degree programs in these professions which insist on teaching experience as a prerequisite to employment. I would add, however, that we should avoid the doubling up of teacher certification requirements for those who train in these special areas. They should be given provisional teaching certification and allowed to get classroom experience after their professional study rather than being made to take a long list of education courses to qualify for teaching.

These remarks may seem on the surface removed from the main inquiry into compensatory education. I submit, however, that they are as central as other issues: everyone working in the school setting should have a close working

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knowledge of children and their different ways of learning and behaving in order to contribute directly to the improvement of the school enterprise.

To what degree should local parents and communtiy residents be involved in the definition, design and implementation of the program?

On the matter of parent and community involvement, I would simply refer to my testimony before Senator Mondale's committee when I appeared there on August 3. We had considerable discussion of this matter, and I have nothing to add.

Question Three: Would you cite some specific examples of Title 1 programs or other kinds of compensatory efforts that have proven successful? (Include any suggestions you can regarding what elements in these programs accounted for their success.)

I do not feel competent to provide a listing of the successful compensatory education projects in the U.S.A. and to explain the strengths of each. I have been out of the country for the past several years and I have been insulated from good information on this subject. Also I suspect that there may not be really comprehensive information in response to such a query available anywhere.

So the best I can do is to make two suggestions. One is that you review the reports published by the U.S. Office of Education under the heading of the "It Works" series. Most of them represent useful analyses of Title I compensatory education projects that seem to be working. It should be pointed out, however, that most of these projects encompass only a small portion of a child's daily school and few if any are directed to the fundamental changes in teaching and curriculum which I have suggested in responding to question No. 2.

Secondly, I would suggest that your committee get in touch with Dr. Gilbert R. Austin, who recently completed an assignment at HEW and who now works for the Center for Educational Research and Innovation at the OECD in Paris. In his temporary role at HEW, Dr. Austin looked at the evaluation of selected exemplary programs for the education of disadvantaged children and wrote a paper carrying that title. I don't know the status of the paper, although I have read a copy of it. If it is available to your committee, I do think that the record of your hearings would benefit by its inclusion. Dr. Austin has also analyzed some of the major evaluations of early childhood education promoted by the U.S. Government, such as the ETS Headstart Study, the Stanford Research Institute view of Headstart, and the Longitudinal Evaluation of selected features of the National Follow Through Program also conducted by the Stanford Research Institute. I think his analysis of these evaluations would be useful for the record of your Committee. If Dr. Austin could testify before your Committee, I am sure that his observations would clarify this question.

Question Four: Given the present conditions and needs, what would you recommend as an appropriate current level of funding for Title I of the Elementary and Secondary Education Act?

Going on the assumption that $300 per child makes sense, there are somewhere between eight and ten million deprived and handicapped children. This argues for annual funding for Title I in an amount of two-and-a-half to three billion dollars as opposed to the one to one-and-a-half billion which has characterized the program so far.

Question Five: Should training or retraining programs for professional and paraprofessional be pre-service, in service, or both? What methods and techniques should be emphasized?

The answer to this question is contained under Item 2 and does not need to be repeated here. The attached copy of my Sept. 1 speech is also relevant.

Question Six: In what specific ways could a "system approach" coupled with greater attention and research on learning and motivation improve, reform, and bring about quality education?

A. Define a "system approach" to education.

No doubt you will get a different definition of the "systems approach" to education from the person who is a specialist in what are called "systems" these days. Since I am not such a specialist, I will explain what the concept means to me.

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To me it implies that education has been to a degree unsystematic, that there has not been an orderly controlled process of following the child through the educational experience and applying the specific diagnoses and remedies required at particular times to meet his particular learning needs. Certainly what is not implied in a systems approach to education is the idea of a system like that which produces automobiles on a production line, in which every component added to the ultimate article being produced is identical and is added on in exactly the same way every time. A production line approach to education will damage children, but it is possible to keep track of individual differences and systematically apply educational components which allow for them particularly through the use of a computer memory, which can more easily than the teacher let both the pupil and the teacher know what the current state of the individual's learning process is and suggest the next steps.

There may be someone who has devised a systems approach to embrace all the processes of the school ranging from the teaching of reading and arithmetic to the inculcation of attitudes and the development of physical skills and emotional health. If this has happened, I don't know about it. In general the systems approaches that people have tried seem to pick up part of the school experience and try to make it more rational, more orderly, more efficient, less expensive, and more successful with individuals. Typically this sort of thing is done with the teaching of reading and other language skills or the teaching of mathematics, which lends itself particularly to systematic development because of the logical sequential relationships involved in it. Programming techniques which depend upon immediate fortification of learning just completed by using them for further learnings are typically built into such systems approaches.

It may turn out that carefully worked out, highly interrelated efforts of this kind can indeed produce effective learning. In the Defense Department, for example, I believe that there are some rather dramatic records of a rather systematic approach to illiteracy problems among draftees with great success. But, of course, these are based on the control of the person's environment for 24 hours a day and on other assumptions about motivation than the school usually makes.

I think that efforts to make learning more systematic, less characterized by trial and error, and more efficient (particularly the latter) in the sense of getting more learning for less cost, are worth encouraging. Sometimes they are conducted by using equipment produced by commercial firms, and I think there is some evidence that these firms have tended to rush into the merchandizing of the equipment and the systematic approaches that go with it before the total effects of using it are completely understood. But it is a hopeful area which needs further, orderly attention and trial. Right now a good many youngsters in the United States are being helped with learning difficulties by arrangements which would fall under the broad heading of systems approaches as I understand it. In trying a "systems" approach, we must look carefully at the ability of large scale programs to respond to individual differences in children—not only to their different rates of learning as is more or less common in many systems approaches—but also to differences in their strengths, interests, values, and styles of learning. But again, I point to the fact that there are real specialists in this business who would probably disagree with much of the above. I suspect that they would want to make the systems concept more all embracing. I might add that one of the most hopeful efforts to develop a system is the work being done at the University of Illinois in the PLATO program.

B. In what specific areas should further research be conducted? Should it be carried out under Federal auspices? If so, should a new agency or body be created to examine these issues or should existing agencies take on these responsibilities? Which ones?

The most important areas for research are ***the learning process itself and human motivation for learning.*** I attach a copy of a letter to Congressman Brademas giving some of my views on this matter. In addition, I testified before Mr. Brademas' Sub-Committee on March 20, 1971. The record of that discussion might be of interest. Basically, I favor a new Federal agency but I feel that most of the research that it would support should be done by persons in universities and other research agencies rather than in the Federal employ.

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Question Seven: On what basis or criteria should educational compensation begin or terminate?

A. Should all poor and minority group students be automatically placed in compensatory programs?

My major comment in regard to item 7 is that probably a large proportion of what we call compensatory education should not be conducted in the schools at all but should be embraced within early childhood education programs which may develop under day care auspices of various kinds. When we use the word "education," we think of formal learnings and particularly of learning to read. Early childhood programs don't necessarily need to focus on that. They should first be concerned to stimulate young children in many of the ways implied under my response to Question 1. President Johnson's White House Task Force on Early Childhood wrote an excellent report (I believe in 1967–68) laying out a set of national programs related to young children and particularly those with deprived environments. It would be a good idea to review that document, although I am not sure whether it is in the public realm or not. Perhaps President Johnson would make it available if it is not.

So my broad recommendation is that national expenditure on compensatory education should be pushed downward in the schools and into the early childhood years. If I have to draw a line, which I don't regard myself as competent to do, I would focus most of these expenditures at the junior high school level and before and a very large proportion of them in preschool times, connecting them to day care programs whether in or out of the schools.

B. Should the program terminate when all students participating in such programs are achieving on grade level?

I don't think it is possible to set up any ground rules for turning compensatory education programs on or off with any given grade levels or levels of testing. That is too mechanical an approach to make sense in educational institutions, where most of the transmission of learning and values comes from human contacts which can't be turned on and off like a water facet.

Question Eight: How should compensatory education programs be evaluated? How long should it take to determine meaningful programs or the lack of it? What are the bases for these determinations?

When I testified before Senator Mondale's committee in August, I suggested the possibility of a new, comprehensive look at the effects of schooling in the United States pointing out that neither the Coleman Report nor the activities of the National Assessment really give us the data to know enough about our problems. Perhaps the latter study, which is still going on, can provide a base line against which we can determine some of the achievements and failures of compensatory education for four or five years.

There will always be controversy on the question of how a compensatory education program should be evaluated. On the one hand are those who feel that the only valid basis of judgment is hard testing information on improvement in measurable educational terms such as reading skill. Others point to the fact that there are many components of personal development that take place in the schools, which are not measurable, and which are just as important as those things which are and suggest that it would be a mistake to be too mechanistic about judging the effect of compensatory education. I suspect that both of these areas of concern are important in evaluation. Tests and testing will become more effective as years go along and will be better measures of those things which can be measured. Tests of attitudes and values will become more sophisticated and therewith more reliable.

The fact is, of course, that our expectations about the effects of compensatory education have been unreasonable. We have generally believed that if we pump a couple of billion dollars into the system there would be immediate changes. But we are pumping these funds into the same teachers and the same schools and the same children who are mutually unsuccessful before the funds arrived. Human changes have to come about in the teacher's attitudes and practices, in the institutional organization and routines, and in the materials and other components used. Everybody who knows anything about human institutions knows that these kinds of changes take time. I can't give a definitive answer to the

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question here, but it does seem to me that five to ten years is not too long to think of as a time during which there would be probing and experimentation directed toward producing results in compensatory education. In the meantime, we should be testing and examining, accumulating information, and finding out what has failed and what has succeeded. Clearly, there have been a variety of successes along with a variety of failures. Perhaps as a five-to-ten-year period matures the percentage of successes will grow. We should certainly set up systems for diffusion of information about what is successful, which will help that to happen.

At this point it might be worth just making one or two observations on the problem of expectations and time. When Congress passed ESEA for the first time back in 1965, it was finally funded in approximately November of 1965. None of those funds reached the schools until March of 1966, and most of them did not get into the schools until the summer of 1966. This was because all sorts of administrative efforts had to be mounted to launch a totally new system of complex relationships involving Federal, state, and local government. There was really no influence on the schools of any substantial kind during the school year 1965–66. Things moved a little bit in the summer of 1966, and the programs really got started during the school year 1966–67. This means that we are currently in the fifth year of this program and that September of 1971 will start the sixth year. The time is approaching when it is reasonable to ask for a more comprehensive evaluation, and I think it would be appropriate for Congress to request that such an effort be designed and carried forward.

FROM CHARLES H. SMITH

RESPONSES BY CHARLES H. SMITH TO QUESTIONS SUBMITTED BY THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY OF THE U.S. SENATE (SENATOR WALTER F. MONDALE OF MINNESOTA, CHAIRMAN.)

Question 1. Doesn't the rationale for compensatory education presume a deficiency problem with the child and its family rather than the school system?

Compensatory education is based on the rationale that children from deprived environments are not able to fully participate in the existing educational program of the school, and further recognizes that the school as currently constituted does not have the resources to adequately cope with their needs.

Traditionally, the school has assumed that a child comes to school with a certain amount of preparation for the learning activity and that a certain amount of training has taken place in the home which school may capitalize upon. Therefore the school has built a curriculum that makes basic assumptions which may be true of a fairly sizable part of its constituency, but is certainly not true for the part of that constituency to whom compensatory educational programs have been addressed in recent years. The curriculum of the school does not take into consideration the kind of environment that many children come from that is different from the environment to which the school traditionally has responded. Many children in the center city have not had the benefit of constant companionship by their mothers and fathers; they have not had the benefit of a stimulating environment filled with toys, picture book materials, and conversations with parents designed to stimulate the curiosity of the child.

More frequently these parents are concerned with providing the basic necessities for these children and do not have the time to engage in what schools call environmental growth and development, and therefore the child is deprived of certain basics that the school expects him to have. The child that the school is more able to accommodate in the instructional situation is probably the child that has the benefit of expected preschool experiences, who lives in a home setting that does provide a stimulating environment with equipment, materials, conversation, the time, and care, and it is this child that more quickly responds to whatever stimulus the school is able to provide.

It is probably fair to say that to the extent that the traditional school cannot more adequately provide for the child that has not had the benefit of the early training, to this extent the school in fact is deficient in its ability to provide the kind of a learning-teaching environment for the child who deviates from their expected pretraining experience. There is probably no reason why the school

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cannot more adequately prepare for many different kinds of children, whatever their needs may be. This, of course, would require a kind of flexibility that most educators do not have.

The goals of compensatory education, then, were supposedly designed to provide the kinds of programs that would compensate for the deficiencies of children who lacked the expected preparation for school. Another part of that component must necessarily deal with the narrow training of teachers and principals and the tendency on the part of the total system to neglect the children. If the school was equipped to receive a child wherever he may be and then moved him forward in accordance with his individual needs, compensation would not be as critical. as it now is.

Question 2. What are the elements of a sound compensatory education strategy? How much money should be spent per child?

It is extremely difficult to place a specific amount of money expenditure per child on the program—for there is a wide range of effectiveness that has been gained in the compensatory education program thus far. There are school systems that have been able to make measurable impact on their students with the amount being spent, and there are other systems which have not spent the money wisely and have simply added on to what they were doing and the effects have not been measurable in terms of impact. Therefore, there is very little question about the fact that more can be gained from what now exists—however now is the time to begin capitalizing on what we have learned about the program thus far. Not much is gained from adding on to what now exists, if there has been no measurable impact. Not much is gained from heavy investments in hardware and software being used by the same people who were totally ineffective before. Investments in hardware that are poorly used will not give a substantial return on the investment, nor is there any guarantee that the people who have the responsibility for the implementation of these programs are going to feel any differently about the children that they teach.

I think it is quite reasonable to expect that any school participating in the program should be required to develop sound educational objectives for the children who are going to be involved and some mechanism through which they can measure the progress being made toward accomplishing these objectives. These objectives should reflect their analysis of the children's needs and a specific program designed to accomplish these objectives. In many cases, that program may reflect the need for teachers to be reached and affected so that they may in turn do a more effective job of reaching the children. It is not sufficient to say that a child cannot learn simply because he does not respond to the stimulus for learning that the teacher gives him, for too frequently this stimulus has no relationship whatsoever to what his actual needs may be.

I would place high on the list of a sound strategy the necessity for reaching teachers and getting them to realize that a better understanding of the children they are to teach must be reflected in what they teach and how they teach, that a better understanding of the community from which the children come must be reflected in what they teach and how they teach it, and that a higher level of cooperation and communication with the community from whence the children come must be reflected in what they teach and how they teach. Finally, it is necessary to understand that the role of the principal must change substantially in order to provide the leadership necessary in delivering the objectives of a sound educational strategy in compensatory education, for in the final analysis the responsibility for the management of learning within that single school will be determined by how well he is able to develop these needs into curriculum and content.

There is fairly good reason to believe that there are school system which are not spending an equal share of the dollar amount per child within the same single system. There is reason to believe that the distribution of materials, supplies, and other instructional materials is uneven, and that in many cases those schools in the center city are not even receiving the dollar amount value that may be true of the rest of the system. There ought to be some kind of a guarantee that a single system is spending its current per pupil expenditure on an equitable basis across the entire system before a program through Title I is funded, and then that program should reflect in what way the special needs of these children are going to be met.

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I would tend to agree that no less than $300 per p. ex. is a feasible figure in terms of prior experience by many systems who have been participating in the program and have had measured success. I would further state that a plan for a school system ought to reflect some degree of coordination between programs. Many systems have 8 and 10 different federal programs in operation in their system, and in many cases there is no relationship between them. These, too, then become simply add-ons and the possibility of impact is greatly reduced. A teacher training program funded by EDPA ought to reflect the kinds of things that are happening with Title I, perhaps even T. III, IV, VII, VIII, and some relationship with what is happening in Title II. If a program, then, for compensatory education has no relationship to other federally-funded programs serving those children, one then must be forced to wonder what direction that system is going in, and if in fact they are serious about meeting the needs of the children. In those programs which do not necessarily reflect a total focus on the children who are eligible for compensatory education, then they should at least reflect some relationship between that system and that school's goals and objectives as developed in tandem with an analysis of the individual needs. I think this would be helpful in building in the mechanics of accountability which may be described here as delivering upon the stated intent of the program rather than a simple add-on.

I would like to heartily endorse the statement in Doc Howe's paper which suggests that the idea should be explored or making school districts ineligible for the federal add-on until they achieved comparability with the state or at least with the schools in a district. That statement certainly addresses itself to the problem of supplanting federal money for local money. I am reminded of the Cincinnati public schools and what they did back in '65–66 when they took a very close look at their school population that met the guidelines for Title I and did a very careful analysis of the needs in those individual schools. Once the analysis had been completed, they designed programs specifically around the needs as they had analyzed them. In those schools where all the needs were present, they placed all of the programs; in those schools where there were fewer of the needs present, they placed only those programs which addressed themselves to the most critical needs. They also set up a system whereby they could measure progress being made toward meeting those needs, and finally, of course, it was recognized that they were spending more money in some schools than others. It would seem to me that this approach is not only feasible but it is an approach that addresses itself to a careful analysis rather than simply adding on programs because there is money

Question 2(b). What kinds of special teacher and paraprofessional training and/or retraining should be conducted?

I've already stated in prior testimony that the teacher is one of the most crucial factors in the success of the instructional program. If the teacher has decided that the child cannot learn, in all probability, he will not learn; if he/she has a negative attitude toward the child, the child will very quickly sense this and give back to that teacher only what that teacher demands—the teacher, of course, will demand very little. It is that teacher attitude toward the learner that I would like to spend a little bit of time developing. I've seen teachers make judgments about children, based upon the way they look, the way they talk, and the way they act, and never bother to engage in the critical exercise of evaluating the student's achievement level and potential.

This negative attitude toward the learner probably contributes more to the nonsuccess of this kind of a student than any other single factor. This negative attitude extends itself into the home and to the parent. For many years now parents have determined not to come into contact with the school because of the kind of treatment they receive when they come into contact with the schools.

Every child in every classroom deserves the respect and attention of the teacher. In many cases, the negative attitude of the teacher is reflected throughout the entire school, even in that of the principal who ultimately has the responsibility for the management of learning with that single school. Consequently, very little attention is paid to the individual needs of the students and they are isolated within the classroom. These children are able to sense this rather quickly and oftentimes will take their hostility out on other children in the classroom, around the school, and on the playground.

The school, as an institution, is not adequately prepared to deal with the child and his special needs. Frequently, the school will place all of these children in a single track and perhaps have several classes of these children grouped together throughout the entire school, and they quickly become known as the "problem

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children" or "the slow learners," and the children, of course, are very much aware of this and become hostile, sullen. This attitude is nurtured by the institution, and eventually the child begins to feel that there is something different about him.

However, in many systems teachers have recognized their inadequacy to deal with the instructional problems that these children face, and have asked for help. Unfortunately, however, they have not been able to get the kind of assistance that they need from their team leaders, principals, or from the system, or for that matter, from the institutions of higher education that trained them. Many systems have used the route of bringing in consultants, sponsoring seminars and in-service training programs where outside people come in and address them. This resembles the "circuit rider" process whereby a consultant comes in, breathes fire and brimstone, and frequently leaves the system in just the same way as before, if not worse. These increased levels of frustration ultimately result in a defeatist attitude on the part of the teacher and in some cases the entire school.

Additionally, the school views parent participation as a very threatening factor and rather than embrace the community that it serves as an ally they will frequently keep the community and the parents at a distance. This unfortunately contributes to the hostility, distrust, and suspicion that the community has about the school and the potential for cooperation is greatly reduced. There are, however, a number of systems that have used rather effectively teacher aides, here defined as paraprofessionals who work very closely with the teachers and assume some responsibility for instruction. In these cases, the aides are from environment for learning. With the advent of the COP program (Career Opportunity Program of EPDA, USOE), the paraprofessionals have been able to combine matriculation in a local university along with their school responsibility.

This is a very effective program and is producing excellent results in many communities where there is a sincere effort on the part of the system to share its problems with the community and where it has solicited community participation through such programs as COP. The alert and astute teachers have paid attention to the paraprofessionals, who are of the community that is being served by the school, and they have been able to utilize their services very effectively. On the other hand, there are those teachers who consider the paraprofessionals as a threat and utilize them as people to run errands, collect milk money, blow noses, and take off boots, rather than for substantive participation in the instructional program. The schools must move more rapidly toward the greater utilization of the paraprofessionals' talents, for these are people who understand the communities in which they live, are very interested in achieving instructional goals, and can aid the children in the learning process.

Our teacher-training instittuions are going to have to move more rapidly toward combining study and experience. Too frequently the teacher-training institutions do not thoroughly understand the nature of the environment in which their students and their graduate students will seek jobs, and they will frequently counsel their students not to teach in center-city schools and guide them toward suburban and outer-fringe areas. Frequently, the students they give this kind of counseling to are the students whose scholastic achievements within the institution have been the highest. That is not to say that scholastic achievement is the most positive indicator of success, but it certainly does indicate that the students who have shown the most potential for mastering the subject-matter content are guided into other teaching areas.

One rather positive innovation that has taken place in a number of systems is the development of comprehensive learning centers in the community. In these centers, master teachers work very closely with classroom teachers into the development of curriculum specifically designed to meet the needs of individual classrooms. They embrace the community and get the kind of input from the community that usually is not available in written form in any other way. The system also assigns some of their specialists into the schools to work very closely with the teachers, not only in analyzing the problems and defining specific objectives and the development of the curriculum, but also to participate in the teaching process. These comprehensive centers recognize that their teachers are not prepared to work effectively within the center-city environment and they represent a kind of training, retraining mechanism that is making a very positive contribution in a number of places.

Proponents of an open classroom program also recognize the necessity for opening up classrooms and bringing about a variety of individuals to participate in the activities in that single setting.

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For quite a few years now, we have talked about the necessity for a new way to train teachers for the center city and there are a few institutions that have combined actual course work with field experiences. They have discovered that the teacher and the graduate is more able to move into a classroom setting and is more comfortable and has a better idea of how you get an instructional program moving as a result of the field experience than those who are limited specifically to a student-teaching experience. Those who experienced a learning situation under a master teacher were able to absorb much more than would have been possible had they remained in their college classrooms. I think this is an effective technique and ought to be utilized by more teacher-training institutions. There is no reason why persons should be limited to a single semester of field experience.

Additionally, we have talked for quite some time about the necessity for "beefing-up" the whole process of how children learn—behavior, behavior modification, and the course content of the teacher-training institution. Many teachers arrive in a classroom and are ill-prepared to identify behavior deviations which would signal to them that there is a problem they ought to spend some time identifying and analyzing, and then developing a closer relationship with the learner so that they may be effective in developing program(s) that will have more meaning to the learner. The rote learning process has not been effective in dealing with the environmental problems of the center city and therefore it occurs to me that the time for substantive change in the way teachers are prepared is long past due.

If teacher-training institutions are not going to move more positively toward new models for training teachers, it then behooves school systems to set up in-service training programs through the comprehensive learning centers and move toward developing materials and techniques which can be used for more effective instructional programs for center city children. These comprehensive learning centers should not be limited to teachers only, for there is a *paucity* of expertise that exists at the mid-management level, i.e. the principal. Traditionally the principal has not necessarily been one who has demonstrated excellence in teaching as much as he may have been shown skill in discipline (which should not be discontinued), but it is not the primary function of the principal to be a disciplinarian for he has the responsibility for the management of learning, and that should be kept uppermost in the criteria for the selection of principals. It must also be remembered that people moving into principal positions will need the support of the system in preparation for the principal role in terms of defining the instruction of goals for the system, and in many cases, individual schools which may be quite different from other schools in the system. We can no longer place an individual in the principal role and leave him out there to "sink or swim" with whatever skills he brings with him, he has to be supported, and in many cases retrained so that his understanding and ultimate comprehension of the environment from whence these children come can be reflected in how that school defines its goals and objectives.

Question 2(c). To what degree should local parents and community residents be involved in the definition, design, and implementation of the program?

I have addressed this particular question throughout my discussion thus far and certainly in my testimony of August 3, 1971, I gave very strong recommendations concerning this particular question. In summary, however, I would emphasize that I support very strongly the necessity for local parents and community residents to be involved in the definition, design, and the implementation of the program. The school or school system which fails to do this fails to recognize that the education of a child is a total process. It must encompass the home, it must encompass the parents, it must encompass the community in which the child lives, and its inputs and the coordination of these various inputs that helps to build the stronger program. Once again, these factors should be viewed as allies to the learning process, rather than threats.

Question 3. Would you cite some specific examples of Title I programs or other kinds of compensatory efforts that have proven successful?

It is my conviction that the current best source of this kind of information would be in the Division of Compensatory Education in the Bureau of Elementary and Secondary Education and that its Director, Dick Fairley, would be able to provide the committee with rather comprehensive information on the best programs, where they are, what they are doing, etc. As a matter of fact the Division has greatly improved its capacity for technical assistance. The Division has for quite some time now conducted a number of monitoring exercises

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that have been providing technical assistance to a number of states and local school districts. They should have up-to-date information on what is working and what is not working, and certainly an indication of the programs that have proven successful. Additionally, I would think that some input on them from the follow-through programs would be extremely helpful. The National Urban League has conducted a number of programs in their affiliate leagues across the nation and should be in a position to provide some useful information to the community on the kinds of programs that have proven to be successful.

Question 4. Given the present conditions and needs, what would you recommend as an appropriate current level of funding for Title I of the Elementary and Secondary Education Act?

I stated before, this is a very difficult question to answer, but it would appear that the current funding level probably needs to be doubled; however, to suggest a three billion dollar funding level should necessarily carry with it the requirement suggested earlier in this paper, and that is the parity equalization level that districts must achieve from state and local funds as well as the determination of specific instructional objectives in their mechanism for evaluating progress toward their objectives ought to be a part of the consideration for the funding level. It makes very little sense to continue to add on to programs that are not making any impact. In those specific cases the requirements ought to be very specific and a mechanism ought to be developed to insure that the goals and objectives of the program are being met.

Question 5. Should training or retraining programs for professionals and paraprofessionals be preservice, in-service, or both? What methods and techniques should be emphasized?

I have attempted to respond to this particular question in earlier discussion. Suffice to say that there is a necessity for attacking this question on all fronts. There should be training, retraining, for both professionals and paraprofessionals in both preservice, in-service and it should be on an on-going basis. The effectiveness of the training ought to be under constant evaluation in terms of the impact it makes on the learner.

Question 6. In what specific ways does a "systems approach," coupled with greater attention and research on learning and motivation improve, reform and bring about quality education?

My response to this question would agree to the most part with the response of Doc. Howe, and an additional response would not really add very much to what has already been said; therefore, my comment will be short. Educational research traditionally has lacked the substance of research in other areas. And Educators traditionally have failed to use the results of educational research to the benefit of the system and the learner. For now it would appear as though the business of education has to be embraced by the expertise of other disciplines bringing in behaviorist systems experts and others from both industry and business whose long experience in these matters ought to be utilized and their techniques absorbed by the educational profession in terms of becoming more result orientated than has been the traditional practice.

Question 7. On what basis or criteria should educational compensation begin or terminate? A) Should all poor and minority group students be automatically placed in compensatory programs? B) Should the program terminate when all students participating in such programs are achieving on grade level?

I should hate to think that compensatory education will be necessary throughout the entire spectrum of the traditional K–12 public school program. It is feasible to assume that part of the major objectives of the compensatory education program deal with strengthening instruction in mathematics, social sciences, reading and the other basics. It is also feasible to assume that the school systems and the individual schools will set specific objectives in which the compensatory education program will participate. Part of that process includes the strengthening of the entire instructional program in that school or in those schools where Title I eligible children are enrolled. A school or a system should have the responsibility of at least determining at what point these objectives will be met, and it would appear that at that particular time a very hard look ought to be taken at that school or that system in terms of how they have accomplished these objectives. Not only should the children have arrived at grade level and above, but the entire program of that school or schools where the children are involved should have greatly improved. Therefore, it is reasonable to assume, that at some point in time (which I am not prepared to state) that the objectives

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having been met that the need for compensatory education would be somewhat reduced.

I think it is a fallacy to assume that all poor and all minority group children should automatically be placed in compensatory education programs. There are those children who are both poor and minority who have survived the environment sufficiently to compete academically with children of other environments. I think it would be a mistake to assume without any kind of analysis of needs which are eventually formulated into instructional objectives. I believe that the accountability factor has to be built into this context. Finally, it would seem to me that a school system would take into consideration that the earlier they reach these children, the more quickly they can get on with the business of a compensatory educational program that meets their needs. And at some point in time in their public school during their public school years there would be a mechanism built in for constant evaluation and review, and if at some point in time, the instructional program proves to be weaker at the mid-level grades, then an additional thrust ought to be made at the later grades, perhaps at the jr. high or the high school level to insure that the final product is a quality product. And additionally, the thrust would include a mechanism thru which the weaker level would be strengthened.

Question 8. How should compensatory education programs be evaluated? How long should it take to determine meaningful programs or the lack of it? What are the bases for these determinations?

This is a rather difficult question to respond to both in terms of the actual evaluative process, the amount of time for the evaluation to take place, and over what period of time, as well as the criteria for the actual evaluation. There has for quite some time been a major controversy over the use of achievement tests that fail to take into consideration the environmental factors of the children being tested, and it is well-known what the judgment and attitude of the minority community is about achievement tests which have been standardized on a middle-class white basically suburban norm.

Title I as a major program, had its hard and troublesome beginnings and it has only been in the very recent past that many school systems have begun to understand what the objectives of the compensatory education programs are to be. This is not to say that the first two or three years have been wasted, simply to say that it has taken time and money to make our institutions pay some specific attention to what I have referred to previously as a neglected population.

I doubt seriously if the current testing mechanisms are sophisticated enough to effectively evaluate the compensatory education programs as they relate to improvement in the attitudes toward learning by minority and poor children. I doubt if the current mechanism can effectively weigh the value systems that now exist or whether or not there is any increased relevancy as applied to systems that minority groups, poor people view as being superimposed upon them. I think it is a problem we will have to continue working on and accelerate our efforts in this area and solicite the help and consultation of the various disciplines in coming up with a system by which success, achievement can be evaluated on a scale that is acceptable and takes into consideration the environmental differences and all of the things that we are currently in a controversy over. I think it is fair to state that it has only been in the last few years that developers of test and testing mechanisms have been called to task for their failure to develop mechanisms that reflect an understanding of a population that happens to be different from the criteria that they normally use.

In the meanwhile, I think it is not unreasonable to expect that as progress is being made in this area, that there will be accelerated efforts by our institutions of higher education, the U.S. Office of Education, and other agencies interested in the development of testing mechanisms which get to the basis of true growth academically (as well as growth in values and attitudes) which will ultimately reflect a much truer picture of the impact of programs such as the compensatory education.

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Appendix 2

MATERIAL SUBMITTED BY OTHER THAN WITNESSES

FROM SENATOR BIRCH BAYH, OF INDIANA

[From the U.S. News and World Report]

WHERE PRIVATE FIRM RUNS PUBLIC SCHOOL

An Indiana school has hired a private company to teach its 800 students on this basis—improved education, or no pay for the work done.

GARY, Ind.—"All children in this school can and will learn; we commit ourselves to that end."

With those words, Gordon McAndrew, the superintendent of schools in Gary, explains the goal for a radical experiment in public education. For the next three years, under binding contract, the total operation of one elementary school here, kindergarten through grade six, is in the hands of a private company.

MONEYBACK GUARANTEE

The contract works this way:

The firm hires the teachers, pays rent on the school building, and supplies the books, teaching aids and instructional methods. It is paid $800 per pupil, or about $640,000 a year to educate 800 children. The $800 figure is the per capita cost for one year of schooling in the Gary system.

In exchange, the school board gets the company's assurance that each child in the predominantly black school will meet or excel the national norms in all subjects—reading, math, foreign languages and the sciences.

If impartial tests—to be administered by a third party—show that the company has failed, Gary will get its money back.

The school board signed the contract, involving Gary's Banneker Elementary School, almost as a last resort. Dr. McAndrew had found that three out of four students in the city were slow readers—or nonreaders.

The company, Behavioral Research Laboratories, of Palo Alto and New York, sent representatives to Gary in July. Its staff members recruited and trained teachers for Banneker, met with parents and the school, began discussions with community leaders. News letters invited parents to take part in the advance planning.

Now, after less than a month in action, the Banneker experiment is already attracting nationwide attention.

Pupils follow individualized methods of instruction. Materials are designed so that each child may work alone, set his own pace under supervision of the teacher. It is an ungraded program in which the child, regardless of age, is with others of comparable ability.

Banneker's teachers say the absence of grading and the freedom with which children move from one learning group to another contribute to a relaxed atmosphere. Released from the day-to-day competition for grades, they say, the child turns most of his attention exclusively to the business of learning.

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ADVANCE PLANNING

In the past 10 years, Behavioral Research developed three programs which form the backbone of the Banneker experiment: Projects Read, Learn and Math. Project Read—sometimes called the Sullivan System, after its originator, Dr. M. W. Sullivan—also is being used for more than 2,000 other Gary students.

Dr. Alfonso Holliday II, president of the school board, explained the contract in these terms at a news conference on September 29—

"With education costs rising 15 to 20 percent a year, we didn't feel we could keep asking for more money when our children were learning below their grade level. . . . We are at rock bottom and must try new approaches. . . . We must be willing to be pioneers, and no longer say our children lack ability to learn."

As an expression of confidence, Dr. Holliday sent his own children to Banneker. So did Mrs. William Caldwell, another board member. She said:

"My husband and I took our boy out of a private school which he had attended for three years because we thought he would have a better chance here. We are very happy with the change—and so is he."

Thus far, about 100 Gary children have transferred to Banneker.

ACROSS THE U.S.

Officials are quick to concede that the idea of guaranteed performance in education is not new.

Upward of 200 school districts are trying it, in one form or another throughout the country. The Office of Economic Opportunity has granted more than 6 million dollars to be divided among six companies and 18 school districts in the current school year.

The Behavioral Research teaching methods are presently used on about a million American children in more than 100 communities.

The experiment at Banneker is unique, however, because for the first time ever, a private company has taken over the entire responsibility for operating a public school.

In Gary, where life is tied closely to steel mills or to commuting to jobs in Chicago, what happens at Banneker may emerge as a national barometer.

One steelworker said:

"I don't know whether this new system will work or not, but we sure ought to give it a chance. I want my kids to get more out of life than I did."

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Appendix 3

ARTICLES OF INTEREST

[The Wall Street Journal, July 14, 1971]

SHARING THE LOAD—DRIVE TO EQUALIZE SCHOOL TAXES IN STATES GAINS AS PROTESTS AGAINST INEQUITIES MOUNT

(By James E. Bylin)

BIG BEND, CALIF.—Nestled in a tranquil, isolated valley, this Northern California logging village is far from rich. When the winter snows come and halt the logging, about half the several hundred residents scattered about the valley turn to unemployment insurance or welfare.

But amid the modest weatherbeaten houses is a surprising sign of opulence: a posh elementary school. Sprawling over a three-acre plot, the modern complex would cost over $1 million to replace. The school boasts a well-equipped gymnasium, a 75-foot heated indoor swimming pool, private music lessons and a teacher for every 12 students. The school's enrollment last semester: 36.

What's more, the school district's tax rate is a paltry 26 cents per $100 of assessed valuation. The average rate for California elementary school districts is around $1.50.

TURBINES GENERATE MONEY

For its low rate, Big Bend can thank Pacific Gas & Electric Co., which happened to erect three big turbines in the sparsely settled district. These turbines account for more than 90% of the district's $30 million or so in assessed valuation. Dale Glasco, who earns $21,000 a year doubling as principal and a teacher, admits he can't even recall his budget. "I forget," he says, rummaging through his desk for a budget report. "I really don't pay that much attention to it." Giving up his search, he finally estimates it at about $85,000, or $2,400 per pupil, more than triple the national average.

But to many, Big Bend's windfall for its homeowners appears a bit incongruous at a time school districts across the nation are pleading poverty and pinching pennies. As in most states, California's approximately 1,100 school districts rely heavily on local property taxes to finance their educational programs. And, like their counterparts elsewhere, educators here have found it increasingly difficult to get taxpayers to loosen the purse strings any more. In California, 60% of the elections to allow increases in school taxes or sell school bonds in the past year failed. About 30 school districts in fiscal 1969–70 went bankrupt and had to be bailed out by the legislature. Statewide, the number of teachers has dropped 9,000 in the past year while enrollment has climbed 100,000.

To pay its bills, the mammoth Los Angeles Unified School District, with nearly 700,000 pupils, has had to cut class time at all high schools and some junior highs, drop home economics, music and some other courses, cut back interscholastic athletics and curtail health services and maintenance work. "Our schools are deteriorating before our eyes," moans Donald Newman, a Los Angeles school board member. Mr. Newman also says that the Los Angeles system may lose its fire insurance because it can't afford the $800,000 in premiums.

EQUALIZING THE BURDEN

For many well-known educators, the solution is to equalize school taxes within the various states. For instance, James Bryant Conant, education authority and former Harvard University president, has expressed "shock" at the differences

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in school taxes and said, "it may well be that you can have local control of all the vital aspects of the public schools and still have the financing at the state level."

Only Hawaii pays for all of its local education on a statewide basis. But now school tax equalization appears "to be an idea whose time has arrived," says a study prepared by the University of Chicago for the Education Commission of the States, an interstate group that seeks to improve education. At least 20 states now are "toying" with some type of school tax equalization proposals, ranging from statewide property taxes to general state funding, says Wendel Pierce, executive director of the Education Commission.

In Michigan, for example, Gov. William Millikin is pushing to eliminate $1.1 billion in local school property taxes, substituting instead full state financing by way of increased income and business taxes. With school district spending around the state ranging from $500 per pupil to more than $1,200, the Governor feels "there will never be equality as well as quality in education until all districts get basically the same per student," an aide says.

The Maryland Legislature this spring passed a proposal sponsored by Gov. Marvin Mandel for the state to take over all the costs of public school construction. With the rising anti-tax attitude on the local level, "the Governor feels this is just the first step toward the sate assumption of all costs of public education," an aide to the Governor says.

The issue is clearly important. To Wilson Riles, California's recently elected superintendent of public instruction, school tax equalization is the "most crucial issue" facing the state. "The quality of education shouldn't depend on where a student's parents happen to live," he says. He says the district in heavily industrial Emeryville near San Francisco spends $2,000 on each student and has a tax rate of $2.57 per $100 of assessed valuation. Meanwhile, nearby Newark, a residential community manages only $600 per student on a $5.65 rate. "And those aren't the extremes; they're only examples, and it's unfair to the student."

WIDE RANGE OF TAXES

Indeed, the discrepanices are much greater. A. Alan Post, chief analyst for the California legislature, says that "families living a few miles apart, but in different districts, may have equivalent homes, the same income, the identical number of children, yet one pays 10 times as much school tax" and gets worse schools than his counterpart in the neighboring district. On the elementary level alone, Mr. Post says, per pupil expenditures range from $407 to $2,586.

Yet reform faces a struggle. Mr. Riles brought a reform package to the current legislature, which tabled it in committee despite the support of the state board of education, state department of education, California Teachers Association, the California School Boards Association, the League of Women Voters and others. From the beginning, however, Mr. Riles knew it would be a "difficult task" to pass the package because "reform takes courage."

The core of the plan was a statewide school property tax of $3.75 per $100 assessed valuation. The money raised, together with increased state spending from the general fund, would have been returned to the districts in the form of equal per-student grants.

For Los Angeles, this redistribution would have meant a 22-cent reduction in the property tax rate coupled with an additional $25 million in school funds.

Though proponents claim that some 90% of the districts and students in California would benefit from school tax reform, the opposition has been formidable. It includes influential agricultural interests as well as the state Chamber of Commerce and other state groups.

Many of the low-rate districts that would have been hardest hit are rural. Because of the sprawling farm lands, they can handsomely finance programs for their relatively few students without heavy taxes. Though many claim farmers thus don't carry their share of the school tax load, Donald Grunsky, a state senator who represents a major farm area, argues that farm land is assessed on the basis of "artificially inflated values," rather than the farmer's income or ability to pay.

The state Chamber of Commerce says it fears a statewide tax might lead to different assessment classifications for businesses and homes, which it opposes, and "nullify any meaningful property tax relief program which may be encompassed in an overall tax reform package."

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[From the New York Times, July 15, 1971]

CITY'S SCHOOL-JOB TESTS BARRED AS BIASED

(By Arnold H. Lubasch)

A Federal judge ruled yesterday that the city must give up its traditional examinations for selecting school principals because the tests discriminated against blacks and Puerto Ricans.

The judge, Walter R. Mansfield, granted a preliminary injunction restraining the Board of Examiners from giving the examinations, as well as from issuing eligibility lists based on them.

His ruling prevents permanent appointments based on the eligibility lists, but the city's community school boards can continue to appoint acting principals, assistant principals and other supervisors without regard to the disputed lists.

The injunction resulted from a suit filed in Federal District Court here last September by lawyers for the N.A.A.C.P. Legal Defense and Education Fund, Inc., which called the judge's ruling "a significant breakthrough in the struggle to improve the quality of education in the city."

The Board of Examiners, which administers the long-standing eligibility examinations for the city's schools, contested the suit in court, but members of the board were unavailable yesterday for comment.

Dr. Harvey B. Scribner, who decided not to defend the examination procedures after he became Chancellor of the city school system last fall, praised yesterday's ruling as "both welcome and highly significant."

After the suit was initiated, the judge issued a temporary restraining order to prevent the Board of Examiners from issuing supervisory lists, but he permitted eligibility examinations to continue at that time.

His decision yesterday, barring both examinations and lists, expressed the opinion that any subsequent trial of the suit was likely to find that the examination procedures were unconstitutional on the ground of discrimination.

'SUFFICIENT' EVIDENCE

"We are here called upon to decide," Judge Mansfield noted, "whether those examinations which have been prescribed and administered by the Board of Examiners of the City of New York to candidates seeking licenses for permanent appointments to supervisory positions in the city's school system are unconstitutional.

"We conclude that a sufficient showing has been made of violation of the equal-protection clause of the 14th Amendment to warrant the issuance of preliminary injunctive relief."

The judge observed that his decision came after numerous affidavits, exhibits and arguments, as well as testimony, including detailed statistics submitted by both sides.

His decision cited statistics showing only 11 blacks and one Puerto Rican among the 1,000 licensed principals in the city's public schools, where 55 per cent of the students are black or Puerto Rican.

OTHER SYSTEMS CITED

"We are impressed," the judge added, "with the revealing statistics comparing the percentage of black and Puerto Rican principals to white principals in the five largest school systems in the country."

Noting that New York City had, by far, the lowest percentage of minority representation, 1.4 per cent, Judge Mansfield said that "the next lowest city, Chicago, has almost five times the percentage of minority principals found in New York City."

A similar imbalance exists with regard to assistant principals, he pointed out.

LACK OF A 'SHOWING'

"The evidence establishes to our satisfaction," the judge stated, "that the examinations prepared and administered by the board for the licensing of supervisory personnel in New York City schools do have the de facto effect of discriminating significantly and substantially against qualified black and Puerto Rican applicants."

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Such discrimination, standing alone, would not necessarily require relief in this case, Judge Mansfield continued, because "the goal of the examination procedures should be to provide the best qualified supervisors, regardless of their race."

But where the examinations result in substantial discrimination against a minority racial group qualified to take them, he said, then the board must make "a strong showing" that these examinations are required to measure the abilities essential to the performance of the supervisory positions.

The judge added that the board had failed to do this, although it contended that the examinations were valid, reliable and objective.

Judge Mansfield declared that a review of the examinations "reveals that the questions appear to be aimed at testing the candidate's ability to memorize rather than the qualities normally associated with a school administrator."

"Only in the cities of Buffalo and New York does state law provide for examinations in addition to state certification," he observed, "and only the New York City school district maintains a Board of Examiners and the specific examination and licensing procedures here under attack."

Were it not for these special procedures in the city, permanent position as elementary school principals would have been given to Boston M. Chance, a black, and Louis C. Mercado, a Puerto Rican, both acting principals who initiated the suit, according to the judge's decision.

"There appears to be a strong likelihood that plaintiffs will prevail on the merits at trial," Judge Mansfield said in concluding his 48-page ruling.

[From the Washington Evening Star, July 21, 1971]

Math, Reading Scores of District Pupils Rise

(By Lynn Dunson)

For the first time in several years, reading and math scores of District school children went up, according to test results released today.

Pupils in grades 1 through 9 were tested in September. The same tests were given in May as a post-testing means of evaluation.

While D.C. elementary and junior high students still trail the national and large city norms, children in grades 3 through 9 improved math scores on the average by one whole grade and reading scores by 1.1 grade.

The test totals were expressed in terms of a median level for each grade. The median is the mid-point of all scores, with half the students scoring below and half above.

District scores are compared to national scores and to the scores of 11 large city school systems on a standardized test.

The most impressive gains were made in the first and second grades, which placed District students within a few months of national and large city norms.

In reading, the first-grade median is only one-tenth of a point behind the national group and surpasses the large city group by two-tenths of a point.

The scores are expressed in grade equivalents. Each tenth of a point is the equivalent of one month of school work.

The national and large-city groups both scored 2.7 in reading at the second-grade level. Compared to national norms, the D.C. second grade scored 2.4, but pulled up even with the large-city group.

LOWER GRADES' MATH

In mathematics, the D.C. first grade scored 1.8 in comparison to the large city's 1.7. However, it is two-tenths of a point behind the national group.

Both the national and large-city second grades scored 2.7 in mathematics with the District's second grades scoring 2.3 and 2.6 respectively.

The upper grades did not fare so well. Although they made gains at the junior high school levels, students still trail significantly behind both national and large city norms.

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GAINS IN GRADES 3–6

Grades 3 through 6 gained an average of one year and one month in reading achievement per school year and did slightly better in math performance by advancing an average of one year and two months.

All grades tend to look better when medians are compared only to big-city scores. The third grade in the District can display a 3.5 reading median when compared to the large city 3.6. But the District norm drops to 2.9 when compared to the national third grade reading median of 3.7.

The same thing happens with sixth grade reading scores. The District is 6.3 compared to 6.4 for large cities. That drops to 5.4 campared to the national group.

In third-grade math, the District is 3.2 compared to 3.7 for the national group and 3.6 compared to 3.5 for large cities. In sixth-grade math, the District scores 5.6 to the national 6.8, and 6.2 compared to the large city 6.5.

In elementary schools, the median level scores tend to follow the past pattern of being higher where the income level of the neighborhood is higher.

The other large-city systems used for determining norms in the test are Atlanta, Birmingham, Boston, Camden, N.J., Cleveland, Dallas, Honolulu, Los Angeles, Milwaukee, New York and San Francisco.

FIRST TIME FOR TESTS

This is the first "before-and-after" testing to be done in the city schools since the initiation of the academic achievement plan, designed by Kenneth B. Clark. The plan is supposed to raise the reading and math performance to national norm levels.

Supt. Hugh J. Scott attributed the better scores to the academic achievement plan.

The spring tests were given to some 100,000 children, 300 more than took the test in the fall.

During the May testing, a school board member charged that some children who had been identified as poor students were not being given the tests in an effort to raise the median scores. Scott said today that the accusation was more "rumor than fact" and had not been substantiated in an investigation.

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EQUAL EDUCATIONAL OPPORTUNITY

HEARINGS

BEFORE THE

SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

OF THE

UNITED STATES SENATE

NINETY-SECOND CONGRESS

FIRST SESSION

ON

EQUAL EDUCATIONAL OPPORTUNITY

PART 13—QUALITY AND CONTROL OF URBAN SCHOOLS

WASHINGTON, D.C., JULY 27, 29; AUGUST 5, 1971

Printed for the use of the Select Committee on Equal Educational Opportunity

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U.S. Congress. Senate. Select Committee on Equal Educational Opportunity.

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CONTENTS

TUESDAY, JULY 27, 1971

CHRONOLOGICAL ORDER OF WITNESSES

	Page
Sizemore, Dr. Barbara A., Center for Inner City Studies, Northeastern Illinois State College, Chicago, Ill	5844
Prepared statement of	5848
Haskins, Kenneth W., Washington, D.C	5858
Prepared statement of	5866

THURSDAY, JULY 29, 1971

Brown, Robert, chairman of the board, Morgan Community School, Washington, D.C	5891
Anthony, John, principal, Morgan Community School, Washington, D.C	5894
Young, Mrs. Arlene, assistant principal and teacher, Morgan Community School, Washington, D.C	5898
Holiday, Mrs. Jean, president, PTA, Morgan Community School, Washington, D.C	5902
Baxter, Mrs. Louise, member, PAC, Morgan Community School, Washington, D.C	5903

THURSDAY, AUGUST 5, 1971

Watson, Dr. Bernard C., professor of Urban Education, Temple University, Philadelphia, Pa	5913
Thomas, Dr. Arthur E., director, Center for the Study of Student Citizenship, Rights, and Responsibilities, Dayton, Ohio	5924
Prepared statement of	5933
Smith, Dr. Donald H., director of educational development, Bernard Baruch College, New York City	5949

APPENDIXES

Appendix 1. Items Submitted by the Witnesses:	
From Dr. Arthur E. Thomas:	
Statement by	5977
Bibliography	5995
MacFarlane School Study, 1968	6005
Student Rights Handbook for Dayton, Ohio	6011
Chocolate Faces in Vanilla Places	6048
Community School Council	6058

Digitized by Google

Appendix 2. Articles of interest:

	Page
The Washington Post:	
July 6, 1971: Morgan Experiment Fades—School Returns to Conventional Class Regiment	6096
July 14, 1971: U.S. Charges City's Schools Misspent Much of $5.2 Million in Aid to Poor	6100
The Relevance of Education for Black Americans	6102
The Education of Black Children	6107
A Talk to Teachers	6110
Racism in Educators—A Barrier to Quality Education	6115
Position Statement—Five State Organizing Committees for Community Control	6126
The Dixie Schools Charade	6128
Excerpts from: On the Way to School—Community Control—Some Observations	6133
Resistance to Community Control Is . . .	6135
Public Schools of Choice	6138
Education for Black Humanism: A Way of Approaching It	6145
Social Science and Education for a Black Identity	6153
An Alternative to Mis-education for the Afro-American People	6168
The Future of Accountability	6173

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URBAN EDUCATION

TUESDAY, JULY 27, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY
Washington, D.C.

The Select Committee met at 10:05 a.m., in room 1224, New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senators Mondale and Stevenson.

Staff members present: William C. Smith, staff director and general counsel; and Donald S. Harris, professional staff.

Senator MONDALE. The committee will come to order. This morning we will hear from Mrs. Barbara A. Sizemore, instructor in education, Northeastern Illinois State College, who is formerly director of the Woodlawn School project in Chicago, Ill.; and Mr. Kenneth Haskins, formerly dean of the Howard University School of Social Work. I see by the morning paper, you are dean of the Harvard School, as well.

Prior to that, he was an Alfred North Whitehead Fellow at Harvard, and prior to that the principal of the Morgan Community School of Washington, D.C.

If the two of you will come to the witness table, please. Dr. Sizemore, if you will begin.

Senator STEVENSON. Mr. Chairman, this morning I would like to welcome to our hearings, Dr. Barbara Sizemore from my home State of Illinois.

I share with Dr. Sizemore concern for better education and recognize the need for greater community involvement in our educational institutions.

Dr. Sizemore is now with the Center for Inner City Studies at Northeastern Illinois State College and was former director of the Woodlawn Experimental Schools project in Chicago.

I am certain that her testimony will be both informative and helpful, and deserving of your attention.

Dr. Sizemore, welcome.

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STATEMENT OF DR. BARBARA A. SIZEMORE, CENTER FOR INNER CITY STUDIES, NORTHEASTERN ILLINOIS STATE COLLEGE, CHICAGO, ILL.

Dr. SIZEMORE. Thank you, Senator Mondale. And I thank you for this opportunity to discuss the condition of the educational programs in the schools today.

My concern is in the field of education, and today the schools are in trouble, as exhibited by the many chaotic conditions in some places in the high schools.

And the study "Crisis in the Classroom," that Silberman made addresses itself to this issue. The point that Silberman makes so well is that education is a product of American society and culture and is the deliberate or purposeful creation, or transmission of knowledge, abilities, skills, and values.

I feel that the mistake that he makes is citing mindlessness as the cause of what is wrong with the public schools. He defines mindlessness as the failure or refusal to think seriously about educational purpose, the reluctance to question established practice. This analysis completely avoids the discussion of purposeful action, thereby eliminating consideration of forceful cultural imperatives such as racism.

Consequently, Silberman falls victim to a classic educational error, the inaccurate definition of the problem. Such inaccurate definitions lead to the wrong solutions. This statement will attempt to discuss two of these solutions: Integration and community control.

I feel that the definitional level is the most important since most solutions are designed to solve problems as they are defined.

In the 1954 *Brown* decision, it was indicated that segregation of the schools was undesirable and that integration would be a national imperative. The 1971 U.S. Supreme Court ruling allowing court-ordered busing to speed integration of Southern schools is an attempt to facilitate enforcement of the 1954 *Brown* decision of that same court.

The fact that such an act is necessary indicates the magnitude of the problem in my opinion. True integration demands an end to racism, the problem, a diagnosis which most white European Americans reject. Racism is the belief that race is the primary determinant of human traits and capacities and that racial differences produce the inherent superiority of a particular race.

In this country, most institutions promote and protect the value of white European superiority, and this support precludes possibilities for true integration, because the schools in the total social order cannot be divorced therefrom and any programs for improving the school cannot be enforced in that total social order.

DEFINITIONS OF INTEGRATION

Oscar Handlin gives two definitions for integration. One, is that it is that condition which affords an open society wherein any individual can make, has the opportunity to make, a multitude of voluntary or involuntary contacts with any other human being based on his own preference, taste, and ability.

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Had this definition been chosen, then certain things would be the order of the day, like open housing, equal education opportunity, equal entry into any occupation.

The other definition he discusses is the definition of racial balance. Racial balance is a definition which states that every group should be distributed throughout the institutions according to its percentage of the national population. Now I call this definition desegregation, and I call the other definition, the open society definition, a definition of integration.

Desegregation or racial balance has some deficiencies. One is, what is racial balance, and that is often defined as racial imbalance, since eighty-twenty is hardly balance, and it's always in the direction of the larger white society.

Handlin says that the civil rights movement never made it clear which one of the definitions it chose, and so has failed, and this failure at the definitional level has created enormous disadvantages for my people.

The open society definition was not adopted and models of desegregation which accommodated racist goals were constructed. Using Sol Tax—an anthropologist at the University of Chicago—using his formula of A over B to define a situation wherein A represents groups with power and B represents groups with no power, then you could describe the total social reality and all the institutions therein as a condition where A had power over B. In addition to having power to make the decisions over B, it also has the power to decide what sets of knowledge will be distributed and disseminated, and what sets of knowledge will not be.

If the sources of knowledge are restricted and limited, any group will have the information, skills, and knowledge necessary to define problems only in one way, and that way will mostly be in the direction of sustaining power in the A group.

OBJECTIVE OF PRO-INTEGRATIONISTS

Another study to which I would like to refer is the Robert L. Crain study on school desegregation in the North, where he found that the prointegration community group wanted to maintain a sufficiently high percentage of whites, or a sufficiently low percentage of blacks, in the community, to prevent the whites from moving out. Stated in this way, their position sounds like it might be closer to the "keep the blacks out" demands of segregationist white communities than those of a civil rights group, and this is exactly the point of this paper, that the desires of prointegration groups in the North were exactly the same as that of segregationist groups in the South, to keep the blacks down and out.

MAJORITY—BLACK CITIES

Also, if you will recall, Senator, in 1951–52, just prior to the 1954 decision, information was released that blacks were concentrating in the central cities. In 1951–52, for the first time in urban centers, the schools of Washington, D.C., the metropolitan area with the largest black population, became 53-percent black. And the predictions that

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this would occur in city after city threatened white political control of the "Free North."

Commerce, banking, and industry took up the pattern of flight to the "safe" suburb, leaving the central city open to black power, black self-determination, and black control.

Realizing their plight, white leaders found it necessary to select some "liberal", "democratic" and "Christian" alternatives to keep black people colonialized. Desegregation or racial balance is such an alternative. These were the conditions that existed at the time of the decision in 1954, and that decision, if one will stop and think about it, reflects the racist thinking. It says:

> Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn.

The language infers that segregation does no or little harm to white children. Therefore, segregated schools must support whites.

And my question is, if an institution supports the folk who give the inference of inferiority to another folk, how can that institution help the so-called inferior folk?

The overlooked situation is that social orders are produced and created by human activity, and this is done by systems of behavior typifications which are institutionalized so that people are conditioned to react to social situations according to the behavior systems which they have learned and are typified and objectified in the institutions which socialized them through language.

So any institution, whether desegregated or integrated, which reinforces the concept that blacks are inferior, will prepare them as subordinates and whites will learn to be superordinates.

WHITES RETAIN DECISIONMAKING POWER

My point is that both of these—both desegregation and integration—are solutions chosen for B groups by A groups, without the B group participation in the decisionmaking, and therefore, the decisions have usually worked to the disadvantage of the B groups.

And so it has been with desegregation models which have been implemented throughout the South and in the North, so that blacks end up losing positions, as demonstrated by Robert Hooker's study, and then this results in mass unemployment of black professionals.

In the South, according to Hooker, the principal has been the primary prey of desegregation. Now the black principalship in the South has been a job that is well known as a position of leadership in the black community, usually occupied by men, and therefore the elimination of this position would work undue hardship on the professional mobility ladders constructed by black people in the field of education.

Additionally, black people have concentrated professionally in the occupation of teaching, because they have been excluded from the business, industrial, military complex.

Therefore, any exclusion of black people from this occupation may result in the 1930's situation of concentration of black Ph. D.'s in the post office.

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DECENTRALIZATION AND COMMUNITY CONTROL

The other solution to the problem is community control. Community control has been confused with decentralization, at the definitional level. And it is not the same.

Decentralization is concerned with a reordering of the relationships between the power group and the powerless group. It is sometimes called bringing the decisionmaking power closer to the community.

Community control is concerned with the redistribution of power so that the B group actually makes the decisions about what goes on in the institutions which affect the lives of their children.

The confusion of these two definitions, I fear, will cause and create the same kinds of disadvantages for black people that the confusion of the two definitions of integration cause.

And what I am advocating is the creation of decisionmaking models which afford the community, the administrators, parents, teachers, and students, an opportunity to make decisions together. A decisionmaking apparatus, assuring B group participation in power, as needed, to establish a mutually shared symbolic system in the complementarity of expectations and the double contingency that exists in a society where there are oppressed groups. And this is a necessity since institutions are shaping the life chances of B groups.

Had there been such an apparatus available for the construction of desegregation models, perhaps it would have been less disadvantageous for B group people.

Numerous mechanisms must be designed to afford the opportunity of a multitude of interactions among the personalities and roles within the social system of the school. And these interactions acts as inputs which will affect the outputs by bringing the values of the institution in line with the values of the clients.

Such a collective decisionmaking model was in operation in Woodlawn Experimental Schools District Project, and in some other places in this country. But these models were usually inhibited by controls from power groups in middle management, or central office, or central boards of education. So that the real power to make these decisions was rarely given to the people who are on the local boards.

If there is to be an aggregate model which is supposed to work so that one has an opportunity to make decisions, then this must be part of it. So that the B groups are not suppressed in their decisionmaking by A group power.

Otherwise, the whole point of community control will be prostituted into decentralization, and the B group will not have the opportunity to change what is necessary.

Both decentralization and community control operate with an aggregate model, but in decentralization, the veto powers are in the hands of the board, and in community control, the approval-veto powers are in the hands of the people.

REALLOCATION OF POWER

The primary objective, it seems to me, in educational systems now is to change this power so that the people can decide what is to happen in the institutions that affect the life chances of their people.

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And it seems to me, further, that any solution guaranteeing cultural pluralism demands the input which an aggregate model provides. It needs the diagnosis from a teaching staff that has an opportunity to have input into the making of decisions, and from parents, and from students.

And it seems further to me that if we do not get about the business of establishing these systems for participatory democracy in the institutions that socialize our youngsters for democracy, there will be little chance for having a true democracy.

To make the schools a vehicle for cultural pluralism, the institutional values of male superiority, white-European superiority, and superiority of people with money, must be abandoned, and these values will have to be replaced with other values having to do with land, life, and liberty.

And secondly, education must be for the purpose of self-fulfillment and self-revelation, by the expansion of the human potential for the best possible interests of each person concerned, so that he can lead a more meaningful life in a democracy, for the betterment of himself and all mankind.

Senator MONDALE. Thank you very much, Mrs. Sizemore. I think we will hear from Mr. Haskins and then I will question you together.

I notice you did not read the full testimony, but we will include your full statement in the record as though read as well, plus your additional comments.

(The prepared statement follows:)

PREPARED STATEMENT OF DR. BARBARA A. SIZMORE

Today the schools are in trouble. The youth are in rebellion. High schools are so chaotic in some places that they must close to reorganize. Siberman says in his study, *Crisis in the Classroom*, it is not that everything being done is necessarily wrong; it is "simply that everything now being done needs to be questioned." [1]

He states in his preface that "the crisis in the classroom—the public school classroom, the college classroom, the national "classroom" created by the mass media and by the operation of the American political system—is both a reflection of and a contributor to the larger crisis of American society." [2] The point that Silberman makes so well is that education is a product of American society and culture and is the deliberate or purposeful creation, evocation or transmission of knowledge, abilities, skills and values.[3]

The mistake that he makes is citing mindlessness as the cause of what is wrong with the public schools. He defines mindlessness as the failure or refusal to think seriously about educational purpose, the reluctance to question established practice. This analysis completely avoids the discussion of purposeful action, thereby eliminating forceful cultural imperatives such as racism. Consequently, Silberman falls victim to a classic educational error: the inaccurate definition of the problem. Such inaccurate definitions lead to the wrong solutions. This statement will attempt to discuss two solutions: integration and community control.

The 1971 U.S. Supreme Court ruing allowed court-ordered busing to speed integration of Southern Schools is an attempt to facilitate enforcement of the 1954 Brown Decisions of that same court. The fact that such an act is necessary indicates the magnitude of the problem. True integration demands an end to racism, the problem, a diagnosis which most white European-Americans reject. Racism is the belief that race is the primary determinant of human traits and capacities and that racial differences produce the inherent superiority of a par-

[1] Charles E. Silberman, Crisis in the Classroom, N.Y.: Random House, 1970, p. 4.
[2] *Ibid*, p. vii.
[3] *Ibid*, p. 5–6.

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ticular race. In the United States most institutions promote and protect the value of white European superiority. This support precludes possibilities for true integration.

Handlin[4] gives two definitions of integration. One refers to an open society, to a condition in which every individual can make the maximum number of voluntary contracts with others without regard to qualification of ancestry. This definition demands solutions which would eradicate segregated housing, deny unequal job opportunities, eliminate inadequate medical educational services and remove unequal taxation demands. If this definition had been chosen, all barriers to association would have been leveled except those based on ability, taste and personal preferences. This definition will be called integration in this paper.

The other definition refers to integration as racial balance. This means that individuals of each racial or ethnic group are randomly distributed throughout the society so that every realm of activity contains a representative cross section of the population. This definition will be called desegregation. Integration affords free choice to equals with the same limitations; desegregation assures free choice to the superordinate. Handlin says that the civil rights movement has never made a clear choice between these two definitions. This failure at the definitional level has created enormous disadvantages for black people.

The open society definition was not adopted and models of desegregation which accommodated racist goals were constructed. Using Sol Tax's formula A/B wherein A represents groups with power and B represents groups with no power,[5] A has the power to distribute and disseminate knowledge, information and skills as well as to make decisions.[6] Other powers exist too.

* * * Power is also exercised when A devotes his energies to creating or reinforcing social and political values and institutional practices that limit the scope of the political process to public consideration of only those issues which are comparatively innocuous to A. To the extent that A succeeds in doing this, B is prevented, for all practical purposes, from bringing to the fore any issues that might in their resolution be seriously detrimental to A's set of preferences.[7] Such was the case when A group opted for racial balance instead of open society. The process was limited to education thereby excluding job opportunities, housing facilities and political control as issues in this process.

But, efforts at desegregation of the public schools did become entangled with residency isolation; political patronage systems, the exodus of whites and the consequent loss of capital and resources; the expansion of the ghetto and the threat of the emergent black political force. For, as each new white community faced black inundation, the cry for integrated schools could be heard.

In fact, in four northern cities, interracial neighborhood groups and white liberals were in the forefront of the protest. As described by Crain,[8] in all four cases, the pro-integration community group wanted to maintain a sufficiently high percentage of whites, or a sufficiently low percentage of blacks, to prevent whites from moving out. Stated in this way, their position sounds like it might be closer to the "Keep the Blacks out" demands of segregationist white communities than those of a Civil Rights group. This is exactly the point. Both programs emanate from the same racist objective: To keep Blacks down.

The hidden truth is that the U.S.A. had been faced with the "Progressive ghettoization of whole series of great urban conglomerations."[9] The whites had been fleeing to suburbia and the blacks had been concentrating in the central cities. In 1951–52, for the first time in the Urban Centers, the schools of Washington, D.C., the metropolitan area with the largest population, became 53% black.[10] The predictions that this would occur in city after city threatened white political

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[4] Oscar Handlin, "The Goals of Integration" in *The Negro American*, edited by Kenneth B. Clark and Talcott Parsons, (Boston, Houghten Mifflin Co., 1965) p. 661.

[5] This formula was introduced by Sol Tax in Exhibit 44, "The Freedom to Make Mistakes," in *The Documentary History of the Fox Project*, edited by Fred Gearing, Robert McNetting and Lisa R. Peattie (Chicago: Univ. of Chicago Press, 1960) pp. 245–250.

[6] Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality* (Garden City, N.Y.: Doubleday & Co., 1966) pp. 61–107.

[7] Peter Bachrach and Morton S. Baratz, "Two Faces of Power" in *American Political Science Review*. (December, 1962) pp. 948–949.

[8] Robert L. Crain. *School Desegregation in the North*. Report 1104 of the National Opinion Research Center. (Chicago: Univ. of Chicago 1966).

[9] Joseph Alsop, "No More Nonsense About Ghetto Education!" *The New Republic*, (July 22, 1967) p. 18.

[10] Joseph Alsop, "No More Nonsense About Ghetto Education!" *The New Republic*, (July 22, 1967) p. 19.

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control of the "Free North." Commerce, banking and industry took up the pattern of flight to the "safe" suburb, leaving the central city open to black power, black self-determination and black control. Realizing their plight, white leaders found it necessary to select some "liberal", "democratic" and "christian" alternatives to keep black people colonialized. Desegregation or racial balance is such an alternative. These were the conditions which influenced the thinking of the Justices of the Supreme Court in 1954.

The 1954 decision reflects this racist thinking. It says:

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law, for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn.

This language infers that segregation does no or little harm to white children: therefore, segregated schools must support whites. If an institution supports the folk who give the inference of inferiority to another folk, how can that institution help the so-called inferior folk?

The over-looked situation is that social orders are produced and created by human activity, and this is done by systems of behavior typifications which are institutionalized.[11] Individuals then internalize these objectifications of externalize them in perpetuation. Language and socialization facilitate institutionalization completing the circle. Institutions objectify human behavior. Man and his social world herein interact with each other. The product acts back upon the producer. If the institution upholds white European superiority, the make-up of the role incumbents is irrelevant. Blacks will learn to be subordinates and whites will learn to be superordinates. This is the set of knowledge which the institution legitimizes through language and the dialectic. The origins of the roles likewise lie in the same fundamental process of habitualization and objectification as the origins of institutions. Roles appear as soon as a common stock of knowledge containing reciprocal typifications of conduct is in process of information, a process that, as we have seen is endemic to social interaction and prior to institutionalization, proper. No matter what the school, segregated or desegregated, if the role for blacks is inferior, the outcome will remain the same. Simple mixing does not insure redefinition of roles, especially when the larger social order makes no such demands.

Desegregation and segregation are solutions chosen by A for B. Both are logical outcomes consistent with the contriently interdependent competitive economic model[12] which exists in this country. In this model, when A wins, B loses, and when B wins, A loses. Inherent in the model are always losers. If A has the power, B will continue to be the loser unless B begins to define situations and problems itself.

In most places where desegregation models have been implemented blacks lose jobs. Most blacks have been recruited into teaching because they were systematically excluded from participation in the professional slots in the business-industrial-military complex. Recent research indicates that hundreds of black teachers have been demoted, dismissed out right, denied new contracts or pressured into resigning because of desegregation and that new teachers hired to replace them include fewer and fewer blacks.[13] Moreover, the black principal has been desegregation's primary prey. This is an historical position invariably held by a black man throughout the South. Desegregation, then, serves to create more jobs for whites at a time when the economy is shrinking and industry constricting.

Technology and modernization displace A group as recently documented by the expulsion of engineers by the aerospace industry. These casualties must be absorbed by the system. Since the teaching profession is the primary place of employment, black displacement here is disfunctional with the so-called gains of desegregation, for where will the society employ these new better educated blacks?

A careful study of the goals of desegregation show that the models are inimical to the best interests of black people. Desegregation serves the interests of A

[11] For complete discussion see *Berger & Luckmann, op. cit.* pp. 45–118.

[12] Morton Deutsch, "Cooperation and Trust." Some Theatrical notes in *Interpersonal Dynamics* by Warren G. Bennis, Edgar H. Schein, David E. Berlew and Fred I. Steel (Homewood, Ill.: The Dorsey Press, 1964) p. 566.

[13] Robert W. Hooker, "Integration Cheats Black Teachers," *Chicago Sun Times*, January 10, 1971, Sec. 2, pp. 2–3.

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group. Until black people make better definitions of their problems, the solutions will continue to destroy us.

The black educational situation is better known. Black students continue to be at the bottom of the barrel when test scores are published. Acklyn Lynch stated in a speech in February, 1971 at the University of Virginia that there were more black men in prison in the United States than there were black college students of whom sixty percent are women. Carter G. Woodson, noted black scholar, saw what was happening in 1933 when he wrote *The Miseducation of the Negro.* He said:

"The so-called modern education, with all its defects, however, does others so much more good than it does the Negro, because it has been worked out in conformity to the needs of those who have enslaved and oppressed weaker peoples. For example, the philosophy and ethics resulting from our educational system have justified slavery, peonage, segregation and lynching. The oppressor has the right to exploit the handicapped and kill the oppressed." [14]

The plain truth is that black people have inaccurate conceptual maps of reality. As cited above, A groups control the distribution and dissemination of knowledge in order to preserve certain symbolic universes and that knowledge is institutionalized through certain behavior typification systems which are then internalized by individuals to maintain certain groups in excluded and/or inferior positions.

These sets of knowledge preserve the values also. America is depicted often in the curriculum as democratic but seldom as capitalist. Since the country has not yet achieved democracy, the schools should teach the citizens the capitalistic structure so they can understand how it works and can use it to help themselves. Moreover, since food, housing, clothing and medicines are for sale in this country at a profit, certainly the poor and the disadvantaged should first be taught how to make money. Yet, scarcely a word is said about economics except in the sense of consumership. In fact, Jules Henry states that the purpose of education is just that—to make people buy! [15]

Furthermore, schools where the disadvantaged are educated have programs for training in obsolete skills and trades. No schools train or educate the poor and the disadvantaged in technology or the hard sciences. Few trade schools offer programs for apprenticeship in the building trades. More than likely, blacks are prohibited from obtaining apprenticeships. Most training for such jobs nowadays occurs on-the-job. The problem for blacks and women is how to get on the job!

The educational curriculum is dominated by white European feats, exploits and miracles. Christopher Columbus discovered America even though the people he incorrectly named Indians were already here. Man began in the Caucasus Mountains when the earliest man bones were found in Olduvai Gorge, Kenya, East Africa. The history of the black people in America began in 1619. Yet they had a homeland in Africa before that time. All kinds of European interpretations strangle **Black dreams and aspirations.** The Constitution guarantees liberty, equality and the pursuit of happiness. But, when Blacks agitate for these guarantees, sociologists scream "rising expectations" and "benign neglect."

Recently, social scientists have become more supportive of these racist, chauvinist values. Arthur Jensen has made attempts to assign Blacks to inferior genetic groups with I.Q. tests.[16] Edward C. Banfield supports the white European culture as the "normal culture", the most profound motivating dynamic being "future orientation." [17] James S. Coleman found that poor children are most significantly affected by the affluence of their classmates.[18] Thomas Pettigrew and others found that Blacks could learn better in schools with whites.[19] Such studies further perpetuate the institutional values of male superiority, white European superiority and the superiority of people with money. No significant change will occur in schools until a new value system is designed and implemented based on land, liberty and life.

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[14] Carter G. Woodson, *The Miseducation of the Negro,* Washington, D.C.: Associated Press, 1933 p. xxxii.

[15] Jules Henry, *Culture Against Man,* N.Y.: Random House, 1963.

[16] Arthur Jensen. "How Much Can We Boost I.Q. and Scholastic Achievement" in *Harvard Educational Review,* February 1969, p. 1–123.

[17] Edward C. Banfield, *The Unheavenly City,* Boston: Little, Brown & Co., 1970.

[18] James S. Coleman. *Equality of Educational Opportunity,* U.S. Department of Health, Education & Welfare, O.E. Washington, D.C.: U.S. Government Printing Office, 1966.

[19] Thomas Pettigrew, *Racial Isolation in the Public Schools,* U.S. Commission on Civil Rights, Washington, D.C.: U.S. Govt. Printing Office, 1967.

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If culture does indeed provide the standards which are applied in evaluative processes, and if culture is an expression of a general problem—that of the relationships linking man to his environment, then B groups can no longer allow A groups to define their problems, create their values and devise their norms. Otherwise the motivational and situational factors which work toward uniformities in codes and standards, trends in action such as striving and energy disposal, and choices and interests, will continue to preserve and maintain the system of B group exclusion and cultural denigration.

A decision-making apparatus assuring B group participation and power is needed to establish a mutually shared symbolic system in the complementarity of expectations and the double contingency. This is a necessity in institutions shaping the life chances of B groups. Numerous mechanisms must be designed to afford the opportunities of a multitude of interactions among the personalities and roles within the social system of the school. These interactions act as inputs which will affect the outputs by bringing the values of the institution in line with the values of the clients.

An aggregate model is needed to accomplish these goals.[20] Such a model must give each role and group a position of parity and power in the decision-making. B groups need not feel that A groups will willingly succumb or surrender these powerful institutions which keep them in power. The control of these institutions will result from repeated struggles, conflicts and confrontations. A groups will design programs to absorb the energies of B groups and to displace the liberation goals with survival goals. A groups will co-opt B groups and B group programs so that they veer from the original directions and point toward A group goals and ends. This is to be expected since A groups are in power. However, the struggle must go on. The change will be effective if the values are no longer acknowledged and/or respected. Alternate symbolic universes will be legitimated if the people so decide. The present attempt by social scientists to define decentralization as community control is such an endeavor. The recent statement to this committee by Dr. Marilyn Gittell is an example.

Decentralization and community control are two administrative decision-making strategies which have been advanced in an attempt to resolve the controversy between advocates of integration and those of community control. People differ in their definitions of these concepts. To some they are synonymous; to others they are not. Some say that decentralization is primarily concerned with restructuring relationships between the school and the central board while community control represents a redistribution of power with a set of exclusive powers assigned to the local community board. Others say that decentralization means two quite different things: reduction in size and the redistribution of the power to make important decisions. Definitions of community control differ from community to community but in most black communities the central concept is that of power.

Both strategies operate with an aggregate model. In decentralization approval-veto powers reside in the central office or the central Board of Education. In community control the approval-veto powers reside with the people in the local community board. One such decentralization model is CAPTS,[21] designed and implemented in the Woodlawn Experimental Schools District Project, (WESP), an E.S.E.A., Title III government funded project under Public Law 89–10 in Chicago, Illinois. This project operated under a tripartite arrangement with three institutions, The Woodlawn Organization, The University of Chicago and the Chicago Board of Education. The District was governed by the Woodlawn Community Board which had twenty-one (21) members, ten (10) from the Woodlawn Organization, seven (7) from the Chicago Board of Education and four (4) from the University of Chicago. Under community control, The Woodlawn Community Board would have made policy for the District, controlled the finance and teacher hiring and firing and would have been completely composed and representative of the entire community. However, under the Title III Program and its Memorandum of Agreement with the Chicago Board of Education the Woodlawn Community Board was only a recommending body for the former held approval veto powers. The WCB was a decentralized body, not one of community control.

The WESP District, located in Woodlawn, one of the ten (10) poorest of the seventy-five (75) city community areas, had three components: the community

[20] Morris Janowitz, "Institution Building in Urban Education" in *Innovations in Mass Education*, edited by David Street, N.Y.: John Wiley & Son, 1969, p. 273–342.

[21] CAPTS—C is for community representative; A means administrators; P equals Parents; T is for teachers and S is for students.

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component, the research and evaluation component and the in-school component; and three schools: Hyde Park High, Wadsworth Elementary School and Wadsworth Upper Grade Center. The community component had twenty-five community agents who organized and convened some forty parent councils of approximately twenty members each. These parent councils each elected a president or chairman who sat on the Woodlawn Parent Council Advisory Board. These members became alternates for Woodlawn Community Board members. These parent council presidents attended Leadership Training Sessions to learn how to be a Board member, how to use Robert's Rules of Drder, how to understand school law, Board rules and other necessary information.

The in-school component had forty community teachers (teachers' aides). These community teachers and parents attended workshops in methods of teaching the Ethnolinquistic Cultural Approach to Oral Language and the Sensory-Motor-Perceptual Program. Community teachers had learned to test and screen for the latter program and many of them knew how to teach the first rudiments of reading skills. Moreover, parents had been trained for positions as community agents, community teachers and research assistants and they served in classrooms on teams to solve problems.

The primary objective of the WESP was to restructure the social system through a mutuality of effort through subsequent interventions which have two foci: (1) to change the roles and relationships in the community and (2) to change the roles and relationships in the school. The project was not only interested in who works together but how. To the degree that the mutuality of effort effected a restructuring of the social system the following secondary objectives were to be achieved: (1) elevation of achievement scores, (2) an improvement in self-concept, (3) a reduction in alienation, and (4) a sense of power over one's destiny. Mutuality of effort was to be achieved through CAPTS and the CAPTS-WESP Decision-making Model was to be the vehicle to restructure the social system.

The Model had nine (9) steps. (See Figure 1). Program planning occurred in the CAPTS Congress. First, each group met separately. A plan emerged from a group. It was submitted to the other groups who discussed and negotiated. The negotiated plan was then sent to the professional bureaucracy to be formulated into an educational program. This formulation was sent to the administrative staff for organization. The administrative staff then submitted the proposal to the WCB. The WCB recommended or did not recommend. If WCB recommended and the proposal did not warrent submission to the CBE [22] (this means it does not infringe upon the power of the CBE), the proposal then came back to the administrative staff for coordination and communication, to the professional bureaucracy for implementation and back to the CAPTS Congress for evaluation. Each group first met separately to discuss the method and the instruments to be used for evaluation. These were then negotiated and the evaluation took place according to the negotiated plan. If a proposal or plan failed to be recommended by the WCB or was vetoed by the CBE it returned to the CAPTS Congress and started over again.

[22] Chicago Board of Education.

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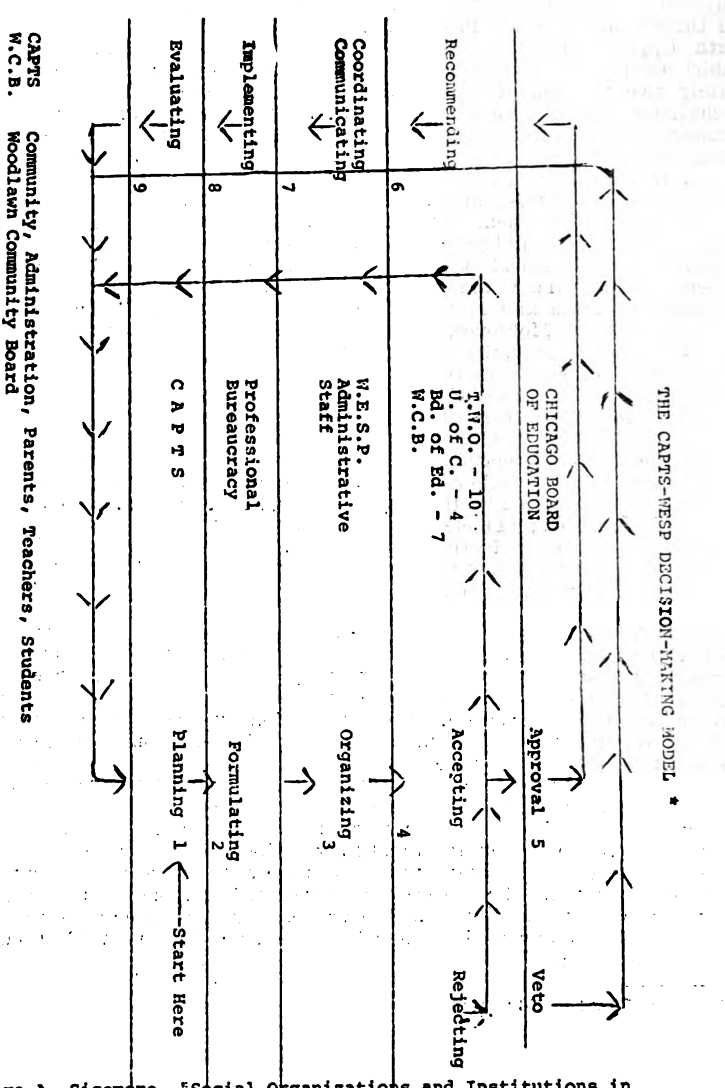

Barbara A. Sizemore. "Social Organizations and Institutions in Relation to the Professional Education of Teachers". Teacher Education Future Directions. Copyright 1970. p. 40

Although the Chicago Board of Education never exercised its veto powers, middle-management and the city civil service commission managed to veto often. Line-staff ambiguities provided the school principals with avoidance routes for the delivery of their services and complicated the model also. But, in spite of these obstructions, major accomplishments in effecting change are as follows: (1) the cessation of all gang activity on the Wadsworth Upper Grade Center Yard which the former principal and the newspapers declared a "Viet Nam Battlefield" prior to the project; (2) the creation of one of the first black designed Follow-Through Models in the nation, the Ethnolinguistic Cultural Approach to Oral Language; (3) the elimination of non-ready first grade readers (See Table I); (4) an increase in achievement of third grade children (See Table II); (5) the increase in achievement scores of the Upper Grade Center Young men involved in the Study Skills Survey Experiment; (6) the invention of the CAPTS–WESP paren-

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tal community participation model which failed to explode into another Ocean Hill-Brownsville as predicted by project opponents, precisely because it was not designed for community control; (7) the development of the most sophisticated work-study program in any high school in the city; (8) the establishment of an Education Services Center which was people-directed for increased delivery of programs and attended far in excess of other adult education centers like it: and (9) a decrease in teacher-student conflict and hostility.

TABLE I.—WADSWORTH ELEMENTARY SCHOOL, 1ST GRADE, COMPARISON OF MEANS

Subtest	Mean score before WESP	Mean score after WESP	t[1]
Reading	46.44	49.51	+2.44

[1] Result of test; an absolute value greater than 1.96 indicates a significant difference between means at the 95 percent confidence level.

TABLE II.—WADSWORTH ELEMENTARY SCHOOL, 3D GRADE, COMPARISON OF QUARTILE MEANS

Subtest	NBW[1]	Gain or loss	Percent gain or loss
1st quartile:			
Word knowledge	3.942	+0.465	+11.79
Word discrimination	4.008	+0.095	+2.37
Reading	3.687	+0.120	+3.26
Spelling	4.637	+0.535	+11.53
Language	4.030	+0.171	+4.23
Arithmetic computation	4.097	+0.167	+4.06
Arithmetic problems	3.656	+0.159	+4.35
2d quartile:			
Word knowledge	2.907	+0.200	+6.87
Word discrimination	2.982	+0.143	+4.80
Reading	3.011	+0.226	+7.50
Spelling	3.160	+0.315	+9.96
Language	2.999	+0.206	+6.87
Arithmetic computation	3.550	+0.118	+3.31
Arithmetic problems	2.902	+0.164	+5.66
3d quartile:			
Word knowledge	2.454	+0.173	+7.05
Word discrimination	2.605	+0.083	+3.19
Reading	2.691	+0.201	+7.48
Spelling	2.439	+0.031	+1.29
Language	2.471	+0.239	+9.69
Arithmetic computation	3.063	+0.154	+5.02
Arithmetic problems	2.577	+0.046	+1.77
4th quartile:			
Word knowledge	1.907	+0.195	+10.20
Word discrimination	2.236	+0.032	+1.45
Reading	2.278	+0.206	+9.03
Spelling	1.395	+0.053	+3.79
Language	1.746	+0.024	+1.39
Arithmetic computation	2.212	+0.105	+4.74
Arithmetic problems	2.141	+0.059	+2.76

[1] MBW—Mean before WESP.

Any solution guaranteeing cultural pluralism demands the input which an aggregate model provided. It needs the diagnostic skills of the professional staff. In such a school diagnosis would be the important program. Teachers would need to become skilled in techniques of data collection and analysis, such as interviewing, microethnograpy, questionnaire construction, public opinion polling, test construction, categorizing and codification. Diagnosis would not stop nor necessarily start in the classroom but would encompass the entire community especially as it related to the students existence, present, past and future. It would need administrators amenable to the collective decision model described above or administrators willing to share power. Let's look at an example of how this model would work:

In 1966 at Forrestville High School, a high school located in the inner city of Chicago, plagued by a constellation of gang problems, low achievement, high drop out rates, poor facilities and lack of equipment and materials, an aggregate

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body of parents, students and teachers became concerned, began to observe the students in the high school and to collect data on the community and these students. Soon they noticed that the students were constantly requesting permission to go to the instrumental music room and to borrow music instruments. After conferring with the band instructor, these teachers found that many more students wanted to be in the band than the school facility could accommodoate. Moreover, after much interviewing with parents and students, the teachers located and identified approximately thirty singing groups who hung around the school after hours to practice in the empty classrooms.

The teachers also discovered that the reading median of the incoming freshman class was approximately fourth grade, that the sophomore class had the highest drop-out rate (3 boys to 1 girl), that two girls graduated for every one boy and that eighty per cent of the attendance and discipline problems were attributed to freshmen. They found that four out of every five students in the 9th grade Civics classes felt that the subject matter was boring and irrelevant. Student responses indicated that they wanted to study their own community.

A meeting of interested community representatives and parents was called by the teachers, the PTA, the students who had formed two groups—the Men and Women of Forrestville, the presidents of the classes and the student council to discuss the new high school planned for the community. At this meeting the data and the information were discussed in general terms. Several suggestions were made and implemented. Committees were formed to discuss other matters further and one of these committees was assigned to preplanning for the new high school.

The students in the Civics classes began the study of Grand Boulevard, the community area in which the high school was located. One class was to survey the community housing; another was to locate and study all business, i.e. grocery and liquor stores, restaurants, barber shops, etc. A social center[23] permit was obtained by the high school to provide space for the students interested in singing and playing musical instruments to practice and record. A disc-jockey club was formed and permission was granted by the local Soul radio station to work with the members on Saturdays at the radio station. The students requested and received permission to play records in the lunchroom during lunch periods and the disc-jockeys manned the equipment and mikes, made lunch school announcements and read pertinent bulletins. Parents, teachers and students became enthusiastic about Black History and the Magnificent Seven started with the school wide contest called "Do you Know these Famous Black Men and Women? Students who could name the largest number were to receive savings bonds. Then, the most frequently named men were listed and the Men of Forrestville were asked to select the seven who had contributed the most to the liberation of black people. Those chosen were: Martin Luther King, Jr., Malcolm X, Stokely Carmichael, Booker T. Washington, W. E. B. DuBois, Marcus Garvey and Frederick Douglas. The Men of Forrestville were then asked to try out for the roles of these famous heroes. The candidate was to write a speech taken from the study of this man's life and he was to try to sound exactly like the man he had chosen. The winners were called "The Magnificent Seven."

The first all school affair was "The Call for Freedom" which became an annual event. "The Call for Freedom" was the story of the Black Man's experience in America. Every student tried to perform in the affair. It was then that the observation was made about the intense interest Forrestville students had in the performing arts: singing, dancing, writing, acting, painting, building, sewing and designing.

The parents on the new school committee began to discuss the possibility of having larger music, art and drama departments in the new high school. Teachers were resistant to the idea at first.

The new high school gradually emerged. The performing arts was to be the core. But parents did not want it to be a singing and dancing high school. It had to be more. But the school was to respond to the students and the Black man's needs for no one wanted to produce the "old Negro."

Five parents, three teachers and three students met with the architects to discuss their ideas. There was to be a television beaming station, the stage was to be the center of the school. They wanted band rooms and practice rooms. The television studio was to be near an electronic shop where the students could

[23] The Social Center is a recreation program established in the school after school hours by the Chicago Board of Education.

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learn how to design and repair television equipment. There was to be a radio station and a recording studio so that students could learn not only how to sing but how to record. The business department was to be located near so that students who wanted to be entertainers could learn the whole business. Parents and teachers wanted to end the exploitation by agents and business men from other ethnic groups. Students majoring in performing arts at Forrestville were to learn accounting, business law, income tax, everything needed to control and manage their talents.

There was to be an Olympic sized swimming pool, a ballet room, and a little theatre that was to offer opportunities for unique techniques in the use of sociodrama for teaching reading to those who despaired of ever learning how with books. Here the students were to use videotapes and casettes to learn to read. Near the little theatre the sewing rooms were situated so that costumes for plays could be made. So located were the art rooms and the woodshops for making scenery for the theatre.

For students who wanted to be professionals, performing arts was to be the motivating dynamic. Independent study situations were built in to the academic departments of mathematics, social studies, science, biology and language. A large library was located in the front of the school with private carrels and listening posts to accommodate independent learning. Every effort was made to maximize the use of the multi-media.

Through the interaction of parents, teachers and students several new entries were to appear in the curriculum. Considerable blackening took place in less than a year. Even when the school was empty a visitor could not mistake the fact that this was a black school. Pictures of black heroes went up beside George Washington and Abraham Lincoln. And Jeff Donaldson went up beside van Gogh.

Music concerts would offer Beethoven and B. B. King, Yardbird and Mozart. Dance concerts would show ballet with the bugaboo. The Black Experience, however, was extolled and emphasized. New materials had to be written and new sets of knowledge had to be produced. The new high school, named Martin Luther King, Jr., opened its doors on June 28, 1971. Whether or not it delivers the great opportunities which its facility promises remains to be seen. The curriculum, its content, teaching and its methodology, the administration and its organization and decision-making and its collectivity all must emphasize the values of land, liberty and life. To make this school a vehicle for change for the black students who attend, new values must replace those now strangling educational processes. This is the real revolution.

A highly motivated principal and staff will be required to resist cooptation by the line-staff hierarchy with its arbitrary and authoritarian decisions. No such movements are now discernible. In fact, several changes in the physical facility have been made already to prevent certain changes. The new school was to have had no general study halls which are dumping grounds for students for whom the school has made no provisions. It has two. There were to have been no EMH divisions (Educable Mentally Handicapped). The EMH students were to be absorbed by the Performing Arts Core Curriculum. There are seven EMH divisions in the new school.

There is little resistance to the propaganda being dumped into the community by certain members of the professional bureaucracy who resist change, regarding academic preparation and college bound requirements for all, a countermovement to revert to A group norms and standards for B group. Moreover, excluded groups cannot conform to A groups system of "ways of orienting" and B groups must project their new external symbols to control new ways of orienting so that the new system will be geared into the action systems of both A and B. The construction and maintenance of the public schools system is far from mindless. It is purposeful, directed toward the preservation of the B group conformity to A group norms and values.

Carter G. Woodson explained this phenomenon more vividly than most in the following:

The chief difficulty with the education of the Negro is that it has been largely imitation resulting in the enslavement of his mind. Somebody outside the race has desired to try out on Negroes some experiment which interested him and his co-workers; and Negroes, being objects of charity, have received them cordially and have done what they required. In fact, the keynote in the education of the Negro has been to do what he is told to do. Any Negro who has learned to do this

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is well prepared to function in the American social order as other would have him.[24]

To make the schools a vehicle for cultural pluralism, the institutional values of male superiority, white European superiority and the superiority of people with money must be abandoned. Secondly, education must be for the purpose of self-fulfillment and self-realization by the expansion of the human potential for the best possible interests of each person concerned so that he can lead a more meaningful life in a democracy for the betterment of himself and all mankind.

Next, a new all human ethic must be employed. One that could be tried is that of the "Golden Talent." The basic assumption is that people are different. Each person is predisposed toward a certain approach to learning. Some people are sight learners, some kinesthetic, some auditory learners, some abstract thinkers, some manipulate ideas, some memorize. There may be as many approaches to learning as there are people in fact. But everyone has a talent! Observations of these will dictate what is taught to that learner. This curriculum will not be obstructed by racist and/or chauvinist values.

There is no doubt that a democratic culturally pluralistic society is imperative. That fights must be waged on all fronts is accepted. Let Americans tell no more lies, make no more myths, create no more evasions like integration and desegregation, revenue sharing and voucher systems. At long last let's set about to cure the disease and not treat the symptoms. Education can be concerned then with the meeting of men's needs of identity, stimulation and security based on the values of land, liberty and life. Once this occurs, the vital area of man's purpose and existence on this earth becomes the primary focus of his educational experience and the point position at the frontier of knowledge.

Senator MONDALE. Mr. Haskins?

STATEMENT OF MR. KENNETH W. HASKINS, WASHINGTON, D.C.

Mr. HASKINS. I am sure that you will hear some repetition in my paper, because in many ways, Mrs. Sizemore and I consider things from very much the same point of view.

I would like to begin by giving a little historical perspective that perhaps will pinpoint the point that Mrs. Sizemore made about the planful form of education.

Let me begin with a quote as taken from a member of the Virginia Legislature around the 1830's:

> We have, as far as possible, closed every avenue by which light might enter their minds. If you could extinguish the capacity to see the light, our work would be completed; they would then be on a level with the beasts of the field, and we should be safe. I am not certain that we would not do it, if we could find out the process . . .

This paper that I will present will deal primarily with the black community. The problems and solutions, however, can be applied to others, such as Puerto Rican, American Indians, and the Mexican Americans.

The quotes used at the outset give an interesting historical perspective. They refer to the system of slavery—a state of being into which black people were to be educated. The current question is how far have we moved from this original purpose? Regardless of what terms we use to describe it.

It is evident that what was kept from and what was put into the minds of black people has preoccupied white America from the beginning of slavery in this country. A complete system, supported by all facets of society, was devised in order to control this. As times changed,

[24] Carter G. Woodson, *op. cit.* p. 134.

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this system, giving as little as possible, made necessary accommodations, but never significantly altered its basic pattern.

Kenneth Stamp in The Peculiar Institution describes the steps used during slavery to produce the ideal slave:

> The first step was to establish and maintain strict discipline. A Virginia slaveholder is quoted as stating, "unconditional submission is the only footing upon which slavery should be placed.
>
> The second step was to implant in the bondsmen themselves a consciousness of personal inferiority. They had to 'know their places' to 'feel the difference between master and slave', to understand that bondage was their natural status. They had to feel that African ancestry tainted them, that their color was a badge of degradation.
>
> The third step . . . was to awe them with a sense of their master's enormous power.
>
> The fourth step was to persuade the bondsmen to take an interest in the master's enterprise and to accept his standards of good conduct.
>
> The final step was to impress Negroes with their helplessness, to create in them 'a habit of perfect dependence' upon their masters. Many believed it dangerous to train slaves to be skilled artisans in the towns, because they tended to become self-reliant.

I contend none of the principles used to create the ideal slave have been completely abandoned. All linger in one form or another in the relationships between white Americans and black Americans. The changes that have occurred came about because of the continued refusal of the black community to totally submit to the definitions of their status provided by those who control.

MISEDUCATION OF AMERICA

The education or miseducation of America comes through many forms. In addition to the school, television, movies, plays, popular songs, cartoons, nursery rhymes, all play a part. At one time, all of these were used to help implant the feeling of personal inferiority in the minds of black people, and conversely, personal superiority in the minds of whites.

Slaves codes, and later Jim Crow laws, further demonstrated these differences, while adding the attempt at strict discipline and the demonstration of the "master's" enormous power.

State governments, and all kinds of vigilante groups and lynch mobs participated in this. The drive to impress the black man with his helplessness also continues today as black people are skillfully kept out of decisionmaking roles—not only for the general community, but even in the communities which are almost totally populated by them.

The school, and such skills as reading and writing, have always had a central role in this struggle. From the beginning, reading and writing were singled out as tools to be withheld from black people at any cost. Other means of communication were partially destroyed by breaking up families; outlawing the use of drums; and not allowing black people to gather without a white person being present.

In return, black people sought to acquire the ability to read and write wherever they could. During reconstruction, in places where it was possible, black people built and opened schools. This occurred on the Sea Islands even before the Freedmen's Bureau was created.

In South Carolina and other States where black people constituted a meaningful group in the State legislature, public education was

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started for the first time: and where the Freedmen's Bureau opened schools—grandparents, parents, and children all came to learn. The importance of black education to white America is seen again in the first activities of the Ku Klux Klan.

I quote from William L. Katz, eyewitness:

> The main Klan targets were Negro officials, teachers and successful farmers . . . The attacks on Negro and white teachers and schools for freedmen did not cease. Samuel Allen, a Negro teacher ,was attacked by a mob in 1869 because he had "committed a great wrong; I had a Sunday School" . . . An Alabama teacher was warned to "dismiss the school immediately or prepare yourself" . . . In all the Southern states, schools were set ablaze and teachers beaten or forced to leave the state.

Katz states further:

> The objectives of the Klansmen did not include the murder or removal of all Negroes from the South. Their purpose was to keep the Southern Negro ignorant and under white control.

The North to a lesser degree had the same attitudes. A school in Connecticut that took one black girl and later more, that set up the reason for legislation that placed the white teacher in jail. Many States did not provide for the education of black children. Most unions barred black people from membership and from apprenticeship programs. In the North, also, schools created for or by blacks were destroyed, and teachers intimidated.

All of the work done by black people and some white people to alter the situation so that equality could be achieved, has not changed the basic fabric of this country. We still have a society that can tolerate or encourage a school system that fails poor black children, but would immediately mobilize itself if it was not educating middle-class white children. It is not too farfetched to believe that it is mobilizing itself, as it did before, in fear that black people as a group might become educated.

It is upon this base that the present educational system is built. History makes the current questions around job security and intimidation of teachers appear mild. In any case, black people feel they can no longer accept their definitions from white America. Growing numbers of others—Indians, Puerto Ricans, Mexican Americans, and some poor whites—are reaching similar conclusions.

What happens to the master-slave relationship when the "master" still sees himself in this role while the "slave" will no longer submit to being a slave? If we use the formula handed down by history, it will be repression by a show of force—a look at the police used at Ocean-Hill Brownsville, I.S. 201, and on college campuses, indicate that perhaps we have not come very far.

It is within this context—the history and the importance of the minds of children in considering social change—that the movement for community control of schools takes place.

COLONIAL MENTALITY RIGHTS

There remains, in this country, a kind of colonial mentality that gives white people rights in the black community that have never been afforded black people in the white community.

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The intention of black people is to throw off all aspects of this colonial or master-slave relationship that remains in their communities.

At this point, let me state that this term "community" can encompass from the home of one black person to the black people of the world.

The essence of colonialism and slavery is: who has control over whom; who makes decisions; who decides which people make a living; who decides what is culturally acceptable and culturally unacceptable; who decides the way of life. The movement for community control of schools addresses itself to all this.

I'd like to discuss a little of the current movement, from my point of view. As examples, in one or two instances, I will utilize some experiences from the Morgan School, and I have quotes from a position statement made by a group of black educators in 1968, who stated that:

> Black people in American cities are in the process of developing the power to assume control of these public and private institutions in our community. The single institution which carries the heaviest responsibility for dispensing or promulgating those values which identifies a group's consciousness of itself is the educational system. To leave the education of black children in the hands of people who are white and who are racist is tantamount to suicide.

And another quote I'd like to use, which makes a projection, is one from Preston Wilcox in an article he wrote in the New Generation, called "Education for Black Liberation."

> If Blacks were to make their own decisions about their own educational needs, would they deliberately transmit outmoded skills to their students? Would they teach children blindly to respect policemen who brutalize their friends and neighbors? Would they fail to equip students with the skills needed to solve some of their own community's problems? Would they forget to include in classroom discussion the problems faced daily by ghetto youth? Would they deliberately screw up the judgment of the kids by teaching them the 'right' way to live within a free and democratic society that has yet to be produced?

There are two major facets to the current movement for community control of schools. Although they overlap and are being dealt with simultaneously, they must, at times, be looked at separately.

One facet is the taking of control itself. This, in the main, political, and must be seen in this light. The amount of energy, time, and attention given to this depends upon how tenaciously those presently in control hold on to their power. Control must be complete to be effective. The ability of those presently in control to veto or sabotage the new decisionmakers will hamper the ability to make those changes that are necessary.

The other facet deals with the action that will be taken, once the decisionmaking power is transferred to the black community. The kinds of action will also depend upon how complete the shift of powers are. From current experience, it appears that some powers are released fairly easily—others seem to be held onto with a tenacity that defies description.

There remains certain techniques utilized by those currently controlling the schools to allow them to take back even those few powers which have changed hands.

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Community control of the schools is not new. The white community in America has always controlled their schools. The white community in America has also controlled the schools attended by black people, even in situations where the schools were attended by only black students. The results have been disastrous for black people.

No matter what is said regarding the political struggle for power, the original purpose of the black community was to try to stop the miseducation of their children and to remove them from the influence of a system that was insensitive and/or inadequate to their needs. The next step was to be the provision of a good education for their children.

The powers that different local school boards in the urban communities are demanding are similar. They see the community school board as the governing body of the school or schools which make up the community school system. They feel the community board must have broad powers over all aspects of the schools' operations. They feel that it cannot be merely an advisory or consultative body to an administrator who is basically responsible to a system over which the community has no control.

COMMUNITY BOARD TO CONTROL

The community board must control—to the maximum extent—staffing, curriculum, financing, outside resources, use of the physical plant, and planning for any new facilities.

Even though many have made evaluations of the success or failure of community control, none of the boards in the community-controlled schools in black urban communities have or had all of the powers stated above. Let me take a minute to look at some of the things they have done with some of the powers, and maybe look at some of the things they might do if they had additional power.

In most of the communities the local boards are, of necessity, developing themselves as board members at the same time that they begin operating as a board. In no instance that I know of has the larger system provided these local boards with those funds necessary for their own education and operation.

Boards for the cities have a clerk, a legal adviser, some expense accounts, a larger advisory staff, and in many instances, administrative aides. Some of the local boards have been able to attract funds from private foundations for minimal operation, but even this has, at times, been criticized. Even with this handicap, statements of policy, by-laws, articles of incorporation, reports to the community, and other types of documents, have come from these bodies.

Most of these reflect a real attempt to drastically change the ingredients that make up what we know as the large urban school system.

The first thing to be noticed when one looks at the transfer of power is that in no instance was power given directly to the community. The choice of the final decisionmaker never seems to be very clear in the original agreements. All projects that I know of started by including a university among the decisionmakers. Some included larger community agencies not directly related to the children attending the school.

Morgan Community School provides one example of this. Although the parents had been the ones pushing for changes, the school was actually turned over to Antioch College, and the amount of power

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parents and community members were to wield was seen as little or none.

In a memo of May 1967, the then-superintendent of schools, Carl F. Hansen, stated:

A proposal is being developed between Antioch College and the school system for an experimental demonstration in urban teaching at the Morgan-Morgan Annex Elementary School . . . While the details of the proposal are yet to be worked out, the superintendent wishes to advise the board that the plan concept has the full endorsement of the administration, provided the operational aspects can be coordinated.

The powers given to Antioch were: full responsibility for curriculum formation and instruction; recommendation of teachers and other staff members; staff organization; funds to be allocated for books, supplies, maintenance and staffing; the right to seek funds from outside sources to supplement existing sources.

POWER OF THE COMMUNITY

The power of the community was stated in this manner:

The school community will be active participants through the Parents' Advisory Board, to be comprised of parents elected by the parents-guardians of pupils attending the school. The involvement of parents through the Parents Advisory Board should improve the relevance of the school program to the needs of the community.

There were some changes with the new arrangements, once it began. It became evident, however, that the university would have as much trouble addressing itself to the needs of the black community as the larger system had. There were, however, staff from the university available for immediate questions and complaints.

The Parents' Committee began to see itself a bit differently. They entitled themselves a "local board" and began to question certain priorities.

The university had done their best planning around utilizing the school as a laboratory, and as an institution to train their students. The local board was primarily interested in service to the children in the school. They were somewhat resentful of some of the unilateral decisions made by the university, and they looked to the university for funds for program and advice.

And slowly the relationship between the university and the local board began to change. Parents, interestingly enough, as in most movements for community control, saw their first area of concern really the need to improve the relevance of the school program to meet the needs of the community, and showed concern about the affective climate of the school.

Parents began questioning the system instead of blaming their children for the failures. This change is a concept basic to the whole movement.

All black communities that have any semblance of control have moved from this premise. The community felt that those working in the school should be accountable to them, in much the same way that any other producer is accountable to the consumer.

They wanted a school not alien to the community, but an integral part of the community. With help from professional staff, those atti-

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tudes and aspects of behavior which were important began to be put into words and then into practice.

DEMANDS OF PARENTS AND BOARD

Some of these demands, as expressed by the parents and the Board of the Morgan School, were evident in their first annual report, to the community, in 1968. They stated such things as the following:

People want the kind of school where their children will learn those things which they need to know in order to survive in this society. People want the kind of school where they and their children are treated with respect and allowed to carry themselves with dignity.

People want the kind of school that welcomes them and their children and does not insult them by indicating that something is wrong with the way they look, speak, or dress.

They believe that the school staff and school board should be responsible to them and their needs and should not dictate to them what someone else has decided is good for them.

The school should take its character from the people living in the community and from the children utilizing the school rather than rigidly defining itself as an institution accepting only those people who already fit into a set definition.

With this as a basis, many changes will occur. The most basic change would deal with self-concepts. Black children will not be taught to be ashamed of blackness. Spanish-speaking children will not be taught that it is shameful to speak the language of their parents. Navajo children will learn of their culture and speak their language before they extend their boundaries to more alien cultures.

There will be a minimal amount of social problems in the school because the norms at the school will be those of the community in which the school is located.

Such practices as suspension and expulsions will cease, because if the school sees itself as an integral part of the community, it has a responsibility to help solve all problems and not avoid them by "pushing them out" of the school.

This then leads to a different use of psychologists, social workers, and other ancillary help. The job of the school becomes inclusion rather than exclusion. All members of the community are the "public."

The total climate of the school begins to change. Community people are usually hired as staff members, further tying community and school together. As the range of tolerated behavior for children is increased, staff also begins to relax. Soon the school takes on aspects of a community itself.

A further step regarding behavior is to look at the many unimportant rules and regulations which constantly bring adults and children into conflict. Many of these particularly concern giving the children more respect.

There are further implications for the organization of the school: teaching methods, curriculum content; use of the building, if we respond to the community and its needs.

In a community where there is much transiency, an individualized program is of extreme importance. One must have a situation in which the coming and going of children does not interfere with the progress of the individual. Communities in which many parents work and children begin to arrive at school an hour before formal opening,

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should provide a morning program similar to the usual after-school programs. The need for free breakfast and lunch can be ascertained.

Other things were done in Morgan, in response to the community, such as a clinic in the office of the principal.

Changes in the curriculum were made to come closer to what was the nature of the community.

The above are but a few examples of changes that can be made when one has the power to make decisions different from those passed down through a large bureaucratic system which is antagonistic or disinterested. There are many other changes that could be made if other powers were in the hands of the local board. Control of finances would appear to be the most crucial. This is the power that is held onto most tenaciously.

CONTROL OF FUNDS

The ability to raise and receive outside funds, which was seen as legal for Antioch, was withheld from the local board for over a year "while further discussion takes place." We all recognize that in this country, the one who controls the funds is ultimately in the most powerful position.

If funds were controlled by local boards, a great deal more of the school moneys would be spent locally.

Such things as compensatory education, which people try to imply is an alternative to community control—is not seen by us in that way. Compensatory education would continue. The main difference would be that what is compensation would be defined by the local community, and probably such purposes as "to change the behavior patterns of children with poor background and instill in them the importance of proper social behavior and achievement to enable them to accomplish their goals" would no longer be popular.

Goals such as "general cultural enrichment" would remain, but the culture to be emphasized would be from the black community rather than what has been practiced to date.

In such areas as art, music, dance and literature, the highest horizon would be the understanding and appreciation of their own.

Community control then addresses itself to the pluralism in our society and attempts to eliminate decisions for black people being made by those who believe that blacks are uneducable and unteachable. Many traps are being set to hold the movement back. I believe, however, that this movement is irreversible. The subterfuges to delay progress would be another paper. But let me list them briefly.

One method is to confuse community control with such things as decentralization, model schools, experimental schools, or districts, subsystem or community schools of the type originating in Flint, Mich.

Another method is to try to dilute control by proposing "equal partnerships." The partnerships include such things as labor, industry, universities, educators, government, and representatives of nonprofit agencies.

The black community has at one time or another been in partnership with all of these groups only to be left disappointed. These past partnerships have been formed around more appropriate problems. Industry can help the black community by providing jobs. Labor can help

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by opening up their membership and apprenticeship programs. Educators and universities can help by examining their own biases and dealing with them. Government can enforce laws already on the books, and further aid self-determination of black people.

When dealing with the education of black children in this country, their schools must be supervised, evaluated, and corrected by those who are most concerned about the children—the parents and other members of the community who live with the children through their total life experiences. Others can work for and advise the community, but final decisionmaking and control cannot be shared.

(The prepared statement follows:)

PREPARED STATEMENT OF KENNETH W. HASKINS

Historical Perspective

"We have, as far as possible closed every avenue by which light might enter their minds. If you could extinguish the capacity to see the light, our work would be completed; they would then be on a level with the beasts of the field, and we should be safe. I am not certain that we would not do it, if we could find out the process . . ."

A member of the Virginia Legislature after The Nat Turner Revolt.

Woodson, Carter G. The Education of the Negro Prior to 1861 Arno Press & The New York Times 1968—original publishers—The Associated Publishers Inc., Washington, D.C. 1919

"Our laws positively and utterly forbid any efficient general educational system, and they do it wisely, too, for just begin and thoroughly educate one generation and the whole thing would be blown sky high. If we do not give them liberty, they would take it." [1]

Community Control of Schools

This paper will deal primarily with The Black Community. The problems and the solutions can, however, be applied to others such as Puerto Rican, American Indians, and the Mexican Americans.

The quotes used at the outset give an interesting historical perspective. They refer to the system of slavery—a state of being into which Black people were to be "educated". The current question is how far have we moved from this original purpose?

It is evident that what was kept from and what was put into the minds of Black people has preoccupied white America from the beginning of slavery in this country. A complete system, supported by all facets of society was devised in order to control this. As times changed, this system—giving as little as possible—made necessary accommodations never significantly altering its basic pattern.

Kenneth Stamp in *The Peculiar Institution* describes the steps used during slavery to produce the ideal slave. "The first step was to establish and maintain strict discipline. A Virginia slaveholder is quoted as stating, 'unconditional submission is the only footing upon which slavery should be placed. It is precisely similar to the attitude of a minor to his parent, or a soldier to his general'. A South Carolinian states, 'he is never for a moment to exercise either his will or judgement in opposition to a positive order'.

"The second step was to implant in the bondsmen themselves a consciousness of personal inferiority. They had to 'know their places' to 'feel the difference between master and slave', to understand that bondage was their natural status. They had to feel that African ancestry tainted them, that their color was a badge of degradation."

"The third step . . . was to awe them with a sense of their masters enormous power. The only principle upon which slavery could be maintained . . . was the 'principle of fear' ".

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[1] Harriet Beecher Stowe, "Uncle Tom's Cabin" p. 238.

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"The fourth step was to persuade the bondsmen to take an interest in the master's enterprise and to accept his standards of good conduct".

The final step was "to impress Negroes with their helplessness, to create in them 'a habit of perfect dependence' upon their masters. Many believed it dangerous to train slaves to be skilled artisans in the towns, because they tended to become self-reliant".

None of the principles used to create the ideal slave have been completely abandoned. All linger in one form or another in the relationships between white Americans and Black Americans. The changes that have occurred came about because of the continued refusal of the Black community to totally submit to the definitions of their status provided by the white community.

The education or mis-education of America comes through many forms. In addition to the school—television, movies, plays, popular songs, cartoons, nursery rhymes, all play a part. At one time all of these were used to help implant the feeling of personal inferiority in the minds of Black people—and conversely personal superiority in the minds of whites. Slave codes and later Jim Crow laws—enforcement agencies such as the police-army, etc., further demonstrated these differences while adding the attempt at strict discipline and the demonstration of the "masters" enormous power. State governments, and all kinds of vigilante groups and lynch mobs participated in this. The drive to impress the Black man with his helplessness also continues into today as Black people are skillfully kept out of decision making roles—not only for the general community—but even in the communities which are almost totally populated by them.

The school, and such skills as reading and writing have always had a central role in this struggle. From the beginning—reading and writing were singled out as tools to be withheld from Black people at any cost. Other means of communication were partially destroyed by breaking up families; outlawing the use of drums; and not allowing Black people to gather without a white person being present.

In return, Black people sought to acquire the ability to read and write wherever they could. During reconstruction in places where it was possible—Black people built and opened schools. This occurred on the Sea Islands even before the Freedmen's Bureau was created. In South Carolina and other states where Black people constituted a meaningful group in the state legislature, public education was started for the first time; and where the Freedmen's Bureau opened schools—grandparents, parents and children all came to "learn". The importance of Black education to white America is seen again in the first activities of The Ku Klux Klan.

"The main Klan targets were Negro officials, teachers and successful farmers. . . . The attacks on Negro and white teachers and schools for freedmen did not cease. Samuel Allen, a Negro teacher, was attacked by a mob in 1869 because he had 'committed a great wrong; I had a Sunday School'. . . . An Alabama teacher was warned to 'dismiss the school immediately or prepare yourself'. . . . In all the Southern states schools were set ablaze and teachers beaten or forced to leave the state". (William L. Katz, *Eyewitness*, Pitman Publishing Co. 1967, pp. 266–268.)

Katz states further "The objectives of the Klansmen did not include the murder or removal of all Negroes from the South. Their purpose was to keep the southern Negro *ignorant and under white control*" (my emphasis).

The North to a lesser degree had the same attitudes. A school in Connecticut that took one Black girl and later more was the reason for legislation that placed the white teacher in jail. Many states did not provide for the education of Black children. Most unions barred Black people from membership and from apprenticeship programs. In the North also, schools created for or by Blacks were destroyed, and teachers intimiated.

All of the work done by Black people and some white people to alter the situation so that equality could be achieved, has not changed the basic fabric of this country. We still have a society that can tolerate or encourage a school system that fails poor Black children but would immediately mobilize itself (as it did around the first Sputnik) if it was not educating—middle-class white children. It is not too far fetched to believe that it is mobilizing itself, as it did before, in fear that Black people as a group will become educated.

It is upon this base that the present educational system is built. History makes the current questions around job security and intimidation of teachers appear mild. In any case Black people can no longer accept their definitions from white

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America. Growing numbers of others—Indians, Puerto Ricans, Mexican Americans, and some whites are reaching similar conclusions.

What happens to the master-slave relationship when the "master" still sees himself in this role while the "slave" will no longer submit to being a "slave"? If we use the formula handed down by history it will be repression by a show of force . . . a look at the police used at Ocean-Hill Brownsville, I.S. 201 and on college campuses indicate that perhaps we have not come very far.

It is within this context—the history and the importance of the minds of children in considering social change—that the movement for community control of schools takes place. There remains, in this country, a kind of colonial mentality that gives white people rights in the Black community that have never been afforded Black people in the white community.

The intention of Black people is to throw off all aspects of this colonial or master-slave relationship that remains in *their* communities. (This term community can encompass from the home of one Black person to the Black people of the world). The essence of colonialism and slavery is: who has control over whom; who makes decisions; who decides which people make a living; who decides what is culturally acceptable and culturally unacceptable; who decides the "way of life". The movement for Community Control of schools addresses itself to all this.

CURRENT MOVEMENT

"Black people in American cities are in the process of developing the power to assume control of these public and private institutions in our community. The single institution which carries the heaviest responsibility for dispensing or promulgating those values which identifies a group's consciousness of itself is the educational system. To leave the education of Black children in the hands of people who are white and who are racist is tantamount to suicide".

Position Statement—Five State Organizing Committee for Community Control, January 25, 1968—pg. 1.

"If Blacks were to make their own decisions about their own educational needs, would they deliberately transmit outmoded skills to their students? Would they teach children blindly to respect policemen who brutalize their friends and neighbors? Would they fail to equip students with the skills needed to solve some of their own community's problems? Would they forget to include in classroom discussion the problems faced daily by ghetto youth? Would they deliberately screw up the judgment of the kids by teaching them the 'right' way to live within a free and democratic society that has yet to be produced"?

Preston Wilcox, "Education for Black Liberation", *New Generation*, Winter 1969. pg. 18–19.

There are two major facets to the current movement for community control of schools. Although they overlap and are being dealt with simultaneously—they must, at times, be looked at separately.

One facet is the taking of control itself. This is, in the main, political and must be seen in this light. The amount of energy, time and attention given to this depends upon how tenaciously those presently in control, hold on to their power. Control must be complete to be effective. The ability of those presently in control to veto or sabotage the new decision makers will hamper the ability to make those changes that are necessary .

The other facet deals with the action that will be taken, once, the decision making power is transferred to the Black community. The kinds of action will also depend upon how complete the shift of powers are. From current experience, it appears that some powers are released fairly easily . . . others seem to be held onto with a tenacity that defies description. There remains certain techniques utilized by those currently controlling the schools to allow them to 'take back' even those few powers which have changed hands.

Community control of the schools is not new. The white community in America have always controlled their schools. The white community in America has also controlled the schools attended by Black people. even in situations where the schools were attended only by Black students. The results have been disastrous for Black people. No matter what is said regarding the political struggle for power—the original purpose of the Black community was to try to stop the mis-education of their children and to remove them from the influence of a system that was insensitive and/or inadequate to their needs. The next step was to be the provision of a good education for their children.

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The powers that different local school boards in the urban communities are demanding are similar. They see the Community School Board as the governing body of the school or schools which make up the community school system. They feel the Community Board must have broad powers over all aspects of the school's operations—it cannot be merely an advisory or consultative body to an administrator who is basically responsible to a system over which the community has no control. The Community Board must control—to the maximum extent—staffing, curriculum, financing, outside resources, use of the physical plant, and planning for any new facilities.

Even though many have made evaluations of the success or failure of "community control", none of the Boards in the community controlled schools in Black urban communities have or had all of the powers stated above. Let us examine those they have had and what they have done with them. We can then look at what they might plan to do if they had the additional powers.

In most of the communities, the local boards are of necessity developing themselves as board members at the same time that they begin operating as a board. In no instance, that I know of, has the larger system provided these local boards with those funds necessary for their own education and operation. Boards for the cities have a clerk, a legal advisor, some expense accoounts, a larger advisory staff, and in many instances administrative aides. Some of the local boards have been able to attract funds from private foundations for minimal operation—but even this has, at times, been criticized. Even with this handicap—statements of policy, by-laws, articles of incorporation, reports to the community and other types of documents have come from these bodies. Most of these reflect a real attempt to drastically change the ingredients that make up what we know as the large urban school system. The selection of which powers to give up easily, does not appear to be by chance. Basically the pattern is the same in all cities.

The first thing to be noticed when one looks at the transfer of power is that in no instance was power given directly to the community. The choice of the final decision maker never seems to be very clear in the original agreements. All projects started by including a University among the decision makers. Some included larger community agencies not directly related to the children attending the school. The influence of the teacher organization varies according to the city. Finally, the larger system continues to retain very crucial powers.

Morgan Community School provides one example of this. Although the parents had been the ones pushing for changes, the school was actually turned over to Antioch College and the amount of power parents and community members were to wield was seen as little or none.

In a memo to The District of Columbia Board of Education in May 1967, from the then Superintendent of Schools, Carl F. Hansen, the following was stated:

"A proposal is being developed between Antioch College and the school system for an experimental demonstration in urban teaching at the Morgan-Morgan Annex Elementary School . . . While the details of the proposal are yet to be worked out, the Superintendent wishes to advise The Board that the plan concept has the full endorsement of the administration provided the operational aspects can be coordinated".

The powers given to Antioch were: full responsibility for curriculum formation and instruction; recommendation of teachers and other staff members subject to the approval of The Board of Education; staff organization—not to exceed ordinary budgetary expenditures; to be allocated funds for books, supplies, maintenance and staffing in proportion to "current tables of standards". The right to seek funds from outside sources to supplement existing sources.

The power of the community was stated in this manner:

"The school community will be active participants through the Parents' Advisory Board, to be comprised of parents elected by the parents guardians of pupils attending the school. The involvement of parents through The Parents' Advisory Board should improve the relevance of the school program to the needs of the community".

The basic powers then, given to the university ended up encompassing the following of the powers The Community Board sees as necessary.

A. *Staffing:* Selection of own staff and decision making as to type and number within budgetary limitations. Professional staff are to meet Central Board requirements.

B. *Curriculum:* Almost complete control over curriculum and teaching methods.

C. *Fiscal Responsibilities:* Really very little except where the University raised their own funds. Although initial changes could be made in some budge-

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tary items, the same methods of ordering and purchasing were maintained, keeping control essentially in the hands of The Central Administration.

D. *Outside Resources:* Complete autonomy was given to the university in soliciting funds from outside of the school system and for administering these funds.

E. *Physical Plant:* The university was given autonomy in use of the building. Concepts about planning for new buildings did not occur until another stage in the project.

What we had, then, was not community control, but a shift of power from one element in the white power structure to another. The new institution in control was perhaps a bit more benevolent—but never the less was the legal decision maker.

With the new arrangement things began to change. It became evident, however, that the university would have as much trouble addressing itself to the needs of the Black Community as the larger system had. There were, however, staff from the university available for immediate questions and complaints.

The Parent Advisory Committee was elected after the school year began and all plans had been made. There was input by community people in the initial planning. It seems though that the wants of the majority of the poor Black Community had not been fully clear.

Differences between the University and the Local Board (a title they chose rather than Parent Advisory Committee) were very quickly seen.

The University had done their best planning around utilizing the school as a laboratory and as an institution to train *their* students. The Local Board, was primarily interested in service to the children in the school. They looked to the university for funds for program and advice. They were somewhat resentful of some of the unilateral decisions made by the university.

Slowly, the relationship between the university and the Local Board began to change. One of the outcomes which had been expected as a result of the creation of the Parents' Advisory Committee—to "improve the relevance of the school program to the needs of the community"—was seen by the principal and The Local Board as a necessary first step. The university's representatives were still dealing with terms such as "freedom" which they found difficult to translate into practice and with the classic subject areas such as mathematics and science.

The university, had theoretically described the base upon which the program would take shape. It's approaches were new and creative but it was unable to capture the style of the community that made up the bulk of the school population.

The priority which was set as the community began to assume control was the *affective climate* of the school. Parents had involved themselves in this— questioning the system instead of blaming themselves and their children for the failures. This change in concept is basic to the whole movement. All Black communities that have any semblance of control have moved from this premise.

The community felt that those working in the schools should be accountable to them in much the same way that any other producer is accountable to the consumer. They wanted a school that was not alien to the community, but an integral part of the community. With help from the professional staff those attitudes and aspects of behavior which were important began to be put into words and then into practice.

Some of these demands as expressed by the parents and Board of The Morgan School in The First Annual Report to the Community in June 1968 are:

"People want the kind of school where their children will learn those things which they need to know in order to survive in this society. People want the kind of school where they and their children are treated with respect and allowed to carry themselves with dignity".

"People want the kind of school that welcomes them and their children and does not insult them by indicating that something is wrong with the way they look, speak, or dress".

"They believe that the school staff and school board should be responsible to them and their needs and should not dictate to them what someone else has decided is 'good for them' ".

"The school should take its character from the people living in the community and from the children utilizing the school rather than rigidly defining itself as an institution accepting only those people who already fit in to a set definition".

With this as a basis, many changes will occur. The most basic change would deal with self-concepts. Black children will not be taught to be ashamed of

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Blackness. Spanish speaking children will not be taught that it is shameful to speak the language of their parents. Navajo children will learn of their culture and speak their language before they extend their boundaries to more alien cultures.

There will be a minimal amount of social problems in the school because the norms of the school will be those of the community in which the school is located. Any aspect of behavior which is acceptable in the home and the streets will have to be tolerated in the school.

Such practices as suspension and expulsions will cease. If the school sees itself as an integral part of the community it has a responsibility to help solve all problems and not avoid them by "pushing them out" of the school. This then leads to a different use of psychologists, social workers and other auxiliary help. The job of the school becomes inclusion rather than exclusion. All members of the community are the "public".

The total climate of the school begins to change. Community people are hired as staff members, further tying school and community together. As the range of tolerated behavior for children is increased, staff also begin to relax. Soon the school takes on aspects of a community itself.

A further step regarding behavior is to look at the many unimportant rules and regulations which constantly bring adults and children into conflict.

Do we really need to force children to go only one way on a staircase? What is wrong with chewing gum or eating potato chips in school? If children seldom walk in the street why expect different behavior in school? If fighting is part of the rituals the boys in the community engage in for status purposes—should it be a 'crime' in the school? Can we really be happy to see the children when they come to school, even if they are late? Can children have the freedom to leave the class when they need to with the adults assuming they will behave responsibly?

As one reduces the areas where adults and children must interact in a negative way—negative behavior diminishes. Children who were once hostile do not act or react in this way. They are respected as they are.

There are further implications for organization of the school; teaching methods; curriculum content; use of the building if we respond to the community and it's needs.

In a community where there is much transiency, an individualized program is of extreme importance. One must have a situation in which the coming and going of children does not interfere with the progress of the individual. Communities in which many parents work and children begin to arrive at school an hour before formal opening should provide a morning program similar to the usual after-school programs. The need for free breakfast and lunch can be ascertained.

What was the office of the principal at Morgan School, became a clinic, administered by Children's Hospital. This clinic served the total community from 2:30 p.m. to 6:30 p.m. daily. The building is open until 10:00 p.m. every night. Our auditorium has been used for a variety of community functions including part of the funeral of the chairman of The Local Board in the Spring of 1969

Curriculum has been left to individual teachers to develop. Each taking their strongest subject area and continually developing it. It is the belief of the Morgan staff that one who loves a subject and knows it well can transmit this love to others. The one rigid limitation upon curriculum development stems from the overall philosophy. "There will be no lessons or subject matter that degrades or belittles the children or the community from which they come."

The above are but a few examples of changes that can be made when one has the power to make decisions different from those passed down through a large bureaucratic system which is antagonistic or disinterested. There are many other changes that could be made if other powers were in the hands of The Local Board. Control of finances would appear the most crucial. This is the power that is held onto most tenaciously. The ability to raise and receive outside funds which was seen as legal for Antioch was withheld from The Local Board for over a year "while further discussion takes place." We all recognize that in this country, the one who controls the funds is ultimately in the most powerful position.

If funds were controlled by local boards, a great deal more of the school monies would be spent locally. Food services, stationery, equipment and maintenance would be purchased from local businesses and tradesmen, thereby uplifting the community in general. Textbooks and instructional materials would not be purchased unless they met the criteria set by the local community. Contracts for building and repairs would be let out by the community. Discriminatory prac-

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tices by business, industry and labor would be questioned by minority communities as they dispersed these funds.

Additional programs, which usually fall under the category of "compensatory education" would continue. The main difference would be that what is compensation would be defined by the local community. Probably such purposes as "to change behavior patterns of children of poor backgrounds and to instill in them the importance of proper social behavior and achievement to enable them to accomplish their goals" would not be popular. Goals such as "general cultural enrichment" would remain, but the culture to be emphasized would be from the Black community rather than what has been practiced to date. In areas such as art, music, dance and literature, the highest horizon would be the understanding and appreciation of their own.

Community control then addresses itself to the pluralism in our society and attempts to eliminate decisions for Black people being made by those who believe that Blacks are uneducable and unteachable. Many traps are being set to hold the movement back. This movement, however, is irreversible. The subterfuges to delay progress would be another paper. To list them briefly must suffice.

One method is to confuse community control with such projects as decentralization, model schools, experimental schools or districts, sub-systems or community schools of the type originating in Flint, Michigan.

Another method is to try to dilute control by the community by proposing "equal partnerships". The "partners" include: labor, industry, universities, educators, government, and representatives of non-profit agencies.

The Black community has at one time or another been in partnership with all of these groups only to be left disappointed. These past partnerships have been around more appropriate problems. Industry can help the Black community by providing jobs. Labor can help by opening up their membership and apprenticeship programs. Educators and universities can help by examining their own biases and dealing with them. Government can enforce laws already on books and further aid the self-determination of Black people.

When dealing with the education of Black children in this country—their schools must be supervised, evaluated, and corrected by those who are most concerned about the children—the parents and other members of the community who live with the children through their total life experiences. Others can work for and advise the community but final decision making and control cannot be shared.

SELECTED BIBLIOGRAPHY

Fantini, Mario D., "Participation, Decentralization and Community Control" *The National Elementary Principal, April 1969.*

Haskins, Kenneth W.

"The Program Designs Required to Provide Education for Poor Deprived Children". *Compensatory Education: From Theory to Political Strategy.* Edited by Jack C. Ferver. University Book Store, Madison, Wisconsin.

"The Case of Local Control", *Saturday Review*, January 11, 1969.

Katz, William L., Eyewitness, *The Negro in American History*, Pitman Publishing Company, New York 1967.

Position Statement. Five State Organizing Committee for Community Control, January 25, 1968.

Memo to the Board of Education of The District of Columbia, from Carl F. Hansen, Superintendent of Schools, May 10, 1967.

Morgan Community School Annual Report to the Community School Term 1967–68.

Proposal for The Operation of Community School in The Adams-Morgan Area of The District of Columbia: Submitted by the Morgan Community School Board to The Board of Education of The District of Columbia, April 4, 1968.

Stamp, Kenneth M., *The Peculiar Institution*, Random House, New York. 1956.

Wilcox, Preston, "Education for Black Liberation", *New Generation*, Winter 1969.

Woodson, Carter G., *The Education of the Negro Prior to 1861*, Arno Press and the New York Times 1968 Original Publishers—The Associated Publishers, Inc., Washington, D.C. 1919.

Senator MONDALE. Thank you very much, Mr. Haskins and Dr. Sizemore, for your most useful contributions.

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Mr. Haskins, as I understand it, you have had experience not only with Morgan Community School, but also earlier at Greenburgh, where you served in what was supposed to be one of the better examples of an "integrated school environment."

Thus, you have had experience in both kinds of situations. Would you comment on the differences as you see them, as you lived them?

EXPERIENCE IN INTEGRATED SCHOOL

Mr. HASKINS. Yes. From my point of view, the problems were the same. The concept of integration very quickly seemed to be defined differently by the white community and the black community.

Greenburgh, was I guess one of the first communities that did a lot around desegregation. They had an arrangement—I think Berkeley has something like that now—in which every classroom reflected the makeup of the community.

The school population was about 35 percent black, and it was not all poor blacks, so that there were some middle-class black people too, which some people seemed to feel necessary.

The biggest problem was that the input in the decisionmaking on the part of the black people in no way came up to their representation in the community.

And it just was taken as a natural order of things. Little things, for instance, the first time that the student organization in the high school had more blacks on it than whites, there was a great deal of stir in the community, when for years before that it had been all white and no one raised the question, because this seemed to be the natural order of things.

Most people felt—and this I think refers back to the statement Dr. Sizemore made—that the purpose of integration was to benefit the black children, and really the white community was doing them a favor, by allowing this to happen.

And originally, to go back a little further, the reason for the distribution of children in the schools in that way had little to do with race. It had to do with saving money. Because physically, the situation had occurred in the community that was opposite to what usually occurs; the newest school that was underpopulated was in the black part of the community, and the old school was being overpopulated because of new families from New York moving in—the question was whether to build another school or to find some way so that the balance was a little different.

The solution came when they decided to use one school for the first three grades, and the other school for the second three grades.

Throughout, then, it became one of trying to help black people and trying to help the white community to—if you will, for want of a better term—allow black people to have those things to say about the school, the curriculum, and so forth, that would influence their children.

And everything was a struggle. Even a question of pictures on the wall—could we see that Ebony magazine was used to cut pictures out of as well as Life and Look, and being told by teachers that they didn't know where to find any black dolls to put in the doll corner of the kindergarten. These were the kinds of things that went on.

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Now in a way, progress was made; not as much as you would have liked. And then, as usual, there are certain points at which you come up against a stone wall.

What happens to a social situation as the children become a bit older? What happens at the high school level when the athletic team ends up being all black and the cheer leaders are all white? And the kind of panic that the community goes through with that.

And when they changed the plays, for instance, so that they make sure there are no more love stories, once it is integrated. They make it an extravaganza where everybody can be a Roman soldier and not touch anybody.

These are the kinds of fears you run across, which in some way I think dilute the educational experiences that people can have, because you no longer go into things in depth. You keep them superficial.

EFFECTS OF COMMUNITY CONTROL

In community control, working with almost totally black community, those things didn't occur. You taught black history and in some ways those of us who talk about black history like to consider that black history is really only true history, and not the kind of propaganda you get otherwise.

And if children fought in school, you could deal with it as a fight between two kids, and not have to get involved in whether it was a racial incident.

You just had a completely different kind of thing, and I really feel, for the black children in this instance, I would say that the amount of progress that we were able to make, at least for the 2 years I was at Morgan, toward improving reading scores, improving math scores, helping the children feel better about themselves, was done much more easily than I was able to do in what was then called an integrated setting.

Now whether or not community control is the final point to which this country moves, that I don't know. All I know is that at this present time in our history, given the psychological set of both the white and the black community, of the things I would like to see done for black children, I found much more easily done not only when black children were together, but when the parents were in control also, than I found when I had to deal and struggle with many of the things in an integrated setting, although I felt an integrated setting, if it means anything, I was having some impact on the education of some of the white people there.

Senator MONDALE. Mrs. Sizemore, have you had, in addition to your experience as director of the Woodlawn project, experience in so-called desegregated or integrated schools?

Dr. SIZEMORE. No, except participation as a parent in the desegregation effort in Evanston, Ill.

Senator MONDALE. Would you respond to essentially the same question I asked Mr. Haskins—your attitudes and observations and experiences in a so-called desegregated environment, what you have gone through in Evanston as a parent, and your experience as principal of a community school?

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INTEGRATION: BURDEN OF BLACKS

Dr. SIZEMORE. In the desegregation effort in Evanston, Ill., it was a total busing effort, the complete burden of which was on the shoulders of the black community, in that the black children were the children who were bused.

As a resident of Evanston—my family came to Evanston in 1943, and I was a senior at Evanston Township High School from September 1943 until January 1944.

It's a township high school, and everyone who resides in the township attends. So therefore, it is an integrated facility.

Within that facility, at that time, which was in 1944, it was a segregated facility within an integrated institution. In that black people are in certain divisions and in certain classes.

My daughter attended Evanston Township High School in 1962 to 1966, and at that time, almost a little more than 20 years later, it was still an integrated institution and a segregated facility.

When she went there, you could walk through the halls, Senator, and if you saw no blacks in a classroom, then you knew it was advanced trig, chemistry, physics, et cetera. If it was full of blacks, you knew it was basic English, one and two, and basic math, and so forth.

And in extracurricular activities, there were scarcely any black students because there was a requirement stipulated that you could participate in extracurricular activities only if your grade point average was 3.5 or better.

Now this regulation operated to the complete advantage of the white community, in that you didn't have to worry about any social mixing of the black and white students in extracurricular activities because the blacks students simply wouldn't be there because the requirement precluded any kind of participation of that kind.

My daughter was talented in dance and drama. And as Mr. Haskins has stated, the black students were excluded from participation in that area because of the social implications of playing main roles in plays, et cetera.

And the general condition, or state, I should say, of integration in that high school was a very low level. So that the black students really didn't go to the high school in the social sense. They complied with the compulsory school law, they went to the classes, they went to the school. But they were really not a part of it.

Except in athletics. They played basketball.

BUSING CONDITIONS

In elementary school, my mother lived on the corner where the bus stopped every day, Senator, and when the busing operation began, the black children would stand and wait for the bus. They would get on the bus. There were no attendants there, and they would just hustle on as best they could, and as children do, they would play and wrestle, and do these kinds of things.

And there was no adult supervision, except for the driver. The children who were left by the bus were unsupervised. They were just left. I followed the school bus for 3 days—this was in the early days of the

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integration—and at the school where I visited, the bus came up to the school, and the black children got out of the bus to walk into the school, and the other children in the neighborhood were standing there saying, "Here come the coal cars. Here come the coal cars."

In some of the schools, in these middle-class communities the mothers are generally at home, because this society being a society that values male superiority, has consigned the role of women to the home, and their human potentials are not maximized in the sense that they should be, and they are confined to housekeeping and other menial activities that this society considers unworthy of remuneration.

And so they are at home. And therefore, the schools do not have facilities for lunch. And so when these black children were shipped off into these neighborhoods, they couldn't come home for lunch. And the bus didn't come to take them home, so they had to bring lunches and eat in the schools.

This the teachers resented, because they hadn't had this problem before, because the children went home to lunch, and therefore the teachers had an additional responsibility of having to supervise these black children who had to eat at school.

So they were crowded into classrooms and cubby-holes and closets, and resentful teachers were used to supervise these lunches. It was a very cold and hostile environment, Senator. And many black children were subjected to it in the early years.

EFFORTS OF SCHOOL SUPERINTENDENT

Mr. Coffin—Gregory Coffin, who was superintendent of schools at that time—met with parents and I had many opportunities to talk with him about this condition, and he subsequently worked very hard to correct it. He did several things. He tried to relieve the conditions in the lunch rooms by making provisions for the students. They put attendants on the buses. And he tried to employ more black people in the system, in positions like administrative positions, counseling positions, teaching positions, in order to help black children make the necessary adjustments to the hostility they were meeting.

Now in his efforts to do this, he came up against a lot of resistance in the city of Evanston, because Evanston has a large black population for a suburb—close to 25 percent now—and Evanston was about the business at that time of confining this black community in the west side of Evanston, so that it wouldn't spread. It was considered like the black plague and often called the black blight.

And the black people were moving out of the west side into other areas in Evanston, and the city was resisting this movement through zoning laws and other legal and extra-legal operations.

And so Dr. Coffin came up against this community control, Senator: in his effort to assist the black community in adjusting to the hostility it was meeting in its efforts at desegregation, he, too, was dismissed.

So the problems that committed people have to true integration meet with such massive hostility from the community control of white areas, that I see the black people suppressed by this hostility and being the losers in integration.

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WOODLAWN ORGANIZATION

Now let's look at community control. In the Woodlawn area of Chicago, where I worked as director of Woodlawn experimental schools district project, there is an organization called the Woodlawn Organization, which is a mass-based community organization, and it collaborated with the University of Chicago, and the Chicago Board of Education, in the Woodlawn experimental schools district project, which was a title III-funded project, whose primary objective was to restructure the social system through a mutuality of effort.

One goal was to change the roles and relationships in the school, and the other was to change the roles and relationships in the community.

And the project was not only concerned with who worked together, but how they worked together.

And there was a community board. Now this community board had three delegations or contingents: One from the University of Chicago, seven members; the Chicago Board of Education, or Chicago public school system, seven members; and one from the Woodlawn Organization with seven members.

Subsequently the University of Chicago gave up three of its seats to the Woodlawn Organization, so Woodlawn then had 10, University of Chicago had four, and the Chicago public school system had seven.

The Chicago public schools then gave up two of their seats to two students at Hyde Park High School, and two teachers in the experimental district, thereby limiting their participation to three seats.

There were 21 members on this board, and this board was to make policy for the three schools in the district—Wordsworth Elementary, Wordsworth Upper Grade, and Hyde Park High School. It is an all-black district, 3,200 students, a kindergarten through 12 system.

VETO POWER

This board was really a recommending board that participated in the initiation stages, but when the decisions were made about whether or not they wanted to do something, it was really left in the hands of the Chicago Board of Education. But the Chicago Board of Education never used its veto powers. Never. Most of the vetos were executed by middle management, central office staff, and the school principals.

Because the memorandum of agreement made between the Chicago Board of Education and the other two participating institutions was very vague, and the line staff was unclear, these many ambiguities furnished the school principals and central office middle management with avoidance routes so that they could circumvent the decisions made by the local community board.

Let me give you some examples. The previous director, who is now superintendent of schools in Newton, Iowa, Dr. Willard Congreve, ordered a couch for his office in December 1968, and it arrived in May 1970.

With short-term, federally funded projects which have only 2 or 3 years to operate, these kinds of purchasing requirements are really

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obstructive. They keep the project from really doing what the funds said it should do.

And though the community board made allocation of these moneys, the central office middle management still could keep them from getting it.

Also travel vouchers could be obstructed. If parents wanted to go to Atlantic City to attend the AASA convention which is a conservative organization, and they felt it was not responsive to the needs of the parents in the community control, it was obstructed. Though the funds were finally granted, they were cut and were not what the parents thought they should be.

These kinds of obstacles were placed in the way by middle management.

GANG VIOLENCE

But some beautiful things happened. Not in community control, but in citizen participation efforts. One was the alleviation of the very bad gang problem at the Wadsworth Upper Grade Center when the project began. The newspapers and the former principal described this yard as a mini-Vietnam, because there were so many shootings and incidents of violence in the yard.

The parents and the students and the teachers met and addressed themselves to the issue and designed some programs to work on the problem. One was a work-study program so that each one of the Nations could participate in it. These are youth organizations, sometimes called gangs; the Black Disciple Nation, and the Black P. Stone Nation.

And this program afforded an effort for these two groups of young men to talk with each other about this problem, with the idea that they would work toward its alleviation. This program started out with an all-male counseling project with the youth in the school, at Wadsworth Upper Grade Center. These youth were being recruited to meet with ombudsmen from the two youth organizations to address themselves to this problem.

Since October 16, 1969, until this present day, there has been no act of violence on the Wadsworth Yard. That is one of the accomplishments of this project, and citizen participation, and collective decisionmaking model.

ACHIEVEMENT LEVELS

Another is the almost complete elimination of nonready first graders, so that less than 1 percent of the kindergarten students now entering first grade—less than 1 percent are now not ready to read.

Achievement scores for third grade students, that have been just released, indicate a massive improvement in all the quartiles of the medium achievement ranks in almost every area tested, and I have given you a table citing these improvements.

As you move up, it becomes more difficult to move the achievements, because of experiences the students have had in schools preceding the project. But even in sixth grade, there are instances where improvement is showing.

With the male counseling group, which we call the Young Men of Wadsworth, the counselor who is in charge of that group (Mr. Julius

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Newborn), for a master's degree thesis did a study with this group of young men. He worked with them and tested them in several study-skill areas, and then compared their achievement with boys in the same age bracket in a neighboring school, in like social and economic circumstances. And he found our young men improved in all except two areas of study skills.

So I am saying that in a school where you have an aggregate model, where everyone participates in the decisionmaking, and everyone has a chance to put in his ideas of what the needs and demands and programs are, that there is a better chance of a development of a positive self concept, a better chance for the development of a sense of power over one's destiny, a better change for a reduction in alienation, and thereby a much better chance for improvement of the achievement.

Senator MONDALE. How do you deal with the findings of the Coleman report, which concluded, as I understand it, that children from "disadvantaged backgrounds"—the poor, often undernourished, from poor housing, with poor health care, without books, et cetera—will do better if they are permitted to attend schools in which the dominant makeup is of children from so-called advantaged social and economic backgrounds.

COLEMAN REPORT

As I understood Dr. Coleman, his point is not a racial one—black kids can only learn when with white kids—but that the same process would work with upper middleclass blacks dominating a school into which poor black children came.

And that from his study, considering all the inputs—teachers, money, classrooms, and so on—that the greatest and most hopeful variable was this kind of social-economic integration in a stable environment. That is his argument.

That study is enormously influential in American education. My impression is that both of you reject it. But I would like to hear you respond.

Dr. SIZEMORE. Well, I have many quarrels with that study. Social science, Senator, in this country has a tendency to support the institution or the value system of male superiority, of white-European superiority, and superiority of people with money.

And it seems to me what Dr. Coleman found out is that money makes a difference, and I certainly agree with that.

There is another study—(Sexton study) on education and income, which validates that premise. There is another study by (Susan Stadolski and Lesser) and another man, which found that as a group—I think they tested three groups—Jewish, black and Puerto Rican and Chinese, I think—and they found that in each group, as the group became more economically stable, in other words, came up, the achievement scores did too.

CRITICISM OF COLEMAN REPORT

No one took this seriously, though, Senator. Because if anyone had taken it seriously, then they would have taken the money and given it to the parents. You know, they would have said, OK, this is the way you raise reading scores, and just raised all of the income levels of all the families to $5,000, and this would raise the achievement scores.

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No one took that seriously, and yet everybody is taking Dr. Coleman seriously, and my first question was, why? And so I started looking at Coleman's study, and I used (Levin and Bowles') criticism that was published subsequently.

Many big cities did not cooperate, if you will recall. Chicago was one. And many black people live in big cities. That was first.

Second, there were not many longitudinal studies. First I want a study on a school like Evanston Township High School, which has been integrated for a hundred years, and I want to know what has it done for my people. For instance, in the class in which my daughter was a graduate, how many went to college and how many are still in college and how many did graduate when she did? I think that would tell a real story about the effects of integration on education.

So I am saying that—as you already stated there were—I had many arguments with the study, and the sample and the population that was excluded, as well as that which was included.

Third, that population that was included was predominantly northeastern, and I had some problems with that. The black population which comes to Chicago comes up Highway 51, on the Illinois Central, straight out of the heart of Mississippi. And the problems that they bring to the big city are all of the problems that are in Mississippi, and they are really hardcore problems that demand hard work for resolution. And so I have a lot of problems with that.

Next I had problems with what kinds of black children are in integrated facilities. It may be that the black children who are concentrated in integrated facilities come from a higher socioeconomic range than the black children who are concentrated in the inner cities and who were excluded from the study.

Those are the questions that I asked.

Then I had some other questions. Coleman also said these students in these integrated schools had a stronger sense of power over their destiny, and one of the main questions I addressed to him was that if this is so, then how could the sit-in movement begin in an all-black college in the South, predominantly led by black students who had spent their lives in segregated institutions. The sit-in movement, in my estimation, has been the strongest movement in terms of exhibiting a sense of power over one's destiny. It emerged from the students, was led by the students, and in some instances in complete opposition to the civil rights movement at that time, and its leadership at that moment.

So I have those questions with the Coleman report. I am still studying it. It demands a lot of study to answer your questions with empirical evidence, which I do not have at this time. But those are the questions, and since the question is the foundation of all scientific inquiry, at this moment I can only share with you my questions, but hopefully, at some future date, I will have some empirical evidence to answer your question more explicitly.

Senator MONDALE. Mr. Haskins, would you like to respond to that?

Mr. HASKINS. Just briefly, on a very different level. Perhaps on a level that again sort of deals with a kind of historical use that this country has made of findings, that they seem to continually come up with one reason or another to indicate that black children aren't going to learn.

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I personally feel that it has been demonstrated, both with the example that Dr. Sizemore gives of education and some of the things that again few people have been able to do when they have some semblance of control. There are certain things that have not been tested out. It really has not been tested out that a black community in control of their own facilities and really able to make their own decisions could not do a much better job than has been done for them by people who feel, if nothing else, that they have to be with white people in order to be educated.

I think there are many things egocentric about this country. There are different countries all over the world that don't have any white Americans there, and they seem to do a fair job of educating their children. China, African countries. And there really are not enough white Americans to go around.

I almost feel as if, barring that kind of conclusion, everybody is lost.

And I question seriously those kinds of findings, because the real opportunity at equality in any sense, in decisionmaking and input, has never been afforded, and any study that is done on integration or desegregation at this point is done upon the basis that I described earlier, that really has not been basically challenged up until now.

ISSUE IS CONTROL

I'd like to say one thing that I think both Dr. Sizemore and I have said, but maybe not strongly enough, and that is that I think basically what we are talking about is not necessarily segregation or separation, although in some instances, because of the history of this country, some things are done easier in one setting than another—but what we are basically talking about is that people have some real control over the destiny of themselves and their children, and that the destiny of one's child not be put in the hands of people who up until now have demonstrated that they are not interested in the destiny of the child, because they certainly will end up abusing or miseducating the child. So there will be situations where people find themselves in any kind of setting, either integrated or desegregated or not, but in each instance I think those people who are most concerned about the children have to be the ones that have a great deal to say about what happens to the lives of their children.

Senator MONDALE. Would you say that the so-called civil rights integration movement, as it has affected education since 1954, has been a wasted effort?

Mr. HASKINS. That is a hard thing to answer.

Senator MONDALE. Would you abandon the effort?

DEFINITION OF INTEGRATION

Mr. HASKINS. No. Dr. Sizemore and I were talking last night about how really a life of a person is a very, very short thing, and we don't know what kind of things really have impact.

I myself cannot abandon the idea that hopefully one day we will get rid of all these traits of arrogance, or whatever it is that keeps us as a group of people from just operating together as people, and let people be as they would.

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I guess the thing I address myself to and constantly look for is equality, and when people pushed for integration, they were looking for equality and an open society, and people began to use different definitions for it.

I think that I would still hold the same definition, and when people say an open society or equality and begin to think of the means by which they can approach this, the question is now, at this point in time, in this place, in this country, are the options just one, or are the options several? And are we on the right timetable?

And the other thing is, are we allowing people to use what we are saying for something else? Because certainly the thing Dr. Sizemore talked about, about the letting go of the black principals and black teachers in the South, because of the statement that people would make, for instance, that as long as there is a white kid there, no black person is going to teach him—if this is what people mean by integration——

Or in the Greenburgh district that I worked in, the real struggle we had was to finally get them to begin to put black administrators in. There was the statement that they couldn't find black administrators, or no one was qualified. And actually, the place from which they drew their administrators, these were people who had been superintendent of schools in a district where there was one school for 25 kids, way up in the woods of New York someplace, where a black person could never get a job; and a person who had been a principal or assistant principal in a school in New York City, had handled many more children in a much more complicated situation than this person who came from upstate New York, but people held onto the credential, to the things that were there, so that even in that setting, the question of decisionmaking, the question of where are you ready to make a move and where aren't you—these persist.

The problems in New York, even as I say in places where it's predominantly black, the question of integration really goes beyond the children, it has to really talk about the teachers, about the administrators, the board members, has to talk about who decides where the money goes, has to talk about the custodian jobs that are paying $45,000 a year in certain spots, and in some cities it's the only place where you don't find black janitors, because they pay too much money.

All of these things are things we have to talk about, and if you talk just on the level of what classrooms are the children going to, we are really not talking about anything.

HAZARDS OF INTEGRATION EFFORTS

Senator MONDALE. Let me sharpen the question more. There are a number of school superintendents like Dr. Coffin from Evanston who belong to a growing fraternity of fired school superintendents, who have tried to make school integration work in the broader definition of equality and sensitivity to which Mr. Haskins has made reference.

And there are school board members who have lost their jobs, many of them now, in the same effort. It's getting to be a large fraternity. It could make up quite a convention of people who tried.

And there are some politicians who are still trying, who mouth the word busing, try to pass a thing called the Quality Integrated Educa-

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tion Act, things like that, obviously exposing themselves to very serious critical repercussions.

Would you recommend to these people to drop those efforts now, and concentrate on community control, or what are you recommending?

Mr. HASKINS. When you define the terms, from my point of view, correctly, they are not either/or concepts. When you really talk about equality, open society, sensitivity, they are not opposites. And again, we have to be careful that we don't allow other people to define for us the things that we mean.

There are people who tell me that community control is nothing but old fashioned segregation. It is not old fashioned segregation. Community control, people try to define, as Dr. Sizemore said, as either local control or decentralization. And it is none of that.

It is only trying to somehow speak to the fact that there are certain basic things wrong with this country, and a lot of people have to try. Obviously if people are losing their jobs, the problem is that there aren't enough people trying, because if there were enough——

CONSTITUENCY FOR INTEGRATION

Senator MONDALE. But isn't it a practical fact that if black educators take the position that what really is most important today is community control over their own institutions, and if that is what they want—I agree with you, if that is what they want—that in fact the constituency for integration efforts is gone?

Mr. HASKINS. I don't understand.

Senator MONDALE. Well, if the black community doesn't want integration, then shouldn't we spend our time on trying to make community control work, and worry about integration sometime down the road? Wouldn't that be the preferable emphasis of our effort?

Mr. HASKINS. I'll let Dr. Sizemore answer that. Somehow, I guess I'm not saying what I want to say.

Dr. SIZEMORE. The black community mainly wants to participate in all of the institutions, and that includes decisionmaking institutions of this society, Senator. That is really the goal.

And you can look at it something like this. How do you get from a position of oppression to a position of liberation without getting exterminated. That is the problem that my people have. Okay?

We thought integration was the answer, because it was visualized as open society, total free access to every opportunity in the sense of equality, liberty, and fraternity. That is the way it was envisioned.

That turned out to be desegregation, to be manipulated for the best interests of a group, so that black people said, wait a minute, that's not going to get us there, that's going to get us killed, so let's look at this.

OPEN SOCIETY

But remember now that the goal is an open society. That is the goal. So whatever short term propositions that are made must be propositions which work toward that long term goal, because if the short-term propositions work in opposition to the long term goal, they can be very destructive.

So to say that black people are going to give up this struggle for the open society, I think is a mistake, and I tried to say that in the end of

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my paper when I said that we have to continue to struggle for a culturally pluralistic and American society. I want to abandon integration—the term—because I think it's been prostituted and now does not have the meaning that it originally had—the democratic, equal, liberty, fraternity, red, white, and blue meaning any more.

And what I am saying now is that if America is a combination of equal cultural groups, then every institution has an obligation to treat them with parity.

Previously, groups constructed their own institutions to get from a position of exclusion to a position of inclusion. The Irish Catholics used the Catholic Church. The Jews used the synagogue. Both of these people as a group occupied excluded positions at one time, and used these institutions and a multitude of associations and organizations, based on might is right, and right is always which group grew out of a separatist base.

The Irish Catholics were violent, and the Jews were nonviolent, but they still started at separatism. They had a pseudospecies declaration, an identity specification and a territorial imperative and they used religion, the most powerful organization dynamic man knows to create—a separatist base out of which nationalism grew. And this nationalism was so powerful, Senator, that the Jewish people walked around for 2,000 years with just this concept of land in their minds, until it exploded into reality in the State of Israel in 1948.

Religion and nationalism are the most powerful organizing dynamics that mankind knows, and every excluded group has utilized these weapons in a struggle from poverty to a position of inclusion in that society.

But the goal was always the open society. In other words, to exist in a pluralistic frame of reference with all the other groups, in a position of parity.

Now I do believe that most black people want this, so this means that every one then is struggling for the same thing, liberty, equality, fraternity, for their group.

And if your group is excluded, then you just start further down the line, you see. So it appears to the people already existing in a parity position that you are withdrawing, but what you are really trying to do is to consolidate your people power, so that you can push yourselves through to that position, because they are not going to let you in unless you have some power to make the thrust.

ECONOMIC BASE

What the previously excluded group did was first have a separatist base, then consolidated through these dynamics into nationalism, and then build an economic base on work where they had complete control. Like you have heard of the Polish American Plumbing Unions. And take the city of Chicago. We joke about it and call it the Irish Catholic fief of King Richard of Bridgeport. That's a joke.

But you create the economic work base, and out of this you can form coalitions and voting blocks and when the black community consolidates all this power, it can say, we are going to integrate with you and get across the table and be partners.

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But until a group can do this, it operates from a periphery of exclusion. It cannot operate from a position of parity in a decisionmaking sense.

Senator MONDALE. The Legal Defense Fund of the NAACP is conducting lawsuits around the country, principally in the South, but it plans to move elsewhere, to require school districts to desegregate, or integrate, including busing and programs of transferring students. It recently won a landmark case, the *Charlotte-Mecklenburg* case, which involves a massive program of desegregation in the Charlotte-Mecklenburg area in North Carolina.

Do you agree that that is a proper strategy, or would you prefer to abandon that effort and concentrate on the community control stategy?

Dr. SIZEMORE. I think, at this point, in the black community the priority would be the consolidation of the people power.

There are two kinds of power, Senator. Land from which all capital comes, and people.

Senator MONDALE. I understand that. But in other words, you think the Legal Defense Fund is moving in the wrong direction?

Dr. SIZEMORE. It depends on the community. If the community is only 10-percent black, then you have to have a different kind of approach. But the black community lives everywhere, and you cannot say that a strategy that is right for the consolidation of people power in a community where there are a million black people, will be the same in a small community or rural area where there is a small black population.

Senator MONDALE. *Charlotte-Mecklenberg* had something like 28-percent black.

Dr. SIZEMORE. Then it would be comparable to Evanston, Ill., probably, and I would say yes, that they would be making the right move for that population, provided—provided—that the black community had the opportunity to participate in that decision.

DECISIONS MADE WITHOUT PARTICIPATION

But if decisions are made for a community without its participation, and their specific needs and demands are not stated, in whatever process is executed, it will be the wrong thing for this community.

And I am not in any position to say here whether that is good for the black community of Charlotte-Mecklenberg. I don't know.

What I am interested in devising is a decisionmaking apparatus that will give the black community the same access to the decisionmaking power in desegregation models that the white community has, and if the NAACP is acting in the interest of that black community, and that community has so directed it to do, then I would be in accord with that decision.

If, however, it obstructed that long term goal, then I would not be in favor of it.

Senator MONDALE. Mr. Haskins, would you recommend that the NAACP continue its present course, or would you recommend a different course?

Mr. HASKINS. I go back to what I said before, and that is, I think that the problems that we have to attend to are much greater than the

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mixing of children. I think that when a board of education remains white and when all the plans around how this is to be done are done on a basis of that, so that you have in city after city the complete burden of the solving of the desegregation problem on the shoulders of the black children being sent into communities that are hostile, when you have principals and teachers losing their jobs, if that is the result of the integration, I am against it.

Senator MONDALE. Well, are you saying then——

Mr. HASKINS. And I am sure NAACP is against it, if that is the result, also.

TWO SEPARATE STRATEGIES

Senator MONDALE. Certainly. Would you say then that what you are really talking about are two separate strategies? One is community control, which you have described, and which you experienced on a limited basis; and the other alternative is integration in the real sense, where you have not only control but equality?

Mr. HASKINS. But there are some communities—I don't know exactly where, but I am sure there are places in Nebraska and Iowa and other places—where the black community is not lost, where the black communities are relatively small.

The thing I am talking about is something that would serve black people wherever they are, and put them in the position in which the respect for them and their children as people allows them to have input into whatever decisions are made.

WHITE CONTROL

Now I think that when you have a community that, for whatever reason at this point, is all black, like Washington, D.C.—parts of it—for it to be completely controlled by all white people, which finally ends up being the case, something is wrong in that kind of relationship.

When you have a community like Ocean-Hill Brownsville, where they push for more and more control of their schools, and find that the teachers who teach in that community do not live in that community, but leave at the end of the day and really, basically see their allegiance to another community, then something is wrong someplace.

Now, I think, what we have to continue to look at is where we are, and how did we get to where we are, and what are the things we finally want, and I think also recognize that there is really no one solution.

I just know—and I know it—that a school that is totally populated by black children does not stop those children from learning if the people who come in there work with them as if they can learn.

I also know that if I put black children in a desegregated setting where people have a need to continually prove that these children are inferior, they will mess those children up in that setting also.

So I think the things we are really talking about have to do with, again, the place that people find themselves in, in the society, how are they going to handle it, how do we really begin to make certain that people are seen as people with equality, and not that some people are to decide and other people are to abide by those decisions.

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I use terms like colonial relationship and so forth. These are not farfetched things. These are basically the place where people find themselves. I can tell you that, to use a personal example, I was forced—not forced, because you can't force people—but the music that I was supposed to appreciate was "Country Gardens" by Granger.

When actually, I fully appreciated music. I love music. As a matter of fact, I had dreamed of being a saxophone player like Lester Young. That was my music. But I happened to go to a school where a group of people decided that that wasn't music to be appreciated. The music to be appreciated was that which they appreciated, not what I appreciated.

As a result, I can't play a saxophone, and I still don't like "Country Gardens" by Granger.

And that's an example we can laugh at, but there are many examples of a kind of arrogance of what is right and what is wrong that are forced upon people, and I think what we are talking about, whether it is community control or really integration, is that those practices stop as soon as possible.

RESISTANCE TO INTEGRATION AND COMMUNITY CONTROL

Senator MONDALE. The reason I am pressing you on policy is that—isn't it quite obvious that both movements are in serious trouble? Both integration and community control?

Mr. HASKINS. Education in general.

Senator MONDALE. And education to boot. That is, integration in the finest definition of the word—and we have had two or three very fine definitions here this morning—and community control, are being met with enormous resistance. Each of you had experience with—whatever you call it, community control or decentralization—in which the real operations were left in someone else's hands. And as you said, Mr. Haskins, it was really Antioch that ran your school; and in your case, Dr. Sizemore, you found middle-level bureaucrats running your school.

In New York City, where there were three experimental districts which were rather impressive examples of community control, the legislature came along and rolled that back until now I suspect they have something like you have in Chicago, where there is apparent control, but in fact it is run by others. And I think this has been happening throughout the country. So if either course or both courses are to be pursued, it is going to take a very strong, conscious, national policy commitment with a lot of steam to achieve it. Am I not correct?

Mr. HASKINS. But that would be in any city in this country, no matter what tactic you use, you are going to have a problem when you address equality.

Senator MONDALE. That's true. Now that being true, and since this committee is limited to the educational issue, what are the key elements of a national policy you would recommend that we pursue here in the Congress?

I think I understand what you have been saying that bears on this, but I would like you to repeat it if you would in response to that question.

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BROADENING BASE OF DECISIONMAKING

Dr. SIZEMORE. I think the administration of the school has to be viewed in terms of its hierarchial structure. In all its Max Weber splendor—line staff, general superintendent tells the area superintendent, who tells the district superintendent, who tells the principal, tells the teacher, who tells the students, and parents are excluded. That is line staff.

This hierarchial, traditional, authoritarian organization students are protesting. Parents are protesting it. Teachers are protesting it. Community organizations are protesting it.

It seems to me that since this country wants very badly to be a democracy and save it for the world, we ought to start practicing it. And let's flatten that pyramid out so that everyone has an opportunity to sit in at the decisionmaking table. The community, administrators, parents, teachers, and students.

So that all the roles can participate in making a decision about what goes on in that institution, so it can profit from this input. This will also help teachers execute their tasks in the teaching-learning process. That is my first recommendation.

TEACHER TRAINING

My second recommendation is that policy in teacher training change so that teachers learn how to diagnose as well as to prescribe. Presently, teachers give out prescriptions. The school opens on September 1; the teacher comes into the classroom with 40 beautiful new children and starts giving out prescriptions.

If we would go to a doctor like that, we would really die a lot earlier. Imagine going to a doctor and saying, I have a headache, and I am sick, I have been up all night and I have these problems, and he sits there and gives you a prescription, and says, get these pills, they will fix you up, without even looking at you, or asking you questions, without taking your pulse or temperature. We wouldn't tolerate it.

Senator MONDALE. I am on the Health Subcommittee, too, and that is what is going on.

Dr. SIZEMORE. Well, the practice does not help health any more than it helps education, and I think that teachers need to learn how to diagnose problems, learning problems, teaching problems, by learning some techniques the social sciences do have to offer, like participant observation and interviewing. That is my second recommendation.

My third recommendation is the idea that education takes place just in rooms with a teacher, and a number of children, this should be abandoned as the only way that education can take place. And that a strong consideration be given to the utilization of public institutions—like the Senate, maybe—for learning, real learning, situations.

Also that public policy at the Federal level should really look at the world of work for young people. Young people are being abandoned in this country by employment, and the unemployment rate among black youth in the black community is as high as 40 percent, and even higher among black females.

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That the whole arena of work for young people be analyzed and more opportunities be given to them so that when a poor youngster graduates from a high school, it really means something, and you don't have any more students graduating from vocational high schools with straight A in plumbing, who can't get into the plumbing unions.

This is a tragedy. And I think that every vocational high school should have an employment office or placement service in it so that when the students graduate with certain skills, that the school is responsible for placing them in the world of work.

Senator MONDALE. Mr. Haskins, would you try the Haskins plan for America?

Mr. HASKINS. I think that virtually all of the plans have been stated—I just think that whenever we really get down to the business of trying to live up to the things that have been said, beautifully so many times, that that is the important thing.

I think I mentioned to you my concern about desegregation. But I could say that separate but equal was never equal. And somehow, the legislation, the various legislatures never seemed able to enforce that.

I contend that integration that is going on now is not really integration, but I don't know whether legislatures will be able to enforce that.

I think for myself, and I hope for as many other people as possible, I will continue to look at the differences between the words and the act, and not use the words to behave as if the act has been completed, and keep on fighting in whichever way I think is correct.

And we must examine the actions that we take to see whether or not they really lead to what we want them to lead to. I doubt seriously that I could in any way outline any one strategy.

And I hate to leave it that vague, but I guess that is the only thing I can do.

ROLE OF WHITES

Senator MONDALE. What role would you recommend for white people in the struggle? What should they be doing?

Dr. SIZEMORE. One of the big problems as I see it is the education of white people, and I really had some strong feelings about teacher training institutions for white teachers in white communities and I feel that these teacher training institutions must equip those students with the true history of the country, and not the prostituted version, that they are going to have to deal with certain statements that have been accepted as fact.

Let's take a very common one—Christopher Columbus discovered America. This just couldn't have happened, because the Indians were already here, and unless you want to say that the Indians were not people, then you have to say they must have discovered America, since they were here.

Now some kinds of methods and approaches and content must be designed to help young white teachers deal with these lies in history, first.

Also, to deal with the fact that white European superiority is accepted as a value and that is promulgated in the schools, it is taught

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You don't teach it in the Dick and Jane reader, but it is taught in the Dick and Jane reader, and that white teachers are going to have to deal with white people on this issue.

Senator, young brilliant white students come into the black community to teach because they are scared to deal with their own people and it's easier to deal with black people, so they come in as missionaries to save us, because they will get killed if they attempt to save their own.

I don't know whether or not you know what happens to people like Dr. Coffin when the white community withdraws its support, but there is a fear there for the lives of your family, because you live in the midst of this community and bombs can be thrown at your house and your children can be hurt.

And so the white teachers have to deal with this phenomenon in the white community. I think that is the most difficult thing for a white teacher to do, and I think that it's crucial.

Senator MONDALE. Thank you very much. I appreciate your most useful statement and your very candid answers.

The committee is in recess, to reconvene at 10 a.m., on Thursday in room G308, of the New Senate Office Building.

(Whereupon, at 12 noon, the Select Committee was recessed, to reconvene at 10 a.m., on July 29, 1971, in room G308 of the New Senate Office Building.

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URBAN EDUCATION

THURSDAY, JULY 29, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY,
Washington, D.C.

The Select Committee met at 10:24 a.m., pursuant to call, in room G308, of the New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senator Mondale.

Staff members present: William C. Smith, staff director and general counsel; and Donald S. Harris, professional staff.

Senator MONDALE. Would Mr. Brown and the other members of the panel please come to the witness table?

This morning we continue our hearings on the community school movement, and we will hear a panel of witnesses from the Morgan Community School in Washington, D.C., including Mr. Robert Brown, chairman of the board. Mr. Brown, will you introduce the other members of the panel?

Mr. BROWN. Right. The other members of the panel are Mrs. Jean Holiday, who is a parent, and president of the Parent Advisory Committee; Mr. John Anthony, principal of the school; Mrs. Arlene Young, assistant principal and teacher at the school; and Mrs. Louise Baxter, who is a member of PAC and a parent.

STATEMENT OF MR. ROBERT BROWN, CHAIRMAN OF THE BOARD, MORGAN COMMUNITY SCHOOL, WASHINGTON, D.C.

Mr. BROWN. The purposeful and dismal failure of the educational system throughout our country to adequately educate black people calls for and demands relevant and constructive change for the black community. For generations, the black community has prescribed and subscribed to the notion that educational inequities in our country would soon be eliminated. The end result is that our people have been living in a world of unknown mythology which is far beyond the tentacles of superstition.

The framework for public education in America from its beginning divided its people by setting up a so-called "Separate but Equal System of Education" which was doomed to failure. Perhaps if we could relive and truly dedicate ourselves to the democratic principles of oneness and togetherness, the problems which confront us now could justly be avoided.

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Unfortunately, we cannot relive the past, and if we could, the degree of racism would make it mose difficult to truly accomplish what our country should really be about.

A school system which handicaps some of its people—blacks in particular—for life, is not worthy of public support. Education of black people has been, to a great extent, meaningless imitation. Blacks are acutely aware of what others have done through positive inspiration; they also know that these inspirations and opportunities have not been equated for them.

Our interpretation of community control is, ideally, that it is a community controlled school which would be operated by the community with the larger system providing the moneys and other supportive services as requested by the school.

COMMUNAL REPRESENTATIVE SCHOOL BOARD

The community controlled school must be governed by an elected board of local community people. The board must be responsible for staff, curriclum, and school utilization. The size and makeup of the board must be decided upon by the community, but it must be as representative of the area the school serves as possible.

The school must be responsible and responsive to the needs and desires of the community in the educational program carried out and in other services and facilities offered. It must take both its form and substance from the needs of children attending it and others using it.

The community controlled school should be a center in the community. It should provide educational, enrichment, remedial recreational programs for everyone in the community. It should be the gathering place for people to meet and discuss things important to them. It should provide space for other community services and be a place through which assistance, advice, and referrals to other services can be given.

INTERACTION OF SCHOOL BOARD AND COMMUNITY

The community controlled school should affect the community and the community in turn should affect the school. The school should be in a sense a small community within itself.

What black people want is to control their own institutions, rather than having institutions—controlled by others—control them.

We want to devise a curriculum which is relevant and meaningful to us as a people; we want our children to be able to identify themselves in our society and in our own way in order for blacks to possess pride and dignity.

We want to teach our children love for and respect for their fellow man, be he white, red, yellow, or black. Since this has not been accomplished by the educational system, we can no longer afford the luxury of sitting idly by while our children stagnate in the midst of bureaucratic irresponsiveness. We want education to produce individuals capable of making their own decisions and thinking for themselves, not robots who conform to whatever is the norm at that time.

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If blacks are to become a part of the mainstream in our country, we must be active participants in the decisionmaking process, for without that right, we will continue to be parasitic in all of our endeavors.

Therefore, one solution to the problems confronting black people throughout this country is effective community control of the one institution which greatly affects the lives and future of our children—education.

SUCCESS OF COMMUNITY CONTROL

After having just completed our fourth year of community control, we are delighted to emphatically state that we have seen much progress in many facets of our educational program.

Parents and community members and other interested persons are free to come into the school and visit classes, volunteer their services and/or state their grievances without having to make appointments.

They are treated with respect and allowed to carry themselves with dignity. The school now welcomes them and their children as they are, always respecting their values, rather than imposing ours upon them.

The atmosphere is such that our children have developed a keen interest in and love for the school. With the dedication and commitment of the school personnel, the children know that they are loved and wanted. In fact, one comment regularly made by our numerous visitors—for example, Mrs. Martha Mitchell, wife of the Attorney General——

Senator MONDALE. Did she visit or call?

Mr. BROWN. She visited—is that they have never seen children so happy to be in school.

Consequently, this positive image has helped to create within our children a spirit of brotherhood which is certainly needed in these ill days of divisiveness and insecurity.

In spite of the many obstacles placed in our path—for example, recent inaccurate news accounts written by racists whose sole purpose is to discredit black people by making malicious and nonsupportable accusations—the tireless efforts of the people involved in our program have attested to the worth, the relevance, and the need for community control. Although some would like to kill our spirit, this type of debasement serves to encourage us to strive even harder to prove that black people can control their own destinies.

The seed of community control is one which we know will grow like the vines of the sweet smelling honeysuckle.

In conclusion, community control is the most viable, innovative, exciting and lasting solution to the black's most pressing problem—the education of his greatest assets—his children.

Senator MONDALE. Thank you very much, Mr. Brown. In what order would you wish the others to make their statements or observations?

Let's start with the principal, Mr. Anthony. He might comment and then we'll proceed in whatever order you wish.

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STATEMENT OF JOHN ANTHONY, PRINCIPAL, MORGAN COMMUNITY SCHOOL, WASHINGTON, D.C.

Mr. ANTHONY. Basically, I think that this whole concept of community control is certainly a very positive one. I think it's a solution to many of the problems confronting black communities throughout the country.

NEGATIVE BASIS OF INTEGRATION

I feel that this whole thing about integration, the blacks rationale for integration, dealth primarily with the understanding that, because of the inefficiencies, because of the school systems that did not give them the kind of equal opportunities, which had different curricula for black schools than for white schools, I think initially that blacks said, by having their children to go to a white school, that this really helped them. I think that was their rationale.

I think that what has happened is that, because of the many crises in schools where we have many blacks and whites going to school together, have really come about because what the blacks had thought, did not exist there, and I think what blacks really want today is quality education for their children, be it in a white neighborhood or in the black neighborhood.

I think what they are saying is, we want quality education for our children.

Not only that, I think the parents in particular are immensely concerned with people respecting them, and especially the school personnel respecting them as parents. After all, the children belong to them.

We have found at Morgan that the parents are welcome, they come into the school any time they get ready, they don't have to come to the office. We don't even encourage them to come to the office. They go directly to the classrooms. They come in and help with the lunch program. They come in and hold classes when teachers have to go to workshops.

And as a result of that, we have found that it has made a tremendous impact on, I guess, a rekindling of some kind of faith in the educational system.

Senator MONDALE. Mr. Anthony, how long have you been associated with Morgan?

Mr. ANTHONY. Three years.

Senator MONDALE. Three years. And where did you teach before?

Mr. ANTHONY. I taught school in Florida, and also I taught school in Germany.

Senator MONDALE. In Florida, were you teaching in segregated schools?

Mr. ANTHONY. Yes; in segregated schools, and then I did some teaching in an integrated school.

Senator MONDALE. Where did you take your academic training?

Mr. ANTHONY. I have a bachelor's degree from Paine College, in Augusta, Ga., and a masters from Columbia University, and further studies at Harvard.

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Senator MONDALE. Have you taught in a so-called desegregated or integrated school, or has your experience been principally in an all-black or all-white school system?

Mr. ANTHONY. Well, let me raise this question. When you say a desegregated school, what are you saying?

Senator MONDALE. I think you said earlier that in Florida you had taught in an all-black school. And Morgan is what? I think you said 90 percent; is that correct?

Mr. ANTHONY. Right.

Senator MONDALE. Now you also taught, you said, in Germany. Was that an armed services school?

Mr. ANTHONY. Right.

Senator MONDALE. Now if I might ask just a few questions. How many children are at the Morgan school?

Mr. ANTHONY. 676 students.

Senator MONDALE. 676. And you say 90 percent are black?

Mr. ANTHONY. Right.

Senator MONDALE. And are the others white?

Mr. ANTHONY. White, and we have—Arlene?

Mrs. YOUNG. About 4 or 5 percent would be Spanish students also.

PER PUPIL EXPENDITURES

Senator MONDALE. Do you know approximately what the per capita or per pupil expenditure is at Morgan? What are your resources, in that sense?

Mr. ANTHONY. Yes, it is about, for this year, approximately $461. I am told that supposedly we will have approximately $671 for next year.

Senator MONDALE. So it would be up $200 per pupil?

Mr. ANTHONY. Right. Let me explain that.

Recently, with Judge Wright's decision, in terms of more equities across the board, we find that the teachers at Morgan are very, very young teachers, so consequently, in terms of their pay, they are at the bottom of the scale.

From what I understand, we will be getting, in order to remain within this 5-percent deviation, more experienced people.

I am hoping we will be able to maintain the teachers we have at the school, because they are doing some innovative things, and they have some very, very good ideas about education.

PARENTAL INVOLVEMENT

Senator MONDALE. Now you indicated that there is an openness and a friendliness to the school which you think is very helpful. Would you go into that a little bit more, how that works out for the children in your opinion, and how the parents are involved. Give me some examples of what you think you have in this school that you might not have in other schools that are not community controlled.

Mr. ANTHONY. I think one of the things is my meeting parents and moving around in the community, rather than remaining as the princi-

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pal of the school, in that chair in the office, going out into the community and talking with parents and visiting the homes. I have tried to encourage them, along with the members of the board and members of PAC, to come into the school, and consequently, they have.

The other thing is that many of the parents began to talk about this whole concept of involvement. Many of the parents who are not able to come into the school will be doing some other things.

For example, if we have a bake sale, that parent will do everything she possibly can to see that a cake or something comes to the school.

And the other thing that we have really tried to do at Morgan is to have something like a family. For instance, we have had things like banquets in the school. Parents and teachers come and I guess the parents get to know the teachers as human beings.

Senator MONDALE. Is that unique for the schools you have been in? Is this the first time you have seen parents involved in this way?

Mr. ANTHONY. This is the first time, and I have been in education for at least 10 years. This is the first time that I have seen this kind of atmosphere.

BASIC SKILL ACHIEVEMENT

Senator MONDALE. What about the children learning basic skills? Mr. Brown referred to the article in the Washington Post, which wasn't very flattering. I think that one of its criticisms was that children weren't achieving at grade level in terms of basic skills.

Would you comment on that?

Mr. ANTHONY. Yes. As I said before, Senator, this September—and if you look at the whole history of Morgan School since its inception, you will find that the kids have fared better.

Now what really happened, last September, when they gave the test, everything was in a kind of uproar about the test, and as a result of that, I don't think the students fared well at that particular time.

However, I think if you would examine the tests at the end of this year, that you will find a very valid picture of their achievement. And I might say that our doors are open for someone to do that.

Mr. BROWN. I would like to respond to that question. Perhaps in a more general manner.

As far as the lack of achievement is concerned, of not only black students at Morgan, but black students in general, throughout the country, I think the problem goes deeper than what exists at Morgan, and the problem probably extends historically from slavery, which was the noneducation of the blacks and continued miseducation of black people.

Because—and again I say, because—they did not have control of what they were learning or what they were taught, until recently, black people did not even know their own history or their own heritage.

INCENTIVES

The problem is further compounded by the fact that blacks, in terms of financial or social rewards in this country, do not have any incentives to learn.

In an article in the Post this week, it shows that blacks with certain educational achievements such as a college level degree, still earn considerably less than whites with a high school degree, and blacks with

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a high school degree earn considerably less than whites with an eighth-grade education.

One would not mind learning, if he thinks it will give him something, if his learning was rewarded.

The system is based upon education for the purpose of monetary reward and blacks have not had that. They have not had examples set forth. For instance, take your corporations. Many of your corporations tell you that blacks in managerial positions are far below whites, I think it's 1 percent. When you are talking about education, you have to hold something before a kid and say, "Look what you can achieve with your education. Look what you can get with your education."

But you know that hasn't been true, so the incentive to learn hasn't been there, based upon the type of education, at least, the purpose of what education is supposed to be about in this country.

However, what we as a black people are trying to do now is show our kids that you do not learn necessarily to make or to expect to obtain monetary gains in this country, or even social status in this country.

You should learn in this country in order to be able to gain an expertise that will better help you control the institutions which exist in your community, and build institutions in your community which are relevant to that community.

We have found out that even with our education and even with our degrees, that we can't really function the way we are supposed to in the system. I think in the past the old saying was, you had to be better than the average white man in order to be able to have equal opportunities with him. For instance, one experience that I have had—because I went to all black schools in the South——

Senator MONDALE. Where did you go to high school?

Mr. BROWN. New Orleans, La. One of the experiences that I have had is, when I finally went to a predominantly white university in New Orleans, I did have feelings of inferiority, not because I thought I was inately inferior to those people, but because I was told throughout my entire life that whites are getting a better education than what I was receiving, and therefore, when I walked into the classroom, I felt inferior, until I found out that my fellow classmates were in fact not that much more advanced than I found myself to be.

Senator MONDALE. I accept what you say, but I think black Americans have been cheated in many ways. The evidence, some of which you cited, is unarguable.

But one of the cruelest things we have done, for generations, to blacks and other minorities is to fail to equip them with the basic skills that they need to fight back, and to get their own place, whatever it is.

ENTIRE SCHOOLS BELOW GRADE LEVELS

In many of these central city school systems now, it is not unusual to have entire schools where children are far below grade level in reading, counting, arithmetic, and so on. One wonders what chance they have got in terms of economic competition, if nothing else, to make it in American society.

I had understood that one of the arguments of the Morgan School all along has been that the children were doing better in basic skills,

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as well as the other things to which you make reference. It that what you were saying?

Mr. ANTHONY. That is what I was saying. I think in terms of the article referred to by Mr. Brown, when he said something about the recent account—not only the local news account, but even in other places, for instance, New York, where new articles have been critical of community control—I think the whole issue is, unfortunately you have people who come in and rather than say, how can we be very helpful, they began to come in and tear down constructive things with distorted facts.

I am saying now, the doors are open, and what people really need to do is come out and really see what the kids are doing. I think this is the only test. I think the answer to an untruth, to a lie, is to find out what the truth is.

Senator MONDALE. Right. Now let's see. The chairman of the school board is Mr. Brown. Let's start with the assistant principal, Mrs. Young. Would you care to give us your views?

STATEMENT OF MRS. ARLENE YOUNG, ASSISTANT PRINCIPAL AND TEACHER, MORGAN COMMUNITY SCHOOL, WASHINGTON, D.C.

Mrs. YOUNG. I really didn't come prepared to give any statement. I would like to say that I have been working at Morgan School for the last 12 years, and since we have had community school, such as it is, I found that I enjoy my work much more than I did before.

As a matter of fact, I had thought at one time of just forgetting about teaching, but now I see that there is a way that we can help our children to learn.

We do agree wholeheartedly that our children need the basic skills—reading, writing, and arithmetic. They must have this in order to survive. But what we are doing is trying to find new ways to achieve this.

The old methods haven't worked. We are trying to experiment, to explore. We want the children to learn to think for themselves, to be able to help themselves, and gain what they must have in order to survive.

MORGAN SCHOOL BEFORE COMMUNITY CONTROL

Senator MONDALE. You say you have been at Morgan for 12 years?

Mrs. YOUNG. Right.

Senator MONDALE. So you worked in the system when it was strictly run from the top, and I gather you worked there when Mr. Haskins was there, and you have been there through the whole 12-year period?

Mrs. YOUNG. Yes.

Senator MONDALE. When you first went there, was it a predominantly white school?

Mrs. YOUNG. No. Oh no: it was—I imagine the ratio was about the same as now. It may have had a few more whites at that time.

Senator MONDALE. Apparently it was the deep concern in the community about how the children were failing, and what was happening to the children at the school, that led to this demand for community control, is that correct?

Mrs. YOUNG. This is true.

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Senator MONDALE. What kinds of complaints were they making in particular that you thought were accurate?

Mrs. YOUNG. The school was very overcrowded. Most of the classrooms at that time had from 32 to 38 children per teacher. There were no aides, no help for teachers at all.

When I first started, there was no such thing as free lunch program, which we now have, and the children had to go home for lunch or they didn't get lunch. The lunch program did start a few years later, but at the time they were cold bag lunches brought from away across town somewhere.

Another complaint was that the parents felt that the teachers weren't really interested in their children. They were with the children from nine to three, and when the children left, the teachers left also. There wasn't that much preparing for the individual child.

Senator MONDALE. Did you think there was some justification in that complaint?

Mrs. YOUNG. In certain cases. There were a few—I imagine there still are teachers who leave when the bell rings, you know.

There was quite a bit of open corporal punishment at the time. Of course, this was before the law was passed, so I don't know if that can be justified or not. We now forbid any type of corporal punishment in our school.

Senator MONDALE. Mr. Anthony pointed out that one of the things that seems to be hopeful is that the community is involved in this effort, they come in and help, and they have other ways of participating in the community school. Was that true in the precommunity school days?

Mrs. YOUNG. We had the PTA, as most schools have, and when you saw the parents, usually it was at a PTA meeting. There may have been a few parents who came up to see about their children's work, et cetera, but most of the time, we very seldom saw any parents in the school during the regular school day. Now we have parents working in the school as community interns, and we also have parents who come into the school to volunteer their services during school hours and after school hours.

Senator MONDALE. Is that helpful, in your opinion?

Mrs. YOUNG. I feel as though it's very helpful. There are children who still might find it hard to relate to teachers. Teachers are put up on a pedestal. Children can't talk to them, et cetera. People who live in the community can help out in this way, talk with the children, it seems, in a better way than some professionals can. Although this shouldn't be the case, but it is true.

TEACHER ATTITUDES

Senator MONDALE. I want to get into the question of how much community control in a moment. But at least you have an elected local school board.

Do you think the teacher attitude has changed now that their is community control?

Are the teachers more likely to respond sensitively with respect to the children and their needs now than was true before?

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Mrs. YOUNG. I feel that this is true, because, for instance, our teachers must apply at Morgan School in order to work there. When they come, they know that they have to be interviewed by our local board and our personnel committee.

Senator MONDALE. Does the school board interview the teachers?

Mrs. YOUNG. We have a Morgan Community School Board Personnel Committee.

Senator MONDALE. So the elected members of the school board review the teachers before they are hired?

Mrs. YOUNG. Before they are hired. The teachers must meet the certification of the downtown system.

Senator MONDALE. Does that committee include parents?

Mrs. YOUNG. Yes; there are parents, community members, and one member of the administration.

Senator MONDALE. Have you ever rejected an applicant?

Mrs. YOUNG. There have been rejections. As a matter of fact, when the local turnover was made from Morgan School to Morgan Community School, those of us teaching at Morgan at the time were asked to apply if we wanted to remain at the school, and we were interviewed by this board. There were, I think, 10 of us who applied, and only three of us were accepted.

WHITES ON FACULTY

Senator MONDALE. What is the percentage of white to black faculty at Morgan Community School, if you know?

Mr. ANTHONY. Twenty-five percent.

Senator MONDALE. Twenty-five percent white?

Mr. ANTHONY. Right.

Senator MONDALE. What was it before it became a community school?

Mrs. YOUNG. The year preceding community control, we didn't have any white teachers at Morgan.

Senator MONDALE. So actually there are more white teachers now after community control. That's very interesting.

Mr. ANTHONY. What we tried to do at Morgan, that is, we go back to this thing in the presentation here, where it talks about oneness and togetherness.

Not only have we tried to place whites in the school, but the school is set up, based on teams, and it is ungraded, and what we try to do is place a white on each team.

The kids have to learn how to get along with people, all people; not only have we done that, we have had other people, for instance, at the present time some of the whites we have—we have a lot of nuns, who are now on the Morgan staff. Some reformed nuns on the staff of Morgan.

And in addition to that, we have some one or two teachers from Liberia and we have someone else from Nigeria. We are trying to give them an outlook in terms of different kinds of people, because after all, when they leave school, they will be confronted with different kinds of people, and it's very important that they get to know them at an early stage.

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We have found this to be very successful. I think for the first time this year, we have tried to have a proportional amount of white teachers on the staff. I think before, for the last 3 or 4 years, we had maybe about 10 to 15 percent, something like that.

CURRICULUM CHANGES

Senator MONDALE. Mr. Brown referred earlier to the fact that black people have not been permitted to learn about their own history, their own background and culture, in academic studies.

Since community control, have there been changes in curriculum, in the library, in the course work, and in other ways, efforts to teach about those things to the children?

Mrs. YOUNG. Yes.

Senator MONDALE. Could you give me some examples.

Mrs. YOUNG. We now incorporate black history, the study of black history, into our social studies program, beginning with the very youngest children. It is not a separate unit as such, but the black history is fused with the American history. So that the children can learn that all of this took place in its own time, and that blacks were not excluded in the making of America, in the building of our country.

We teach the children about the continent of Africa, about famous blacks, past and present. We want them to learn the Negro national anthem, and they are allowed to sing that in the school.

We just want them to know that their people had as much of a part in the making of history as anyone else.

Senator MONDALE. Was that being done before?

Mrs. YOUNG. No; it was not being done. It was only done during Negro History Week. And we were talking about George Washington Carver and Benjamin Banneker and maybe two or three others that everyone knows about. But most of our children never heard of Crispus Attucks or Harriet Tubman.

Senator MONDALE. So one of the things that has clearly changed, in addition to the other things we talked about, is that since community control there has been an entirely new approach to history, to culture, to teaching the children their own backgrounds and history, which was not there before?

Mrs. YOUNG. That's right.

Senator MONDALE. Are the children interested in that? Do they respond to it?

Mrs. YOUNG. For the most part they are. They are. Now some of them—as I have been—were so brainwashed, that they didn't want to hear this in the beginning. But now they are coming out and beginning to really see that this is very important to them.

Senator MONDALE. Can you think of some other ways in which there have been changes since community control?

Mrs. YOUNG. There have been so many changes.

SOCIAL BENEFITS

Mr. ANTHONY. I think one of the things that seems to me to be one of the very important things is in terms of their respect for each other. I see where they are getting along much better with each other now as human beings.

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Senator MONDALE. The children?

Mr. ANTHONY. The children. And not only the children, but I also see changes within the staff. And this is not only true I guess at Morgan, but I see some things all around the schools in the District of Columbia, that the kids are getting along better with each other. They seem to take a sense of pride in themselves.

I think one of the unique things at Morgan, as a result of community control, has been the openness that we have at Morgan. For example, why should a child really ask a teacher, "May I go to the restroom?" When that is a nonnegotiable item.

Senator MONDALE. You'd think so.

Mr. ANTHONY. I think that is a nonnegotiable item. For example, how many children at home really ask their parents, may I go to the bathroom? So if you are really talking about having children to develop self-discipline, you have to start at a very early age, and once they learn this, then I think later on in society, they are able to discipline themselves accordingly. I think you have to allow them this kind of freedom at a very early age.

Seator MONDALE. Let's turn to the parents now. Mrs. Holiday, would you give us your observations about the differences in the school, and how you think it is working out?

STATEMENT OF MRS. JEAN HOLIDAY, PRESIDENT, PTA, MORGAN COMMUNITY SCHOOL, WASHINGTON, D.C.

Mrs. HOLIDAY. I think it is working out very well, and I am very happy about it. For instance, when we go and do voluntary work, many of us have other kids at home, but in this way, we can bring our children with us, and if there is someone, maybe on a lunch break or who has a few minutes, they will watch our kids while we go to the classroom or help the teachers, or help the teachers take class trips. We use a conference room to keep the kids in.

It also gives the parents a little pride, we feel good. We feel like if we have any grievances or questions, we feel we can come up and talk to the teachers, or maybe we just want to visit the classrooms and see how the kids are getting along. We are free to come up and sit in the classroom and watch the kids and ask the children questions to see how they are getting along.

We feel free and like we are somebody and we can be recognized as parents.

Senator MONDALE. Are you on the school board?

Mrs. HOLIDAY. No, I am not.

Senator MONDALE. Are you, Mrs. Baxter?

Mrs. BAXTER. No.

Senator MONDALE. Have you talked to members of the school board, as well as to the faculty?

Mrs. HOLIDAY. Yes; sometimes I attend the meetings.

Senator MONDALE. Do you find them responsive to you? Do they listen?

Mrs. HOLIDAY. Oh, yes. Yes.

Senator MONDALE. How many children do you have?

Mrs. HOLIDAY. Four.

Senator MONDALE. How many in the school?

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Mrs. HOLIDAY. One in school and one getting ready to go to school.

Senator MONDALE. I gather you did not have children in the school before it became a community school?

Mrs. HOLIDAY. Yes; at the time they were talking about the community school, I had a daughter that had graduated, then I had a younger child that was coming into it. This is my first year working with the community school.

COMMUNITY SUPPORT

Senator MONDALE. Is it your impression that the community prefers the system the way it is now?

Mrs. HOLIDAY. Yes. Not only the parents enjoy it, but we have teenagers that would like to have dances in the afternoon on Fridays, and they allow them to have dances in the school. Community children.

Senator MONDALE. So the school is used after hours for other purposes of the community?

Mrs. HOLIDAY. Right, for dances and things like that.

Senator MONDALE. Mrs. Baxter, would you give us your viewpoint?

STATEMENT OF MRS. LOUISE BAXTER, MEMBER PAC, MORGAN COMMUNITY SCHOOL, WASHINGTON, D.C.

Mrs. BAXTER. Well, being a parent myself, I find that having a community school has helped quite a bit. It's a place where we feel free to go in and discuss things, and the children feel freer too. I think, having their parents there sometimes, looking in on them, working with them, makes them feel free.

It's something like a second home to them, and I found that is good for them too.

Senator MONDALE. And the faculty seems to welcome them and work with them?

Mrs. BAXTER. Yes. The door is open anytime someone wants to come in. If they just have a problem or anything with the children, and they can go to discuss it. They can come right in, and I found that is good.

Senator MONDALE. How many children do you have in the school?

Mrs. BAXTER. I have one at Morgan now.

CONTROL OF FUNDS

Senator MONDALE. Mr. Anthony, what kinds of problems are there with community control as you now practice it? You must, like some others, find that some of the community control really isn't there.

Mr. Brown defined what he thought the elements were of community control. Basically, as I understood it, the school is run by a locally elected community school board and it receives the funds, without strings, from headquarters.

Now I believe it is fair to say that that is not exactly the case at Morgan, that there are strings attached, controls, that it isn't a fully community controlled school. Am I wrong in that or not?

Mr. ANTHONY. Well, basically, I guess to an extent, you are really talking about complete community control. And I think the only way

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to have complete community control is that you really control the purse strings. And of course——

Senator MONDALE. Well, I would assume that would mean you get the money that you need, you are able to hire and fire, you are able to determine curriculum, you are able to run that school, almost completely, through the locally elected school board. I assume that that is what you are talking about, so that the directions and trends are up to that school board, and the policy is handled there, and not somewhere else.

One of the big complaints in the community school issue is that so many of these schools that are called community schools in fact are run by somebody else. Barbara Sizemore, who was with the Woodlawn School project in Chicago, was here yesterday, and she said that in fact the key issues, or many of the issues, are determined by the middle-level bureaucracy in the school board downtown; that even though the school board has been very open and supportive, when they finally get down to the question of running the school, the bureaucracy runs it, anyway. And we have heard this complaint from many people who have tried to establish community schools. Do you find that you have a pretty full range of choices?

Mr. ANTHONY. I find—and I guess it's because of the makeup of Washington—we don't have the kinds of problems which confront other schools. We do have some problems in terms of the central system delivering services to us, which are needed, like supplies. However, we do try to work those things out.

I think the fortunate thing we have is an agreement with the central Board of Education, which allows the Morgan School Board to do practically everything, with the exception of, I guess, really holding the money for personnel and supplies. I think it's because of the many problems they have, I guess, with personnel in terms of getting supplies to the school system.

I do feel this, I think that the locally elected board hired me, and I am accountable to the local board. And I have found that working with them has been most enjoyable. And I carry out their policies.

ROLE OF CENTRAL SCHOOL BOARD

The thing I would like to see is that the central board be much more responsive than what it has been.

Senator MONDALE. Give me some examples.

Mr. ANTHONY. For instance, I am concerned right now about some repairs around the school. Morgan is a very old school, and we have just been holding it up. For instance, the community, 2 years ago, didn't have guidance facilities, they didn't have a music room, conference rooms. And what we did, in the community, we told them if they would give us the supplies, we would get the necessary labor and do the work ourselves. And this is what we did. In addition to that, we took money out of our pockets. To the extent now that we do have conference rooms, as Mrs. Holiday referred to a few minutes ago, where they can come in and sit down. We have a music room, and we have guidance facilities.

At one time we had to make room for a health clinic that was in the school. It has since moved out because of the increase in patient

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care. We had to make room for it, and what we did, we gave up our office, and then made offices downstairs, in order that the community could have a health clinic in the school. It was very successful, to the extent that we are hoping that in the new school, we will have a complete health unit.

Senator MONDALE. What happens when the students graduate from Morgan and go on to other more traditional schools in the system? Do they have trouble adjusting, or do they fit in well?

Mr. ANTHONY. We have found they adjust overwhelmingly. We do have a few people who do not.

There is a difference when students who have been allowed to perhaps make a lot of decisions for themselves and have been able to move around in a free atmosphere.

We had, last year, for example, a number of students who received scholarships to go to private schools, and as a matter of fact, one of the boys made the highest grade at the private school. And we are very proud of that, and as a matter of fact, all of them were honor students over there at that school.

In checking with some of the students who went to Gordon Junior High, we found they did very well. There are some kids who had some trouble in adjusting, but overwhelmingly they did fairly well.

Senator MONDALE. Has the central school administration tried to sabotage or destroy the community control, or turn it back to the old system, or do you think you are pretty well established as a community-control school?

Mr. BROWN. First of all, I feel that we at Morgan are pretty well established as a community-control school. The central board is available if we need advice. They help us when we ask for help. For instance, if there are some things we don't understand, our special projects director is always available to give us a clearer understanding of the questions that we ask.

Senator MONDALE. You don't feel that the central school administration is opposed to community control efforts?

Mr. BROWN. No, at least not in their actions; not in their actions.

TEACHERS' UNION

Senator MONDALE. Do you have any resistance from the professional organizations such as the teachers' organizations?

Mr. BROWN. No. In fact, we have a very strong working relationship with the District of Columbia Teachers Union.

Senator MONDALE. How did you develop that?

Mr. BROWN. Well, I think first of all they appreciate what we are trying to do, and I think they understand what we are trying to do, and also I think the Teachers' Union itself sees a need for the type of things we are doing in Morgan—especially since many of the people who are in that particular union, and many of the people who probably helped that particular union, have undergone the same experiences that we have.

Senator MONDALE. Is the contract with the teachers at Morgan the same as the citywide contract?

Mr. BROWN. Yes.

Senator MONDALE. It's the same?

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Mr. BROWN. Right. Hopefully, this summer we will negotiate with the Teachers' Union a subcontract for teachers at Morgan.

Senator MONDALE. Have they agreed to that?

Mr. ANTHONY. The teachers?

Senator MONDALE. The Teachers' Union.

Mr. BROWN. The union has agreed to a subcontract. The thing is now for us to do our work and to be able to sit at the table and talk about some issues.

Senator MONDALE. Would the subcontract have a different pay rate?

Mr. ANTHONY. Unfortunately, that is one of the things we can't control. We would like to, but we would hope that we could work out something whereby teachers are given some other benefits, rather than merit pay. I hope within the subcontract that we will be able to do something in terms of either training or travel or something like that, for the betterment of the community and for them.

Senator MONDALE. Do you have difficulty recruiting or attracting good teachers to Morgan?

Mr. ANTHONY. As a matter of fact, just last night, the personnel chairman gave to Mr. Brown a list of people from all over the country, and from a couple of foreign countries, requesting employment at Morgan Community School. I guess approximately 45 or 50 people, including around four Ph. D.'s.

Mr. BROWN. And that also does not include the numerous applications we have presently received.

Senator MONDALE. Is that a new phenomenon, or is that true since Morgan became a community school?

Mr. BROWN. Since the beginning of community control.

Senator MONDALE. There is a tremendous unemployment problem among teachers now, but that has been true even——

Mr. ANTHONY. This was true prior to the unemployment crisis.

Senator MONDALE. Well, you know, in Rough Rocks, Ariz., it was said that you couldn't talk the Navajos into coming back to the reservation even when they were teachers, they didn't want to return.

But when they set up the Navajo community controlled school, the Rough Rock School, lo and behold, the Navajos started showing up back on the reservation, and wanted to help. This was a school they thought was consistent with the needs of the children.

CLARK READING PLAN

What is the attitude of the Morgan School toward the Clark reading plan? That must be a tough one.

Mrs. YOUNG. We believe that the Clark reading plan could be a good plan. We don't believe that in 1 year you can elevate the reading scores of children who may have been 2 or 3 years behind, up to grade level.

We believe that with dedicated teaching, and continuing in the way we have been going, we can elevate our children's scores. We don't think this Clark plan is an end to that solution.

With the academic achievement program, there has been so much hustle and hassle about this program in our school and downtown, I don't think really the system knows exactly what they want to do with it.

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We did go along with this program last year. We found quite a few problems connected with it, in that there were so many workshops and meetings set up for teachers during the school day, every time you turned around there was another meeting, another workshop, in relation to this AAP. This pulled our teachers out of the classroom when we felt more time spent in the classroom with the children would help.

If there are going to be workshops and meetings, we felt they should be after school hours, and the teachers should attend.

Mr. ANTHONY. As a matter of fact, I think we can do much more with the Clark plan if they just would tell us what they expect the children to really understand, that is the basic skills of reading and writing, for with the kind of staff we have, we could accomplish these objectives.

I think the fortunate thing is that we have the kind of teachers who are committed and willing to stay in the afternoon and willing to meet early in the morning, to do these kinds of things, rather than having to go all over town to workshops.

Mr. BROWN. I feel that no one plan or no one approach can alleviate many of the problems that have been compounded over a period of almost 300 years.

Likewise, I feel that if there is a plan, the first thing you have to alleviate, if you intend to help anybody on an educational level, are the attitudes and insecurities which have been built into black people over a number of years. I think I mentioned those attitudes and basic insecurities previously.

Senator MONDALE. I agree with everything you said, although I am sure I don't feel it as deeply as you, because I am not black, but suppose there is a child who isn't learning how to read at Morgan. He knows that; doesn't he?

Mr. BROWN. That he isn't learning? Sure.

Senator MONDALE. Isn't it awfully hard to teach him self esteem, when he knows he is not getting it?

ESTABLISHING NEED FOR SKILLS

Mr. BROWN. Well, I think basically what you have to teach the kid is the need to read. For instance, in my professional life, I work with fellows who dropped out of school, fellows who have been in penal institutions, fellows who got hooked on the drug thing.

One thing that I have discovered across the board is that first of all you try to show them that they are going to need to read, and they say, why? What is all this reading going to get me? What is going to high school going to get me, what is going to college going to get me?

Well then you say, well, you can make more money, and he knows that is a lie. Because he probably has seen other people in the neighborhood who have gone to college and are not making as much money as the hustler on the street.

He has probably applied for jobs with the high school diploma, or whatever it is, and found out that the positions were closed to him, not so much that he wasn't qualified, but on the basis of his color.

These type of things, showing people that they have a need, and I think this is what we as black people are about, redefining our needs.

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You don't need to know how to read to make it in a white society. You don't need to know how to read in order to build a black society that is going to be strong and that is going to be viable. You need to know how to do math, so you can build a black society that is going to be strong and viable.

You learn to make out, to make decisions on a larger level in order to build a black society that is going to be strong and be black.

I think if you come down to the rationalization that you need to learn how to read because you are going to get a good job when you finish or find a place in society, that's a turnoff, because the kid knows from the earliest stages that such is not the case, that these things do not exist. Atlhough today people are sitting back saying, look how much we have done for the black people, and look how they have gained and how far they have come in terms of employment and in terms of positions they can hold, when even in your Government, we know there are gross inequities. Who gets the supergrades? Who doesn't get those grades?

Sure, blacks may be getting jobs as typists, or aides, or assistants, and so forth, with college and high school degrees, but are they getting jobs in which they are participating in the decisionmaking process, in which they feel they have some control over what happens to them in this country?

We have things like the Black Caucus, the fiasco they went through with the President. These dudes were the elected officials, but look how they were treated. They are representatives of our people, but look how they were treated.

We have here some things as our dear Vice President going to Africa, knocking our leaders over here. Look how we are being treated, even with our education and our experience.

So the only alternative—and this is what we are dealing with—alternatives that we have not been able to enter this society, in the mainstream of this society, so that we must in effect almost create one which we feel that we can function in, and one in which we feel comfortable.

Senator MONDALE. And for that you see a need——

Mr. BROWN. For community control.

Senator MONDALE. For basic skills?

Mr. BROWN. Right; basic skills, but teaching them with a new rationalization.

Senator MONDALE. Do you find some who are turned off the desire to accomplish the basic skills, who will respond to that argument where they won't to the other one?

Mr. BROWN. Well, in my field of employment, I have found that fellows who have dropped out of school will go back and get the GED; some will go back and will go to college: others will read and learn on their own. Others will seek help from people who they feel are qualified to help them. The motivation is completely different.

MORGAN COMMUNITY SCHOOL BOARD

Senator MONDALE. You are chairman of the board of Morgan Community School, but you have other employment?

Mr. BROWN. I am director of basic education for Versar Inc., which is a research corporation.

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Senator MONDALE. How long have you been on the school board?
Mr. BROWN. Three months, approximately, now.
Senator MONDALE. You were just elected?
Mr. BROWN. Yes.
Senator MONDALE. How many members are there on the school board?
Mr. BROWN. Fifteen.
Senator MONDALE. Do you have children in the school?
Mr. BROWN. No; I do not.
Senator MONDALE. Fifteen school board members. How often are the elections? Two years?
Mr. BROWN. Every year.
Senator MONDALE. And the whole school board is elected?
Mr. ANTHONY. On a staggered basis.
Senator MONDALE. How long is the term?
Mr. BROWN. Three years.
Senator MONDALE. So a third is up every year?
Mr. BROWN. Right.

VOTER PARTICIPATION

Senator MONDALE. How many people voted in your election?
Mr. BROWN. 300 or 400.
Senator MONDALE. That is the total?
Mr. ANTHONY. 304.
Mr. BROWN. I am not too familiar with the figures.
Senator MONDALE. How many voted 2 years ago, do you know?
Mr. ANTHONY. I know how many voted in 1969. It was about 600 or 700.
Senator MONDALE. So it's substantially reduced? About half as many voted this time?
Mr. ANTHONY. Right.
Senator MONDALE. How many estimated voters are there eligible to participate in that school board election; do you know?
Mr. ANTHONY. Well, the whole Adams-Morgan area is eligible to vote, and that covers I guess about 300 acres and approximately 35,000 people.
Morgan Community School is situated right in a poverty pocket. There are families there with incomes up to $25,000. There are three elementary schools—Adams on the hill, and Cook, and Morgan is right in the middle.
Senator MONDALE. And it's only Morgan that has the community school?
Mr. ANTHONY. Adams has also.
Senator MONDALE. They have a separate school board?
Mr. ANTHONY. Right. So consequently, the people are interested in that particular school in the immediate area, rather than the entire area.
Senator MONDALE. Now how about the decrease from 600 to 300-something. What happened there?
Mr. ANTONY. I think one of the reasons is that last year there was a tremendous effort put forth to get people out, and that year the staff helped a lot in terms of getting posters and things out, and the parents.

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And this year the members of PAC were very busy. We were concerned with this academic achievement program, and we did a lot of publicity, but not as much as last year.

Senator MONDALE. Mrs. Holiday, maybe you can explain this apparent apathy toward the elections, with only 300-something showing up.

Mrs. HOLIDAY. The only thing I can see is that, Adams being a community school, and Morgan being a community school, maybe those that were interested in Morgan voted for Morgan, and those that were interested in Adams voted for Adams.

Senator MONDALE. Are those separate elections? Or are they held together?

Mrs. HOLIDAY. Separate. At different times.

Mr. BROWN. I would like to respond to that question also. Again, you know, it's—for instance this year, I don't think there were any great issues involved.

Senator MONDALE. Were you opposed for election?

Mr. BROWN. Right. I think there were two or three other people running for that office.

And as far as trying to stimulate people who have never really experienced control to come out and vote—like with this country, where it has been going on for ages and ages, and you still don't have the numbers of people coming out to vote in this country like you would want them to come out to vote. I think it's true for a community in which people never before had any type of control, never before had a need to even come out and vote.

Now we are showing them a need to do this—look, you do have control, you do have a voice. Again, this is a totally new thing for black people that we actually can control something. That we actually have a voice in something, that we actually have some kind of power, although it's minimal.

EXTENSION OF COMMUNITY CONTROL TO BUSINESS

Hopefully control of our educational institutions—this may perhaps be just the first step to something else, in which we can control, for instance, the businesses in our community. Then we can control the land on which black people live such as the houses we live in, rather than paying such exorbitant amounts of rent for the poor housing facilities, we perhaps can start owning our own houses and building the type of houses on that kind of land that we want to build.

As far as I am concerned, this is a totally new thing for black people, saying I have any control over my life. In the past, black people didn't have that. You don't have any control over getting on this earth, and leaving it, and with anything in-between, we never had control.

This is the first time, and it takes time. For instance, after the so-called emancipation of black people, when they let the slaves loose, the people didn't have the expertise, they were not taught, so therefore they had to learn how to deal with independence and freedom.

I think you see that thing going on all over the world, with people who have been newly emancipated and given independence without being given the adequate background to deal with the problems that

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come with independence and freedom, trying to learn how to do it, and the best way to learn how to do it is by controlling it.

Senator MONDALE. When you ran for Chairman of the School Board, what were the key points that you made in your campaign? What did you tell the folks you were going to do?

GOAL OF STRONG COMMUNITY

Mr. BROWN. Basically, what I strongly believe in is to help to make Morgan Community into a stronger community, into a community in which people have control over their lives and destinies, and use our educational institution as the hub of the wheel, in which everything else rotates, around which everything rotates.

Senator MONDALE. So you didn't limit it to the school, but to controlling the territory? Housing?

Mr. BROWN. I don't think you can dwell only within four walls of a school. That is not an issue. The main issue that black people should be dealing with right now is controlling all phases of your life, and I think that the people who voted for me appreciated that particular ideology, if you want to call it that. But it's a fact that if we are to survive——

Senator MONDALE. What did your toughest opponent—what did he or she say? Did you beat an incumbent?

Mr. BROWN. No; I was running against two new people like myself. I suppose the difference in what I said and what they said is that basically they were there to help the school grow, and my thinking was to help the school grow by helping the community grow, because your school is only going to be as strong as your community. If one is weak, the other, out of necessity, is going to be weak.

It is my thinking, to stabilize not only the school but the community, so that growth can take place, and like I said, the issue goes far beyond Morgan.

It seems like people have this fixation of looking at Morgan, perhaps because it is one of the first, as far as blacks are concerned. But the issue goes far beyond Morgan, and it goes far beyond the simple control of the school.

The issue goes to the controlling of our lives, and the things which most affect our lives. The police force, and the way they treat us. The businesses in our community; and do they employ us, and do they train us to take responsible positions in the businesses; and eventually can we obtain ownership of those businesses?

The issues have to deal with how much ownership do we have of the land we are living on.

This I think is what controls what we get for the moneys that are floating around this country, very little of which I feel are actually going profitably to black people, because I think I can say with all certainty that much of the money that is supposed to be helping black people develop does not help black people but helps other folks grow richer. For instance, the training programs. Who really gets the money in the end, and who does it really help in the end?

The whole idea of education and control, that is the issue. It goes beyond any one school or one area, I feel.

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COOPERATION WITH ADAMS SCHOOL

Senator MONDALE. Are there any differences in the amount of control or the nature of the program between the Adams and Morgan schools? Mr. Anthony, maybe you could answer that.

Mr. ANTHONY. I can't really answer that. We are in the process now of getting perhaps the boards to working together, I understand that they are going to in the very near future, and then we will be doing things together in the community.

Mr. BROWN. Not only that, but we are trying to generate something like—putting out feelers to bring other organizations—community organizations, such as cultural organizations, drug organizations, to take an active part in what goes on in the school.

My thing is to make the educational institution a hub in the wheel, but likewise, you cannot neglect the other organizations operating within your community. If there is a lack of organizations to deal with the problems of the community, maybe we ought to create those around the specific problems of that specific community.

Senator MONDALE. Thank you very much for being willing to come up here this morning, and give us the benefit of your experience in one of the few community-controlled schools in the country.

Thank you very much.

The committee is in recess, to reconvene on August 5.

(Whereupon, at 11:35 a.m., the Select Committee was recessed, to reconvene at 9:30 a.m., on August 5, 1971, in room 1224, New Senate Office Building.)

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QUALITY IN EDUCATION

THURSDAY, AUGUST 5, 1971

U.S. SENATE
SELECT COMMITTEE ON
EQUAL EDUCATIONAL OPPORTUNITY
Washington, D.C.

The Select Committee met at 9:30 a.m., pursuant to call, in room 1224, New Senate Office Building, the Honorable Walter F. Mondale, chairman of the committee, presiding.

Present: Senator Mondale.

Staff members present: Francis Hennigan, minority staff director; Leonard P. Strickman, minority counsel; and Donald S. Harris, professional staff.

Senator MONDALE. The meeting will come to order. Our panel this morning consists of Dr. Bernard Watson, professor of urban education, Temple University, Philadelphia; Dr. Arthur E. Thomas, director of the Center for the Study of Student Citizenship. Rights & Responsibilities, Dayton, Ohio; Dr. Donald Smith, director of educational development, Bernard Baruch College, New York City. Dr. Watson has a plane to catch, so we will begin with him and try to get him out of here in time with his schedule. Proceed.

STATEMENT OF DR. BERNARD C. WATSON, PROFESSOR OF URBAN EDUCATION, TEMPLE UNIVERSITY, PHILADELPHIA, PA.

Dr. WATSON. To say that American education generally and public schools specifically are in trouble is to repeat a commonplace, a cliché. I will not bore you or waste your time with such statements. Rather, I would like to take this opportunity to state my belief that what passes for education in far too many of our public schools, especially those serving the poor, black, Spanish-speaking and native American, is, in fact, ineffective, demeaning, gross, and dehumanizing. It is ineffective because it fails to transmit even the most rudimentary skills to millions of children and youth. It is demeaning because the schools project the blame for this sorry state of affairs upon the children and youth who are its victims. It is gross because our efforts are tainted with the conventional wisdom and technology of a world which no longer exists. And it is dehumanizing because it appears designed either by intent or indirection to destroy the very qualities which have served to liberate the human spirit through the ages: Hope, trust, curiosity, openness, humanity, and love.

It is not as if we have been unaware of this sorry state of affairs; we have known about the situation I describe for many years. The

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literature of education, such as it is, abounds with data. And yet, very little can be pointed to which has attempted to attack the fundamental and root causes of a situation which in 1971 threatens at the very least to shake the foundations of this republic and, at the worst, threatens to destroy that fragile, yet all important, concept of comity upon which this Nation rests and upon which it has been able to survive, thus far, despite assaults from within and without.

EDUCATIONAL CRUSADES

An examination of recent history leaves one bewildered, shocked, and angry at our responses to the problems of education. Almost by reflex, it seems, we have approached the situation with what one of my good friends—an outstanding principal—calls a series of "symbolic crusades." And I think that, just as cliches often serve to avoid thinking, so these "crusades" may have substituted for the kind of serious action needed.

CURRICULUM INNOVATIONS

Among these crusades, innovative curriculum, or methods, millions of dollars have been poured into the development and packaging of new curriculums: Madison math, or PSSC science; urban problems or ecology; human relations or affective development. With Federal funds, we have brought IMC's to many schools and a TV to almost every classroom. We have computer-assisted instruction, language laboratories, programed learning. We issue cameras and film to first graders and college students alike. When we run out of fresh gimmicks, we try new arrangements: Team teaching, one-to-one tutoring, nongraded classrooms, continuous progress schemes, modular scheduling.

Senator MONDALE. I see in Dallas that they are solving the integration problem by two-way television. The children can look at each other in separate schools by television.

Dr. WATSON. That is an interesting way to achieve integration. I had better have a look at that.

Team teaching is another "symbolic crusade" by itself, because it is so frequently touted as a cure-all. "If we could only get those poor teachers out of their isolation and put them to work with their colleagues," goes this speil, "if we just switch kids around from small groups to large and back again, tear down a few walls and make everybody flexible—why, education will blossom!" And so, in many cases, the crusade has carried the day—but without essential planning and staff development. Teachers trained for individual classrooms couldn't function in a totally new situation, or the time for team planning wasn't built into the schedule, or the kids rebelled against dragging chairs wherever they went—and the result was frustration and failure of yet another panacea.

Integration is yet another crusade for which many educators have marched. This time the enemy was said to be the separation of races and economic groups. That could be licked, it was thought, by putting youngsters in a room together—and, I am tempted to add, shaking well! That they might have different life styles, learning patterns, or

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academic backgrounds—or even more that racial hostility might exist among teachers and administrators as well as students—was apparently irrelevant.

VALUE OF INTEGRATION

I must note here that I am not arguing against integration. Indeed, if we are to survive as a genuinely pluralistic society and not be split into competing and hostile groups based upon race, ethnicity, religion, or socioeconomic status, integration is essential. Deeply rooted in the history of American public education is its task of reducing, not promoting separation. But, I am arguing against thoughtless application of a simplistic solution. Integration alone does not confront the basic issues of the quality of the curriculum or the staff teaching it. Too often children have become the victims of well-meaning efforts to integrate: When they have been bused to a rundown school and overwhelmed, by their very numbers, its already meager resources. Or when they have been sent to a school where higher standards make them suffer daily for the sins of their former school.

A fourth symbolic crusade—decentralization and community control. The headlines of recent years may have indicated that the demands of these crusaders are startlingly new. But of course, the affluent and well-educated members of our society have always controlled their schools and staff and programs. The problem arose when poor people demanded the same right.

COMMUNITY CONTROL

For a while the crusade was "community involvement," but, as Peter Schrag bitterly pointed out, that often means—

> at best, that the locals are invited to meetings where they can express their view; usually it only means that in return for a cookie and a glass of punch, they have the privilege of being told what they are doing wrong at home and how they should instill the proper attitudes in their children (Peter Schrag, "Village School Downtown," Boston: Beacon Press, 1967).

So the demands went beyond involvement and became those of decentralization and community control. The rub is that these, too, are meaningless unless decisionmaking and financial power are transferred. And because that is almost never done, we have been treated more than once to the sorry spectacle of community groups fighting among themselves for crumbs and bare bones. The "crusade" becomes a power struggle, not a serious attempt to move responsibility for education closer to the people whose children inhabit the schools.

RELEVANCE

Fifth in my list, familiar enough but difficult to define, is the crusade which instructs us to "turn on the kids." Now I confess that I am mystified by this term, although goodness knows it has found its way into everyone's vocabulary. But in schools it seems to mean doing things which kids "dig" or "groove on." It means being "relevant" and "with it" and "sensitive" and all sorts of other things which come across to me, at least, as laden with value but devoid of content. In practice, it all too frequently turns out to mean relaxation of stand-

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ards, abandonment of discipline, and abdiction of responsibility. Even more, "turning on the kids" becomes a way to manipulate them into believing that consciousness III and the age of Aquarius have somehow obviated the necessity for competition in a complex world. When this happens to kids who have other options to fall back on, I'm not so worried. But when I find some hairy barefoots—as they were aptly described by a colleague—parading as teachers and encouraging young black ghetto residents to forgo such basics as cleanliness, punctuality, purpose, and standards—well, I get pretty mad.

The opponents of the turning-on crusade have, of course, begun their own crusade, and it is labeled "discipline." The rhetoric here decries everything from just plain sloppiness to outright violence and proposes as the solution a big stick. The slogan does not bother to distinguish between kids who pass well-kept lawn and friendly neighbors on their way to school and those who must cross rubbish-littered lots to avoid junkies on the corner and stumble over sleeping winos. It does not ask whether kids' minds are filled with thoughts of exciting vacations and new clothes, or whether they are wrapped in a fog or worry about rats at home and bullies at recess. It raises few educational questions and answers them all with "respect," "order," and "discipline."

INFORMAL CLASSROOMS

There are other symbolic crusades; my list is not exhaustive. One which seems to be just beginning now is the informal classroom. Its Bible was the Plowden report. The Plowden report is properly known as "Children and Their Primary Schools," a report of the Central Advisory Council for Education. London: HMSD, 1967, and its chief prophet was Joseph Featherstone, who popularized the British infant school reforms in a series of New Republic articles. Joseph Featherstone's series of articles, "The Primary School Revolution in Britain," appeared in the New Republic of August 10, September 2, and September 9, 1967. Despite the fact that the British are still arguing the pros and cons, Americans in great numbers have flocked to this banner, and the march is underway. Indeed, Charles Silberman, whose recent book "Crisis in the Classroom," New York: Random House, 1970, I very much admire—although I disagree with one of his major conclusions—might be called this crusade's current apostle. Yet many who are rushing to get on the informal classroom bandwagon know little of what it entails in terms of program, teacher training, planning or operation.

Do not misunderstand me. I have not come here to denounce new curriculums, integration, community control, discipline, or a host of other excellent possibilities for our schools. Far from it. The trouble is that we so seldom stop to think what we are doing. Like so many frantic children we rush about from one innovation to another, hoping or pretending that the bits and pieces will keep the whole enterprise from coming unstuck.

The band-aid approach is, at best, silly, because it is so thoughtless, limited, and impartial. It may prove tragic if it prevents us from facing the very serious situation we are in. I do not deny that some students in some schools have benefited from the band aids we have

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applied. But we cannot afford to pay for small successes and congratulate ourselves. There are too many—black and white, rich and poor, city and suburban—who are still being damaged or destroyed by mindless schools and meaningless classes. Their despair and rage may yet wreck education as we know it—and our Nation too—unless we find ways to turn the whole system, not just parts of it, around.

I have indicated that symbolic crusades will not do it. And I should like to repeat also that these crusades often mask a very real problem in which we are all involved. I am talking about the Balkanization of the educational enterprise by those who are paid to staff and run it. Not only are teachers organized, but custodians, cooks, busdrivers, nurses, aides, principals, and even supervisory personnel, have all organized to carve up the system's resources and exert control over their own piece of turf. Ironically, many of the arguments and actions are justified in terms of "improving education," but usually little is left for students. The kids always come out on the short end of the stick. It should be obvious to you by now that what I have discussed thus far applies to much of public education in this country. But it should be equally obvious that the pathology is most pronounced and observable in the schools serving the poor and ethnic minorities. And it always has been thus.

SHORTCHANGING MINORITIES

One only needs to read "Laggards in our Schools," written by Leonard Ayres—New York: Survey Association, Inc., 1913—at the turn of the century to find documentation of the miserable job schools did and continue to do for the poor of whatever race or ethnic designation. The problem continues to be worse for black, brown, red, and yellow American minorities. Imagine what it must be like for an American Indian to sit in a class studying the history of great Americans and never hear the name of Chief Joseph. Or to hear from his history teacher that Columbus discovered America.

Can you imagine what a black child thinks when he goes through 12 years of public education and hears the American Negro referred to only in connection with slavery, crime, broken families, welfare, and riots? Try to imagine what it is like for a Chicano to be viewed and referred to as something less than an American and have to sit through social studies classes which never deal with Spanish culture or the civilizations which existed long before the white man came to these shores. Can you imagine what a Japanese-American thinks when U.S. history neglects to include a discussion of the Japanese internment during World War II?

Can you, just for a moment, think of yourself as a black child in a black school where most of the staff is white, where all of the heroes discussed are white, where all the music is "classical," where all of the art is European, where all of the textbooks deal with European history and culture, where all of the illustrations are of Europeans or hastily and strategically "colored over" white faces?

Try to imagine, if you can still tolerate this flight into unreality, a curriculum that fails to deal with basic concerns of poor and minority peoples: Credit and loan sharking, consumer protection, intelligent use of purchasing and political power, police-community relations, racism, religious intolerance, drugs, employment, survival. Yes—sur-

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vival; not only physical and psychological survival, but the ability to remain human in a society which seems to be increasingly inhuman and antipeople.

But enough. I am sure you have heard these things from many who have appeared before you. Let me briefly place some of these concerns in human terms. In many of our cities the high school average daily attendance is less than 50 percent. From what some administrators and school board members say, the same is true in some of our more affluent suburban areas. These students are not disrupting schools and tearing them apart, although there is enough of that too; they have merely tuned school out. School has become irrelevant.

And yet, when you engage these youth in conversation, it becomes obvious quickly that these young people read, think, care, feel. And they are articulate. Businessmen tell me that high school graduates in our cities have to be taught basic skills of reading, speaking, and mathematics before they can be placed in entry level jobs. After 12 years of school. And yet, colleges which have admitted scores of these youth report amazing college performances despite mediocre high school records. What happened?

This is an important question especially in view of the fact that many Americans—with many educators among them, indeed leading them—feel that if you don't "get to"—whatever that means—minority and poor youth during the early years of school it is too late. What a commentary on human potential. What an indictment of those who call themselves educators.

SUGGESTED APPROACHES

What is one to do? What is the solution? The answer is that there is no single solution. Nor is there a simple answer to problems as complex and of such long standing as these. I do believe, however, that there are several intelligent approaches to the fundamental problems.

First, it should be recognized that my remarks shall be addressed to the job that education can do. It does not need repeating that all of society has a part in the resolution of these problems. The problems of housing, unemployment, lack of equal opportunity, inflation, and others all impinge upon the resolution of the exacerbation of educational problems.

Second, it must be recognized that there are as many learning styles as there are individuals. Some are quite comfortable, and do well in the conventional classroom in the conventional school. Others do not. Some learn by sight, some by the auditory method, some by manipulation, some by memorization, others by solving problems. Some can learn better outside the school, some in groups, others individually. Schooling must accommodate all of these learning styles.

Third, it must be recognized that all can learn. And it is the responsibility of educators to create the environment where every individual can learn; whether on the street, in the halls, in a classroom, in a storefront, on a stage, painting, dancing, reading, singing, working, talking, or listening. In fact, all of these.

Fourth, it must be recognized that many people can teach: Parents, peers, paraprofessionals, ministers, businessmen, professionals, ani-

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mals, politicians. And so do television, radio, newspapers, magazines, and comic books.

Fifth, it must be recognized that learning is not about basic skills alone. Skills such as reading and writing and arithmetic are tools. Learning leads to education and education is about self-realization, self-direction, sensitivity to the human condition, awareness. Education is about respect, compassion, caring, loving.

Sixth, educators, and indeed, all Americans, must recognize that education is about survival. It is about achieving pluralism in a democratic setting. It is about recognizing and accepting—not tolerating—differences. It is about the differences which can destroy this country or make it realize its promise and, in the process, make it truly great.

HUMANE SYSTEM

Finally, let me make it clear that all of our innovations, all of our technology, all of our money, all of our expertise will avail us naught unless we can create, perhaps invent, an educational process and system which is humane and caring. Let's talk about that. The concept "humane" has two aspects: Enlightenment and compassion. As Herbert Thelen—"The Humane Person Defined", unpublished, November 2, 1967, St. Louis, Mo., Secondary Leadership Conference—points out:

> The humane person acts with wit and wisdom, openness to ideas; he inquires, he appreciates and judges man by his accomplishments and aspirations. These characteristics distinguish man from animals and are therefore humane. Mass murder also distinguishes man from the animals, but this is not humane, for the second aspect is compassion.

To be humane means to care. Some few years back, prior to the onset of urban riots, the Congress refused to appropriate a paltry sum of money for a rat eradication program. As a columnist, Robert Raines—"Riots and Responsibility, Renewal," September 1967—pointed out:

> Eradicating rats, of course, would not eliminate riots. It would only suggest that somebody cared.

What I am suggesting is that people who are concerned about education and especially those who make their living in schools must be taught and educated to give a damn, to care. Not to give love or reward for their definition of achievement, but to give it because the child is a human being. When people care, all things are possible. The work of the Lippits in Detroit, of Judge Mary Kohler in Newark and New York, of Sam Sheppard in St. Louis, of countless other youth-serving-youth programs instruct us that caring pays off. Without an additional cent—although the need for additional billions is acute—we could capitalize on the concern and caring already present in our schools. And for those who don't care and seem incapable of giving a damn, we must find ways of eliminating them. What they do to young people is too horrendous to be tolerated any longer.

What I am suggesting is not a panacea. It is not a solution. At best, it is a formulation buttressed by some empirical data and years of experience to support a basic philosophical belief; that is, that human qualities are more powerful, more important in uniting people in a community of concern and compassion than all of the other artificial

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and culturally imposed barriers which divide us. Fundamentally, this means that integration is an imperative, a necessity, absolutely crucial. Not the integration which translates to black kids being transported miles to rub elbows with white kids, or the integration which means putting Chicanos in classrooms with Anglos, or the mixing of kids in cold, unfeeling buildings called schools. In my definition it means recognizing, accepting, understanding, and, indeed, cherishing the integration of the human spirit in all of its richness and diversity. It means in fact confronting and openly embracing all of the difficulties involved in the recreation, reinvention, and rebirth of a society which has too long denied its future. If we as Americans can accept this challenge, the price is not exhorbitant for the product: A viable, concerned, enlightened, society of caring, humane individuals. I think it is worth striving for. The alternatives are too frightening to contemplate.

Senator MONDALE. Thank you, Dr. Watson, for an excellent statement. You should get out of town now to catch your plane, but you will have about 20 speechwriting offers as you leave the room here if you are not careful. I think we have a rule here that statements are never supposed to be interesting—you have violated the rule.

I plowed through the Silberman book, and I would like to ask in what respect you disagree, but I could not help but find a similarity in your approaches, in the sense that he seems to attack mindlessness as one of the key problems in American education. You call for a sense of humanity and caring, respect, to be the fundamental thrust of American society, including the educational process, and this makes a great deal of sense to me. But as we seek to prepare a report from this committee on equal education opportunity, I am trying to figure out how you get your hands on that, what possible techniques or recommendations would come to grips with this indictment?

MINDLESSNESS

Dr. WATSON. There are several ways of answering that, Senator. First, my basic disagreement with Silberman is his focus on mindlessness. That may very well be true with a number of people in the schools, but there are also people in the schools who really dislike kids. There are also large numbers of people in the schools who are racist in their attitudes toward children. There are also large numbers of people in schools who really believe that poor kids cannot learn and treat them that way, and the kids respond in kind; and there are also people in the schools who see that their job has nothing to do with the performance of the children. When we talk about the ouput, they are very willing to talk about the input; salaries, class size and all of that, protection; they are not willing to talk about linking the input to the output, which is whether the kids know any more when they leave than they do when they come in.

I think we can build some rather simple-minded methods of accountability. Let me just give you an example. For example, if you say, in the first 4 years of school, since basic skills are tools for further education, that we are going to make a good diagnosis of every kid who comes in here, and at the end of 4 years, if that child has started at C,

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he had better be a G, F, or Q when he gets out of here. If he was in regular attendance at the school and did not improve then that school did not do the job.

COMMUNITY INVOLVEMENT

The other part of this. In terms of some specific recommendation, I think we have to do something about getting more community involvement, and I think we have to do something about the transfer of power. I talked about the children sitting in classrooms who do not hear anything that relates to them as blacks, Chicanos, Indians, Asians, Americans, Puerto Ricans. We can do something about it.

Let me give you specific examples of cities that have done something about involving minority communities. Detroit and Philadelphia probably have the best records in terms of bringing minorities into decision-making and power positions in their school systems and they have brought qualified, competent people in there. That was an act which needed to be done, but it also provided a symbolic act for the people who were in the classes in most of our urban schools, and they are increasingly becoming minority and poor school systems.

Those are the kinds of specific simple-minded things that can be done. When I talk about creating a system which incorporates all of these components—let me give you some other examples. You have the Christian Action Ministry in Chicago, which is doing some things in terms of walk-in schools, store-front type programs which are working.

You have had the Carson Pirie Scott program, which has existed there for many years. You have the Urban League Street Academy program, which is working; and my suggestion is that school systems ought to take a look at school programs like that and use some of their resources to create other kinds of alternatives to the large high school, the standard classroom, whatever.

In Philadelphia, they have a program called the neighborhood counseling center. It is called Franklin House, and it is for kids who are so battered that the center has to provide the total resources for them. They live there if that is necessary; they provide psychological counseling: they have teachers to provide their total education, deal with drug problems and whatever.

These are the kinds of things that the resources now available are in schools can do. I do not think that it is a matter of wanting to do the right thing: in my view, the kind of formulation that I am suggesting, and that others have suggested before you, is what we have to do, because the alternatives to that are spending many more times the amount of money trying to rehabilitate and rebuild people that we have destroyed in a process which was supposed to free them and enable them to exercise some control over their own destiny and their own lives.

Senator MONDALE. Did I understand you correctly to say that one of the structural recommendations that would help lead to this variety of culturally sensitive approaches, would be meaningful efforts of community involvement, so that the personnel in the system would be more accountable to the clients, the kids, than is often the case, particularly in our central school systems? How heavily do you come down on the community control recommendation?

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Dr. WATSON. I think it is absolutely essential, Senator.

Senator MONDALE. Do you mean controlling the budget, hiring, the key elements in the school system?

Dr. WATSON. What else is there?

Senator MONDALE. Do you know of any school system in which there is such a community control?

CONTROL IN AFFLUENT SYSTEMS

Dr. WATSON. No; I do not. Let me just repeat something and possibly expand on what the control business is about. I say that in the more affluent communities, they have always had control.

Senator MONDALE. That is correct.

Dr. WATSON. They get accountability from their teachers; they get the kind of curriculum they want; they have people in there who are sensitive and humane to their children. That is what poor people are asking for; that is what they are demanding, and I think that is what they deserve.

Senator MONDALE. I often think that one thing that explains the movements to the suburbs is a perfectly legitimate desire on the part of people to live in a community in which they have something to say about their lives. I grew up in a very small rural community. Everybody was involved in running the schools.

Dr. WATSON. The problem again was when the poor people began to ask for that—black people, Chicanos, and others.

I just want to make one other statement about what quality is about. I think my statement made it very clear that I happened to think that true pluralism is an asset. I think it is one of the strengths of this country. I think we have not embraced it the way we should have embraced it.

Let me tell you about a personal experience, a personal reference. I went to an all-black school in a working-class community from the time I was in the first grade all the way through high school. I cannot remember anybody that I went to school with who could not read. We were all poor and raggedy, just like everybody else in that city.

Senator MONDALE. What community?

Dr. WATSON. This is Gary, Ind. That school sent 44 percent of its kids to college last year. They will send that number or more this year, and in the 1930's that black school was sending people to Fordham, University of Chicago, and other top universities. I am absolutely convinced that although the teachers there were well trained and at one time—for many years—had more degrees than other teachers in the system, the basic difference in that school was that the teachers gave a damn about the kids.

Senator MONDALE. Are you saying that in your opinion those schools have deteriorated since the thirties?

Dr. WATSON. Which schools?

Senator MONDALE. The one you are talking about.

Dr. WATSON. The one that I am talking about I think has gotten better.

Senator MONDALE. Has gotten better?

Dr. WATSON. Yes. When I was a principal in that school—I went back to that school as a junior high school principal, and then served

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there as an assistant principal—it is a large school—we were sending then about 30 percent of our kids, and they have increased it up to 44 percent.

Senator MONDALE. This is a poor black school?

Dr. WATSON. Yes, it is. It is right across the street from the largest Government-project in northern Indiana. Moreover, it has the kind of economic mix that the Coleman report talked about, except that it does not have any white children in it.

Senator MONDALE. In other words, they have middle-class blacks?

Dr. WATSON. Yes, they do. They have people who exist totally on ADC all the way through people whose parents make $50,000, $60,000 a year because they are professionals.

The point I am trying to make is that it is the quality and the concern that the students and staff have which are at least as important, in terms of where we go eventually, in terms of pluralism and integration.

COLEMAN REPORT

Senator MONDALE. You have read the Coleman report. What is your reaction to that, to its recommendations, to its findings?

Dr. WATSON. Let me just give several brief comments on the Coleman report. I think his conclusion that the sense of control that children have over their own destinies is probably the most crucial factor. I would agree with that. I have some questions about the research methods that were used because of the necessity of dealing with data, which, of course, was not random data. A lot of school systems were not cooperating with the study; they would not send the material in.

I have another fundamental difference. He talks about having the kind of mix in schools across the broad socioeconomic range, which contributes to the raising of academic achievement, aspirations, and all of that; but he makes what I consider to be an error. Perhaps I have misinterpreted it—I do not think so, others have noticed it. He says that when you take black kids and put them in a school with white kids, that happens, but when you have the socioeconomic mix among black kids it does not happen—I disagree with that.

I have cited things in the report on my own experience with that. It is probably the most monumental study that has ever been done. I think some others need to be done. We need to look at specific instances and try to assess them.

Senator MONDALE. I have heard the same analysis that you made, but I understood the Coleman report differently but basically what he is saying is that you need the school to be predominantly higher socioeconomic status children and that race is not the important thing it is the socioeconomic background; the same process would work if you had a class of middle-class blacks in which poor black children can go, and the same would work with whites. I have not read the study myself.

Dr. WATSON. He may have intended that, Senator; that is not what I——

Senator MONDALE. Yes, but, of course, in one sense the ravages of segregation and discrimination, et cetera, are such that it is awfully hard to find a community in which you have a substantial number of

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prosperous black families, except in maybe perhaps small areas in the larger cities. You were in public school teaching for some years?

Dr. WATSON. Yes.

Senator MONDALE. What kind of teaching?

Dr. WATSON. I have been a teacher, department chairman, counselor, supervisor of guidance, associate superintendent; I was deputy superintendent of schools in Philadelphia until September last year; I have taught at the university level, and that is where I am now.

CLASSROOM TEACHING

Senator MONDALE. Why did you leave public school teaching?

Dr. WATSON. I left public school teaching because I was not convinced that working with 35 kids in a classroom and counseling the individual kids was enough to deal with the fundamental problems. Teaching is what I preferred doing; that is what I enjoyed doing; but I became an administrator to affect more kids. The reasons I left the Philadelphia school system are complex, but one of them had to do with the existence of a very fine forward-looking superintendent, Mark Shedd, where certain members of the board of education had reached the point where they were hamstringing almost every good thing that he was trying to do. That is among the reasons that I left the public schools of Philadelphia.

I am still vitally interested in them; deeply involved in them and a number of other programs that affect young people. Let me just tell you about one. In the Model Cities program in Philadelphia, which I worked with, in an 18-month period we put 1,100 poor kids in 156 universities in 37 States across this Nation, who would not normally have gone because they were poor and because they had no aspiration of colleges, because they did not have the money and because they had attended some very bad schools. Of that 1,100, in the first 18 months, 20 have dropped out, and only eight of those 20 dropped out for academic reasons, and I think that is a pretty good record. A lot of the things that that program is doing is what schools ought to be doing.

Senator MONDALE. Thank you very much, Dr. Watson, for a most useful statement.

Our next witness is Dr. Arthur E. Thomas, director of the Center for the Study of Student Citizenship, Rights and Responsibilities, of Dayton, Ohio.

STATEMENT OF ARTHUR E. THOMAS, DIRECTOR, CENTER FOR THE STUDY OF STUDENT CITIZENSHIP, RIGHTS AND RESPONSIBILITIES, DAYTON, OHIO

Dr. THOMAS. Thank you very much, Senator. As I sit back here looking at you up there, I would like to say very clearly to you, and I say this sincerely, that one man with courage is a majority—that is Andrew Jackson—I do not agree with everything he said—but I agree with that.

Senator MONDALE. I have not found that true around here. I hope you are right on that. I do not agree with everything around here, but I will quote you. I have found this a couple of times, but the record we have made on other issues, when no one is interested, has proved

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fundamental when you get into those types of debates. These are long sessions; we have had hundreds of hours just like this morning. We are building a record that I think is needed in the history of the Congress, that is long overdue—why these schools are not working, why these poor kids are not given a chance. Have you ever testified before Congress?

Dr. THOMAS. No; I have not.

Senator MONDALE. We have had hundreds of people, leaders in the field, who have never been heard. As a matter of fact, Dr. Coleman had never been asked to appear before a congressional proceeding.

Dr. THOMAS. I just want you to know that I see your act as being a very courageous one. That is for the record.

Senator MONDALE. You can go out on that as long as you want!

Dr. THOMAS. And also for the record I would like, with your permission, just to talk. I will be summarizing what I have on these pieces of paper.

Senator MONDALE. We will include your full statement in the record* as though read and you can emphasize those parts that you wish.

DISTRIBUTION OF POWER

Dr. THOMAS. Let me say first of all that any problem dealing with schools, in my opinion, has to deal with the redistribution of power. Margaret Mead says it another way: Those in power are going to have to give those people that do not have power some power if we are going to be able to solve the problems confronting the world today in a peaceful manner; in other words, if we are not going to end up in war or using guillotines, et cetera.

Alvin Poussaint says it quite another way. He is the black psychiatrist at Harvard. He said that what happened at Oceanville, Brownsville, in New York, was one of the best things that could possibly happen to education. I am talking about freeing the mind, giving people an ideal, an attitude, that they can control what happens to them, because what Poussaint says is that little black children, seeing their mothers and fathers go up against police officers for them to have the right to get into school, freed their minds. That means henceforth, now and forevermore those children will see education as something very important and very meaningful to them. It also did a lot in terms of the so-called generation gap because it showed very young children that their black, mature parents were very courageous and were willing to fight for something meaningful.

McGeorge Bundy says it quite another way: Those people that have power do not have to give it up, but they do have to share it. So I want to emphasize that anything I say hinges on whether or not those in power are willing to deal effectively with the redistribution of power.

RECOMMENDATIONS FOR EQUAL OPPORTUNITY

Now, with your permission, I would like to deal with 10 specific recommendations that I have relative to how we can bring about equal educational opportunity for everyone. I think the first thing that we have to do—and I want to emphasize here that I am dealing with perception; I am not saying that this is what is happening, but I am saying that many people believe this to be true, and if a person

*See prepared statement of Arthur E. Thomas, p. 5933.

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believes this to be true, then for all practical purposes it is true; and if it is not true, then this Government has the responsibility of showing that it is not or of communicating effectively that it is not.

What I am referring to is that I think the No. 1 priority has to be to effectively communicate to black and other oppressed minorities of this country that there is not a plan of genocide to systematically destroy them. No. 2, hold individuals responsible for racism within the educational system accountable for their actions by initiating criminal court actions or through paralegal avenues of arbitration. No. 3, initiate positive programs dealing with self-image similar to the MacFarlane Elementary School program and Community School Council program in Dayton, Ohio. No. 4, institute methods of accountability for administrators and teachers in public schools via the courts, voucher systems, performance contracting, and any other alternative, but I would like to punctuate this recommendation by saying there has to be a redistribution of power. No. 5, reform the decisionmaking bodies of public education to include students with full rights and responsibilities. No. 6, institute student factfinding commissions to deal with racial issues, discipline, curriculum, guidance, and all other areas of public education. No. 7, federally fund student groups to initiate their own programs relative to rights and responsibilities, and education in general. No. 8, federally fund the establishment of coalitions between so-called black militant students and so-called poor white students. No. 9, establish programs of integration in reverse. No. 10, federally fund cable TV networks throughout this country that can broadcast information to the masses of oppressed people relative to student rights, welfare rights, and all other matters concerning the poor and the oppressed.

RACE AND INTELLIGENCE

Recommendation 1. I have already dealt with in terms of the genocide issue. Let me just point out to you how the man in the street feels about some of these things and how many black educators feel about this. There is a man named Jensen going about talking about black people being genetically inferior; then there is a man named Moynihan talking about the black family. Many people feel that this is a very deliberate act to build a case for saying that black people cannot be salvaged. This is particularly important when you think about the fact that there is no cotton to pick and that there are no ditches to dig, and those are the reasons that we first came to these shores.

I am saying that this is very real to some people, the whole question of Title I, which has, in my opinion, an excellent director, Dick Fairley. Many people believe that the Title I program is set up for the purpose of proving that black children cannot learn. It goes something like this. We have been dumping millions of dollars into that program since 1965. It does not work. Therefore, this proves that black folks are genetically inferior. This proves that black folks cannot be saved. We have no alternative now.

The cry for law and order, problems with the economy, I think that the talk about all of these things have bearing on people's perceptions relative to genocide, planned or otherwise.

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RACISM

I think that the next thing that we are going to have to do is hold individuals responsible for racism. It is one thing to say that we have institutionalized racism in this country, but how do you accuse a school system of institutionalized racism? You have to put the blame on the superintendent. You have to assign the blame to a teacher—not teachers, but a teacher.

Let me go on to say that I think schools in urban communities in this country are doing their job. They are doing an excellent job of what they are designed to do. They are designed to transmit a cultural heritage of racism; they are designed to deliberately destroy children. It is no accident. I think it is impossible for learned people, administrators with Ph D.'s, the teachers that have gone through many years of methods, courses, et cetera; I think it impossible for them to do the putrid job that they are doing if, in fact, they are not doing it by design.

I think that one of the reasons for this is that if black children were able to compete on an equal level with white children, then they would also be able to compete on the job market. It is no accident that all the poor supplies are in the black school; it is no accident that teachers are tremendously frustrated in the black schools. I think that it happens deliberately and I think that the whole business of institutionalized racism has to be attacked, not only on a collective basis, but also on an individual basis.

Let me give you some examples of what black and other oppressed children have to go through in their daily lives in school. Just take the dictionary: 134 synonyms for the word "black" and 75 percent of those have negative conotations. Black—ugly, filthy, unclean; you blackball somebody, black market, blacklist; angelfood cake is white and devilfood cake is black. What does that do to a child who is confronted with an English dictionary every day of his life? It automatically destroys his creativity, and his image of himself. I think we are going to have to develop very positive images in terms of black children's perception of themselves, and I think we are also going to have to develop very positive images in terms of black communities' perceptions of themselves.

Let me give you an example of what I am talking about. When I first started in 1962 at Irving Elementary School, I was teaching language arts. I had three sections: 7A, 7B, 7C. I noticed that the kids in 7A did their work; the kids in 7B were a little more lackadaisical, and the kids in 7C said: Hey, man, we aren't supposed to do anything. We are supposed to be dumb. We have been in this class since the fourth grade."

WORKING WITH SELF-IMAGE

There is really no difference in the level of intelligence of the kid in the fast class and the kid in the slow class. I think that before we start talking about reading, writing, and arithmetic, we are going to have to deal with the child's self-image. It does no good to teach a child reading, writing and arithmetic if you do not teach him his value as a person. You have got to teach him to love and respect him-

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self. Remember, this institutionalized racist society has told that child over and over again that he is nothing. Therefore, what we have to do is to develop strategies to tell him over and over again that he is beautiful, that he can do anything he makes up his mind to do.

I started using the PA system at MacFarlane because one day I talked to two kids and said: "Look, you are some really beautiful kids. You can do anything you make up your minds to do."

When they went into the class, they were surrounded by a lot of people who did not feel good about themselves and teachers who felt bad about themselves. I started using the PA system. Every morning, I told 1,266 kids:

You are beautiful. You can do anything you make up your minds to do. You can walk quietly. We want you to keep your community clean. Your teacher is beautiful. Your teacher loves you too.

We did not have to do 3 years of research for this, but when we started to tell these kids that we loved them, trusted them and respected them we got very positive results, not only in terms of their behavior, but also in terms of their achievement, and this is documented in the MacFarlane Study, if you would like to include the MacFarlane Study on the record.

Senator MONDALE. We will put that in the record at the conclusion of your statement.

Dr. THOMAS. Not only do you have to increase children's value of their perception of how they feel, but you also have to do the same thing for their parents. I am extremely honored to be able to sit with Don Smith and Bernard Watson, and to follow such beautiful people and dedicated fighters for black liberation as Kenneth Haskin, Barbara Sizemore, and Dr. Charles Smith.

Let me say this about the community. Just as children have been destroyed psychologically, adults have been destroyed psychologically also, so you have to do the same positive thing in terms of adults that you do with children, and we did this in the form of developing community school councils and letting those parents know that they were very beautiful. I got an F and a D in Latin at Shoemaker Junior High School in Philadelphia, but I remember Repetitio est mater studiorum—repetition is the mother of study. So you have to say over and over again that you are beautiful, that you can do anything that you make up your mind to do, that you can control your own destiny, because when you start letting people think that they can affect their own lives, that they have some control over what happens to them, then they start learning more and developing a very positive attitude. I agree with Coleman on the business of fate control. If a person feels that he has some control over his destiny, then he will do a much more effective job.

Let me remind you that Thomas Pettigrew, the white social psychologist—and I am sure he knows what he is talking about because he teaches at Harvard—says that half of the black people in this country are under 22 years of age. They have not learned how to shuffle or walk through back doors or scratch their heads. They are men and women, real men when they are 11, 12, 13, and 14 years old, and that has implications for how you treat them in the future; that has implications for cities being tinderboxes, et cetera.

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ACCOUNTABILITY

I think we are going to have to institute various methods of accountability. I think you can deal with it very basically. A child should know more at 3 o'clock in the afternoon than he knew at 8 o'clock in the morning. No matter how bad his home conditions are—he should knew more at 3 o'clock in the afternoon than he did at 8 o'clock in the morning. He should know more in June than he knew the preceding September, and he should certainly know more in 1971 than he did in 1967. I think that the critical thing has got to be that we have to stop assigning blame to the child. There is nothing wrong with the child. The child is culturally deprived; the child is culturally disadvantaged. When we do that, we are merely stereotyping a child; we are not blaming the institution. I am saying there is something wrong with the school, not the child.

Jean and Edgar Cahn, my attorneys, who direct the Urban Law Institute and the Citizen's Advocate Center, in their Yale Law Review article, May 1970, talked about the presumption of educability, which means we have got to start assuming that the school is at fault and we have got to start holding the school accountable and stop finding so many excuses about what is wrong with the child.

Mario Fantini, in a Social Policy article, November 1970, dealing with the educational agenda for the 1970's and beyond, the public schools of choice, makes the same observation. He says we have got to stop assuming that the child is bad and we have got to start assuming that the institution is bad because the institution has a very putrid record and the child has not had the first opportunity. Mario Fantini deals with three basic areas of reform, and I agree with these areas of reform. There has to be a whole change in governance. Parents and students have to be part of the decisionmaking process at all levels, not just the local level, but at the State and Federal level.

CURRICULUM

Substance. We have got to humanize the curriculum. I agree with Dr. Watson, this business about Christopher Columbus discovering the New World. If I tell my kids in class to buy a plane ticket to go to California and they end up in Florida, that would not be smart. It would be like Christopher Columbus starting out for India and ending up off the coast of South America, so he was stupid in my estimation. When I say that, my kids perk up and they say: "Hey, man, that cat wasn't too heavy after all, was he?" You see what I mean? But that is important. You have got to be able to deal with the reality in terms of those kids' lives.

QUALIFICATIONS FOR WORKING

The whole business of personnel: We have got to stop assuming that you have to have some certificate from somebody in Columbus, Ohio, or some other State capital to be able to affect positively the learning of children. Let me give you an example of a program that I developed in Dayton with the help of the community. I took 10 veterans of the Vietnam war and I put them in a class with second

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grade teachers and they were teachers' aides. While they were working as teachers' aides, they were also moving toward B.S. degrees in education at Central State University in Wilberforce, Ohio, and the result of that was that they provided a male image for the children, but they also radicalized 40- and 50-year-old teachers, and also provided a very, very different atmosphere in that school.

A lot of people talk about the fact that you should be certified. I believe, Senator, that there are many schools in this country where children do not learn one thing from September to June. I figure that if you could take an illiterate person and teach that illiterate person how to spell cat—c-a-t—and if all that person has got to do every day is say c-a-t spells cat, at the end of the day, if three children know that c-a-t spells cat we know we have achieved something. Today we cannot document that three children can spell cat in many school systems that I know about.

He also deals—and I agree with him—with the idea of the panacea. Let me say there is no clear-cut answer to this. There are no panaceas relative to education. We have got to try a lot of different things. Alternative schools, I agree with. I do not see anything wrong with the voucher plan as long as you are going to put the money in the hands of the parents and the students and let them have their own voucher schools. I do not see anything wrong with performance contracts as long as big business does not get all the contracts—or vocational process schools or technical computer center schools or traditional schools for those people that want them. I do not see anything wrong with Montesorri schools for those people that want them, and I do not see anything wrong with multicultural schools for those people that want them.

Frank Riessman pointed out that in a study by the American Institute for Research it was shown that of 1,000 programs operated by the Office of Education, only 23 of those programs were programs that showed any noticeable gain in achievement. Out of the 23 programs, all 23 were programs where children were teaching each other or where parents were teaching children.

What this means to me is that with 80 percent of the school budgets in this country going into salaries, and the quickest route to getting out of poverty being money, perhaps we should pay children to teach other children and pay welfare mothers and other poor people to teach their children.

I could go on with many things, but I want to try to bring this presentation to a halt. I think that school systems are going to have to be charged with fraud. It is fraud to give a child a high school diploma and say he is a high school graduate if, in fact, he reads at the eighth grade level. It is against the Constitution of the United States to hold a person in jail unless he has committed a crime. When you put a child in a school from 8 o'clock in the morning to 3 o'clock in the afternoon and he is not learning anything, he is not in school—he is in jail.

ISSUE OF FRAUD

I think that some brilliant legal service lawyers are going to have to deal with the whole question of charging school systems with exercising monopolies and suing them. I know that it is legal and compli-

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cated, but it can be done and it has to be done. Ken Haskins has an excellent remedy for suspension. When a child at Adams Morgan was sent to Ken Haskins for being bad, Ken would suspend the teacher and tell her she could not come back until such time as she could deal with the child. If a 14-year-old can maneuver a teacher into a position where he cannot deal with him, then it is he, the child, who should be the teacher and the teacher should be the student.

The State of Ohio has a law that if you expell a child, the child is really entitled to a hearing before the board of education. What we did, throughout student rights center, was ask for a hearing, because a hearing had never been asked for before. After asking for that hearing, the school board said: "Look, assistant superintendent in charge of student affairs, we do not want to have all these executive sessions over some child being expelled, so revise your expulsion policy."

COUNSELING

Moving rapidly, I think that there are a couple of critical areas. One is counseling. We have got to find a way to hold counselors accountable because counselors also automatically destroy a child's chances simply by telling him he is too dumb for the college prep course. There are no general jobs advertised in the classified ads, and therefore there should be, in my estimation, no general course.

I have outlined in my testimony what students should be prepared for in terms of the future. I think that we have to deal very forcefully with holding student factfinding commissions, not only holding the commissions, but holding school systems accountable for following through on the ideas projected by students.

The next recommendation deals with students in decisionmaking. I want to say this very clearly. I think that boards of education throughout this country should be reformed, in that there should be young people from 7 to 21 years old placed on those boards. This is documented by Margaret Mead in her book, "Culture and Commitment: A Study of the Generation Gap," where she talks about the prefigurative culture. Moving fast, I will just define the prefigurative culture. We are moving into a culture where students know more about how to survive and operate in an urban setting than we do. With the advent of the media, et cetera, we have a lot of very brilliant 7- and 9-year-olds, and there is no reason why they should not be given the right to vote. Rather than have a child learn about George Washington and the Delaware, it might be more germane to have the child learning about laws regarding social security, the blind, welfare rights, et cetera.

BOND BETWEEN POOR WHITES AND BLACKS

I want to deal with this area very specifically also. There has to be some kind of cooperation and understanding between poor white and poor black students. I think that if there is racial violence in this country, initially it would not be between middle-class black and middle-class white people; it would be between poor white people and poor black people, and they are both oppressed in many of the same ways.

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I have been through an experience where I had to rescue some black children from a white Appalachian school. One strategy would be to be angry with poor white folks for the rest of my life, but another strategy would be to understand that they are oppressed in many of the same ways black people are oppressed. In many ways they are victims of the news media and victims of the powerful and the rich. I am not saying that they have to love each other, but I am saying they have to get together on things that they agree on to prevent potential genocide of both. I think that that can be done, not by what some expert says, but that can be done by giving them power and giving them some money and letting them make their own decision in terms of how they can relate together and how they can live together. Integration in reverse, Senator.

I think you have got to understand what all these different bills and rules and regulations are doing to the people. In 1954, black people were saying: "We want to integrate; we want to sit down next to white people." Malcolm X said that to sit down next to a white man on a toilet in Mississippi is really not revolutionary, but the point is that during the fifties everybody did move toward integration. The white people said: "We don't want to be bothered with you." After that, black people said: "OK, we are not going to be a part of the melting pot. We will go for setting up our own community, trying to make our own community good we will develop our own black studies program." Then the white people said: "We insist upon integration."

This is very confusing to the community. If you decide upon integration or nationalism, you have to make that clear. I can understand a black integrationist. He has fought all his life for integration. For integration not to work is, for his life to have been a failure. I also understand the young black nationalist who says: "I am not going to beg white people to sit down next to them." It is just as racist to tell a black child that he is not a human being unless he can sit down next to a white child.

I am saying that if you are going to have meaningful integration, you have got to place all of the good resources right there in that black school, in that black community. I cannot call that white man a racist because he does not want his child to go to a poor school. I can call him a racist if you have got the best possible school in the world in the black community and he does not want his child to go there.

There are a lot more things I could deal with, but I think at this point I would like to pause so that Dr. Smith can testify.

STUDENT RIGHTS CENTER

Senator MONDALE. I want to ask one question and then we will turn over to Dr. Smith, then I will ask questions of both of you. What is the Student Rights Center?

Dr. THOMAS. The Student Rights Center is an OEO legal services, research and demonstration program, and it is funded for the purpose of developing innovative strategies relative to student rights and responsibilities. My attorneys, Jean and Edgar Cahn, were very instrumental in its formation along with Mickey Kantor and Terry Lenzner. What we want to do is show that children can have some control of their fate. Jean and Edgar pointed out very beautifully, in their

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article "Power to the People or the Profession?—The Public Interest in Public Law" that all these laws and regulations do not mean very much if people, in fact, do not know how they affect them.

What we are trying to do is take the power of the law and let children see that they can have some say in what happens to them. We are starting law suits. We also have 10 part-time parent ombudsmen who go with the children when they are suspended. The ombudsmen also try to educate the community about what students' rights are. Since this is the age of law and order, we are trying to teach kids how to use law and order for their own protection. Is that clear enough?

Senator MONDALE. Is the Student Center for all students, white and black?

Dr. THOMAS. Yes, sir; because all students are oppressed. We have an integrated staff. Our staff attorney is a white man from Cincinnati, who is a former captain in the Army, who just got back from Vietnam.

Let me tell you what else I have noticed. If a poor white parent has a child mistreated in the school, that poor white parent does not object to coming over to our black community and using the resources of that center. I am saying that it is more than a question of racism in this country. It is a question of oppression. Racism is a very important part of oppression, but children are oppressed—rich children, white children, black children. I think that if some kids came down from Mars they would be oppressed also. Green children would be oppressed in this country.

What I am saying is yes, the center serves everybody, not only poor white people, but also the outlying rich white communities, because those kids are jeopardized in many ways relative to student rights. I think this is one of the most meaningful answers in a country that is founded on the Declaration of Independence and the Constitution of the United States, in a country where these kids have had to memorize the Constitution and the Declaration of Independence: and if you can really make that meaningful and if you can remove the double standard that exists, I think there is a real good opportunity for really moving this country toward what Reich calls the Greening of America. Another aspect of it is that we are going to end up either through a Greening of America process or through Sam Yette's *The Choice*, and I think we are heading more toward Sam Yette's *The Choice*, meaning the systematic genocide of black folks than we are toward the Greening of America, where people learn to love and trust and respect each other. Did I answer your question sufficiently enough?

Senator MONDALE. Yes, sir.

PREPARED STATEMENT OF ARTHUR E. THOMAS

TEN SPECIFIC RECOMMENDATIONS TO CREATE EQUAL EDUCATIONAL OPPORTUNITY

You cannot outlaw one part of the people without endangering the rights and liberties of all people. You cannot put a chain on the ankles of bondmen without finding the other end of it about your own neck.

You degrade us and then ask why we are degraded. You shut our mouths and then ask why we don't speak. You close your colleges and seminaries against us, and then ask why we don't know more.

If there is no struggle, there is no progress. Those who profess to favor freedom, and yet depreciate agitation are men who want crops without plowing up

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the ground. They want the rain without thunder and lightning. They want the ocean without the awful roar of its many waters. This struggle may be physical, but it must be a struggle. Power concedes nothing without demand. It never did and it never will.

Men may not get all they pay for in this world, but they must certainly pay for all they get. If we ever get free from oppression and wrongs heaped upon us, we must pay for their removal. We must do this by labor, by suffering, by sacrifice, and if need be, by our lives, and the lives of others.

Experience proves that those are most often abused who can be abused with the greatest impunity. Men are whipped most often who are whipped easiest.

I esteem myself a good, persistent hater of injustice and oppression, but my resentment ceases when they cease, and I have no heart to visit upon children the sins of their fathers.

FREDERICK DOUGLASS.

INTRODUCTION

I'd like to thank you for the opportunity to testify before this Select Committee on Equal Educational Opportunity this morning. It is an extreme honor for me to be able to sit with such distinguished scholars and fighters for Black liberation as Dr. Donald H. Smith and Dr. Bernard Watson, and to be able to participate in an educational forum that has included such dynamic, dedicated and brilliant scholars as Mr. Kenneth Haskins and Mrs. Barbara Sizemore. I am especially appreciative of the fact that you chose to solicit the opinions, ideas and strategies of these Black educators as well as the opinions and strategies of other educators. This is particularly meaningful to me in that you are dealing with national issues that do not just concern Black people. It is becoming increasingly clear to me that to solve the problems of minorities and the oppressed is the quickest route to solving the problem of our potentially great nation. Let me add that especially because of the increasingly repressive attitudes and actions relative to freedom of expression and other constitutional guarantees, I would like to state to you very clearly and specifically that I love America. I believe in the principles of democracy and the words imbedded in our Constitution and in our Declaration of Independence. I sincerely believe that if those documents could be fully enacted, and that if every individual regardless of race, age, creed, color or sex could equally share in the provisions, guarantees and protections contained in those documents, then indeed 99% of the battle would be over. To put it another way, paraphrasing a James Baldwin statement: "I love America more than any other country in the world, and, exactly for this reason, I insist on the right to criticize her perpetually."

Before I get to the specific recommendations that I would like to present to this committee, let me say that it is extremely important that if any legislation is forthcoming from the findings of this committee, that you members of the committee follow up closely to make absolutely sure that the legislation is written and enacted as you intend it to be.

All of the recommendations that I make to you today, in my opinion, are dependent upon the redistribution of power in this country. This must occur before any equality of opportunity in education or other areas can occur. Margaret Mead states this very well when she says that:

"Those who have no power also have no routes to power except through those against whom they are rebelling. In the end, it was men who gave the vote to women; and it will be the House of Lords that votes to abolish the House, and those over eighteen must agree if those under eighteen are to vote, as also in the final analysis, nations will act to limit national sovereignty. Effective, rapid evolutionary change, in which no one is guillotined and no one is forced into exile, depends on the cooperation of a large number of those in power with the dispossessed who are seeking power. The innovating idea may come from others, but the initiative for successful action must come from those whose privileges, now regarded as obsolete, are about to be abolished."

Dr. Alvin Poussaint, a Black psychiatrist from Harvard University School of Medicine says that: "Local officials fight community control of schools, because they choose to jealousy guard their jobs and power at the expense of the life chances of Black children."

McGeorge Bundy has said that: "People who have power don't have to give it up. But they must share it. It is one of the most important issues of these times . . ."

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Thus, it is with this major factor in mind, the redistribution of power, that I ask you to view the following recommendations:

1. Effectively communicate to Black and other oppressed minorities of this country that there is not a plan of genocide to systematically destroy them.
2. Hold individuals responsible for racism within the educational system accountable for their actions by initiating criminal court actions or through paralegal avenues of arbitration.
3. Initiate positive programs dealing with self-image similar to the MacFarlane Elementary School program and Community School Council program in Dayton, Ohio.
4. Institute methods of accountability for administrators and teachers in public schools via the courts, voucher systems, performance contracting, etc.
5. Reform the decision-making bodies of public education to include students with full rights and responsibilities.
6. Institute student fact-finding commissions to deal with racial issues, discipline, curriculum, guidance and all other areas of public education.
7. Federally fund student groups to initiate their own programs relative to rights and responsibilities.
8. Federally fund the establishment of coalitions between so-called Black militant students and poor white students.
9. Establish programs of integration in reverse.
10. Federally fund cable TV networks throughout the country to broadcast information regarding student rights, welfare rights and issues relative to the poor and oppressed sectors of society.

Let me expand on each of these recommendations.

RECOMMENDATION NUMBER ONE: COUNTERACT THE IDEA OF GENOCIDE

Place this statement in the proper context, gentlemen, because I am dealing with a thing called perception. The important question to deal with at this point is not whether, in fact, the nation has set out to deliberately and systematically destroy the Black, poor and oppressed—the important question is that many people *believe this to be true.*

Therefore, if your committee is going to be successful in developing national programs to provide equal educational opportunity for all, you must first exercise and utilize the power of your office to effectively communicate in every way possible to the Black, poor and oppressed that they are not being systematically eliminated . . . that the question of genocide is not a reality. Not only must this be communicated, it must be proven.

In this country today, Black men who want to be men have few alternatives. We can go to Algiers, we can end up in jail, we can end up destroyed psychologically or physically if we stand up for our rights. In my own case, the Stivers High School incident documented in the book, *An Experiment in Community School Control: An Evaluation of the Dayton Experience,* speaks of a form of genocide a form that seeks to eliminate Black men from positions of power or potential power. As a result of incidents of this kind, young Black and other oppressed people are forced into despair. Many feel: "why learn and why study when in a few years I'm going to be destroyed anyway?"

There is a growing concern among Black educators and community leaders that, since there is no more cotton to pick and there are no more ditches to dig, Blacks as a people are no longer necessary to this country, especially in view of the population control themes being developed. Some believe that the billions of dollars being pumped into programs like the Title I Elementary and Secondary Education Act to provide funds for assistance to educationally disadvantaged children are merely being used to prove the genetic inferiority of Black children, as espoused by men like Jensen. The belief runs something like this: "You see, we have given billions and look, those children still cannot learn."

I am not saying that this is so, or that this country is deliberately setting out to destroy people—but, if *people believe that is what is happening then this perception must be dealt with* before we can even talk about equal opportunities of any kind. When a man is not sure that he is going to survive physicaly or psychologically, it does no good to talk of equal opportunities. Most of my work is done in a local community where I walk and talk with the people on the street—where I get the feelings and impressions of the people. Believe me, a growing number of students who I know you are genuinely concerned about have lost

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confidence in their government and see the institution called school as the enemy—as the thing that is out to get them rather than help them, out to destroy them rather than protect them. Thus I recommend that this perceeption of genocide be counteracted quickly and effectively at the highest levels in this country.

RECOMMENDATION NUMBER TWO: INDIVIDUAL RESPONSIBILITY FOR RACISM

The school's job has traditionally been to transmit the cultural heritage. The cultural heritage in this country, as defined by the Kerner commission, as defined by Pettigrew, Hauser, Wilcox and others, is a cultural heritage of racism—institutionalized racism. In my opinion, schools in urban communities in this country are doing their job. They are designed to dehumanize and psychologically destroy Black and minority children. It is impossible—impossible—impossible for educated administrators and teachers to do the poor job that they are doing in terms of administering knowledge to young people if they are not, in fact, doing it deliberately. William H. Grier, and Price M. Cobbs, authors of *Black Rage*, cite the following:

"One of the keystones in white America's justification of its exploitation of Black people is the assumption that Black men are stupid. It is assumed that they cannot learn as much as a White man and therefore cannot assume positions of power and responsibility . . . The rigid control of teachers, curriculum, and budget by generally small-minded government bodies again reflects the essential purpose of the schools—which is to serve the immediate economic ends of those who control them. Out of the same pragmatic thinking which produced the trade school and the commercial school has lately come the tracking program, a system for selecting one of several programs for students based on the child's performance and test results. These programs have operated to launch White children into college and to provide mindless 'busy work' for Black children until they are seventeen."

I challenge you to go to a school on the first day. Check out the kindergarteners and first graders. Despite home conditions, despite whether or not mother and father are together, despite whether the child is hungry or has slept the night before, or whether he is dirty or clean, poor or rich—he still comes to school on that first day with a look of joy and a feeling of hope. Check the same children out in November or December and you will find a different look and feeling and will find that it is the institution, the school, that is reinforcing the dehumanization that is started by society.

Take a look at the dictionary. In it there are 134 synonyms for Black and 75% of those have negative connotations. There are 75 synonyms for white with 75% of those having positive connotations. A teacher's racism doesn't stop at the school door, just like the judge's doesn't when he puts on a robe, or the lawyer's doesn't when he comes into court, or the doctor's doesn't when he treats patients. What I am saying is that Black and other minority children come to school ready and eager to learn, yet they continue to gradute from high schools throughout the country able to read only at an 8th grade level.

This doesn't happen because of genetic inferiority. It happens because if they were taught to read at the proper levels, they would be able to compete for the same jobs as White children. The poor conditions in terms of performance and services and supplies and material resoures exist in Black and other oppressed communities not by chance, but by design. I know you have heard these things repeated again and again. One thing that I learned at Shoemaker Junior High in Philadelphia where I received an F and D in Latin was the statement, "Repetitio est mater studiorium"—or Repetition is the mother of study. Hence, I think that those of us who are in constant contact with the people who are suffering in this country must repeat and repeat and repeat the essence of that suffering—institutionalized racism.

Let me then go on to say that one effective way to deal with this problem is to take those individuals responsible for the institutional racism of public schools to the courts where they will be held accountable for their policies. We do not need to look for scapegoats in the poor White communities or in the Black Panther Party. The policy makers and administrators of that policy must be held accountable.

Of course, lawyers cannot stand by to institute action every time a child or parent is humiliated by an administrator or official, nor everytime the taunting word 'boy' is flung in the face of a Black male student. Yet, it is just such

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grievances which ultimately have made tinderboxes of every major urban center. Dr. Edgar Cahn and Mrs. Jean Camper Cahn have said that this 'new sovereign immunity', the immunity of officials who administer major government grant programs, must be dealt with by the addition of a third dimension to the rule of law. The legal system will have to be expanded and restructured. There are a few scattered beginnings in developing new legal and para-legal institutions, but much more investment in experimentation is needed. Programs to provide mediation and arbitration, lay advocates within the school system, special juvenile courts run by juveniles, citizens' advice bureaus modeled after those in England, ombudsman offices where a public official serves as watchdog and investigator of official conduct, are all possibilities which may suit a particular community's needs.

RECOMMENDATION NUMBER THREE: SELF-IMAGE DEVELOPMENT PROGRAMS

Listen to this poem by a beautiful Black woman named Miss Barbara Wright, and think of how the self-image of young Blacks today is rapidly changing from that view held by their fathers and grandfathers, mothers, and grandmothers.

"I am a Negro—and I am ashamed.
Chemicals in my hair to make it other than what it is,
Bleaches on my skin to make it more . . . non-black,
Cosmetics on my face to be like the 'other'.
Why must I try to be other than what I am?

"The French say they are French from France,
The Irish say they are Irish from Ireland,
The Italians say they are Italian from Italy,
And I say I am Negro—from where?
Is there a Negro land?

"The French, Irish, Italians all have a culture and heritage.
What is My land? Where are my people? My culture? My heritage?
I am a Negro—and I am ashamed.
Who GAVE me this name?
Slaves and dogs are named by their masters . . . Free men name themselves.
Must I be other than what I am?

"I am Black. This is a source of pride.
My hair is short and finely curled.
My skin is deep-hued, from brown to black.
My eyes are large, open to the world.
My lips are thick, giving resonance to my words.

"My nose is broad to breathe freely the air.
My heritage is my experience in America . . . although not of it;
Free from pretense; open to truth.
Seeking freedom that all life may be free.
I am Black. America has cause to be proud."

When I was assistant principal at MacFarlane Elementary School in Dayton, Ohio, I found that if you show children that you love them, trust them and respect them, they will respond with love, trust, and respect. If you believe in them, they will learn to believe in themselves. That general philosophy was the core of our entire experience at MacFarlane. Each morning I told our 1,266 children over the public address system that they were good, that they were beautiful, that knowledge was power and that they should constantly strive to be the best of whatever they were. While at MacFarlane and still today, my fervent mission was and is to teach Black children that they have a beautiful heritage of which they can be proud.

Until you teach a child that he is somebody, and until you get him to believe this, you're wasting your time trying to teach reading, writing, and arithmetic.

At MacFarlane, we invited many people to visit our school and talk to our teachers and observe our classrooms. We showed our teachers that their job was an important one and that we had confidence and trust in them also. Learning happened at MacFarlane. Across the board, improvement was noted in terms of motivation on the part of students, staff morale and a general improvement in behavior attributable to a humane and supportive discipline policy. The corner-

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stone upon which we constructed the entire program at MacFarlane elementary school was that of self-image. Self-image and the expectation that our children at MacFarlane would achieve and excel. As Kenneth Clark has stated:

"A normal child who is expected to learn, who is taught and who is required to learn will learn."

If a child believes that he is "somebody" and that he has some "fate control"—some control over his destiny as the Coleman study pointed out, then he will achieve. Our success at MacFarlane can be a model for schools in every city. Let me repeat: until you teach a child that he is somebody, and until you get him to believe this, I believe you are wasting your time trying to teach reading, writing and arithmetic.

The same kind of building of the community self-concept was instituted through the Dayton Model Cities Planning Council and the Dayton Community School Councils. Parents of children in Black schools also needed to feel that they had some control over the destiny of their children. We would consistently open our meetings of the school councils with the admonition to parents that they were very, very important and that they were very, very beautiful people who could accomplish whatever they set out to do. In response to questionnaires during the process of training, we received answers that reflected a growing self-awareness, a growing knowledge of the system and how to counteract its bad effects and how to systematically attempt to institute positive changes.

Consider this response from one participant:

"* * * community resources are the most valuable we can find if uncovered and tapped. I have learned where and who to go to for professional consulting. I have learned how to talk to great Black educators, where to find them, and most of all that they do exist and will help and guide us if we only ask."

Or this response:

"Yes, I learned who pushes the buttons and how the system has controlled and manipulated Black people. I had thought reading and writing were our most important objectives. Now I believe in the worth and development of the individual."

And still another:

"I have learned that strangers can come very close in working toward a common goal, and that Black people are very important people."

The Community School Council program can also be repeated effectively throughout the country. Programs such as the MacFarlane School model and the Community School Council as Jean and Edgar Cahn so aptly put it, can help to provide defensive and offensive weapons for the psychological well-being of Black and other minority students and parents. They can help the student and parent to deal more effectively with the environment, to sort out the real from fancied injuries, to honor obligations, and to hold peers and seniors to standards of conduct which are equitable and rooted in reasonable expectation. The successes in Dayton, Ohio point out that these are not just pie-in-the-sky dreams, but are realities and can be repeated again and again.

RECOMMENDATION NUMBER FOUR: INSTITUTION OF EDUCATIONAL ACCOUNTABILITY

A child in school should know more at three o'clock in the afternoon than he knew at eight o'clock that morning. He should know more in June than he knew the previous September. And a child should certainly know more in 1971 than he knew in 1967. Measures for holding school administrators accountable should deal specifically with these questions: Does the student know more at 3:00 p.m. than he did at 8:00 a.m. that day? Does he know more in June than in the previous September? More in 1971 than in 1967?

The traditional attitude holds the child accountable for his progress or failure, without reference to the school's role in creating the child's success or failure.

In their *Yale Law Journal* study, "Power to the People or the Profession?—The Public Interest in Public Law", (*The Yale Law Journal*, Vol. 79, No. 6, May, 1970; pp. 1020–1021), attorneys Edgar and Jean Cahn explain that:

"* * * in the context of education * * * the question of whether effective legal advocacy combined with an independent grievance mechanism within the school system can shield a child from institutional practices which have long demonstrated their capacity to retard, discourage and destroy a child's sense of confidence and his capacity to perform. Thus, one formulation of the role of the law in education might be to protect the presumption of educability of a child, just as in the criminal law, it protects the presumption of innocence. In short, law might no longer permit the school system, like a prosecutor, to pro-

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nounce a verdict of guilty and a sentence of failure, retardation, or drop-out. Instead, the school system might be required to bear the burden of proof each step of the way, at each moment when it sits in judgment on a child's attitude or performance or capacity. In many, many schools, the burden of proof now rests with the minority group or low income child. It rests there wrongly. Effective legal advocacy within the school system should have the purpose of shifting that presumption—of compelling accountability, of forcing the educator and the educational system to shoulder the burden of proof rather than make the child the scapegoat for an institutional record of failure."

Mario Fantini, writing in the November-December, 1970 issue of *Social Policy*, agrees:

"The widely used terms 'culturally deprived' and 'culturally disadvantaged' implied that there was something wrong with the learner," Fantini says, "with his cultural environment not with the school and its educational process. In short, we assumed that the problem was with the student, not the school, with the client rather than the institution." ("Educational Agenda for the 1970's and Beyond: Public School of Choice", p. 25.)

Just like companies are inspired to produce a superior product because of the pressure from competitors, so schools and school administrators would be forced to improve by the presence of alternatives. Fantini cites three areas that need change:

"Governance—There must be a shift from professional dominance to a meaningful parental and community role in the educational process; Substance—We must modify the skill-performance standards by which educational quality is measured primarily so that a humanistically oriented curriculum can evolve; Personnel—The education system must be opened to a far broader base of talent than the conventionally prepared career educator." (pp. 26–27).

We must begin calling on our communities. Parents and students can govern their own schools at the local level. Parents and students must have direct and powerful input at all levels. How else can we achieve the humanization of curriculum?

Fantini talks about alternative schools as a future necessity. These alternatives will take the form of educational voucher schools, performance contract schools, traditional approach schools, vocational process schools, teacher as a facilitator schools, technical computer-centered schools, community schools, Montessori schools, and multicultural schools. I agree with Fantini that there is no panacea, no one solution for the varied problems that are becoming increasingly evident in the school systems of this country. We must try everything, and we must find a way to educate *all* students to the maximum of their potential. That way will be determined by the environmental forces that surround each particular student.

In a speech delivered at the Career Opportunities Conference in Denver (August 11, 1969), Frank Riessman stated: "A study conducted by the American Institute for Research for the U.S. Office of Education on all compensatory programs for the disadvantaged reported on between 1963 and 1968 found that of the 1,000 programs examined, only 23 were found to have yielded measured educational benefits of cognitive achievement." All 23 successful programs involved students tutoring students or parents working with students. In the programs that involved students tutoring students, the students doing the tutoring learned the most. We should take a closer look at this research and if, in fact, this research is valid, it has great implications for what will happen in the future. If parents and children are contributing more to education than teachers, when approximately 80 to 85 percent of all education budgets are used for salaries, and when the best route away from poverty is money, why not pay parents to teach their children, and children to teach each other? If the so-called experts are failing, isn't it time to try something else?

Because of my experiences as director of the Student Rights Center, I know it's time to try something else in the area of discipline in school. Since we opened our offices to the public in January, 60 per cent of our cases have been children suspended repeatedly from school without benefit of counseling, or even getting to tell their side of the story. Time and time again, children and their parents come into the Center to tell us that the child was accused of fighting or name-calling or a bad attitude and immediately suspended for 10 days. Often, after 10 days on the street, the child goes back, runs into the same teacher or administrator who doesn't like him, and gets suspended again. When the administrator is questioned about the amount of counseling the child received to help him with

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his problem, the answer is none or very little, and the excuse is the 400 to 1 student-counselor ratio. So the student is kicked out, made to feel inferior, never treated like a human being. Suppose a student could not be suspended except in criminal matters? Suppose the easy and cruel use of suspension was totally eliminated, and administrators were forced for the first time to see the 400 not as a number, but as 400 young people, each with his individual problems, people who had to be dealt with because the administrator could no longer just shove them out the door? And suppose suspension's equally vicious partner, corporal punishment, was outlawed? Could the experts then function as human beings? Or would it take parents and students to work with student problems? I am interested in finding out. The sequence of terrible counseling to misuse of suspension and expulsion to juvenile court is too well documented to continue in the 1970's. It is like an open sore right in front of everyone's eyes—isnt it time someone made a first step towards a healing process?

Let me give you a couple of specific cases we have dealt with at the Center to show you why I feel it is so important to make administrators accountable for the things they impose upon school children.

At Trotwood High School, a suburban school in the Dayton area, there was an Occupational Work Adjustment class in which students received academic instruction in the morning, and then worked in the afternoon. The program was funded by federal grants to the State of Ohio. Trotwood's program included 14, 15, and 16 year old children. These children, employed by the school, were entitled to the minimum wage under the law, which includes students as employees. Because the school administrators overloaded the program, they only paid the students 50 cents an hour. When one student's parents complained, the administrators decided to pay that one student the money owed him, but to classify the other students as psychotic, neurotic, and mentally retarded to avoid paying them the minimum wage retroactive to the time they started working.

Understand this now. An assistant superintendent, in the school system for years, asked the two teachers supervising this program to have the students sign their names on a blank piece of paper. Then the teachers were to write, randomly, psychotic, neurotic, or mentally retarded next to each student's name, without the student's knowledge, so that the school could avoid paying them the minimum wage. I know this sounds fantastic, but it is true.

The teachers refused to do this. They came to the Center and told our attorney what was going on. The government, already investigating the one student's complaint, was informed by our attorney that the school owed retroactive wages to all the other students in the program as well. The program was stopped, and the school administration was ordered to pay more than $10,000 in back wages.

In this case, the students were lucky that the teachers were concerned enough not to go along with an administrator's orders. Otherwise, the students would have been classified as neurotic, psychotic, and mentally retarded and would never have known it.

In another of our 125 cases this year, a high school junior with an IQ of 130 is reading at a fourth grade level because he was hyperkinetic (overly restless) as a child and was assigned to special education classes in the fifth grade. He is in with students of "sub-normal" intelligence. The school is making no effort to tutor him individually to help him read at his intelligence level. He excels in astronomy, designs his own telescopes, and wants desparately to go to college. His lack of reading ability, and the school's refusal to help him, are causing severe emotional problems. The school writes reports on his emotional problems, and keeps him in special education. We are currently preparing a lawsuit because it is the only way to get him the help he needs, to force the school to educate him.

The cases go on and on, full of the material that made Silberman's *Crisis in the Classroom* a bestseller. It's nice to write best sellers, and it's nice to identify problems, but what is anyone doing about the spectacular problems that are commonplace in every school system in the country?

The following sections of the Ohio Revised Code have never been used in the way which is proposed. Most states have similar laws which have never been applied to educators and the education system. Because of the novelty of the proposed use for these laws, it might be difficult for citizens to swear out warrants against educators, and for prosecutors to prosecute violations of these laws. The use of these laws may be a few years away. But citizens may have to resort to the criminal law, and use it in the way proposed here, to force constructive change in the education of our children.

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ORC 2919.05—Embezzlement by Municipal and School Officers

"No member of the council of a municipal corporation, or an officer, agent, or employee of a municipal corporation, or board of education, shall knowingly divert, appropriate, or apply funds raised by taxation or otherwise, to any use or purpose other than that for which said funds were raised or appropriated, or knowingly divert, appropriate, or apply money borrowed, or a bond of the municipal corporation or part of the proceeds of such bond, to any use or purpose other than that for which such loan was made, or bond issued. Whoever violates this section shall be . . . imprisoned not less than one nor more than twenty-one years."

Boards of education receive public money to educate children. When children leave the school system after twelve years, unequipped to hold a job in our society, haven't the public monies been knowingly diverted "to any use or purpose other than that for which said funds were raised or appropriated"?

ORC 2919.05—Usurpation of Office

"No person in an office or place of authority without being lawfully authorized to do so, or by color of his office shall willfully oppress another under pretense of acting in his official capacity.

"Whoever violates this section shall be fined not more than three hundred dollars or imprisoned not more than twenty days, or both."

Teachers "under pretense of acting in his official capacity" mold children to conform to their model. What worse oppression could occur?

ORC 2912.12—Injuring or Defrauding Under Color of Office

"No sheriff, coroner, constable, jailer, clerk, county recorder, county auditor, county treasurer, or other ministerial officer, or a deputy or subordinate of such officer, by color of or in the execution of his office shall willfully injure, defraud, or oppress another or attempt to do so.

"Whoever violates this section shall be fined not more than two hundred dollars."

Boards of Education and educators willfully defraud parents when they say they are educating their children. Children are willfully oppressed by the educational system.

ORC 2911.41—Fraudulent Advertising

"No person shall directly or indirectly make, publish, disseminate, circulate, or place before the public, in this state, in a newspaper, magazine, or other publication, or in the form of a book, notice, handbill, poster, circular, pamphlet, letter, sign, placard, card, label, or over any radio station, or in any other way, an advertisement or announcement of any sort regarding mechandise, securities, service, employment, real estate, or anything of value offered by him for use, purchase, or sale and which advertisement or announcement contains any assertion, representation, or statement which is untrue, or fraudulent.

Whoever violates this section shall be fined not more than two hundred dollars or imprisoned not more than twenty days or both."

Are not boards of education and educators guilty of violations of this law? Is not every school tax levy campaign a violation? School people advertise education. Children and parents are consumers of education induced by false advertising.

ORC 2907.21—Larceny by Trick

"No person shall obtain possession of, or title to, anything of value without the consent of the person from whom he obtained it, provided he did not induce such consent by false or fraudulent representation, pretense, token, or writing.

"Whoever violates this section is guilty of larceny by trick, and, if the value of the thing so obtained is sixty dollars or more, shall be imprisoned not less than one nor more than seven years."

"School boards and administrators have been taking public money for years with public consent. Indeed, they ask for more and more money. The public consent is induced by representations made by administrators that children's education will improve, and the pretense that children learn in proportion to the dollars spent. These representations are false. The proof of their falsity is that high school diplomas are awarded to people who read and write at an eighth grade level.

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ORC 2903.08—Torturing or Neglecting Children

"No person having the control of . . . a child under the age of sixteen years shall willfully . . . torture, torment, or cruelly or unlawfully punish him . . .

Whoever violates this section shall be fined no less than ten nor more than two hundred dollars or imprisoned not more than six months, or both."

School systems claim to have control of children during schools hours. Willful torture and torment occurs when children are harrassed and molded to conform to the system's model of the perfect student. To keep a child in school eight hours a day, listening to a teacher who says nothing relevant, is cruel punishment.

ORC Section 2901.12—Robbery

"No person by force or violence, or by putting in fear, shall steal from the person of another anything of value.

"Whoever violates this section is guilty of robbery, and shall be imprisoned not less than one nor more than twenty-five years."

Our system of education puts children in fear, and steals from them their desire to learn, their inquiring minds, and their individuality.

ORC 2921.14—Conspiracy to Defraud the State

"If two or more persons conspire to defraud this state, or any political subdivision thereof, in any manner, or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than five thousand dollars or imprisoned not more than two years, or both."

Aren't all the voters in a school district, or in the state, defrauded by the conspiracy of educators from the state level down. "Give us your money; we will teach your children" is a false statement, a fraud on the public.

One final word on accountability. Any development in terms of equal educational opportunity should deal with the reality of counseling and the reality of the general course. Counselors are among the greatest violators of the equal protection granted to all people under the United States Constitution. They can deprive children of this protection with one statement: "You are not smart enough to take the college preparatory course." When a counselor makes this statement, he often deprives the student he is talking to of a good job, good housing, good medical treatment, and a happy and healthy life in general. The student often ends up in the general course.

You take a student in an academic course and ask him what he wants to be. He'll say: a doctor, a lawyer, a teacher, etc. You ask a student in the business course what he wants to be and he'll tell you an office manager, a banker, a real estate man, a salesman, etc. You ask a student in the general course what he wants to be and he'll say, "I dunno."

I look in the classified want ads in the daily paper and I see ads for all kinds of jobs. But I don't see any ads for general jobs.

The general course is a combined concentration camp, babysitting service, and mental graveyard. It is excellent preparation for the future junkies of America, the future jobless of America, the future nothings.

Any serious consideration you may give to true equal educational opportunity must deal with developing curricula that would provide skilled craftsmen who can deal effectively in the following areas: oceanography, genetic research, atomic fusion, chemistry and biology, medicine, computer science, machine design, media, urban space planning, agronomy, economic planning, and political science as applies to design models for survival and the liberation of oppressed peoples.

A curriculum that cannot deal effectively with these areas is, in my opinion, obsolete. I sincerely believe that if youngsters learn the skills needed in these areas we can survive as a nation and make a contribution to world survival. We will have to redefine the schools and the new definition will have to encompass the entire community. The city, state, nation and world are the new learning laboratories, not merely one building in the city called a school. We need elementary and high schools where people who are expert in these areas teach. We must develop a womb to the tomb concept of learning.

RECOMMENDATION NUMBER FIVE: STUDENT FACT FINDING COMMISSIONS

A series of national and local student fact finding commissions should be established. These student commissions would have access to lawyers and other research personnel. Potential areas for discussion and presentation of position papers could include the following topics: suspension and expulsion, freedom of

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expression (newspapers, assembly, the public address system), school security, guidance, and corporal punishment. The position papers would not be followed up by a lot of hot air. They should be considered quickly by school administrators and school boards, and then implemented quickly. This would give the student specific and powerful control over his own school life. The student would be deciding, through investigation, what the weaknesses are, and then instructing administrators to correct those weaknesses. The administrators would be obligated to follow student advice, rather than pay lip service to it or co-opt it or pat the students on the head and then ignore them.

In June, the Center held a three-day Student Board of Inquiry into High School Discipline. The hearings were conducted completely by students and were open to the public. Attendance was capacity, and the local media gave the three days of hearings major coverage. Ten students, five black and five white, representing a cross-section of Montgomery County, Ohio, heard witnesses testifying about various aspects of high school disciplinary procedures. Witnesses included administrators, teachers, students, police and school board members. Before the sessions, students were counseled in inquiry procedure and in Ohio state law concerning education by John Saunders of the Department of Health, Education and Welfare, by two lawyers, and by University of Dayton teacher-education department faculty members.

Let me give you just one of many examples of how the information the students got from witnesses, widely publicized, woke a lot of people in Dayton up to what is going on in the schools.

Testifying on corporal punishment, a Kettering school district teacher named Edith Holsinger, cited examples of how punishment is used in the schools in which she had taught. She talked about children whose bottoms were beaten for chewing gum, throwing gum on the floor, throwing spitballs, dropping pieces of equipment in industrial arts classes, and consistently not paying attention. She cited instances in two different schools in which boys had had fistfuls of hair pulled out of their heads by angry teachers. She told of an incident in which a second grade girl was made to stand on her toes with her nose to the wall during recess because she forgot to bring in some papers signed by her parents. She concluded by asking: "If you cannot reach a child through his mind, how do you expect to reach him through his behind?"

Her evidence had tremendous impact in the community because she is a longtime teacher with an excellent reputation. The inquiry board students are now preparing a report on their findings. This report will be circulated by newspapers and television to a mass audience. The Dayton School Board is publicly obligated to take the inquiry board students seriously and to honestly consider their findings and suggestions.

You can see how dramatic and effective this method is. Who knows more about classroom injustice than its victims? This is a whole new way of investigating schools. Implemented on a national level, with student inquiry boards meeting regularly on topics of concern, you can imagine the positive changes that could result. I ask you to consider this idea strongly.

RECOMMENDATION NUMBER SIX: STUDENT DECISION MAKING

Students must be a part of the decision-making process relative to any and all school community matters. Let me compliment the Congress on extending the vote to 18 year olds. Let me remind you, however, that with the knowledge explosion we have today, with mass media conveying information daily that was never accessible to the general population before, we have a lot of brilliant seven and eight and nine year olds in this country, too. We all know that man, by nature, is gregarious. He has to be loved, trusted, and respected in order to survive. He also has to feel a part of things in order to contribute. I am sure that many of you have had the experience of forgetting to include your colleagues in the plans for a project and of losing their support when the project came up for a vote.

Young people are asking to be listened to, to be made a part of the things that affect their daily lives. Therefore, I propose that you gentlemen exercise the powers of your office, and the tremendous influence that you have at the state and federal levels, to make it possible for school boards throughout this nation to be expanded by at least four members, that those new members be between the ages of 7 and 21, and that they be entitled to all of the privileges and responsi-

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bilities accorded school board members, that they share equally in the decision-making.

Perhaps this sounds a bit wild to you. Let me tell you that right now, in Dayton, Ohio, for the first time in the area's history, no less than four students, 17 and 18 years old, are filing petitions to be on the school board ballot next fall. At first, some people were shocked and some were amused. Then, these young people began getting the required number of signatures, and began talking about their ideas. Their maturity surprised a lot of people. I hope that some or all of them are elected. I think that their behavior in office will surprise people even more.

In her book, *Culture and Commitment: A Study of the Generation Gap*, Margaret Mead talks about something that is very important to me, and very basic to the ideas I am advocating to you.

"The distinctions I am making," she writes, "among three different kinds of culture—*postfigurative*, in which children learn primarily from their forebearers, *cofigurative*, in which both children and adults learn from their peers, and *prefigurative*, in which adults learn also from their children—are a reflection of the period in which we live. Primitive societies and small religious and ideological enclaves are primarily postfigurative, deriving authority from the past. Great civilizations, which necessarily have developed techniques for incorporating change, characteristically make use of some form of cofigurative learning from peers, playmates, fellow students, and fellow apprentices. We are now entering a period, new in history, in which the young are taking on a new authority in their prefigurative apprehension of the still unknown future." (p. 1)

She goes on to say that:

"The children, the young, must ask the questions that we would never think to ask, but enough trust must be re-established so that the elders will be permitted to work with them on the answers. As in a new country with makeshift shelters that they are cold and where the drafts are coming from . . ." (p. 74)

adapted hastily from out-of-date models, the children must be able to proclaim

The current educational system we have in this country is the draftiest thing since haunted houses. We must not only listen to our children, we must also give them the power to help themselves and, by doing so, to help us all.

RECOMMENDATION NUMBER SEVEN: DIRECT FEDERAL FUNDING TO STUDENTS

In line with what I have said above, I feel it is imperative to quickly begin federal funding of programs created by and administered by and for students. I cannot think of any area of American life—be it schools, welfare rights, housing, the problems of the old, the problems of the physically handicapped, etc.—where students could not do as good or a better job than adults. Think of a Head Start-type program completely staffed and run by students—older students teaching younger students, getting them ready for school or helping them read at the proper grade level, and helping them develop and maintain positive self images. Think of a federally-funded student board of inquiry. Think of student-run recreation programs. Think of student-run Vista-type and Peace Corps-type programs. Think of students helping the aged and the handicapped. Think of the ability of American Indian students to run their own federally funded programs dealing with American Indian self-improvement. Think of the same thing for Black students, Puerto Rican students, Mexican-American students. You can go down the list of federally funded programs currently operating in this country and hardly find a one that responsible students are not capable of directing and implementing. In West Dayton, the Black side of town where I work, I am in close touch with the Model Cities and Community School Council programs. I cannot think of a single federally funded program in Dayton that students could not run and be totally responsible for. I want you to consider seriously, when you are talking about equal educational opportunity, the very realistic possibility of directly funding students for programs that will help other students. The students I have worked with are fully capable of everything from original proposals to full implementation of those plans. I hope you will give some real thought to this idea.

RECOMMENDATION NUMBER EIGHT: BLACK AND WHITE STUDENT COALITION

I have seen at first hand how ugly and destructive things can be when White and Black young people cannot get together to solve a serious problem. On September 8, 1969, 100 Black students entered an all-white, mostly Appalachian high

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school in Dayton called Stivers. The downtown school administration in Dayton had decided to integrate Stivers without any preparation for either the White or Black students or the families involved. So, naturally, Black and White students got into a bloody fight during the first day of school.

Harold Tucker, one of the 100 Black students, was hit in the head with either a crowbar or a tire iron. That night, the parents complained at a Model Cities Planning Council meeting and asked that something be done about Stivers. We all looked at the bandages and stitches on young Tucker's head. The militant brothers were ready to "take care of business."

Our chairman told everyone to be cool. Then he told Mr. Ed Campbell, chairman of the Education Committee, and me, as director of the Educational Component, to go to Stivers the next day.

We did. We were greeted by angry white folks and cruising cars. We helped the frightened principal and his staff keep order for three hours. There were 42 Black students there. They were angry. Some had weapons. I told them to be cool and trust me. Most of them had known me for years. I had been to their homes, and they trusted me.

After three hours of waiting for a bus to take the Black kids out of there, I walked the students to the Board of Education building. I was instructed by Model Cities to go back to Stivers and take more students out of there. When I returned to Stivers, I was arrested. After two months of hearings, I was fired by the School Board for "exceeding my authority." The Board felt that by removing Black students from an explosive situation I had exceeded my authority.

Now one of the many things I learned from that nightmarish situation was that a great emphasis must immediately be placed on the problem of developing positive relations between poor Black and poor White people. Racial violence in this country will not, in my opinion, initially occur between middle class Black and White people. It will occur between poor white and poor Black people because these groups are victims, in many respects, of the same types of oppression.

Forced to dislike, distrust, and misunderstand each other, they are bound to be the ones who end up fighting each other. Therefore, it is imperative that programs to bring them together be provided if we are to avoid potential genocide of poor Blacks and poor Whites in this country. Through these programs, poor Blacks and poor Whites could understand each other's culture and each other's problems.

You won't necessarily teach them to love one another. But at least they can be made to understand that one group's survival is dependent upon the other's. With this understanding, with the emotionalism removed from mutual problems, poor Blacks and poor Whites can together attack the problems perpetuated by the rick and powerful and sustained by institutionalized racism.

As a Black man, I have been victimized by stereotypes—Black people are dumb, all Black people steal, Black people are crazy, etc. I now see that the same things occur for poor whites. It is wrong, and grossly unfair, on the part of middle class Blacks and Whites to arbitrarily state that poor Whites are racists because the Whites do not want their children to go to school in a Black community—when that Black school is, in fact, an inferior school.

I cannot call a man prejudiced because he does not want his child to go to a school that is putrid. I cannot call a man prejudiced when he wants his child to go to a school nearest him. Black people want their kids to go to neighborhood schools, too.

Frederick Douglass once said:

"I esteem myself a good, persistent hater of injustice and oppression, but my resentment ceases when they cease, and I have no heart to visit upon children the sins of their fathers."

I do not have a clearcut answer to deal with the question of how to prevent young Blacks and young Whites from destroying each other because of the sins of their fathers. At our Student Rights Center in Dayton, we plan to start, in September, a series of regular rap sessions between so-called very militant Black brothers and so-called very conservative young Whites. Many eminent psychiatrists and psychologists are saying that if communication lines can be opened between these two groups, great possibilities for understanding exist.

Let me be very clear in stating that there is a need for Black folks to be together on certain issues with no one else around. I mean Black folks getting together among themselves. The same is true for White folks.

Let me also be very clear in stating that it is also imperative for the two groups to develop an understanding that will prevent them from physically destroying

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each other. One example of what I'm saying is now taking place in Dayton, in a slightly different context. Rival gangs have recently been brought together by Black officers in the Dayton police Department's Conflict Management Team. These gangs, once bitter enemies, are no longer fighting each other. They are working together to improve the community. So, you see, it can be done.

The research in the second half of this report, which you have before you, talks about the impact of the 1964 civil rights decision. Although it left much to be desired, the decision kindled, in many different groups of people, a desire to be free and to share in all the good things this country can provide.

The civil rights movement that started with Black folks wanting to be free had the same impact on Mexican-Americans. Now Mexican-Americans are demanding to be free. And American Indians. And Puerto Ricans. And women. And—very importantly—students. Young people. Students now want to be free, to enjoy their human rights. Students are now demanding to be free.

What was started on paper is now in the hearts and souls of men and can't be stopped. If, by some miracle, Black people achieve equal educational opportunity, or equal opportunity in general, and poor Whites, Indians, Mexican-Americans and Puerto Ricans are still suffering, then we would have merely exchanged one oppressed group for another. Somehow, we must develop a strategy for freeing all oppressed groups in this country so that we don't have to worry about one group destroying another.

Lines of communication between oppressed groups must be established if these groups are to survive. School is a potential vehicle for this communication to occur. But, if it is to occur, this communication must be on the terms of poor Whites and Blacks, not on the terms of administrators, or congressmen or senators or educators.

Those people responsible for living out the experience should be responsible for determining how the experience should occur.

Going back to the Stivers incident I described earlier, I am convinced that if poor Whites and Blacks in Dayton had been consulted about the new situation that would throw them together in school for the first time in their lives, if they had been allowed to prepare together for the experience, the results of that first day in school would not have been violence and anger.

We must stop dealing out of administrative convenience. In situations involving the integration of the races, we should start dealing forthrightly out of the concerns and feelings of the people involved. No matter how many degrees or how much administrative experience the so-called experts have, the real experts are the people who know their own fears, and who will have to live with the new situation.

Having dealt with young people and their parents all of my adult life as an educator, I am convinced that, given the chance, they can come from drastically different backgrounds and work something livable out. But when are they given a chance to do this? Since it is obvious that the Divine Right of Kings power theories do not work, succeed only in pushing people further apart and making them violent and destructive, it is time, on a mass, national basis, to let oppressed people have the power to determine their own fate. I believe that young White Appalachians and young Blacks can accomplish more good together than any administrator or so-called expert, no matter how well-intentioned. Perhaps you will agree with me that this is the decade to try this on a mass scale, and see if we can come up with something better than the violent failure that the expert educators have handed us in our schools.

RECOMMENDATION NUMBER NINE: INTEGRATION IN REVERSE

As I have stated previously, I cannot blame a white person for not wanting to send his child to an inferior school in the Black community. Consider the word "integration". What does this word mean to you? If integration is merely the placing of warm Black bodies next to warm White bodies, it is irrelevant to my life and to the lives of my Black brothers and sisters. My recommendation is to follow the suggestions in this presentation. I believe that, by following these suggestions, Black students and parents and teachers working together will make Black schools among the best, rather than the worst, schools in each city. If, in a given city, a Black school had the best facilities, the best staff, the best textbooks, the best supplies, the best equipment—the very best of everything available—then integration would be meaningful. It would be, for the first time in history, a two way street. As it is now, the typical situation is the

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Black child supposedly improving himself by association with Whites and White educational institutions. But if the reverse were also true, a whole new world opens up, a world of creative exchange between equals in *fact*, not in theory or dreams.

RECOMMENDATION NUMBER TEN: STUDENT-CONTROLLED CABLE TV

The attorneys Edgar and Jean Cahn, in their aforementioned *Yale Law Journal* article "Power to the People or the Profession?—The Public Interest in Public Law", talk about a revolutionary use of cable television. They write that a "largely unexplored area for the creation of new 'legal' institutions is the potential provided by the mass media for informing people of their rights, bringing community disapproval to bear upon particular actions or particular officials, and generating support for norms eliminating the status of permissable behavior in a society where the 'legal norms' on paper may have little reality or authority in the community. Cable TV and community owned and operated radio stations in particular have substantial potential for creating new, legitimated forums for community debate . . ."

Thomas Jefferson said that when the masses were educated, tyranny and oppression would disappear. Lack of access to information is the greatest cause of discrimination and mistreatment. If you don't know what your rights are, how are you going to know when someone is violating them? And if you know someone is taking advantage of you, but he seems all powerful and you don't know how to defend yourself, you will get messed over.

How can student-run cable TV programs affect the quality of life in school and contribute to equal educational opportunity? Let me give you an example. Suppose students made the following tape and broadcast it via TV to thousands of their fellow students. A seven year old comes into the Student Rights Center and says, "I'm tired of that teacher yelling at me. Next time she does it, I'm going to tear her up." A Center staff member instructs the child. "Listen. The next time that teacher is mean to you, be cool. Just sit there in the classroom and don't say anything for 20 minutes. Then, when you are completely calm and in control, raise your hand. When she calls on you, tell her coolly and calmly, "Mrs. X, what you did a few minutes ago, the way you talked to me, has psychologically dehumanized me, has made me feel like an animal, like a stupid animal. If that happens often enough, a child like me grows up thinking of himself as stupid and ugly and he can never function as a human being again. So unless you refrain from treating me in such a manner, I may have no alternative but to take you to the U. S. District Court and explain all this to the judge. And let me remind you, Mrs. X, that there is a good possibility that I can win a $100,000 damage suit against you if I charge you with "psychological tort."

Imagine what an impact we could have on teacher attitudes if young people learned to protect themselves in this way. By using cable TV, students can teach each other how to survive in school. The media is quick, mass-oriented, and convincing. It is a powerful teaching tool. Imagine programs on what to do about a guidance counselor who refuses to help you get into college, or what to do about an unfair suspension, or what to do about a teacher who spends the class time reading out of a book instead of explaining and tells a student who doesn't understand that he must be stupid.

Students can teach other students about the laws, rules, and forces that govern their lives in school. Suddenly, you have an apathetic and put-upon student body coming alive, realizing for the first time that they know enough to protect their interests, their dignity, and their psychological well-being.

In other words, they know enough to protect their equal educational opportunity.

CONCLUSION

I would like to conclude by saying that I will never be a violent revolutionary because I sincerely believe that enough young people and Black people and poor people have been killed, maimed, and destroyed. The line of senseless tragedy stretches from southern lynchings to Kent State to Jackson State, to what seems to me like the systematic murder and incarceration of Black Panther brothers. I sincerely believe that the only real revolution that can take place in this country, and in this world, is a revolution of peace—of love, trust, and respect for each other.

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There is nothing revolutionary about Black folks and young folks dying in this country. Life is a very precious and dear thing. We have, in our brief history, made dying as routine as going to the bathroom, and that is as shameful as it is absurd. We must somehow emphasize the importance of living and of developing strategies to see to it that our young are able to develop to the fullest of their potential. To strive for anything less is to say that all of the Black people who have bled and suffered and died, and all of the young people who have bled and suffered and died, have done so for nothing.

When students protest conditions under which they are forced to live, when Panthers protest conditions under which they are forced to live, when Mexican-Americans and Puerto Ricans and American Indians and women protest conditions under which they are forced to live, and over which they have absolutely no control, the criticism cast upon them by those people in control is that they are unreasonable. But, consider for a moment that they are not unreasonable to cry out against the rat-infested dwellings in which people are forced to live, and the murderous psychological deaths that people are forced to endure for no other reason than the Blackness of their skin. They are not unreasonable when you think about the arms, and legs, and eyes, and ears being blown off the limbs of 17 and 18 and 19 and 20 year-olds. They are not unreasonable, in fact they are most reasonable. The idea of having the right to bear arms was not originated by them. It came from an important document written by some famous men. Our children were forced to memorize this document, along with other famous documents in institutions designed to transmit the cultural heritage. I hear young Blacks and Whites screaming about injustice. Why shouldn't they scream? The nation that fed them democracy from the cradle has been pretending to be deaf, dumb, and blind to the tremendous injustices imposed upon the Black and the Red, the Brown and the Young, the very Old and the Very Poor and Women for quite a while.

As a child, I attended the New Central Baptist Church in Philadelphia, Pennsylvania every Sunday. I can still see and hear Reverend Augustus Habershaw saying, while he looked at a black book called the Holy Bible, "If you train a child in the way he should go, when he becomes a man he will not depart from that training."

We have trained our children with these words:

THE DECLARATION OF INDEPENDENCE

"When, in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them to one another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

"That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness. . . . But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty, to throw off such government and to provide new guards for their future security."

So, when you sit down to do something about all the testimony you have heard concerning equal educational opportunity, I hope that some practical results will come out of this committee. And soon. We have already seen, especially in recent years, what non-action and unkept promises and refusal to listen results in. What it results in is not a pretty sight for our children and their children to witness.

I have a very different vision of what this country can be than the vision I saw in the newsreels of Detroit and Watts and Kent State and Orangeburg, South Carolina, after people got through expressing their frustrations and their desperation.

I hope that, through men like yourselves, the nightmares of recent years will be replaced by something far more humane and closer to what we like to think of ourselves as capable of achieving.

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DON'T QUIT

When things go wrong, as they sometimes will,
When the road you're trudging seems all up hill,
When the funds are low and the debts are high,
And you want to smile, but you have to sigh,
When care is pressing you down a bit,
Rest, if you must—but don't you quit.

Life is queer with its twists and turns,
As everyone of us sometimes learns,
When he might have won had he stuck it out,
Don't give up, though the pace seems slow——
You might succeed with another blow.

Often the goal is nearer than
It seems to a faint and faltering man,
Often the struggle has given up
When he might have captured the victor's cup.
And he learned too late, when the night slipped down,
How close he was to the golden crown.

Success is failure turned inside out—
The silver tint of the clouds of doubt—
And you never can tell how close you are,
It may be near when it seems afar;
So stick to the fight when you're hardest hit—
It's when things seem worst that you must'nt quit.
—Author Unknown

Thank you for your time, and for your consideration.

NOTE.—The Legal staff of the Student Rights Center is currently doing detailed in depth legal research into potential applications of the Ohio criminal code. At your request, we will be glad to furnish you with the detailed research when it is completed.

Senator MONDALE. Our final witness is Dr. Donald Smith, director of educational development, Bernard Baruch College, New York City.

STATEMENT OF DONALD H. SMITH, DIRECTOR OF EDUCATIONAL DEVELOPMENT, BERNARD BARUCH COLLEGE, NEW YORK CITY

Dr. SMITH. Thank you, Senator. It is a privilege for me to follow my able colleagues Drs. Watson and Thomas in testifying before this distinguished committee of the U.S. Senate.

I am reminded of an occasion a number of years ago when, after I had finished giving a high school commencement address, a young black student said to me: "That's the first time I've ever heard an educated person tell the truth."

The anticipation of appearing before this committee was heightened by the knowledge that Art Thomas and Bernie Watson would be eloquently truthful in their discussions of the denial of equal educational opportunity for black children and youth. I hope I can be equally so.

It is with a high degree of difficulty and a lesser degree of pessimism that I have responded to the committee's invitation to discuss higher education opportunities for black and other nonwhite youth. Difficult, because the main problem areas have been well articulated by other black educators whom the committee has had the wisdom to invite. Pessimistic, because I am not convinced that my testimony or the sum

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total of all of our testimonies is going to make any significant difference. I proceed, however, in the spirit that one more pebble might tip the balance.

A good deal of my statement will focus upon the open admissions program of the City University of New York, as a case in point. Introductory to my remarks about open admissions, I shall make a few comments about the universities antecedents: the lower schools.

INSENSITIVITY IN TEACHING AND CURRICULUM

My own vantage point comes from 6 years as a high school teacher and counselor, an equal number of years as a college professor and administrator of programs for disadvantaged youth and their teachers, 5 years as a continuing consultant to the Follow Through program in San Juan, P.R., and 1 year as executive associate in education for the National Urban Coalition.

During this period, on a regular basis, I have visited classrooms in elementary and secondary schools throughout the continental United States and Puerto Rico. And I have talked with black, Puerto Rican, chicano, American Indian, and poor white students on many college campuses.

What I have seen and heard has been painful and discouraging, with only an occasional glimmer of hope.

In an elementary classroom in Jackson, Miss., a summer program was being conducted for gifted black children. As the teacher, also black, introduced me to the class, she explained in a loud voice that most of the children were not really gifted but were there to make the class sizable.

On an Indian reservation outside of Phoenix, Ariz.. I visited seven elementary classrooms where I found not a single indicator in the curriculum that the children who were being taught were American Indian.

In Philadelphia, I saw an early childhood program that had been labeled "bilingual, bicultural." Yet there were no visible signs that the cultures of the black and Puerto Rican children were receiving any attention. The only pictures on display in the room were those of white America's culture and heroes.

The same cultural denial was true for a school of Mexican-American children I visited in New Mexico. In migrant labor camps outside of Portland, Oreg., and in schools along the Texas-Mexican border, children were being punished for daring to speak Spanish, their first language.

A black high school teacher in Pittsburgh, obliged by the times to teach Afro-American history, offered little more than a recitation of heroes and a ridiculing of his students.

In a school in central Harlem. I found the psychological and physical abuse of black children by white teachers to be chilling. And in an all-black school in Washington, D.C., where most of the faculty were also black, I was appalled by the anger and hostility which the children and teachers manifested toward each other and toward their own peers.

I wish I could say to the committee that these few examples are exceptions, but lamentably they are not. These experiences encapsule

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the typical educational life for most black and other dark-skinned minorities in America's public schools.

With a few notable exceptions, poor children are every day subjected to inhumane physical and mental abuse. They are denied the affirmation of their culture and personhood which every child requires for healthy psychic development. They are subjected to lower standards or no standards, based upon their presumed nonteachability.

After an elementary school career where they have been made to feel stupid and culturally inferior, and from which they are likely to have graduated several grade-levels below the national norms in reading and mathematics, they are then processed into high school.

DEHUMANIZING NATURE OF HIGH SCHOOLS

As F. Wiseman has demonstrated so well in his documentary entitled "High School," even for upper and upper-middle white youngsters, the American high school is a place which stifles creativity and independent thought. (Frederick Wiseman. "High School." Osti Films, Cambridge, Mass. 1969.) It is an institution which cares little for the inculcation of humane values, but instead performs well its principal task of transmitting a culture of Anglo-Saxon supremacy.

For the poor and the black, the high school does its insidious work with equal effectiveness. The high school discourages, it anesthetizes, it dehumanizes. The role it prepares blacks and other minorities for is that of hair fixer and bedpan carrier, servant to the elite.

Three years ago I testified before a subcommittee on education of the Senate of the State of Illinois. The speaker who immediately preceded me was the superintendent of schools in Chicago. In his lengthy testimony he showed colored slides to demonstrate the success and diversity of programs offered to Chicago high school students. In keeping with the reality of the American high school, the superintendent showed slides of white youngsters who were being instructed in computer sciences and laser technology. Black students were shown as they were being trained to be beauticians and hospital orderlies. I might say that that changed the entire text of my statement. My entire statement was based on the slides.

GHETTO ENVIRONMENT

Life is hell in the ghetto and in el barrio. The temptations are very great for a young boy or a young girl to try to escape their misery through drugs. Thank God, most of them do not. Yet the number who do sniff cocaine or shoot heroin has reached tragic proportions. In New York City, heroin is a scourge that touches children as young as 11 years old and in a wide circle affects relatives, friends, neighbors, and strangers steal billions of dollars of merchandise to feed their habits.

Senator MONDALE. Are you testifying that the failure of these schools is a key cause of drug addiction?

Dr. WATSON. The failure of the schools is a microcosm of the failure of society. I am saying both.

Senator MONDALE. Do you regard it as being a substantial contributing element?

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Dr. WATSON. No more so than the larger society which the school reflects, but both indeed so.

Drugs, homicide, and other crimes plague poor black communities. In Chicago and Philadelphia teenagers are killed by warring gangs sometimes because they refuse to join the gangs, sometimes because they are found on the wrong turf, and often as innocent bystanders. Added to this are the numbers of black teenagers who are each year killed accidentally by law enforcement officers.

A poor nonwhite youth who enters college has survived a long and perilous journey. He has withstood most of the physical violence in his community and he has overcome the cultural and intellectual violence of his elementary and high school. Those who graduate are a select population. Those who enter college are very select.

ROLE OF EDUCATION IN BLACK COMMUNITIES

Through there is continuing debate in the black communities over what constitutes an education, there is general agreement that education is the principal means of economic advancement. Consequently, black people in this country have always placed a high premium on education, this in spite of the seeming contradiction of anti-intellectualism which exists in black communities. Yet, the tendency to reject things academic, inconsistent as it may appear, finds its parallel in the larger white society which also values education in the abstract but rejects rigorous intellectuality.

Throughout the decade of the sixties, black and brown and red citizens placed tremendous pressures upon America's institutions of higher learning to open their doors to the children of the poor. In New York City black people stayed on the case unrelentlessly. Ultimately they were joined by Puerto Ricans and other concerned people in exerting enormous moral and physical force upon the City University. City College of CUNY was the principal site of suasion and combat.

OPEN ADMISSIONS

At its meeting of July 9, 1969, the Board of Higher Education of the City of New York adopted a policy of open admissions, whereby commencing June 1970, and thereafter, all graduates—with diplomas—of New York City high schools were assured a place in one of the 20 City University units.

In explaining its decision to move the target date for open admissions up from 1975 as projected in its master plan of 1964 to 1970, the board stated:

> The Board was impressed by the arguments of students and faculty that equal educational opportunity for all should be a reality now, and cannot wait until 1975. Both the University Senate and the Student Advisory Council have gone on record as favoring expansion of opportunity as rapidly as possible. Representatives of community groups, social agencies and labor unions who appeared before the Board during its recent hearings on the City College matter consistently and unequivocally called upon the Board to expand enrollment as a matter of educational desirability, social equity and economic necessity in our city. [Statement of Admissions Policy Adopted by the Board of Higher Education. New York, July 9, 1969.]

At last the doors were open. With no apparent barriers remaining, black, Puerto Rican, and other disadvantaged minorities would prob-

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ably begin to enjoy their rightful opportunity to a free public higher education.

In September 1970, 34,592 freshmen entered under the new open-admissions policy, an increase of 77 percent over the 1969 entering class of 19,559 students. Yet only 25 percent of these were nonwhite. The bulk of the freshman class was comprised of white students, many of whom would have attended private universities, but who were now the beneficiaries of an open-admissions program whose inception has been instigated by blacks and Puerto Ricans.

REMEDIAL INSTRUCTION

Avowed that open admissions would not be a revolving door through which students would enter and exit quickly, the board of higher education instructed the individual colleges of City University of New York to institute remedial courses in reading, composition, and mathematics for those students whose placement scores indicated need. Additionally, the colleges were required to offer academic, financial, and personal counseling to all freshmen students.

The colleges responded to these mandates with individual patterns of compensatory and counseling efforts. Of the almost 35,000 who entered, nearly 18,000, or more than half, had high school averages below 80. Most of these students required one or more remedial courses. (Memorandum of the Committee on Expanded Educatonal Opportunity, Board of Higher Education, New York.)

CERTIFICATE SYSTEM

Clearly, the freshman class had grown by 77 percent but blacks and Puerto Ricans had still come up short. There are many reasons why this was so. First, of that small population of blacks and Puerto Ricans who actually finished high school, only about 25 percent received diplomas; the rest are given certificates—indicative of their failing the regents' examination—further indicative of the academic neglect they have received in high school.

Senator MONDALE. Is that what they mean by an academic degree?

Dr. SMITH. No; any kind of diploma was adequate for admission, either an academic or general diploma; but a diploma was required, and most black and Puerto Rican students do not get a diploma, they acquire a certification, so a certificate bearer was not eligible.

Senator MONDALE. So there are three kinds of paper handed out at graduations. One is an academic, one is a general diploma, and the third is a certificate which means you are a loser?

Dr. SMITH. That is right. So with the staggering dropout rate of minority youngsters, those who finally do walk across the stage, 25 percent of them get diplomas and the rest of them get a certificate that says "By-by, Baby."

Senator MONDALE. We have had testimony on Puerto Rican education. Last year, there were 250,000 Puerto Ricans in the New York City school system; only 200 of them received academic degrees. Would that be accurate?

Dr. SMITH. It sounds accurate to me. I do not have the data right here but it sounds accurate from my discussions with Aspira.

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Senator MONDALE. What is an academic degree supposed to mean, that it is the top?

Dr. SMITH. That he has pursued an academic course in high school and that in the senior year he has passed the regents' examination.

Senator MONDALE. What does the diploma mean if it is not an academic degree?

Dr. SMITH. Well, there are vocational high schools—they are not academic high schools, they are vocational high schools, and youngsters from those high schools get vocational diplomas. They also are eligible. That is where the bulk of the student population was coming from. Many of the students who had gone to the vocational high schools in New York, who are white blue collar workers' children, that is where many of them are coming from.

Senator MONDALE. What percentage approximately of the high school students in New York City are going to vocational high school?

Dr. SMITH. I do not know that figure.

Senator MONDALE. What would you guess?

Dr. SMITH. I would not want to hazard a guess. It would be——

Senator MONDALE. Could you find out and send me a note?

Dr. SMITH. Sure. I would be glad to.

Senator MONDALE. Proceed.

Dr. SMITH. Only diploma recipients were eligible for admission the first year. The New York public schools are planning to do away with the vicious certificate system. Hopefully, they won't replace it with another disqualifier for minority students.

Second, because of the fact of City University's traditionally being closed except to the academic elite, many students whe were eligible to apply simply did not know of or did not believe the opportunity was there.

Third, in many instances black students were discouraged from applying by high school counselors who informed them of how difficult it would be to get in or how difficult to stay. In other instances, while counselors did not formally discourage students, they also did not actively encourage students to enter the City University.

SEEK PROGRAM

Fourth, many students could not afford the fees, books, and general upkeep of a college education. The pioneer scholarship program for black, Puerto Rican and other poor at CUNY is the SEEK program, search for education, elevation, and knowledge. Now in its sixth year, SEEK provides a modest stipend, and money for books, counseling, and tutorial service.

SEEK students are selected by computerized lottery and only a few are chosen. The rest of the open admissions students, many of whom share identical economic needs as their SEEK counterparts, receive little financial support.

Finally, there were students who were aware of the new open door policy, some of whom because they were obviously bright might have been urged to apply, but who elected not to do so, out of personal distrust. Recently, I asked a very able black youngster who had just graduated from a New York high school if he intended to go to college. He answered that he had no intention of being brainwashed in

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a white institution. I have talked with and heard about many other young blacks who reject college because they believe it to be a dishonest diabolical institution whose purpose is to perpetuate and promulgate racism and unequal opportunity. Many of the brightest minds are so embittered by racial and social class injustice they want no part of higher education. Others have decided to learn to use the system for their own and their group's advantage. It is mostly the latter who enter college.

FACULTY OPPOSITION

Once the students actually entered under open admissions their problems were legion. First, they had to encounter faculty and administrators, many of whom did not want them on campus. In fact, the majority of CUNY faculty had voted against open admissions. Surely, all of the opponents did not act purely out of racist motives. Some who believe with the Vice President of the United States that America's universities are academies for the cultural and intellectual elite or our "natural aristocracy," are almost as adamant about poorly prepared whites as they are about blacks. Others, fearful of the shift in the balance of controls from total white power to power shared with blacks and browns masquerade under the guise of academic standards and the pursuit of excellence.

The number of administrators and professors who are deeply committed to the success of open admissions is probably small. The group is not all black and Hispanic; nor are all blacks and Latins committed.

ADJUSTMENTS REQUIRED

Few, if any of the colleges have instituted widespread or far-reaching changes to accommodate the new population. Instead, the students are expected to make all of the adjustments. Open admissions is certain to be judged by student grade point averages and reading scores, with little or no attention given to the way the college optimized or minimized the students' chances for success.

Second, the students were likely to have been taught by traditional methods and with materials which offered them little cultural or intellectual stimulation. More of the same that turned them off in high school. Needing remedies, the students are fed the same diet which made them sick in the first place. The cruelest part of all is that they had to suffer and yet receive no credit for what many faculty refer to as high school work. Where remedial programs are good—and there are a few—there is still a race against time to improve skills sufficiently before the student flunks out.

Third, even if their compensatory courses contained topics and materials relevant to their lives, the black and Puerto Rican students were unlikely to discover consubstantiality in any other curricular offerings, except black and Puerto Rican studies. Once again they were forced to cope with an alien and often hostile environment.

Fourth, but of no less importance is the great need of poor nonwhites for financial support. Yet, the City University budget and Federal economic opportunity grants were inadequate to meet the economic needs of many impoverished freshmen. At my college we even lacked money for badly needed tutorial services. Fortunately, how-

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ever, because of volunteers from the Celanese Corp. we were able to mount a tutorial program.

Data on the first year's grades and attrition rate are not yet public, so I am not prepared to attest to the success or failure of open admissions as a program.

REQUIREMENTS OF SUCCESSFUL OPEN ADMISSIONS POLICY

I believe as a policy open admissions is a magnificent statement of equal educational opportunity. Operationally, it can be killed by gross underfunding, by apathetic or negative administrative leadership, and by intransigent faculties.

It can fail to do the educational repair job that many students require if the academic purists are allowed to hold sway over faculty appointments and curricular changes.

As a model for other communities the open admissions program of City University of New York is a harbinger of what public higher education can become, must become. The program has lived its first year. Its continued growth, and the realized potential for minorities, will depend mightily upon:

1. Adequate funding.
2. Faculties who have been trained to work with the nonwhite and the poor.
3. Curriculum which builds upon the skills and interests of the students and stimulates them to higher livels of achievement.
4. Counseling and tutorial services.

And I think, most importantly:

5. Administrative commitment and active, aggressive leadership.

Obviously CUNY's is not the only higher educational model by which black and other nonwhite and poor youth may have the opportunity for higher education.

But this I believe: All American youth should have the right to higher education, should they desire it. All American youth should be encouraged to pursue that right. Government and universities must insure it.

Because of the criminal neglect in the lower schools many black students will enter college eager for an education but deficient in the required skills. The colleges will gain little by feeling sorry for themselves. They must accept full responsibility for helping minorities to catch up to the level where they can do acceptable college work. The buck has to stop there. Some measures of justice must be done for opportunities thwarted for hundreds of years. If we can afford to spend billions of dollars to fight a war in Southeast Asia, if we can afford to spend billions of dollars on moonshots, then we must also afford the descendants of the builders of this country their rightful opportunity to free higher education.

ULTIMATE RESPONSIBILITY OF HIGHER EDUCATION

Finally, let me close by saying that colleges and universities have a responsibility to all of their students which supersedes considerations of race. That responsibility is to help students to discover the truth about themselves and their society. The trust about America's treatment of her minorities will be painful for most whites. But it

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will be a large step in the unmasking and dismantling of racism in this country. Racism more than any other factor has been and remains the principal barrier to equality of educational opportunity for black people in this Nation.

Senator MONDALE. Thank you very much, Dr. Smith, for a most useful statement. How was SEEK funded? From what source?

Dr. SMITH. SEEK is funded through the State.

Senator MONDALE. It is a State program?

Dr. SMITH. Yes.

Senator MONDALE. It is not tied into grants?

Dr. SMITH. No, it is not tied into research, but some of the stipend money comes out of EOG. The stipend money can come from various sources. EOG can be one source; college work study can be another; loan programs can be still another source.

Senator MONDALE. You know that as we meet today, there is a higher education bill up in the Senate which will greatly liberalize students' assistance programs. For the first time, there will be a cost of education institutional grant, so that the children of poorer families will not only be more able to pay for the cost of education but private and public institutions will be fighting over it in order to get some of that grant money.

Dr. THOMAS. Could I make an observation on the higher education situation? I think it is appalling to note all of the very beautiful, elaborate buildings going up in remote wilderness areas where universities are generally located. One suggestion that I have, for your consideration, would be to combine the rebuilding of urban communities with the building of colleges and universities, and in doing that, you have students who want to serve the community right there; you have new facilities that can be used by that community, and you bring together the intellectuals and the people that need services. I think it is ridiculous to keep building dormitories and million dollar buildings out in the wilderness. It is almost like we are trying to get rid of some people that could be providing services to a community.

POTENTIAL OF MINORITY STUDENTS

Senator MONDALE. Dr. Smith, you made a point that has often occurred to me. When we look at the difficulties, the barriers to which you have all testified as have many other witnesses, which confront a poor child and destroy many of them in our school systems, there are still millions of them that somehow make it through the system. They confront racism and seem to be able to stand up to it, even though they may be damaged. They take unfeeling school systems and somehow they live through it. They come out of these schools damaged, perhaps, but they are sufficiently competent in basic skills and the rest, so that it is a good bet that they make excellent college students. In fact, the last time we looked at it there are nearly a million of them each year who come out of the public school systems equipped to go to college but do not do so, principally for financial reasons, also—for some of them—motivational reasons to which you made reference.

It occurred to me that when we are talking about equal opportunity in this country, a very high priority ought to be placed in encouraging those gifted young men and women to go on, because they must be

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remarkable people to have stood up to what they are up against and not be discouraged. What an enormous force for reform they would be if we sought them out and made it easy for them to go on to college or to whatever kind of institution, vocational or otherwise they were interested in.

I wonder if that could not be a major answer, what those million kids would do each year if we made certain that they went on equipped with higher education. What an enormous force for reform they could be. Failing that, what an enormous source of destruction they must be—because they are the brightest, and the frustrations that they must have, knowing that they are able, yet that their life chances have been vastly diminished. That must make a tremendous pool of resentment and even destruction.

These are just observations I make, primarily looking at the statistics. Both of you know these people as human beings. How would you react to that observation?

Dr. SMITH. I would think that it is a rather dangerous observation, Senator, with all due respect, because if the Senator also reads, he knows that the suicide rate among young blacks is increasing at an alarming pace. He also knows that the suicide rate of young Indian teenagers is at epidemic proportion, and a good deal of this is not related solely to the opportunity for higher education. It is related to the dehumanizing of people; it is related to the fact that the Indian teenagers who go to schools where they are processed to be American, are robbed of their country and live in a cultural no man's land and have no, base, no psychological roots. It is related to young black people who at one point, because of the excellent psychological impact of black self-awareness and black power, began to feel beautiful, that they could do something, but now, 5 or 6 years later, are beginning to discover that even feeling better has still not led to substantial economic, political increase in status, increase in life opportunities, and the disillusionment is so great that, as the Senator does correctly point out, it could have very drastic implications—some of self-destruction, but others of larger outward reaches of aggression.

IMPACT ON CIVIL RIGHTS MOVEMENT

Dr. THOMAS. I would agree with Dr. Smith totally. I also think that there is another consideration that we have to make, and this alludes to the same thing that Dr. Smith has already pointed out. The whole impact of the civil rights movement, the whole impact of the media, with black men standing up to say that they are men, has had a very profound impact, not only upon the students that you talk about but also upon Vietnam veterans. So you have many different communities that are victims of the same types of oppression.

What I am concerned about is not only what happens to the student that makes it through there, but I am also concerned about what happens to the student that does not make it through there. You correctly point out, I think, that many students do make it despite the system, but I think that that has to be attributed to them, rather than to any forces around them, and so what I am really saying is that we have an obligation. For example, let me point out something that hap-

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pened—I think this is critical—at Shoemaker Junior High School, in Philadelphia, Pa., in 1950. I was there and I will never forget this as long as I live. I was in a mathematics class and a white math teacher told me: "You are dumb. You are never going to be anything, and you will never finish school." But he told one of my friends the same thing, so I said right then, at that point, I am going to make a damned liar out of this cat.

I will never forget it. So I finished school mainly because that man had told me I wouldn't and because my mother insisted that I would. I plan to send him copies of all my degrees one of these days. But the point is that one of my friends was told the same thing, and he is doing long-time at Holmesburg, in Philadelphia, for a very serious crime.

I would agree totally with what Dr. Smith said. You have to understand that everybody out in that community is very oppressed. You have a father competing with the Vietnam veteran, competing with his high school child for a job opportunity, and the child cannot be really concerned any more about how he is going to get through school; he has to be concerned about where the next meal is coming from. I think you have got to redefine the whole business of school also because a lot of young people, as Dr. Smith pointed out, resent being processed and they resent being institutionalized into what they consider a bad institution. Do you follow me?

SERVICE-ORIENTED CURRICULUM

I think what we are going to have to do is redefine the whole business of college and we are going to have to coordinate services with learning. It appears to me that if we can somehow develop a curriculum that provides service to that community, that puts college students in direct contact with other students and with the members of the community, then we are going to be in much better shape.

One idea that I am designing to deal with one of the problems that you are talking about, which is the way to get money into kids' hands and at the same time provide an opportunity for them to use their skills. One of the ideas that I have is to take college freshmen who are preparing for teacher education and assign them five 1st grade students and evaluate them on the basis of how well those kids learn, and take them straight through from the time those kids are in 1st grade, and from the time they are freshmen in college, to the time those kids graduate from elementary school and let them go ahead and get their Ph. D.'s simultaneously and deal with action research.

I am saying there are a lot of other strategies that can be developed. We can assist the legal services programs in providing legal services to students in the community through political science classes; we can assist in revamping cities through students in architecture and urban design classes. There are many opportunities, but we have to first of all stop isolating students and sending students to concentration camps called "colleges" and make those colleges relevant to what is happening today and providing services. I think that any provision for college curriculum that does not build into its curriculum providing services is headed for, very bad times.

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COLEMAN POINT GETS LITTLE ATTENTION

Dr. SMITH. If I may, Senator, I would like to disagree with one of the points of my very learned colleague, Dr. Watson, whom I esteem. The point was in reference to the Coleman report and I think it is such an important point and it gets so little attention that I would like to bring it out in reference to the statement that I just made about how minority kids are feeling about themselves, the disillusionment and so on. That is the statement that Coleman makes about black youngsters feeling a greater sense of control in an integrated school situation is to me nonsense—it is nonsense.

The same Coleman report, in another section, points out that the kids who were surveyed felt worse about themselves as people, and I would question how one could have a greater sense of control and at the same time feel diminished in self-esteem. I think the two are dissonant. I think the two cannot happen together and I tend to believe that there is a diminished sense of self-esteem of the black or the Puerto Rican or the Chicano youngster who goes to a primarily white school, where he sees no signs of his culture, where he puts his hand up endlessly and does not get recognized, where he gets shut out of many of the nonathletic activities—they are all permitted to run sports—but where they are shut out of nonathletic activities, where they do not exist in that school.

I tend to think that that is a more powerful and more negative factor by which integration should be judged than the allegation here that there is an increased sense of control over one's destiny. That might simply mean that when one is an environment where everybody is turning right, it is kind of natural that you make a right trun, so if you go to a school where everybody is going to college you may not feel a greater sense of control over your own destiny simply because you move along with what the masses of people are doing. So I think that is a very important point that should not be undervalued and that should be more clearly understood than most people apparently understand it as they talk about the Coleman report.

Senator MONDALE. Unfortunately, I have another vote to make. I think I will ask Donald Harris to ask any questions he wants to, and maybe one or two of you could ask questions for the record. In addition to that, if you could submit for me any figures that you have on the diploma/certificate system in New York, figures on blacks and whites and Puerto Ricans, I would like that for the record. Thank you very much.

ACCOUNTABILITY

Mr. HARRIS. You talked earlier about accountability, Dr. Thomas. Would you define that term for us, please.

Dr. THOMAS. To me, accountability, in terms of teachers and administrators, means very simply this: Making them do the job they are being paid to do. Is that clear enough in terms of where I am from? I have said this before: A child should know more—no matter what his surroundings are, how poor he is, whether his mother and father are together or whether or not he did not sleep the night before. Despite all those factors, I am not concerned with all that in terms of his learning. I am concerned with all that in terms of his development

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as a full human being; but in spite of all those factors I am saying that the teacher has a responsibility of teaching him, and I am also saying that the administrator has the responsibility of making sure that that teacher does teach him; so I am saying very clearly that if a child has not learned something, if it is c-a-t spells cat, if he has not learned that from 8 in the morning until 3 in the afternoon on a specific day, then that teacher is not doing her job.

Let me give you another example of what I see as accountability. In the not too long ago history of this Nation, this country sued and imprisoned a man named Marcus Garvey for using the mail to defraud. I am saying that in 1962, in school systems that I know of in this country, the school board sent out literature through the U.S. mail saying, pass the school levy so your children can learn. I am saying, in fact, those children did not learn. I am saying that those school districts and those school administrators should be sued and imprisoned for using the mail to defraud. I am talking about criminal charges against administrators.

For example, robbery, as defined by the Ohio Revised Code, is to take something by force without consent. I am saying that if a child's creativity and initiative is taken and destroyed by a school administrator, then that school administrator should do a minimum of 7 years in jail and a maximum of 25—myself included.

I am saying that corporal punishment has to be outlawed. I thank my friends Kenneth Haskin and Preston Wilcox for teaching me that, because they taught me that you cannot go around telling children that you love them while you are paddling them at the same time. I am saying that if a teacher has to paddle a child, the teacher does not belong in the school.

I am saying a child should know more at 3 in the afternoon than at 8 in the morning; the child should know more in 1971 than in 1967; and if he does not I am saying the teacher who is responsible is guilty of fraud and embezzlement, and I am saying that I want to go directly to the criminal court, in terms of criminally charging them through the prosecutor's office and seeing to it that they do some time—that is what I am saying.

IMPLEMENTATION OF ACCOUNTABILITY PROGRAMS

Mr. HARRIS. In areas where there are not agencies or organizations such as your Students Rights Center, how could a program of consumer accountability, if you will, for monitoring what happens in the schools, be implemented?

Dr. THOMAS. I think that the first avenue is—Thomas Jefferson said it another way—educate the people and tyranny and injustice disappear. I am saying that we have got to develop strategies, and that was why I came up with the recommendation of cable TV.

Let me give you an example of what will happen, in responding to that, Mr. Harris. Let us say, for the sake of example, that students own a cable TV station or that they have 1 hour a week on the radio and that this is a popular station. Let us say we have all planned this. A student comes into the Student Rights Center and he says: "Look here, Art Thomas, this teacher hurt my feelings and this teacher pushed me around," and this student is about 9 years old.

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"And the next time this teacher does that, I am going to knock her down."

This is all being played out on TV before thousands of kids and thousands of parents. So the Student Rights Center staff works very closely with this child, and we instruct him as to exactly what to do. The next time he goes into class and this teacher hits him or talks nasty to him, he pauses for 20 minutes. He does not say one thing for 20 minutes, and then after the 20 minutes he raises his hand, and after Mrs. Z recognizes him he says:

Mrs. Z, what you have just done has psychologically dehumanized me to the extent I may never be able to adequately function again as a human being, and unless you refrain from treating me in such a manner I will have no alternative but to take you to the U.S. District Court, and let me remind you there is a good chance that I can win a $100,000 suit charging you with a "psychological tort."

Mr. HARRIS. Do your students do that in Dayton?

Dr. THOMAS. My students are being taught to do that.

Mr. HARRIS. In what grades?

Dr. THOMAS. Seventh grade. We are working on the second graders now, and we are trying to develop a strategy for the kindergarten students, and we are going to put this in comic books if we can get some money from the Select Committee.

Let me tell you what a 17-year-old told me. He said he was going to knock the teacher down. I said:

Look here, man, if you knock the teacher down you are going to do time for assault and battery, but if you let the teacher knock you down you might be able to collect some money.

I saw him later and he said, Brother Art I am being cool waiting for that teacher to hit me so I can collect $50,000 for assault and battery. I am saying here that the important thing that he is learning how to control himself and his situation.

CONSUMER RIGHTS

Back to the point, I am saying that if we could develop strategies like that over the radio, we could educate welfare mothers about what their rights are; we could educate students about what their rights are; we could educate parents about what their rights are in general.

For the record, I would like to point out that I am especially grateful to a very brilliant sister named Dr. Ruth Burgin who helped me put these documents together and who has helped me in many instances when we have had very hard confrontations with the system; and also the staff of the Student Rights Center, and mainly the citizens of West Dayton, the black adults and black children who work hour after hour trying to improve the community and showing some faith in this country finally being able to deliver equal educational opportunity, and to Dr. Dwight Allen and Dr. Arthur Eve for admitting that white racism is the No. 1 problem to be dealt with in education.

Mr. HARRIS. Dr. Smith proposed the accountability program in New York City. Do you want to comment on that? I believe Dr. Dyer, of ETS, is under contract on the New York City board to implement an accountability program. Are you familiar with it?

Dr. SMITH. I do not know the details of the program.

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HIGH SCHOOL PROGRAMS

Mr. HARRIS. Dr. Smith, in your comments, you gave a pretty harsh indictment of the public school system. What recommendations would you have in terms of improving the high school programs, so that students, if and when they do go to college, are better prepared?

Dr. SMITH. It is a very large question.

Mr. HARRIS. I do not have to vote, so you can take your time.

Dr. SMITH. I think one of the most important factors in doing this is insuring that the schools have the kinds of administrators, the leadership element, who understand the kids, love them, and have some sense of appreciation of what they are going through outside of the school, what their lives are like. For example, I think Mrs. Sizemore, who testified a couple of weeks ago, is an example of that kind of administrator, whose own love and enthusiasm is contagious and sets standards for teachers, some of whom—well, in her certification, she had something like 80 percent substitutes, so some of these teachers had some real feelings of inferiority about their ability to teach their subject or about their ability to cope in a ghetto school; and I think the administrator's task is to provide a kind of environment where teachers are comfortable and students are comfortable and each are supported.

I think the curriculum in the school is terribly important; I think that is one of the keys—a curriculum in which the lives of the students, their culture, are reflected; a curriculum which teaches students skills that are salable and that are not outdated in an automated society. I think, as many witnesses have pointed out, the involvement of the community—not the involvement of Flint, Mich., style community school—where parents actually make decisions, that is a form of accountability. That is a medium for insuring accountability when parents are making decisions about who can be hired to teach, who can administer, and who can remain in a school.

I think that one of the important jobs that has to be done in urban schools today—and as I alluded to it in my statement—is to get the pushers out of the schools. That is an educational problem, when kids are sitting nodding in class or when kids are not in class—you cannot teach kids who are not there. So the changing of the environment of that school, I would see as the most critical issue, and that is a factor that has to come, I guess, in a centralized system, from the top down. In a decentralized school system, I think it is easier to do. I think it is easier in a Sam Shepherd-like situation, for one man and some principles to begin to reach out to parents and make parents and kids feel that they are worthwhile, that they are human, that they can learn. These are some of the things.

COMPENSATORY EDUCATION

Mr. HARRIS. Recently the committee heard testimony from Dr. Harold Howe, former Commissioner of Education, and from Dr. Charles Smith of the Rockefeller Foundation. Both suggested that compensatory education programs, title I and so forth, would be very high on their own priorities in terms of improving education. How do you feel about present compensatory efforts, title I and otherwise?

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Dr. SMITH. I think Art Thomas made a very excellent point when he said that there was the danger that title I assets, as it has existed, can be used as evidence that black kids and other poor kids simply cannot learn because the money has been poured in and there has been very little to show in terms of increased reading scores, math scores, and so on. But I think that that is a false conclusion; I think Art does too. I think it has never yet been tried. I think compensatory education has not been tried yet.

What it has generally been is that the same people who failed, the same people who could not do the job from 9 to 3 once they were tired, were hired later in the afternoon to do more of the same. I think that people who design the programs are generally those who failed, and the people at State level who approve them have typically been those who are also failures.

To give you an example, there was a Title I meeting in 1967, at which every Title I director was white. And Title I is aimed at a target population who are poor and black and brown and yellow, and in about a dozen of our largest cities blacks are the urban population in the schools. When you add the browns and yellows and reds, that is the urban population just about throughout the country: but yet it is the same control factor still designing programs that do not work. Then the analyses of these programs say, well, the money was poured in, kids can't learn. Programs typically have not been designed by people who were capable of making them work. They have not been implemented by people who were capable of making them work. American public education is still very much white controlled; and in many instances where there are black and other nonwhites allegedly at the helm, these are typically the people who are acceptable to the whites who failed, rather than people who are acceptable to the communities and who have the ingenuity and creativeness to make a difference.

Dr. THOMAS. I would agree totally with Dr. Smith. I think that the critical thing to remember is that knowledge is power. Frederick Douglass had to hide behind a barn to learn how to read and write, and if he had been caught he would have been killed because the man, the enemy, the power institution recognized a very long time ago that knowledge is power. Therefore, I think that by design it is all right to pump billions and billions of dollars into programs as long as they do not work, but, you see, there is a whole record of what happens to any educator that proves that poor black and oppressed children can learn.

ACCOUNTABILITY IN COMPENSATORY EDUCATION

Let me cite an example. When I was director of the model cities education program, I went into a kindergarten class and I stayed there all morning. They got there about 8; they took a nap at 8:30; they took a nap at 9:45, and they took another nap at 11:30, and they went home at 12. I said: "What in the hell is going on here?" The teacher said: "You have to let them develop at their own speed. You can't psychologically harass them." I said: "I figure like this. You get those blocks out of the way. You get them up off those carts and you see to it that they learn, because I would much rather have them learn skills, so that they can get a job, so that if they need a psychiatrist they can afford one, but the way you are running this class, you

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have them laying down there resting, developing at their own speed on their own, not learning anything." I see many of these compensatory programs as merely revised slavery, another kind of plantation-type thing, and I am saying that if you are going to have a compensatory program, then you are going to have to hold those folks, black, white, orange, green or tan, responsible for those programs, and criminally negligent if those kids do not learn.

I am saying that if the kids do not learn, you have to say that the program director is criminally negligent and he has to do a certain amount of time in jail or he has to be fined, or he has to go to some place else because we know that these children are beautiful; we know that they have ability, and we know that there is something wrong with the program. That is why they are not learning, so if you are going to hold the administrators accountable in that manner I think perhaps they will work.

Also, you have got to listen to the real experts. I am saying that young people should be designing these programs. I am saying that poor parents should be designing these programs with the technical assistance of the educator. Educators, black and white, the Ph. D.'s, all have to start regarding themselves as tools to be used by that community, and this can easily be done if you really love, trust and respect that community.

Mr. HARRIS. What you seem to be saying is that intrinsic interests—that is, parents, community folk—are of greater importance in terms of learning—survival is the word you used before—than extrinsic or external interests—other people from different communities who view their task in terms of security, a way of making a living rather than helping a community develop.

VOCATIONAL EDUCATION

Mr. STRICKMAN. I would like to pose a question to Dr. Smith, and perhaps ask Dr. Thomas to comment on it as well. You mentioned the system now at the City University of New York under the open admissions policy—the fact that either the academic or general diploma was now sufficient, although the certificate was not for admission to the City University. The general diploma, I take it, is that diploma which is given by vocational schools as well as perhaps by some academic schools which have a different curriculum. The question relates to vocational education and what its role is in equal educational opportunity, both as it goes to opportunities for higher education and perhaps insofar as at least traditionally vocational schools in many urban areas have been considered a dumping ground, a dead end for black and brown students particularly. Is there hope in a vocational education system; should it exist coextensively with so-called academic high schools? Is it a dumping ground and should it be eliminated, or is there hope for greater achievement both with and without higher education in a vocational school system?

Dr. SMITH. Those are some very interesting questions. In fact, I spent a year on the National Advisory Council on Vocational Education and we were trying to grapple with some of those. I think, one, Edith Green is right. It is not her original idea—Congresswoman Green—that everybody should not go to college, but everybody should

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have the right to go. But there are some students who would prefer, who have the intellect that if they wanted to go to college, could go, but would prefer to do something that would challenge their hands and, in fact, would probably make a great deal more money, and they ask also to have that right to go to vocational school. There are some other students who do not have the intellectual ability to go to college, who can be trained for useful service.

I think probably the comprehensive high school that would offer various kinds of educational enterprise is the ideal, where there would be opportunities for academic as well as vocational education. But my great concern is the kind of concern that I alluded to in my statement, and that is that even within the comprehensive high school, or in the separate vocational kind of high school, minorities are still going to continue to be channeled into those kinds of service occupations to serve the larger society, based on a number of reasons.

FEDERAL MONITORING OF VOCATIONAL TRAINING

One would be the reason that Washburn Trade, in Chicago, gave when it was refusing to train blacks for a number of kinds of careers because of the statement: "The union will simply not permit the men. We are going to be wasting our time." My position, when I was on that vocational education, was that no Federal funds should go into Washburn Trade or any place else for any students who refused to train black students for the kinds of careers that would pay them a decent wage. That is my concern about vocational education. I think that unless there is careful and close Federal monitoring, the funds are going to be misspent and they are going to be misspent in ways which are still going to train blacks and Puerto Ricans and chicanos for menial kinds of existences.

That is more critical, I think, than where it takes place. If it takes place in the comprehensive high school, or if it takes place in a separate high school, or if it takes place in a community college which is vocationally oriented, it is what kinds of vocations students are being trained for.

Dr. THOMAS. I agree totally with Dr. Smith's statement, and I would also like to make another observation. I think it would be unrealistic to start talking about vocational education in the sense that we are dealing with—should black kids go into vocational education, is basically what you are saying; right?

Mr. STRICKMAN. Should there be a vocational education program?

Dr. THOMAS. I think that that question cannot be answered until some research is done, first of all, in terms of what jobs will be available for the next 25 years or so. To me, it is totally assinine to be preparing meat cutters when machines do that, and to be also teaching kids how to repair shoes when people throw away their shoes now and do not even take them to the shoe shop.

I am saying if we are preparing students for obsolescence, no; but if we are preparing them for urban space planning, for computerized technology, if we are preparing them for leisure, yes. If we are preparing them to eliminate racism and oppression, yes.

I think there is another observation, not only with vocational education but also dealing with education in general. I think the man that

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wrote *The Greening of America*—Reich—brings this forth very clearly when he says that the media has taught people how to dislike their jobs. Do you understand? A stenographer looks forward to going home, or taking a break, especially when she has a fast talker. You look forward to what the commercial on TV beams—a trip to the golf course, or a trip to the beach. Therefore people learn to hate work. When you run across a person like Dr. Smith or a person like myself, who likes to work 18 hours a day, who likes to make sure that you provide equality for children, everybody gets mad with us. If we were all on an assembly line and we had to put out five parts an hour and I started putting out 18 parts, everybody would want to beat me up because of the fact that I would be forcing others to work harder.

I say, first of all, anticipate what the world is going to be like in the future, but, secondly, develop some kind of appreciation for work, some kind of appreciation for serving people, some kind of appreciation for respecting people, and some kind of appreciation for being a human being.

Mr. STRICKMAN. Dr. Smith, you have said before that the statistics are not yet available on the success of testable skills in CUNY's first year of open admissions. From your personal observation, you gave a fairly bleak picture of integrated schools as you observe them, presumably at the primary and secondary level. In the component colleges of the City University of New York, integrated to the degree that they are, have the same problems that you have perceived in elementary and secondary schools where integration or so-called integration has taken place, evidenced themselves at the City University?

Dr. SMITH. I do not think I am qualified to speak about 19 other units. Some of the data that I gave are data that is published concerning all the units. I have been to conferences where other people running remedial programs have reported on what they are doing. I cannot attest to what is going on in 19 other units. I can only talk about my own, which there is little point in doing, but integrated; yes—students are sent to all of the units. Keep in mind that in the distribution of students under open admissions, students who had high school average scores of higher than 80 were almost guaranteed that they would go to a senior college. Bernard Baruch is a senior college. Students under 80 were more than likely sent to a community college, though there are in the senior colleges some below 80's, and many of the black and Puerto Rican students would fall under open admissions. Many fell in the below 80, and so therefore the heavy concentration is at the community colleges.

Dr. THOMAS. Could I make an observation relative to another level, with your permission.

Mr. STRICKMAN. Please do.

RESEGREGATION

Dr. THOMAS. Correct me if my interpretation is wrong. We are talking about the difference between desegregation and integration. One of the very great concerns that I have is: For example, in Dayton, under Title VI compliance, the school system was forced to desegregate. I am still having problems with why they did not send poor black children from an urban community to the best white school in the city.

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Instead, they sent them to the worst white school in the city. I am still having problems, when we talk about desegregation, with all the black children ending up in the general course or in the special education course while all the white children end up in college prep, in German, Latin, and in physics. I am saying that this game of resegregating within a desegregated situation is ridiculous, and I am saying that if we are not talking about meaningful integration, at the preschool level or even at conception, where young black people can share the total thing, then why waste our time and why waste our energies?

One strategy might be to establish a new department in this country, the department of institutionalized racism, and then just say:

We admit that we are racists, and we will always be racists, and racism is a part of our cultural heritage, and you function within your environment and we will function within ours.

If you are not going to do that, eliminate it entirely. I think the populous would be willing to accept whatever the decision is going to be, but you have conditioned black people now to want to live alone, especially young black people.

They are saying: "We don't want to sit down next to white people," and the reason they are saying that is because of a reaction. They are saying: "White people have deliberately excluded us; white people have deliberately told us that they didn't want to be bothered with us." And if you slap any man long enough he will say: "That's OK, I don't have to be bothered with you either. I will build my own."

Now, as black people start building their own, all of a sudden integration is important. I am saying we have got to make up our minds.

Grier and Cobbs, in the book "Black Rage," described this country as South Africa with a little bit of tinsel on it. If that is what we want to be, that is one thing; but if we all want to be a truly integrated community where all people can share equally the rewards, et cetera, let us make up our minds and let us make up our minds fairly soon. Let us not go the desegregation route on Monday, the integration route on Tuesday, and another route on Wednesday, because that is confusing to the people. Clarify where we are coming from on that and do it on a national level.

ALTERNATIVES TO INTEGRATION

Mr. STRICKMAN. Do you think there is room for alternative strategies; that is, what is good for one community may not be good for another community, granted the distinction which you pointed out between desegregation which undermines the self-esteem of kids who are black or brown—that is not an acceptable strategy anywhere—and integration?

Dr. THOMAS. I think that the President has already stated in his policy statement on education that there are different communities—OK? And what I am saying is I think that there should be integrated schools for those people that choose to be integrated. I think that there should be black schools for those people that want their children to go to black schools, and I think that there should be white schools for those people that want their children to go to white schools.

Let me tell you what happened. When I was at MacFarlane Elementary School, white ladies from the suburbs used to always attack me

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as being a militant and say I was keeping integration from coming about because of my massive attacks on white racism. I said: "How many of you ladies"—there were about 50 of them there—"think that MacFarlane School is a good school?" And they all raised their hands, all of them. I said: "How many of you ladies"—because they were from the suburbs—"can afford to pay the tuition to send your children to MacFarlane next year?" And they all raised their hands—50 of them. I said: "How many of you white ladies from suburbia, since MacFarlane is a good school and since you can afford to pay the tuition, will agree to send your children to MacFarlane next year?" And I got two hands, and they were feeble—they were up and down like that, jiving. So I am saying let us make up our minds. Does that answer your question clearly enough?

Mr. STRICKMAN. I think it does.

I just raise this question in a slightly different context. Each community, though, as a community, presumably should have a voice in determining what strategy is going to be used for the education of their kids?

Dr. THOMAS. Right. I think that if you want an integrated school, what you are going to have to do is build that school in a black community and it is going to have to be the best school anywhere. You are going to have to have swimming pools there; you are going to have to have the best of everything. Because one thing I know about a capitalistic audience is they will all go where the resources are, and I think that is evident in terms of the new southern Governors' statements. OK?

Dr. SMITH. I think there are some real dangers there. For example, if a community elects that it is going to keep out everybody else who does not wear the same kind of clothing or have the same kind of skin color, I do not think they have the right to do that and I do not think Federal funds ought to be spent in some situations. I cannot say that every community, independent of a humanitarian fabric, has the right to make its own decision about what it shall do, and if it does do that it should not receive Federal and State funds to do it.

Dr. THOMAS. I do not disagree with Dr. Smith's statement. I want that to be clear for the record. What I am talking about is the differences that exist in the country. I am talking about the availability of different types of schools for different types of people that have different ideas, et cetera, and I would agree with Dr. Smith. I do not think, for example, if people have to move away from being humane and if they have to just deliberately move to oppress people by using schools, that Federal funds or any other kinds of funds should be used. For example, I know that there are some kids in my community that are very dedicated in terms of developing positive self-images for black children. I know of some young people that would do an excellent job in terms of saving kids that would normally be lost by schools in general. Those kids probably do not want any white kids to come to that school, but it is not because they are racist; it is because of the fact that they have been so oppressed by the white community and they see the white community as an enemy.

I am saying that while we are going through this process, if we are going to humanize the country I want as many alternatives as

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possible to be developed. But I am in complete agreement with Dr. Smith. Do not just arbitrarily let folks do what they want to do for racist, oppressive reasons.

CULTURAL PLURALISM

What I was dealing with was Mario Fantini's thing, which I agree with. Let us have different types of schools; let us have multicultural schools. If you have got to integrate a school, I think it is important for you to have black folks in that school sometime during the day, doing their own thing, and let the Italians do their own thing. I think you have got to let folks go back home in terms of their heritage and culture. That is the point I was trying to make.

Dr. SMITH. Do you ever see that happening anywhere?

Dr. THOMAS. I guess it is idealistic, but I guess that is the way I think, idealistic to a degree.

Dr. SMITH. I am not quarreling with you at all. I am saying, yes, I agree with that, but it is just not happening. Under the name of integration, it is everybody be American and forget about pluralism.

Mr. STRICKMAN. Presumably on an experimental basis it is happening in a few places?

Dr. SMITH. Yes; it is happening, of course.

Mr. HENNIGAN. Dr. Smith, do you have any information yet on the application patterns for the school year beginning September 1971 and their effect on City University admissions? Are there any significant differences in the ability groupings, and ethnic and racial distributions?

Dr. SMITH. No; that is not available—not yet—not available to me. I am sure it is available at the admission center, but it is not available to me at this time.

PUBLICITY FOR OPEN ADMISSIONS PROGRAM

Mr. HENNIGAN. Were there any deliberate efforts made to publicize more clearly the opportunities under open admissions for the 1971 year in the New York school system?

Dr. SMITH. There were visitations both in 1970 and 1971 by admissions counselors from various schools, but I think that is not adequate. I think there has to be a full-scale kind of public relations program to let kids know that it is available, that they are wanted, that they do possess—I talked to a student who came out of Stuyvesant High School, which is a high academic high school for black students, who came into Bernard Baruch and was placed in remedial courses. During the two terms I think he made something like five or six A's and three or four B's; yet this student had been told by his high school counselor that yes, there is such a thing as open admissions, but it is really for those who can make it; it is not for you. So I think a lot of truth has to be told about what the opportunity is.

I look at it in some sense like Headstart. During the first year, as I recall, in New York and Chicago, the first summer of Headstart, the staffs were sitting around because the mothers did not recognize that this valuable service was there for their children, and Headstart centers could not begin until the teacher started going out and beating

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the bushes in the communities. But the second year, once the parents recognized that it was there, it was free, that it could do some good for the children, the centers were all flooded; so perhaps with the appropriate kind of communication the opportunity is there. The numbers will be greater.

Mr. HENNIGAN. Dr. Smith, has there been any impact on the New York high school system itself in terms of better counseling, better preparatory programs, including those remedial in nature, for the students who were opting for admission? Has there been much feedback yet?

Dr. SMITH. I think a system like New York is too vast to say that counseling has improved, when counseling in high schools throughout the country is horrible; it is discouraging. Typical reactions of counselors are to prepare students for the realities of the harsh world they will face and therefore do not go into something that they will be capable of being successful at. I do not think there is any data to suggest that counseling has improved in New York or any place else.

STANDARDS IN URBAN SCHOOLS

Mr. HENNIGAN. I would like to shift to a different subject for just a moment. In the testimony that Dr. Harold Howe and Dr. Charles Smith gave to us the other day, former Commissioner Howe posed a problem which I think deserves more discussion. In discussing the possibility of community schools, he said there is a problem of insuring some standards which apply across a metropolitan area in terms of what skill levels should be achieved and certain curriculum objectives that have to be met. Could you offer us some thinking, from your point of view, on how you could reconcile the drive or movement toward community schools on the one hand with perhaps at least some logical need for standardization on the other?

Dr. THOMAS. My first reaction to that is that that is a kind of racist position because I notice that whenever there is a time to delegate more power or to redistribute power from one to another, all sorts of explanations and criteria and standards come up. What I am saying is this: There are no standards now in urban schools that I know about, and I would much rather rely on a poor black mother to push a teacher, to see to it that her child gets out of poverty and gets out of oppression than rely on a white middle-class Ph. D. sitting in the State House in Columbus to see to it that her child gets an adequate education. I am saying that I think sometimes the business of standards are really jive.

Let me give you an example. There are conflicting laws in the State of Ohio. There is a law that says parents must send their children to a school that meets the minimum standard, and there is a statement by a high State official that says 99 percent of the schools in the State of Ohio do not meet the minimum standard—but they have no schools closed in Ohio. I am saying that I see that as another control mechanism. To say that we cannot give parents control because they will not hold their children or their schools to a certain standard, or their personnel to a certain standard, is ridiculous.

Mr. HENNIGAN. I do not think he meant it in that sense. I think he was posing the abstract case: that if you are going to have community

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schools, there would still be a need for some kind of set of standards, so that parents would have some way of determining which schools were performing better than others.

Dr. THOMAS. Let me be very specific. I am saying that if there are going to be some community schools, that means——

Mr. HARRIS. Are you talking about community controlled schools?

Dr. THOMAS. Yes. That means parents are going to control those schools and that means that the standards should not be set by former commissioners, by folks from the State House or folks from any other house. I am saying that if there are going to be standards, let those parents determine those standards because the folks that are determining the standards now are not abiding by those standards, so they are really not standards.

Mr. HENNIGAN. I am not arguing the validity of any set of current standards. I am just posing the problem of how do you find some benchmarks that will help parents determine standards. How would you go about training and forming teachers and administrators to function in community controlled schools? This implies the possibility of some type of doctrine or theory of education, which may be different—hopefully—than the one that is now used in what would normally be referred to as a monolithic system.

POLITICS AND COMMUNITY CONTROL

Dr. SMITH. I think that one of the real tragedies of community control as we have known it thus far is that the community people have had to struggle so much in political turmoil to survive, to exist, to have the right to make the decisions about their children.

Mr. HARRIS. Political as opposed to struggles over educational issues?

Dr. SMITH. Yes.

Mr. HARRIS. Programs, techniques, teacher training, et cetera?

Dr. SMITH. Right, because that is the end of the sentence. The end of the sentence is that because there has been so much struggle, because there have been so many powerful forces that have been determined to underline, to subvert the community control process, communities have had to expend most of their energy in the act of survival and have not yet, except in some notable exceptions, gotten around to the business of really coming up with substantial educational programs that make a difference in the lives of children.

I happen to know of one case of a school under community control that did manage to get around to such programs, that did make a difference, and the principal of that school became a target of other people because that school was so outstanding and was achieving so much and was showing up the rest of the district, and that is the kind of thing that was referred to by Art before.

SELF-IMAGE

I think yes. Let us say that it is axiomatic that I agree that "to be" is more important than to read, to have a good self-image, to think you are somebody, that you are a man is more important than reading well. Let us say that that is axiomatic; but once they get to that place

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where the kids are feeling pretty good about themselves, where they know it is all right to be black, they have got to be taught something and they have got to learn to read and do mathematics. And if somewhere up the line they are going to be able to make the decision: "I want to go to college," or not to go to college, they are somehow going to have to be taught the academic language code that will enable them to be successful there. That does not mean rub out their own cultural language, et cetera.

Yes, there do have to be some measures; there do have to be some standards. I cannot agree with people who say: "Let them just do their thing. Let them alone." I think maybe some boards of education are throwing up their hands in disgust and are beginning to say: "Yes, let those blacks do anything they want to do. Let those Puerto Ricans do anything they want to do. We are just tired of it."

I think that is not an attitude that can be taken by a school system, that can be taken by a community or anybody else. Yes, you are damned right I want some standards, but I think the setting of those standards, as Art says, has to come from some kind of combination of the community, if it is a community controlled situation, and the students, and if it is a centralized situation, then it has to be some kind of grouping of community, students, central office, et cetera. But there do have to be, right at the moment, national norms, maybe some reasonable standards to shoot for in terms of academic skills; but to be able to read and to be able to do mathematics, and being humane or to feel bad about yourself, or to be racist, avails us nothing.

We are the most literate Nation in the world and we seem to solve problems by killing, so that does not seem to do it.

STANDARDS AND RACISM

Dr. THOMAS. I would agree with everything that Dr. Smith said. It is a "given." You know that if you are black you have to have three times as much information as other folks. That is understood. We know that.

The point I am trying to get to is this. To me, it is another form of very sophisticated racism to say we are going to give you parents some power, but you are going to have to deal with these standards which we are going to set, and that is what I am having problems with. I would agree, sure, but the thing that I recognize here, and I think the thing that is imperative for folks to recognize at all levels of government, is that black parents do want what is best for their children, and Puerto Rican parents do want what is best for their children. I am saying I would much rather entrust that parent, working with somebody like Ken Haskin, working with somebody like Preston Wilcox, Donald Harris, Ruth Farmer, or Ruth Burgin or Rhody McCoy, I would much rather entrust that parent to develop those standards than to entrust somebody in the State House to develop those standards, because I believe that the person in the State is working in the best interest of the power institution—the power institution being an institution of institutionalized racism. But I believe that parent wants what is genuinely best for that child.

I want to emphasize that. I want to come at it from the standpoint of the parent not having a formal education. The desire for your child

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to succeed is much more penetrating and much more dynamic and will develop a much more positive image in terms of that child not only feeling as good but actually in terms of sitting down and doing that work than some director of the State department.

There are always exceptions. These are some good State department of education people, like Bob Greer, Art Bouldin, and Louise Mack in Ohio, and like Sandy Wood in Minnesota.

Mr. HENNIGAN. You are continuing to hold up an image—I will not call it a strawman—which reflects a status quo. What happens, for example, if you have a centralized school system and progressively, over a period of 2 or 3 years, break it down into 15 or 20 community controlled systems? Someone has to allocate the money. How do you begin to judge which community schools are more or less deserving of moneys for certain purposes in curriculum development or teacher training? It is a very difficult problem. Perhaps we ought to tax and raise resources on a different basis.

ALLOCATION OF RESOURCES

Dr. THOMAS. He who gets behind in the race must forever remain behind or run faster than the man in front. We understand that.

I want to go back to my original point on accountability. I am saying that parents know if their children are reading and writing. That is why school levies are failing, because children are coming home and they cannot read or write or do arithmetic. Parents are saying this is ridiculous. What I am saying is, first of all, if you have got black children in the school you know they have been oppressed and victimized from the very beginning, so you know automatically you have to put more financial resources in there; but you also know that if you have got black children in the school, personnel has got to be made more accountable. I am saying if you have got black kids, Puerto Rican kids in there, other minority kids in there, put the best resources in that school. If a white kid is in that school, you automatically have a lot of resources. The institution is going to see to it that if you are responsible for educating a white child, you have a lot of books, a lot of chemistry classes, that you have a real good library. The point that has to be made is to give black kids and other poor and oppressed kids all those resources and see what happens.

Mr. HENNIGAN. You used the terms resources and best resources.

Dr. THOMAS. Best resources.

Mr. HENNIGAN. It is a question of who is going to decide what is best for 10 or 15 schools who are competing.

Dr. THOMAS. Let not the allocation come from the budget director; let the parents be a part of that budget committee.

Mr. HENNIGAN. I think we see where we are having problems communicating.

Dr. THOMAS. I do not think we are having problems communicating. I think you are having problems turning me to your point of view.

DROPOUTS

Mr. HARRIS. In the interest of time, I think we had better close. I have got one question which perhaps both of you will respond to

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quickly. It has been suggested a number of times in a number of different ways that a lot of the so-called dropouts, both from high school, junior high school, and further down, as well as in college, are indeed of among the brightest, most able kids in those schools. Do you agree with that?

Dr. SMITH. I would not say the most, but I would say they certainly are, that many of them are very bright and they have given up on the school system that demands a stultifying kind of conformity, that demands a total submission of personality and creativity—a lot of them have given up. I would not say that all the dropouts are the brightest, but I would say that a number of them are. I would say that the young student I cited in here, who I think is very bright, there are a growing number of students who say: "No, I don't want any more than that because you are just going to try to brainwash me," and in a sense it is certainly right.

Dr. THOMAS. I agree with that.

Dr. SMITH. It is hard to counteract that kind of response by a youngster. What can you tell him? Come to my college? Or go to college X and see that it is not so?

Dr. THOMAS. We have got some research statistics for the record in the progress report for the Student Rights Center, which pointed out that 53 percent of the students that drop out of school do have above average intelligence, whatever that means, but I would also like to emphasize the whole business of dehumanization.

One of the functions of the school is to take away black men's manhood. The function of the school is to destroy the black man in terms of his psychological and physical being. It stands to reason that students who stand up, students that are men, students who do not listen to this jive about George Washington and Christopher Columbus, will eventually drop out of school because somebody is challenging their manhood.

One of the school's basic functions has been the destruction of black manhood. You do have many students of above average intelligence, who refuse to sacrifice their manhood by staying in school and eating cheese, and being good "boys."

HUMANISTIC EDUCATION

Mr. HARRIS. All three of you this morning seem to have been talking about something relating to what has been called humanistic education; perhaps black children and parents particularly may be concerned about this particular affective portion of education. Briefly, would you give us a definition of humanistic education?

Dr. THOMAS. Let me say this, and perhaps this will be an explanation and a definition. Nathan Wright, Jr., in his book "Black Power and Urban Unrest," states it has been the duty of the oppressed to save themselves and their oppressor. Black people, despite the fact we have been victimized and spat upon both physically and psychologically, and in many other ways that folks have attempted to destroy us, we do not want to transpose the same thing on other folks. Therefore, we believe that if, for example, black people were, by some miracle, allowed to become free in the next 20 years, and Puerto Ricans were still being oppressed, and Mexican Americans were still being oppressed,

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and poor white people were still being oppressed, this would simply mean that somebody else would be coming up the ladder trying to destroy black people. We want all people to have the right to live and be human.

We are saying that somewhere there has to be a regeneration of love, trust, and respect and understanding for mankind. What I am talking about is appreciation for others and appreciation for oneself, and an atmosphere whereby one can function using one's total potential.

Mr. HARRIS. Would you say these humanistic attitudes are unique to oppressed groups?

Dr. THOMAS. Frantz Fanon says that men, women, and children will rise against their oppressor. I concur with this. I also think that oppressed groups can in some way influence the oppressor and humanize the oppressor. What we have to keep doing, especially because of the 80 million, or 22 million—I think there are 80 million of us, but the man says 22 million to make us feel less adequate—in terms of all oppressed groups we have got to start assuming that the oppressor is not only an oppressor but is also sick. We have got to start assuming that we are the doctor, and we have to start prescribing medicine for the oppressor. Do you understand what I am saying?

Dr. SMITH. I think oppressed groups can be oppressive to each other too.

Dr. THOMAS. That is true.

Dr. SMITH. I think that a humanistic kind of education or humanistic kind of value system is one where children would be taught to be tolerant and to have respect and concern for other people, those like themselves and those unlike themselves. When I talk about like and unlike, that covers the spectrum, racially, like and unlike, religious, politically, physically, respect and concern for the maimed, the physically unattractive, the deviant, just respect and tolerance for other people; and a feeling that man is an image of divinity and should be revered, and that people are more important than property, so you do not go around killing children because they happen to throw a brick at a store. That is what I would have in mind, the teaching of this kind of thing, and I do not think much of that is going on anywhere under the old system, under the new systems, under the systems that are contemplated. There is not much happening.

Mr. HARRIS. Thank you very much.

Senator MONDALE. The committee is in recess, subject to the call of the Chair.

(Whereupon, at 12:40 p.m., the Select Committee was recessed, to reconvene at the call of the Chair.)

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APPENDIXES

Appendix 1

ITEMS SUBMITTED BY THE WITNESSES

FROM DR. ARTHUR E. THOMAS

STATEMENT BY ARTHUR E. THOMAS, CENTER FOR THE STUDY OF STUDENT CITIZENSHIP, RIGHTS AND RESPONSIBILITIES, DAYTON, OHIO

Literature dealing with the specific problem of this study is not extensive, though a considerable amount of related writing has been done in the general area of the legal rights of students in the public schools. This area is new enough that most research is still in stages of development. A comprehensive examination of the research of related literature necessitates the use of data much of which is yet in the preliminary analysis stage. The literature and research reviewed in this chapter are summarized in four sections:

1. Literature related to the social upheaval in this society in the past two decades;
2. Literature related to the organizational health of the public schools of America;
3. Literature related to educational reform in America;
4. Literature related to students rights activities in America.

The first section contains a documentation of the basic changes in this society since the *Brown* v. *Board of Education of Topeka* case (Brown I) in 1954.[1] The second section contains an examination and a critical analysis of the material written by both the educational professional and the laymen thereby establishing the "organization health."[2] The third section reviews the literature on the attempts, successes, and failures of a social institution, such as the public school, to make changes in its operation. The fourth section will deal with the literature in the area of students rights and will examine the movement presently underway to interpret and insure the rights of all students as they proceed through the public schools of this country.

SOCIAL UPHEAVAL IN AMERICA

What has caused this society to become aware of its massive social problems and to struggle with new ways to solve them? Did the Supreme Court, when it interpreted the "separate and equal" issue in 1954–55, unleash the minds of many minority groups in this country? Did the Court's decision release the bonds established earlier and documented in the Plessy v. Ferguson case in

[1] *Brown* v. *Board of Education of Topeka*, 347 U.S. 483, 74 S. Ct. 686 (1954).
[2] Matthew B. Miles, "Planned Change and Organizational Health: Figure and Ground," *Change Process in the Public Schools*, ed. Richard D. Carlson, (Eugene, Oregon: University of Oregon, Center for the Advanced Study of Educational Administration, 1965), pp. 11–34.

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1896?[3] The basic boundaries of freedom were re-defined and the exposure to the potential of this new found freedom caused America to stand and watch as all who had been deprived, rejected, or chained established new boundaries. Truman Nelson stated after the 1954 decision that ". . . it was our last chance because here was a moment when the decision was unanimous and the country was in a mood to accept it."[4]

The Warren Court, titled after Earl Warren, Chief Justice from 1954 to 1970, was a liberal activist court. It took jurisdiction and rendered decisions in areas on which previous courts had declined to act. This action no doubt had a great effect upon the attitude of people in the country. For instance, in civil rights it declared school segregation unconstitutional.[5] It also upheld constitutionality of Civil Rights Act of 1964,[6] and applied the law[7] and expanded the "state action" concept of the Fourteenth Amendment to eliminate discriminatory practices.[8]

In "political" areas it required states to reapportion Congressional and State[9] legislature districts so that one citizen's vote counted as much as another's.

In criminal law, it extended many of the rights contained in the Bill of Rights to defendants accused of crime by a state. Among these were: (1) evidence illegally seized by a state (contrary to the Fourth Amendment) or the product of an illegal search, could not be used as evidence in a criminal prosecution, in a state or federal court;[10] (2) a state may not compel a defendant to give witness against himself;[11] (3) indigent defendants have a right to counsel to secure a fair trial;[12] (4) a defendant has a right to be confronted by witness against him;[13] (5) the state may not administer cruel and unusual punishment for crimes;[14] (6) a person, when arrested, must be advised that he has a right to remain silent, that anything he says may be used against him as evidence in a court of law; that he has a right to counsel and that if he has no money to hire counsel, the court will provide counsel for him.[15]

In the freedom of religion area, it is decided that the state may not prescribe prayer[16] or Bible-reading[17] in public schools.

In the freedom of the individual area, it struck down statutes forbidding the teaching of contraceptive methods as unconstitutional.

The lawyers at the bar found that arguments based upon precedent, accepted legal doctrine, and long-range institutional concepts concerning the proper role of the judiciary and the distribution of power in the federal system founded upon Chief Justice Warren's persistent questions, "Is that fair?" or "Is that what America stands for?" Such questions were profoundly disturbing to those engrossed by the intellectual and institutional side of the law, its history, and sheer professional expertise. No one could successfully argue . . . that a poor man charged with a crime should not have as much chance to have a lawyer

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[3] Plessy v. Ferguson, 163 US 537, 16 Ct. 1138 (1896); upheld the constitutionality of a Louisiana statute which required railroads to provide separate compartments for white and black passengers, and make it a crime for a person to sit in the "wrong" compartment. The law, said the court, did not abadge the privileges or immunities of United States citizens, nor deprive persons of property or liberty without due process of law, nor deny them equal protection of the laws! In doing so, the Court, through Mr. Justice Brown, gave its view of the object of the 14th Amendment: "The object of the amendment was undoubtedly to enforce the absolute equality of the two races before the law, but, in the nature of things, it could not have been intended to abolish distinctions based on color, or to enforce social, as distinguished from political, equality, or a commingling of the two races upon terms unsatisfactory to either. Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact, do not necessarily imply the inferiority of either race to the other, and have been generally, if not universally, recognized as within the competency of the state legislature in the exercise of their police power. The most common instance of this is connected with children, which have been held to be a valid exercise of the legislative power even by courts of states where the political rights of the colored race have been longest and most earnestly enforced." (Id at 1140)

[4] Truman Nelson, *The Right of Revolution*, (Boston: Beacon Press, 1968), p. 8.

[5] Brown v. Board of Education of Topeka, 347 US 483, 74 S. Ct. 686 (1954).

[6] Heart of Atlanta Motel, Inc. v. U.S., 379 US 24, 85 S. Ct. 348 (1964).

[7] U.S. by Katzenback v. McClung, 379 US 294, 85 S. Ct. 377 (1964).

[8] Hamm v. City of Rock Hill, 379 US 306, 85 S. Ct. 384 (rehearing denied), 379 US 995, 85 S. Ct. 698 (1964).

[9] Reynolds v. Sims, 377 US 533, 84 S. Ct. 1362 (1964).

[10] Mapp v. Ohio, 367 US 643 (1961).

[11] Malloy v. Hogan, 378 US 1 (1964).

[12] Gideon v. Wainwright, 372 US 335 (1963).

[13] Pointer v. Texas, 380 US 400 (1965); Douglas v. Alabama, 380 US 415 (1965).

[14] Robinson v. California, 370 U.S. 660 (1965).

[15] Miranda v. Arizona, 384 US 436 (1965).

[16] Engle v. Vitale, 370 US 421, 82 S. Ct. 1261 (1962).

[17] Griswold v. Connecticut, 381 US 479, 85 S. Ct. 1678 (1965).

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at the preliminary hearing as one who was rich or that cows and trees should have as much voting power as people.[18]

Probably the most earth-shaking decisions of all of these by the Warren Court were the Brown v. Board of Education of Topeka cases[19] which over-

[18] Cox, Archibald, "Chief Justice Earl Warren," *Harvard Law Review,* Vol. 83 (Cambridge, Massachusetts: 1970), p. 2.

[19] Brown v. Board of Education of Topeka, Cases 347 U.S. 483, 74 S. Ct. 686 (1954), and 349 U.S. 294, 755 Ct. 753 (1955) overruled Plessy v. Ferguson (1896). This was a collection of four class actions which originated in Kansas, South Carolina, Virginia, and Delaware and had a great amount of effect on the social crises. In the cases, the plaintiffs were minor Negro children seeking admission to public schools on a non-segregated basis. Kansas' statutes permited separate schools for blacks and whites; in South Carolina, Virginia and Delaware, the state constitution and statutes required segregated schools. In Kansas, the U.S. District Court found segregation a detriment to education but denied relief because the facilities were equal. In South Carolina, and Virginia, the U.S. District Court hearing the cases found that the facilities for white and black children were unequal and ordered the defendants to make school facilities equal. Further relief was denied.

The Delaware case was heard in the state courts. The Chancellor found that Negro schools were inferior and ordered immediate admission of Negroes into previously all-white schools. The Chancellor also found that segregation by itself rendered a black child's education inferior. The Supreme Court of Delaware affirmed the Chancellor's decree. (347 U.S. at 488). Because of the obvious importance of the question presented, the court took jurisdiction. The Supreme Court was very deliberate in hearing the cases. The Court shaped its docket to assure that it would decide on the basis of records and arguments, not just of one state but of a fair cross-section. Also, in one of the four cases, Gebhart v. Belton (345 U.S. 972, 73 S. Ct. 1198 [1953]), the court proposed the following questions to be argued in the briefs of counsel when the cases were heard.

"1. What evidence is there that the Congress which submitted and the State legislatures and conventions which ratified the Fourteenth Amendment contemplated or did not contemplate, understood or did not understand, that it would abolish segregation in public schools?

"2. If neither the Congress in submitting nor the State in ratifying the Fourteenth Amendment understood the compliance with it would require the immediate abolition of segregation in public schools, was it nevertheless the understanding of the framers of the amendment (a) that future Congresses might, in the exercise of their power under Section 5 of the Amendment, abolish such segregation or (b) that it would be within the judicial power, in light of future conditions, to construe the Amendment as abolishing such segregation of its own force?

"3. On the assumption that the answers to questions 2(a) and (b) do not dispose of the issue, is it within the judicial power in construing the amendment, to abolish segregation in public schools?

"4. Assuming it is decided that segregation in public schools violated the Fourteenth Amendment (a) would a decree necessarily follow providing that, within the limits set by normal geographic school districting, Negro children should be admitted to schools of their choice or (b) may this Court, in the exercise of its equity power, permit an effective gradual adjustment to be brought about from existing segregated systems to a system not based on color distinctions?

"5. On the assumption on which questions 4(a) and (b) are based, and assuming further that this Court will exercise its equity powers to the end described in question 4(b): (a) should this Court formulate detailed decrees in this case; (b) if so, what specific isues should the decrees reach; (c) should this Court appoint a special master to hear evidence with a view to recommending specific terms for such decrees; (d) should this Court remand to the courts of first instance with directions to frame decrees in this case, and if so, what general directions should the decrees of this Court include and what procedures should the courts of first instance follow in arriving at the specific terms of more detailed decrees? The Attorney General of the United States is invited to take part in the oral argument and to file an additional brief if he so desires."

After hearing arguments and studying the briefs, the Supreme Court spoke through Mr. Chief Justice Warren on May 17, 1954. "Separate but equal," its geneses and its history were examined.

The Chief Justice expressed this point: "Does segregation of children in public schools solely, on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of a minority group of equal educational opportunities? We believe that it does. After explicitly overruling Plessy v. Ferguson, the Chief Justice concluded: "We conclude that in the field of public education 'separate but equal' has no place. Seperate educational facilities are inherently unequal. Therefore, we hold that the plaintiff's and other similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment."

Now the Court was faced with a dilemma. Having made the decision, how to enforce it? The Court set further argument for a later date. Thus, the Court neatly separated the principle from its enforcement. All could agree on the principle that schools should not be segregated; agreement among the members of the Court as to how desegregation should take place was not likely to be unanimous (Alexander v. Holmes County Board of Education, 396 US 20, 90 S. Ct. 29 [1969]). The question as to how enforcement would take place was answered in the second Brown case (1955).

First, school authorities would have the primary responsibility for solving the problems of desegregation; the Court's role would be to consider whether actions taken constituted "good faith implementation of the governing constitutional principles." Second, courts would be guided by equitable principles, i.e., flexibility and a balancing of public and private need. The time problem then arose. When would the desegregation of the schools begin? "The Courts will require that the defendants make a prompt and reason-

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threw the legal segregation position established fifty-eight years earlier.

It would be impossible that this kind of activity could go on without affecting the outlook of the large number of people.

The obvious failure surfaced by the launch of the Russian Sputnik in late 1957 caused the country to clamor to try to explain its shortcomings in this area of international competition. The critics of the American way of life had their opportunity on this stage to hang out dirty linens of the weaknesses and failures of this system. These weaknesses were strung out by the mass media of this country for all people to see.

The Congress became disenchanted with the lack of effectiveness in the space race and decided that they must shore up the obvious weaknesses. In the wake of this, they developed, in 1958, the National Defense Education Act[20] to attack the weaknesses they identified in the public school's effort.

Did the *Civil Rights Act of 1964*[21] cause the people of this country to see that

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able start toward full compliance. . . ." The burden would be upon the defendants to prove that the time taken was in good faith and in the public interest. The courts would consider the adequacy of the plans proposed by school authorities to give effect to the Court's decree. Finally, the District Courts on remand were to take such steps "as are necessary and proper to admit to public schools on a racially non-discriminatory basis with all deliberate speed the parties to these cases." "Under explicit holdings of this Court the obligation of every school district is to terminate dual school systems at once and to operate now and hereafter only unitary schools." (Plessy v. Ferguson, 163 US 537, 16 S. Ct. 1138 [1896]).

[20] The *National Defense Education Act of 1958* was a direct result of Russia's successful launching of the Sputnik I. The NDEA gave money to public schools (education) to attempt to improve the quality of the product in those areas that they considered to be weak. This was not general aid to schools and the Congress got around this issue of federal interference in school activities by declaring this a national emergency.

[21] *Civil Rights Act of 1964* was passed in 1964. The act was to give a clearer interpretation of the Fourteenth Amendment in relation to "state action." Thus, the first two-section of the Civil Rights Act of 1964 (Pub. L. 88–352, July 2, 1964, 78 Stat., 241) was an attempt by Congress to eliminate the last vestiges of segregation in public accommodation, voting, schools, employment, and public facilities. It provided injunctive relief and allows the Attorney General of the U.S. to bring suits in certain cases before a three-judge U.S. District Court. Appeal was directly to the Supreme Court of the United States. Each title or subsection of the Act has been, is, or possibly will be tested.

Title 1 (42 U.S.C., SS. 1971[a]) expanded the voting rights provisions of the Civil Rights Acts of 1957 and 1960. It prohibited the use of different standards in deciding who may vote (42 U.S.C., SS. 1971[a]2). It provided that an immaterial error in paperwork may not be used to disqualify an otherwise qualified voter (Id). Literacy tests were prohibited unless they were in writing and the voter received a certified copy of the test. The Attorney General could aid local authorities in giving such tests (Id). There was a rebuttable presumption that anyone who had completed the sixth grade possessed sufficient literacy to vote in a Federal election (42 U.S.C., SS. 1971[c]). Section 101(h) (42 U.S.C., SS. 1971[g]) of the Act provided that the Attorney General of the United States or any defendant could ask for a three-judge district court to determine the finding of a pattern or practice of discrimination.

Title II (42 U.S.C., SS 2000[a]) of the Act provided injunctive relief against discrimination in places of public accommodation. Establishments which served the public were within the scope of the law if its operations affected commerce or if discrimination or segregation by it was supported by state action (42 U.S.C., SS 2000[a] b). The law did not apply to private clubs (42 U.S.C., SS 2000[a] e). Section 202 (42 U.S.C., SS. 2000a–1) of Title II prohibited discrimination or segregation required by law, statute ordinance, regulation, rule or order of a state or state agency. Section 203 (42 U.S.C., SS. 2000a–2) prohibited the deprivation of, interference with, and punishment of any person for exercising the rights and privileges granted by the two preceding sections. Section 204 (42 U.S.C., SS 2000a–3) Title II made injunctive relief available against both public officials and private individuals who were covered by the Act because of their discriminations. An injunction could be obtained "whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice" prohibited by the Act (42 U.S.C., SS. 2000a–3[a]). 'The general intent and overriding purposes of the Act' said the Fifth Circuit Court of Appeals, 'was to end discrimination in certain facilities open to the general public.' (Miller v. Amusement Enterprises, Inc., 394 F.2d 342 [C.A. La. 1968] quoted in Antieau, Chester v. Federal Civil Rights Act. Lawyers Cooperative Publishing Company, Rochester, New York: 1971, p. 161).

Title III (42 U.S.C., SS. 2000b), authorized the Attorney General to bring suit in the name of the United States when he received a complaint from one unable to secure counsel, that he had been deprived of equal protection of the laws by being denied equal use of any facilities owned, operated, or managed on behalf of the state.

Title IV (42 U.S.C., SS. 2000c) provided for desegregation of public education. The Commissioner of Education was authorized to aid desegregation by technical assistance (42 U.S.C., SS. 2000c–2), training institutes (42 U.S.C., SS. 2000c–3), and grants of money to school boards to train employees for desegregation (42 U.S.C., SS. 2000c–4). The Attorney General of the United States was authorized to bring suit against a school board for denying pupils equal protection of the laws, upon a complaint signed by a parent or group of parents, if they were unable to secure counsel (42 U.S.C., SS. 2000c–6[a]). The action had to "further the orderly achievement of desegregation in the public schools." (Ibid).

Title V (Ibid) amended the Civil Rights Act of 1957 and set forth rules of procedure for Civil Rights Commission hearings. It also set forth some additional duties of the Commision. The Commission would (a) investigate allegations that citizens are being

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the political power was serious about providing a vehicle for equal opportunities? What did it mean when this law was applied to groups regardless of age, creed, color, sex, or nationality? This law was not interpreted by everyone in the same way. It was dependent upon one's orientation how one perceived each of the issues.

The Court cases subsequent to 1964 were indicative of the feeling of the American people that many areas needed to be attacked and how they could be handled. The civil rights cases, even though the writer felt they lacked sincerity and clarity and were not strong enough, moved very slowly toward insuring equal rights for all citizens. It brought a new awareness to the American public, particularly the minority groups.

There was a significant change that took place in the family relationship. Lerner[32] outlined this in explaining that the family began to break apart during the late years of World War II when the mother had to leave home to work on the assembly lines of the factories producing war machines. The mother was away from the children for extended periods of time and the children were left with people who did not have the same parental or emotional relationship. The prevailing parental relationship with children had been one of authority or the autocratic model. The parents were the bosses and made most of the rules unilaterally. The children were very docile and recognized their role and played it obediently. With the absenteeism of the mother and in many cases, both parents, the parents felt a need to give something to the children in lieu of the absence of love, or time together. They, therefore, substituted the sharing of power in decision making and the giving of material items. Both of these caused the child to perceive himself differently and to move toward the position where he had greater freedom in making decisions. Therefore, the situation in the home moved from autocracy across the continuum to democracy.

The next step in this continuum is from democracy to anarchy. The state of societies past show that they will not stay there but will react, but they do not typically return to their original state.

The outcropping of violence in the rebellions of Watts, Detroit, Cleveland, Newark and Dayton and the non-violent demonstrations by the late Dr. Martin Luther King, Jr., in Birmingham, Montgomery, and Atlanta, showed that

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deprived of the right to vote (42 U.S.C., SS. 1975a), (b) study and collect information about legal developments constituting a denial of equal protection of the laws (42 U.S.C., SS. 1975c[a]-1), (c) appraise the federal laws with respect to denials of equal protection of the law (42 U.S.C., SS. 1975c[a]-2, (d) serve as a national clearinghouse for information with respect to denials of equal protection of the laws (42 U.S.C., SS. 1975c[a]-3). The concluding paragraphs (42 U.S.C., SS. 1975c[a]-4) set forth the powers of the Commission.

Title VI (42 U.S.C., SS. 1975d) forbids discrimination in federally-funded programs.

Title VII (42 U.S.C., SS. 2000d et seq) provides equal employment opportunity and forbade discrimination in employment because of race, color, sex, religion, or national origin. It "created the right to be free from discrimination by employers, employment agencies, and labor organizations. To the extend that these groups affect commerce they are within the reach of Congressional controls . . ." (42 U.S.C., SS. 2000e et seq). It did not apply to employment of aliens outside the state and individuals for performance of religious and educational activities of religious corporations, associations, or societies and educational institutions (Antieau, *supra*, p. 196).

Under Title VII, discrimination in hiring was an "unlawful employment practice" (42 U.S.C., SS. 2000e–1) and an Equal Employment Opportunity Commission was set up (42 U.S.C., SS. 2000e–2) to enforce (42 U.S.C., SS. 2000e–4) the Act. The Attorney General could also bring a civil action against an employer whom he has reasonable cause to believe was engaged in a pattern of resistance to the Act. (42 U.S.C., SS. 2000e–5).

Title VIII (42 U.S.C., SS. 2000e–6) commanded the Secretary of Commerce to conduct a survey to compile voting statistics in geographic areas recommended by the Civil Rights Commission. The survey was to determine how many people of voting age were registered to vote, by race, color, and national origin (42 U.S.C., SS. 2000f).

Title IX provided for intervention and procedure after removal from a state court in civil rights cases (Ibid). It also provided that the Attorney General of the United States could intervene in a case in federal court where denial of equal protection of the laws is alleged, if the case was of general public importance (28 U.S.C., SS. 1447 [d]).

Title X (42 U.S.C., SS. 2000h–2) of the Act established a Community Relations Service to provide assistance to communities and people in resolving disputes relating to discriminatory practices based on race, color, or national origin, which impair the rights, under the Constitution and laws of the United States, of the people in the community (42 U.S.C., SS. 2000g et seq).

Title XI provided for criminal and civil contempt proceedings against those persons who fail to obey an injunction of the court given to enforce the Act. A jury trial was provided, and the penalty for criminal contempt was set at $1000 maximum fine or imprisonment for up to six months (42 U.S.C., SS. 2000h) and even though such noise was made about it, the laws slowly went into effect.

[32] A speech presented by Max Lerner at Wayne State University in August, 1970 (unpublished).

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changes in attitude of the oppressed were taking place. This was visible evidence that people were not going to accept anything but the ultimate in freedom and that the rest of society would have to change its attitudes to accommodate freedom for all. This activity could not avoid violent reactions by the people protecting the social institution. However, the reactions brought about interaction and the interaction affected the thinking of many of the people involved.

Therefore, as one speaks to the social upheaval in this country there are many areas to probe. Some of these are more visible and many less visible. The sociologist prefers to look at the event, what happens after the event, and more important, what happens to the people involved. The events mentioned in this section of Chapter II are so recent that the first two phases of the sociological inquiry are difficult to ascertain. Therefore, it would be very difficult to accurately develop the effect that the social upheaval of the 1950's and the 1960's had on the social conscience of this country. At the very best, the observer could say that the changes subsequent to the crises indicate a general concern was generated out of fear or anxiety, as suggested by many militant leaders would be unfounded speculation. An accurate observation, however, would be that much more happened visibly after the crises than happened before them.

LITERATURE RELATED TO THE ORGANIZATIONAL HEALTH OF THE PUBLIC SCHOOLS

The "organizational health" of the public schools in this country can best be determined by investigating the manner in which the public school, as an organization, is serving the society in which it exists. The role of the school has developed from the beginning of the public school activity in this country. The traditional Platonic or Jeffersonian notion of education as "paideia"[23] is inherently ambiguous, carried to its logical conclusion "formal education" all but disappears. The definition makes education synonomous with what the anthropologists call encultration.[24] "In view of the role taken here, therefore, education is defined somewhat more narrowly as the deliberate or purposeful creation evocation or transmission of knowledge, skills and values.[25] Therefore, if the public schools are serving this basic purpose of transmission of these factors, then they will be healthy as an organization. If not, the reverse would be true.

Are the systems of elementary, secondary and higher education in this country succeeding in their purpose? Jules Henry explains that ". . . the function of education has never been to free the mind and spirit of men, but to bind them."[26] The perspective from which Jules Henry deals shows that because the major responsibility of education is to indoctrinate the younger generation into the ways of this culture, one might, in a broader understanding of this role, say that education is succeeding. His greatest attack is not upon success or failure in the sense of whether they are achieving the overall goal but that there is an inherent weakness in the goal. Frank Lindenfield states this problem in his explanation of the culture. "Because ours is a materialistic, competitive, bureaucratized society, and because this is what almost everyone will ultimately be a part of, what is more logical than to prepare the young by instilling these values in them at school."

Hyman Rickover, in one of many criticisms of the American educational system, stated ". . . It (education) is not adequately serving us and must therefore be reformed. We have at present no clear-cut educational philosophy with firm objectives; scholastic achievements are too low and there is urgent need for some kind of machinery to set national scholastic standards which may serve local communities as a yardstick."[27] Rickover, who was a Vice Admiral in the United States Navy, has been a heavy critic of the American educational activity. He has spent a great amount of time comparing the American system and its product to the process and product of the schools in Europe, particularly Russia. He has shown where the American educational systems and standards are quantitatively and qualitatively inferior to the European systems and are thus out

[23] "Paideia," from the Greek word education, culture. The training of the physical and mental faculties in such a way as to produce a broad, enlightened mature outlook harmoniously combined with cultural development.

[24] Charles E. Silberman, *Crisis in the Classroom,* (New York: Random House, 1970), p. 5.

[25] *Ibid.*, p. 6.

[26] Jules Henry, "American Schools: Learning the Nightmare," *Radical Perspective on Social Problems,* ed. by Frank Lindenfield (New York: The MacMillan Co., 1968), p. 57.

[27] Hyman G. Rickover, *American Education, A National Failure,* (New York: E. P. Dutton and Co., Inc., 1963), p. 3.

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of step with the needs of a modern society. He felt that having children attend school just for the sake of attending was an atrocity.

"I see nothing democratic in autocratic promotion and unmerited diplomas. If a child is promoted before he has mastered a prescribed grade course, he will only seem to move up the educational ladder. In reality, he will be standing still on the same rung; this is camouflaged by educational labels that are as false as when sugar syrup is marked 'honey' on the glass jar. When diplomas are awarded for mere attendance, they will soon lose all value.

"A child who obtains a high school diploma when he cannot yet read and write with ease and dexterity has not really received a secondary education. True, he has been kept at school more years and his school has a different name, but he has not mastered more than an elementary program. He hasn't even mastered that well. As for the high school diploma he carried away, this has shrunk in value so that in many cases it represents no more today than did that grammar school graduation half a century ago." [28]

"There is no question in my mind that a large sector of the American people wants better education—all people like myself can do is try to bring the truth to the public, so that it may be able to reach a consensus. Enough people want school reform to warrant government action." [29]

Dr, James Bryant Conant discovered in his study of the American High School in the late 1950's that many of the high schools were not providing the type of education needed by students to survive in this society. He visited one hundred and three schools and four large school systems in twenty-six states and stated: "I found eight schools which, in my judgment, were satisfactorily fulfilling the three main objectives of a comprehensive [30] high school." [31] Dr. Conant gave twenty-one recommendations as to how these problems might be cleared. In 1967, he completed another book that pointed to the same high schools several years later. He felt that very little change had taken place.

Dr. Kenneth Clark, eminent psychologist from CCNY has spent a great amount of time and effort examining the schools of this country. He has had a particular interest in the way that the urban schools are serving the urban poor. "The evidence of massive breakdown in the efficiency of the public schools in American cities has now become a matter of public discussion, It is no secret that our urban schools are no longer maintaining high standards of educational quality. To put it bluntly, these schools are inferior, and so far, no one has found the formula for stemming this rising tide of educational inefficiency." [32]

Dr. Clark's attack on the educational system is only one by a long line of Black leaders who label the schools as ineffective instruments for training minority youngsters. He believes that the urban schools are training many thousands of functional illiterates who will be incapable of playing constructive roles in this society. He feels that many of these people cannot be integrated into this society without a very costly remedial education program. Therefore, he feels that he cannot criticize without suggesting some viable alternatives for change. Even in suggesting change he deals with the frustration of changing a social institution, such as formal public education by saying: "It seems most unlikely, however, that the changes necessary for increased efficiency of our urban public schools will come about simply because they should. Our urban public school systems represent the most rigid forms of bureaucracy. Paradoxically, they are most resilient and innovative in finding ways to resist rational or irrational demands for change."

Why are the public schools so effective in resisting change and so ineffective at educating children? "The answer to this question lies in the fact that public school systems are protected public monopolies with only minimal competition from private and parochial schools." [33]

Dr. John Fischer stated: "The American public school system is the world's most comprehensive and most fruitful experiment in universal education. Yet, the current performance of our urban schools is so poor and the resistance to change is so great, according to some critics, that they propose to replace the

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[28] *Ibid.*, pp. 312–313.
[29] *Ibid.*, pp. 317–318.
[30] The comprehensive high school as explained by Dr. Conant is a high school "whose programs correspond to the needs of all the youths of a community."
[31] James B. Conant, *The American High School Today*, (New York: McGraw Hill Book Co., Inc., 1959), p. 22.
[32] Kenneth B. Clark, "Alternatives to Urban Public Schools," *The Schoolhouse in the City*, ed. by Alvin Toffler, (New York: Frederick A. Praeger Publishers, 1968), p. 13.
[33] *Ibid.*, p. 139.

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public schools with publicly subsidized and competitive independent schools." [34]

Dr. Fischer supports the failure of the schools through evidence such as the failure and dropout rates of pupils, the transfer applications of teachers, the complaints of parents, and the quiet options of the families with broader options who remove children by the thousands to private schools or to the suburbs.

Meyer Weinberg, in his book *Integrated Education*, stated in the introduction to the book that "the crisis in urban education is a crisis of traditional practices. Rare is the practice that remains untouched by the new currents of aspirations and concern." [35]

Grier and Cobbs outlined part of the problem in their criticism of the educational system:

"Teachers are in low repute in America in large measure because they have no independent atmosphere in which to exercise their calling. The rigid control of teachers, curriculum, and budget by generally small-minded government bodies again reflects the essential purpose of schools, which is to serve the immediate economic ends of those who control them. Out of the same pragmatic thinking which produced the trade school and the commercial school has lately come the tracking programs, a system for selecting one of several programs for students based on the child's performance and test results. These programs have operated to launch white children into college and to provide mindless "busy work" for Black chilren until they are seventeen." [36]

If the overpowering amount of information given by different writers stating the dilemma in which education finds itself can be expected, the health of education could be determined. However, the weakness to the total educational activity is one thing, while on the other hand, how it serves minority groups, is something else. Whitney Young, when he referred to education as the last best hope said:

"For people desperately seeking answers to the civil rights and other problems that face us today, whether in employment race relations or automation, the panacea seems to be education. Both the expert and the man on the street seize on this as the remedy for the difficulties that besiege us.

"Acknowledging that there is validity in the overriding value of education, it is particularly appropriate that we face up to the extent to which the Negro citizen has been historically and currently deprived. Statistics reveal that in spite of heralded progress, the average Negro youngster receives three and one half years less schooling than the average white child. When one considers that the bulk of elementary training for the Negro child is received in inferior, segregated, slum schools—North and South—the real difference is more accurately five years." [37]

Stokely Carmichael, in his evaluation of the perception of Black kids when viewing the white power structure, states:

"He (the Black child) looks at the absence of a meaningful curriculum in the ghetto schools, for example, the history books that woefully overlook the historical achievements of Black people, and he knows that the school board is controlled by whites," [38]

Nathan Wright furthers the Black criticism of the schools in his book, *Black Power*, when he states:

"Those in the ghetto-like confinement in our central cities have complained more and more since World War II that they are being shortchanged in the schools. They cite the traditional statistics of the increased number of dropouts, the low reading scores, the old facilities, the high teacher turnover rate, the overcrowded classroom, the low aspiration level, the high frequency of disciplinary problems, along with the growing sense of the utter futility of the educational enterprise as it relates to the needs of the masses of the Black poor who reside in our central cities.

"These problems have been laid at the doorsteps of those who plan for and administer the public schools." [39]

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[34] John H. Fischer, "Schools for Equal Opportunity," *The Schoolhouse in the City*, by Alvin Toffler, (New York: Frederick Praeger Publishers, 1968), p. 143.

[35] Meyer Weinberg, *Integrated Education*, (Beverly Hills, California: The Glencoe Press, 1968), p. 111.

[36] William H. Grier, Price M. Cobbs, *Black Rage*, (New York: Basic Book, Inc., Publishers, 1968), pp. 132–133.

[37] Whitney M. Young, Jr., *To Be Equal*, (New York: McGraw Hill Co., 1964), p. 102.

[38] Stokely Carmichael, Charles Hamilton, *Black Power: The Politics of Liberation in America*, (New York: Vintage Books, 1967), pp. 9–10.

[39] Nathan Wright, Jr., *Black Power and Urban Unrest*, (New York: Hawthorn Books, Inc., 1967), p. 71.

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Earl Kelley, in his criticisms of the educational system, stated:

"If we have this lack of understanding of the nature of democratic living, wherein lies the failure in our preparation of youth for citizenship?

"Much of the blame must be charged to the public schools. It is true that a young man or a young woman is a product of many influences of which the school is only one, but the great public school system, 'the backbone of our civilization,' 'the foundation of the republic' had and has as one of its tasks that of building citizens." [40]

Continuing in a treatise on how teachers were not doing their part to instill the democratic way of life, he stated:

"We have teahcers, however, who sneer at colleagues who try to introduce some democratic living in their classes. They block attempts to arrange any participation by students in the affairs of the school. They proclaim that no little brat is going to tell them what to do. They say 'I've tried democracy, but it doesn't work,'" [41]

In 1970, the White House Conference on Children was held in Washington, D.C. The basic thrust of this conference as stated in the program was:

"The White House Conference will deal with issues from a perspective which relates to the feelings and needs of the child." [42]

There were many forums that dealt with many issues. One of these forums dealt with the issue of confronting myths in educaiton. This important conference summarized a national feeling toward education when it was stated:

"The curriculum, the objectives, and the structure of our present educational system are products of another age—response to the needs of a society immersed in the rapid transition from rural/agricultural to urban/industrial life styles.

"Today, education in America must meet new needs as our society makes a second major transition into an era of high mobility and instantaneous communication—an era which each day will bring us closer to Marshall McLuhan's 'global village.'

"Much of our education system has failed to meet the challenges presented by this rapid transformation. We believe that our educational mythology severely inhibits ability to respond to the new demands and that confrontation of these assumptions is the first prerequisite to reform. Too long have our children been learning in spite of, rather than because of our efforts; it is imperative to reverse this trend." [43]

The intent of this section of Chapter II was to examine the "organizational health" of the public school systems. The information, of course, is mixed between people who believe that the schools are doing a good job, to the people who believe that the schools are doing all that they could be expected to do, all the way to the opposite end of the continuum where the majority of the critics who are quoted in this section say that the schools are doing a poor job. The great many failures of social institutions and the deluge of citizen indifference to social institutions lead this writer to believe that the schools are failing. Failing in the original goal as stated by Silberman in an earlier quote—"education is defined somewhat more narrowly as the deliberate or purposeful creation, evocation, or transmission of knowledge, skills and values." [44]

Therefore, the health of the organization is not good and it must find ways to change, reform itself, or one may readily see the death of the institution known as the public school.

LITERATURE RELATED TO EDUCATIONAL REFORM

The word reform is relative only if it is believed that reform is necessary. The previous section developed the weaknesses and criticism of education. This section will deal with the suggestions for the reform of the public educational system.

The writer interprets reform to mean to take something that exists and to change the parts or components in some way so that the mission can be more

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[40] Earl C. Kelley, *In Defense of Youth,* (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1962), pp. 45–46.

[41] *Ibid.,* p. 48.

[42] The Program of the *1970 White House Conference on Children* is a document that is unpublished except for Conference participants.

[43] From summaries of reports of *1970 White House Conference on Children.* This is an unpublished document.

[44] *Op. cit.,* p. 6.

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easily accomplished. A flexible organization, of which there are very few, must be able to adjust periodically. A social "institution" must be able to adjust to the needs of its related counterpart, the society. The very nature of our bureaucratic social organizations today makes it difficult for them to change. They are so structured that the people they employ fight every possible attempt to change them. The reform of one of these organizations might mean the loss of a job to the people it employs. Therefore, survival comes into play for the people being threatened and regardless of the need for change, which possibly even the people see internally, little change can easily be made. Most of the social organizations such as the church, the school, the government, etc., fall into the problem previously described.

What are the viable alternatives to reform? There are very few. One is to completely destroy the institution and build another new vehicle to do the job. This, of course, sounds interesting until one takes a closer look at it. The new organization could not take a thrust too far away from the thrust of the old or it would not be serving a similar purpose. If it serves a similar purpose it must develop a staff of people to carry out its new responsibility. The people who know most about the activity are people who have had some experience with it and so, logically, they are given the jobs. Now the old actors are in new roles, which are not clearly defined typically, and which they will not know how to play. So without direction these people will begin to play these roles just as they played before; the organization has not made a significant change. If one could start off with fresh people who had no connection with the past, then there is a possibility for success. However, this would be difficult for two reasons: One, most all people in the society, due to normal social interaction, know something about the existing organization if it is their professional area of expertise. Therefore, they are affected. Two, all social organizations need to work to stay in tune, or in touch with the people, clientele, or constituency that they serve. So, if the people who are selected for the new organization could be chosen from a group which had no contact with the people in this society, it would make it difficult for them to maintain the contact necessary for relevance.

Therefore, the two possibilities are reform or complete annihilation of a social institution. It is easy to see why the former is chosen over the latter and that therefore reform may be the only viable alternative.

The 1970 White House Conference on Children[45] spent a great amount of time speaking to the question of educational reform. The forum dealing with the topic of confronting myths in education made this a part of their report: "In the face of the mythological obstacle course facing those who see the urgent need for educational reform, what can be realistically suggested?"

"We must encourage with a powerful sense of urgency alternative educational models. 'The One Best Way' myth leads us on an endless search for perfection, at the cost of many useful sub-systems and alternatives discarded simply because they fail to address themselves simultaneously to all our concerns. The plain truth is that no magic formula exists which will make everything better. Students do not learn identically. Instead of knocking off the individual sharp edges, we should move in an opposite direction by making our schools fluid enough to accommodate individual differences in style, attitude and readiness. Let us move toward a multi-faceted educational system incorporating what we know of human diversity, with mechanisms for choice and change."[46]

This particular analysis from the 1970 White House Conference deals more with change in the educational process rather than change in the structure. This is where we find a dichotomous position taken by the different writers.

Writers such as Pierce[47] and Miles[48] believe that we cannot change the internal process unless we first of all change the structure. The point analogously more clear is that it is difficult to change the activities within a house until you change the wall, the roof, etc. There are others who could care less about changing the structure because they feel it is too difficult to change but that it is possible within the confines of the structure to change the process, the process basically being that of educating the children.

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[45] *Op cit.*, p. 6.

[46] From summaries of reports of the *1970 White House Conference on Children*. This is an unpublished document except for Conference participants.

[47] Truman M. Pierce, *Educational Change and the Role of Media* (a report of the Symposium on Identifying Techniques and Principles of Gaining Acceptance of Research Results of Use of New Media in Education, held at Lincoln, Nebraska, 1963), pp. 138–153.

[48] *Op. cit.*, pp. 11–34.

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Mario Fantini, who basically identifies with the group suggesting reform of the institution, makes the following statements: "The widely used terms 'culturally deprived' and 'culturally disadvantaged' implied that there was something wrong with the learner, with his cultural environment, not with the school and its educational process. In short, we assumed that the problem was with the student, not the school, with the client rather than the institution." [49]

He further states: "We are asking public schools to be the major instruments in solving many of our most acute social ills—poverty, racism, alienation, powerlessness—and at the same time, to respond to manpower needs of an advanced technological society. The basic change for the 1970's, then, is institutional reform." [50]

Fantini continues in his call for reform to make suggestions about specific areas for reform. He suggests that there are three areas that must be reformed: "Governance—There must be a shift from professional dominance to a meaningful parental and community role in the educational process; Substance—We must modify the skill-performance standards by which educational quality is measured primarily so that a humanistically oriented curriculum can evolve; Personnel—The education system must be opened to a far broader base of talent than the conventionally prepared career educator." [51]

In 1968, in a pamphlet printed by the Ford Foundation, titled *Alternatives for Urban School Reform*, Fantini stated, "The positive aspects of this kind of public control are more difficult to perceive. One possibility is that under the right conditions real public control of public education could provide more effective education." [52]

Fantini's suggestions for reform in the area of governance are echoed by many writers. Wilcox speaks of community control as a governance reform vehicle when he states:

"The thrust for control over ghetto schools by local residents represents at its deepest level a desire by the Black and poor to become effective contributors to the common good. This view may be surprising to some, but it is a reasonable and democratic response to the failure of school systems across the country." [53]

Donald Smith develops the area of the change in the education process. He talks about the incredibility of the fact that young Black people have to threaten and even sometimes bring about the destruction of the school to get the attenion of the society, both outside and inside the schools. Smith suggests three basic things that Black students want in school reform:

"First, what Black pupils want and need are teachers who believe they can learn, who expect them to learn, and who teach them; second, Black pupils need a curriculum that will release them from psychological captivity; as a concommitant to curriculum which is meaningful and inspiring, Black pupils want to be taught and administered by models with whom they can identify and from whom they can derive feelings of pride and worth." [54]

Dr. Smith deals with a very important area in the push toward reform. This is the area of seeing approaches through the eyes of the young, the people for whom the schools were developed. Listening to the young, particularly those who the schools are serving in the poorest manner. This listening and learning from the young is suggested by Margaret Meade when she develops the continuum from the post-figurative culture to the pre-figurative culture. She states: "—prefigurative, in which adults learn also from their children—is a reflection of the period in which we live." [55]

Newman and Oliver, in their treatise on Education and the Community, develop three basic patterns of reform to follow; conventional reform, radical reform, and a proposal for Education in Community. They conclude by saying: "The deliberate effort to view education in the community from three vantage points

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[49] Mario Fantini, "Educational Agenda for the 1970's and Beyond: Public School of Choice." *Social Policy*, (November, December, 1970), p. 25.

[50] *Ibid.*, pp. 25-26.

[51] *Ibid.*, pp. 26-27.

[52] Mario Fantini, *Alternatives for Urban School Reform*, (New York: Ford Foundation, 1968), p. 1.

[53] Preston Wilcox, "The Thrust Toward Community Control of the Schools in Communities," from *Racial Crisis in American Education*, ed., by Robert L. Green, (Chicago: Follett Education Corp., 1969), p. 315.

[54] Donald H. Smith, "The Black Revolution and Education," from *Racial Crisis in American Education*, ed. by Robert L. Green, (Chicago: Follett Education Corp., 1969), pp. 64-67.

[55] Margaret Mead, *Culture and Commitment: A Study of the Generation Gap Preface*, (New York: Natural History Press/Doubleday & Co., Inc., 1970).

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and to look for contexts, outside of the formal school, where people learn is only the first step in any important effort at educational reform—but it is the hardest. After one wrenches oneself loose from the paralyzingly constricted posture that all true education must be programmed, planned and compulsory, and public and it must all happen in schools, one's imagination trips over a host of exciting places for youth and adults to learn, by themselves, and in association with one another." [56]

Kenneth Clark suggests that there are viable alternatives to the present public school system and that these must be explored. He suggests several of these alternatives such as "Regional State Schools," "Federal Regional Schools," "College and University-Related Open Schools," "Industrial Demonstration Schools," "Labor Union Sponsored Schools," and finally "Army Schools." He concludes by saying: "If we succeed in finding and developing these and better alternatives to the present educational inefficiency, we will not only save countless Negro children from lives of despair and hopelessness and thousands and thousands of white children from cynicism, moral emptiness and social ineptness—but we will also demonstrate the validity of our democratic promises." [57]

Some writers such as Charles Hamilton deal more directly with reform which gets at the education problem in the ghetto. He suggests a model which views the ghetto school as the focal point of community life. The educational system should be concerned with the entire family, not simply with the children. We should think of a comprehensive family-community-school plan with black parents attending classes, taking an active day-to-day part in the operation of the school." [58]

Harold and Beatrice Gross refer to school reform in a more comprehensive context when they suggest that the theory of reform cannot stop with the institutional framework of schooling, moreover it must attempt to define the quality of life within the classroom in terms of the two most important qualities, freedom and relevance. They interpret the difference between radical school reform and innovation in this manner: "Radical reform of schooling—as distinguished from mere innovation in the organization or context of instruction—demands that basic postulates be reexamined, challenged, and where necessary, replaced." [59]

They continue by asking these searching questions: "Is formal education necessary or desirable? Should there be schools? Should education be compulsory? Should teachers and school administrators run the schools? Should there be a curriculum? Should there be goals of education which are considered applicable to all normal children?" [60]

Growing out of the move for meaningful community involvement voiced by such previously quoted writers as Wilcox, Newman, and Oliver, there comes the exploration of the concepts of community control and decentralization. Green speaks to community control when he says: "There is a sense in which the problems of education in our own day have to do not simply with what policies should be aodpted by the educational system, but with what kind of system should be adopted within which to debate questions of policy. When questions are raised concerning the very structure of the school system, the way authority is distributed within it, the role of the professional, the role of the community, and indeed the very purposes of the school, then clearly we are dealing with matters more fundamental than mere policy. . . . For the first time in many years, practical proposals have been made—and acted upon—which, though aimed at reform of urban schools, have been focused on change in the control of local schools. . . . Proponents of reform, therefore, argue that a significant degree of effective control should be lodged directly in the community—in the local people nominally served by the school." [61]

The most publicized experiment of community control came about in Brooklyn in the Ocean Hill-Brownsville district in 1966. This was an experiment in school

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[56] Fred M. Newman and Donald W. Oliver, "Education and Community," *Harvard Educational Review*, (Reprint Series No. 3, 1969), p. 43.
[57] Kenneth R. Clark, "Alternative Public School Systems," from *Radical School Reform*, ed. by Ronald Gross and Beatrice Gross (New York: Simon and Schuster, 1969), p. 125.
[58] Charles V. Hamilton, "Education: A Search for Legitimacy," *Harvard Educational Review*, (Reprint Series No. 3, 1969), p. 60.
[59] Ronald Gross and Beatrice Gross, *Radical School Reform*, (New York: Simon and Schuster, 1969), p. 95.
[60] *Ibid.*, p. 95
[61] Thomas G. Green, "Schools and Communities: A Look Forward," *Harvard Educational Review*, (Spring, 1969), pp. 224–226.

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reform via the vehicle of community control of schools. The Board of Education bought this idea and gave their stamp to it calling it "a new approach to relations between the community and education system." The success or failure of this experiment is dependent totally upon the person analyzing the outcome. Rhody McCoy, Superintendent of the I.S. 201 District, might give you one version of the activity where Albert Shanker, President of the New York Federation of Teachers could interpret it in another way. The basic confrontation was between an approach to reform the educational system and the entrenched educational establishment.

The concept of decentralization has been explored now in two major cities as an approach to educational reform. New York had a plan submitted in 1967 and Detroit had a plan developed and submitted in 1970. The Detroit Plan [62] which is most recent, was implemented in January, 1971. This plan, which was developed through a grant from the Ford Foundation [63] reorganized the city into eight regional districts with a certain amount of autonomy left to the regions for decision making. The problems in the development of the Plan are clearly stated in a documentary video-tape [64] which was developed near the end of the plan of development. The majority of the problems stemmed from the interaction between the ideas generated by the coordinators of the project in cooperation with the community and the educational establishment.

Alvin Toffler, in his most recent best seller, *Future Shock*, talks about the problem of the present curriculum imposing a standardization on all children. The school curriculum of the future must be child-centered, problem-centered and future-centered. He suggests that: "A fight must also be waged to alter the balance between standardization and variety in the curriculum." [65]

In summary, there are many suggestions for the reform of public schools. Constantly, there are references to the protection that the education establishment develops to perpetuate its existence. The question still looms as to whether the education establishment should be destroyed or reformed. Most of the writers quoted in this section agree that a reformation is possible. The reformation, however, must be centered around changing the system rather than changing the child as stated earlier by Fantini. The child must be free to make decisions about his fate and as Margaret Meade says, the adults must be willing to listen and to learn from the young. The approaches to achieving this are certainly not clear. However, to free the young so that they might be able to determine their future, the future of this nation and the future of the world, we must find a vehicle that will more finitely clarify their rights and responsibilities as individuals in this society.

LITERATURE ON STUDENTS' RIGHTS

The fourth section of Chapter II will deal with the literature in one new area of concern in relation to the schools of this country. Even though there may be many vectoring concerns, the central thrust of this dissertation is in this area of student rights. The question that looms prominent in the minds of educators and lawyers is, are there two sets of standards for dealing with citizens? One set is operative when a person reaches the age of 18 or 21 and the other is operative prior to that time or when a person is in his more formative years. This relates more directly to the rights that a young person has when he is attending the social institution known as the public school.

The void in rights given to students and rights given to other suppressed peoples is comparable. This feeling of oppression is surfaced latently in the student rebellions, both at the high school and junior high levels. This pattern of rebellion is the same throughout the history of man. When man is denied the rights afforded to other people then he finds a way to gain those rights denied.

Frantz Fanon, an Algerian psychiatrist, explains the basic thought in this way: "The colonized peoples have generally recognized themselves in each of the movements, in each of the revolutions set into motion and carried through by the oppressed. Beyond the necessary solidarity with the men who, throughout the earth, are fighting for democracy and respect for their rights, there has been

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[62] Guidelines for School Decentralization, Detroit Public Schools, (Detroit: Detroit Board of Education, 1970), unpublished.
[63] *Ibid.*
[64] Larry W. Hillman and Roger A. DeMont, "School Decentralization: The Detroit Story." (Detroit: Wayne State University Center for Instructional Technology, 1970); a 48-minute video tape. Tape No. 456.
[65] Alvin Toffler, *Future Shock*, (New York: Random House, 1970), p. 34.

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imposed, with unaccustomed violence, the firm decision of the colonized peoples to want for themselves and their brothers, the recognition of their national existence, of their existence as members of an independent, free and sovereign state.

"For many years, the history of the world, the history of men's struggle for dignity, has confronted peoples with definite problems. Men enslaved and oppressed by foreign nations are invited today to participate totally in the work of demolition of the colonial system . . .

"It is essential that the oppressed peoples join up with the peoples who are already sovereign if a humanism that can be considered valid is to be built to the dimensions of the universe." [66]

Fanon was talking about oppression in general and how man realizing his dilemma must find a way to break out. Malcolm X explains the frustration of one not realizing his independence and always relying on the other people to do his thinking when he explained: "One of the first things I think young people, especially nowadays, should learn, is how to see for yourself and listen for yourself and think for yourself. Then you can come to an intelligent decision for yourself. If you form the habit of going by what you hear others say about someone, or going by what others think about someone, instead of searching that thing out for yourself, and seeing for yourself, you will be walking west when you think you are going east, and you will be walking east when you think you are going west. The generation, especially of our people, has a burden, more so than at any other time in history. The most important thing that we can learn to do today is think for ourselves. . . ."

"But if you form the habit of taking what someone else says about a thing without checking it out for yourself, you will find that other people will have you hating your friends and loving your enemies . . . It is very important to think out a situation for yourselves." [67]

Malcolm X was in the process of telling young people, who had sought him out in their quest for great knowledge, that the great truth man must strive to gain for himself. This information, which is sound and basic in the growth of young people also pushes many to challenge the authority of the people in charge of the institutions. William O. Douglass spoke to this when he said: "The search of the young today is more specific than the ancient search for the Holy Grail. The search of the youth today is for ways and means to make the machine—and the vast bureaucracy of the corporation state and of the government that runs that machine—the servant of man.

"This is the revolution that is coming." [68] The student awakening as spoken about by Douglass might give an indication that modern day education has either by design or by accident caused the young to begin to think for themselves and in the process challenge the institutions that spawned them. Saul Alinsky quoted Jefferson and possibly portrayed this change: "Enlighten the people generally, and tyranny and oppression of body and mind will vanish like spirits at the dawn of day." [69]

David Romano, an eighteen year old student from Connecticut spoke to the awakening of students of today. "Students are waking up to realize their own capacity to govern themselves. We don't need the remote principals and assistant principals to tell us what to do. After all, who knows us better, they or ourselves. I think students should be equal to that of any other participating group in the school—the teachers and the administration. I think students should be given a voice in the choosing of curriculum. Students should be able to influence the assignment of teachers to different courses. Students, I think, are in a much better position than anyone else to decide which teachers are suited for which courses. If assignments were done on that basis, they would probably result in determining which teachers were hired and fired because of student interest. Critics of 'student power' claim that students are not responsible enough to make such critical decisions, and that such evaluations of teachers would deteriorate into popularity contests. While I don't believe this would be the case, it still would be better than what we have today. If a student

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[66] Frantz Fanon, *Toward the African Revolution,* (New York: Grove Press, 1967), pp. 113–114.

[67] Malcolm X, "To Mississippi Youth," from *Malcolm X Speaks,* ed. by George Breitman. (New York: Grove Press, Inc., 1965), pp. 137–138.

[68] William O. Douglas, *Points of Rebellion,* (New York: Vintage Books, 1969), p. 96.

[69] Saul D. Alinsky, *Reveille for Radicals,* (New York: Vintage Books, 1969), p. 154.

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at least had a teacher whom he likes, then he would go to class and most probably learn something." [70]

David Romano as a young man was speaking the language that has been voiced by many students throughout the world. The young people, as they express themselves, are tugging at the chains they see oppressing them. Students in Asia, Africa, Latin America, Europe and the U.S.A. have made their impact. It is more noticeable that they have played their most striking role in the advanced industrial countries, whether they are capitalistic or socialistic.

Gareth Jones asks the questions, "What is the sociological character of a student movement? And what have been the causes of the great international upsurge of the last few years?" [71] Jones goes on to an explanation of the nature of students and their unrest. He explains the theory that the mass action of students is comparable to the traditional poor of the nineteenth century during the first devastating impact of industrialization. "The contradictory mixtures of apathy and fiery insurgence, of utopianism and the conservative defiance of vested interests, consequently bear resemblance to the social characteristics of the working class in the first phase of industrialization. In both cases, the aim of the radical movements are 'expressive' rather than 'instrumental.' But this confusion in no way diminishes its significance." [72]

The opposing theory is one which is espoused by bureaucratic orthodoxy in the East and which lingers among sectarian currents of the socialist movement in the West. "According to this interpretation, students are a traditional elite group, overwhelmingly bourgeois or petit-bourgeois by recruitment and outlook and therefore ultimately a trivial or reactionary force." [73]

"A scientific explanation of the international student revolt must account for the specific concentration of causes that have combined to produce it. There is no one master explanation of this phenomenon. On the contrary, mass student insurgency is par excellence an 'overdetermined' phenomenon. Three major forces have been at work. Together they have produced the contemporary structure of the student movement." [74]

One of these forces has been the increased intellectualism in this country. Labor has become more intellectually oriented rather than muscle oriented. The student is in a position to better evaluate what the future will hold as he sees himself fitting into these jobs, some of which he believes are perpetuating the values of a capitalistic society.

The second force was the "political reversal of values" [75] as defined by the Cold War.

This conflict which paraded the threatening aspects of Russia and Communism and developed the conflict between the USA and USSR. As the conflict grew, it developed into peaceful coexistence.

"The new conflict was no longer a competition between false equals, which threatened the world with a nuclear war; it was a struggle between manifestly unequal forces—starving and exploited peasants and workers in the underdeveloped world." [76] The truth of this society was exploited for all to see, especially the young, as the liberal pluralistic democracy which had been so celebrated by patriots during the Cold War, now began to be revealed as the Military juggernaut responsible for untold death and destruction in Viet Nam. This, coupled with the observations of bureaucratic manipulation and oppression at home, brought about frustration of the young about the system.

The third force which is more easily explained is the growing gap between the generations." Intellectual and cultural advance is so rapid now in many subjects that communication between age groups separated by decades is becoming as difficult as it previously was between epochs." [77]

These three forces have caused students to awaken and begin to strive for an equality that they had never thought of before. They perceived the building

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[70] David Romano, "I Saw America in the Streets," from *The High School Revolution*, ed. by Marc Libarle and Tom Seligson, (New York: Vintage Books, 1970), p. 4.
[71] Gareth Stedman Jones, "The Meaning of the Student Revolt," from *Student Power: Problems, Diagnosis, Action*, ed. by Alexander Cockburn and Robin Blackburn, (Baltimore: Penguin Books, 1969), p. 25.
[72] *Ibid.*, p. 26.
[73] *Ibid.*, p. 27.
[74] *Ibid.*, p. 30.
[75] *Ibid.*, p. 36.
[76] *Ibid.*, p. 38.
[77] *Ibid.*, p. 39.

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of a new nation which they could dedicate to the original purposes for which this nation was established. It is true that the student movement in America is just now beginning, and it is impossible to predict its future course.

One of the main areas that the student movement has turned to is the settlement of the problem of affording to students the same legal rights that all citizens enjoy. "No other section of the adult population is subject to a special extra-legal moral code. There is no reason why students should be an exception. They should be responsible for their conduct like anyone else—before the Civil Courts only." [78]

This kind of student thinking and subsequent behavior brings about different kinds of activities in the schools. "Recent court decisions have trended in the direction of restraining the school from exercising many of the forms of control over student conduct which it and the community formerly accepted as normal and proper. But whatever the reasons for the legal actions may be and whatever their outcomes are, the impact of Court decisions relating to the control of student behavior is felt more immediately by the building principal than by anyone else in the administrative or teaching hierarchy." [79] The principal is in a position to have to deal more directly with issues as they are interpreted.

The Tinker Case [80] affirmed the constitutional rights of students to the freedom of expression. The court declared that state-operated schools "may not be enclaves of totalitarianism" and that students may not be confined to the expression of those sentiments that are officially approved. As examples of behavior which schools could not constitutionally prohibit, the court listed, personal intercommunication, departures from absolute regimentation, demonstrations, variations from majority opinion, behavior causing discussions outside classrooms and expressions of opinion which cannot reasonably be expected to substantially interfere with the work of the school or impinge on the rights of others. "In fact, no expression may be prohibited unless school officials can make a reasonable forecast that the expression will cause a substantial disruption or a material interference with school activities.

There has been almost a half-hearted attempt to involve students in the decision-making process. Many times only after violence is the student directly involved, and then grudgingly. Barbara Bryant states:

"Students want to be involved in decision-making about the school matters which immediately affect their lives: curricula, discipline, dress code, rules of conduct. They are seeking involvement, but not full control of these matters. When they are left out of decision-making, when a school administration does not communicate with them, they are finding demonstrations a very effective means by which to bring change in their high schools." [81]

These students have very definite ideas and opinions on the key political and social issues of today and look for school platforms from which they might discuss them.

Where do students learn how to be adults and to take on adult behavior? The socialization of a young person is a very delicate process and much care must be taken to make sure that nothing is left out. One of the problems in this society is that one cannot be sure of all the necessary ingredients for socialization. The experience has been that it is more obvious when a person becomes an adult to see that he is not completely socialized by observation of deviant behavior as compared to acceptable social norms. Then the process is to determine what has been missed and try to give this to him.

Programs such as prison rehabilitation, Headstart and Compensatory education are good examples. Therefore, it is important that all ingredients necessary for a complete life be explored and that all of these be put together for the socialization process. Anything that is left out could produce social deviants and a malfunctioning society.

Jennings and Niemi "take issue with the widely accepted developmental model which suggests that almost all of the political socialization occurs in the elementary school years." [82] They found that generally modifications and reorienta-

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[78] *Ibid.*, p. 46.
[79] The National Association of Secondary School Principals, *The Reasonable Exercise of Authority*, (Washington, D.C.: NASSP, 1969), p. 2.
[80] Tinker v. Des Moines Independent School District, 393 U.S. 503 (1969).
[81] Barbara Everett Bryant, *High School Students Look at Their World*, (Columbus, Ohio: R. H. Goettler and Associates, 1970), p. 1.
[82] M. Kent Jennings and Richard G. Niemi, "Patterns of Political Learning," *Harvard Educational Review*, vol. 38, No. 3 (Summer, 1968), p. 443.

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tions appear to occur in the first decade or so of adult life, but that some changes do take place in the high school years. Speaking of the high school years and thereafter, they said, "There is a movement from a restricted status of token legal rights and few political responsibilities into a status carrying the normal expectations of adult citizenry." [83]

This research supported the Tinker case in which students were referred to as "persons." Berman states, "For most of our history education was likened to a chemical change; students were viewed as inert elements easily molded by an educational system political in its goals. Behind the alarmed tone of the judge—is the realization that the periodic table of American education has turned. Students, suddenly volatile, are no longer willing to be acted upon. Uniformity and compliance cannot be achieved where there is active resistance—it is clear the big change has already occurred: students have become active determinants of educational purpose both in law and in fact." [84]

Van Roy Wu,[85] in a speech to the National Federation of educators made efforts to clarify the student activism movement and the support from the courts. He pointed to the statute found in New York criminal law which forbade, "Under penalty of appropriate legal action, the cruel and inhuman treatment of minors." The law continued to explain that no minor shall have inflicted upon his person any injury or duress due to the action of any other individual. A parent in Nassau County, New York, used this statute to obtain an injunction to keep the schools from retaining his child in the third grade. The court refused this injunction; however, Mr. Holtzman initiated a formal complaint and requested that the principal be arrested for violation of the state criminal code. A grand jury's decision was that there were sufficient grounds to warrant legal action and ordered the principal to appear in court for trial. Upon advice of counsel the principal pleaded guilty at the pre-trial hearing and was found guilty and fined one dollar. This decision touched off a flood of complaints under the "injury and duress" clause in New York and under similar clauses in other states. All these "claiming that archaic curriculum content did 'injury' to children or that traditional teaching techniques were injurious and placed children under duress." [86]

Even though Wu was projecting the future in his speech, the past clearly points the way to realization of some of his predictions.

The American Civil Liberties Union in one of its many position papers attempts to clarify the concept of freedom and order and the issue of procedural rights for students. "No one disputes the power of school authorities to prescribe and control conduct in the schools, just as no one disputes the power of legislatures to prescribe and control conduct in the larger society. But in both cases such powers are limited by the Bill of Rights; no public official may exercise authority that is inconsistent with fundamental constitutional safeguards. And in America for nearly two hundred years those limits have been essentially defined in the Bill of Rights. The Bill of Rights, however, has not been traditionally applied to public schools, and until recently the power of school authorities to control the conduct of public school students has been relatively unlimited." [87]

The procedural rights outlined by the ACLU are very pertinent to this presentation. They allow examination of certain elementary rights that need to be guaranteed if the actions taken are to contain the basic elements of due process.

ACLU Student Bill of Rights: [88]

(1) The right to adequate notice of rules and regulations, and the penalties which may be imposed for violations thereof.

(2) The right to a fair hearing *prior* to suspension, expulsion, transfer or any other serious sanction.

(3) The right to counsel at all disciplinary proceedings which may have serious consequences.

(4) The right to counsel for those who cannot afford counsel.

(5) The right to confront the evidence against you, including the right of parents to see at any time and challenge their children's individual records.

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[83] *Ibid.*, p. 467.
[84] Richard L. Berman, "Students in Courts," *Harvard Educational Review*, vol. 49, No. 4 (November, 1970), pp. 594–595.
[85] Theodore C. Roth, "The Origins of Judicial Control of Public Education," *The National Elementary Principal*, vol. L, No. 1 (September, 1970), pp. 20–23.
[86] *Ibid.*, p. 23.
[87] Ira Glasser, "A Student Bill of Rights," A New York Civil Liberties Union Memorandum, (New York: August 5, 1969), p. 1 (Unpublished).
[88] *Ibid.*, pp. 6–9.

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(6) The right to confront complainants, call friendly witnesses, and cross-examine hostile ones.

(7) The right to an impartial hearing examiner such as those afforded teachers facing dismissal.

(8) The right to an effective appeal from the decision of a disciplinary hearing, including the right to a transcript.

(9) The right to be free from forced self-incrimination.

(10) The right to be free from arbitary and general searches.

(11) The right to be free from illegal use of police by school officials as an adjunct to their own authority, in the absence of any crime or threat of crime.

(12) The right of students and their parents to file complaints against school officials before an independent panel.

The ACLU reaffirms this in a later document as it spoke to the Civil Liberties of children in the elementary schools. "There are two especially compelling reasons why it is important for civil liberties to be respected in the elementary schools:

"First, since the state compels children to attend elementary school while they are still relatively weak and easily intimidated, their rights as citizens and their other civil liberties are particularly vulnerable to infringement there. This fact is not altered by the good intentions of most of those in charge of the schools.

Second, it is in elementary school that children have the first close, continuing contact with a formal organization and formal authority, and they are likely to learn unconscious attitudes toward liberty and authority that will stay with them throughout their lives. Thus, their early experience in school is crucial for the future of American liberties." [89]

The point clearly made is the importance of the public schools seeing that they can, through their actions, establish the patterns and beliefs of these young people.

Andes called attention to due process in a book giving directions to administrators. "Once a student has been formally notified of a charge against him, the status of the student should not be altered, nor should he be suspended from classes or from the campus, except for reasons which can be shown to be detrimental either to his person or the person of other students, faculty, or to school property.

"That this procedure of 'due process' seems to limit and restrict the school administration, may cause concern on the part of many administrators. The function of 'due process' is to limit only capricious and arbitrary power of an administrator, however. 'Due Process' is designed to protect the rights and privileges of a student and these procedures should be interpreted in this light and function." [90]

Ladd, a professor from a southern university, in a presentation on 'due process' before the 1971 AASA Convention, closed his speech by saying that: ". . . It is probably a good idea for the main work in designating a new school-student relationship providing for due process to be done by full-time practicing educators rather than full-time administrators. It is very important that it not be done chiefly by lawyers and judges. Educators are people who should know what model would be educationally the soundest, and I urge you to put such people to work designing; then, if you are required to present these procedures to the courts to be reviewed for legal acceptability." [91]

Have the schools been teaching more about democracy to the students than they thought? Is the student push for rights an outgrowth of the school's teachings on democracy? Diane Divokey speaks to this in the *Saturday Review*. "The revolt itself testifies that students have been learning more than the schools have taught: from parents who are as well or better educated than teachers; from actual participation in and the culture of the society. To accept this knowledge and experience means facing up to a set of complicated problems. To deny it is to deny the students themselves." [92]

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[89] A Preliminary Statement on Civil Liberties of Children in Elementary Schools, prepared by the American Civil Liberties Union (New York, 1970), pp. 1–2 (Unpublished).

[90] John Andes, "Designing Policies Governing Student Activities," from *Constitutional Rights of Students*, ed. by Kern Alexander and James Campbell, (Gainesville, Florida: 1969), p. 111.

[91] Edward T. Ladd, "Due Process for Students in Public Schools," A paper presented to the American Association of School Administrators Convention in Atlantic City, February 23, 1971. (Unpublished).

[92] Diane Divokey, "Revolt in the High Schools: The Way It's Going to Be," *Saturday Review*, (February 15, 1969), p. 102.

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The trend toward affording equal rights for students has been fairly well established. However, the movement and the final securing of these rights are two different things. The courts have determined cases in the areas of freedom of expression,[93] personal rights,[94] procedural due process,[95] marriage and pregnancy,[96] police and schools.[97] These cases have helped the schools see their responsibility. However, for rights to be insured, it is important for all parties to understand their rights.

John Saunders, Program Officer, Office of the Secretary, Center for Community Planning. DHEW, said in a speech presented in 1970 that, "I am not a lawyer and the Office of Education is not charged with a responsibility of interpreting the Constitution, the Bill of Rights or the increasing body of legal precedents that affect students.

"I am an educator and I am basically concerned with a very central and salient issue: that all our children, wherever they live, have an equal opportunity to pursue an education, and exploit that education to the best of their abilities. Anything . . . anything that stands in the way of that objective must be struck down, be it racial isolation, inadequate facilities, poor instruction, or the inability of school officials to work with students for crucial and long overdue changes." [98]

Cahn and Cahn in attempting to determine the delivery system for students rights, stated: "In the context of education, for example, the question is whether effective legal advocacy combined with an independent grievance mechanism within the school system can shield a child from institutional practices which have long demonstrated their capacity to retard, discourage and destroy a child's sense of confidence and his capacity to perform. Thus, one formulation of the role of the law in education might be to protect the presumption of educability of a child, just as in the criminal law, it protects the presumption of innocence. In short, law might no longer permit the school system, like a prosecutor, to pronounce a verdict of guilty and a sentence at failure, retardation, or drop-out. Instead, the school system might be required to bear the burden of proof each step of the way, at each moment when it sits in judgment on a child's attitude or performance or capacity." [99]

The developing revolution of students is part of the new American revolution. Reich, in his new best seller, *The Greening of America*, states this very aptly. "There is a revolution coming . . . This is the revolution of the new generation. Their protest and rebellion, their culture, clothes, music, drugs, ways of thought, and liberated life-style are not a passing fad or a form of dissent and refusal, nor are they in any sense irrational. The whole emerging pattern, from ideals to campus demonstrations, to beads and bell bottoms, to the Woodstock Festival, makes sense and is part of a consistent philosophy." [100]

The public schools must find ways to deal with this revolution and must find a mechanism which will insure student rights.

Bibliography

Public documents

United States Statute At Large: Civil Rights Act of 1964, Pub. L. 88–352; July 2, 1964. 78 Stat. 241.

Citations to U.S. Supreme Court Report:

Douglas v. *Alabama*, 300 US 415 (1965)
Gideon v. *Wainwright*, 372 US 335 (1963)
Malloy v. *Hogan*, 378 US 1 (1964)
Mapp v. *Ohio*, 367 US 643 (1961)
Miranda v. *Arizona*, 384 US 436 (1965)

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[93] Freedom of Expression: Scoville v. Board of Education of Joliet Township High School District 204.

[94] Griffin v. Tatum 1969; Richards v. Thurston 1970; Montalvo v. Madera Unified School District Board of Education; Jeffers v. Yuba City Unified School District 1970.

[95] Jones v. Gillespie, 1970; Owens v. Devlin; Andino v. Donovan, New York, 1969.

[96] Johnson v. Board of Education of the Borough of Paulsboro (N.J.), Perry v. Grenada Municipal Separate School District.

[97] Overton v. New York; Howard v. Clark.

[98] John Saunders, a speech delivered at the Advisory Board Meeting of the Center for the Study of Student Citizenship, Rights and responsibilities, December 9, 1970. (Unpublished).

[99] Edgar S. Cahn and Jean Camper Cahn, "Power to the People or the Profession?—The Public Interest in Public Interest Law," *The Yale Law Journal*, vol. 79, No. 6, (May 1970), pp. 1020–1021.

[100] Charles A. Reich, *The Greening of America*, (New York: Random House, 1971), p. 4.

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Pointer v. *Texas*, 380 US 400 (1965)
Robinson v. *California*, 370 US 660 (1965)
Citations to "Supreme Court Reporter," West Publishing Company:
Alexander v. *Homes County Board of Education*, 396 US 20, 90 S. Ct. 29 (1969)
Brown v. *Board of Education of Topeka*, 347 US 483, 74 S. Ct. 686 (1954)
Brown v. *Board of Education of Topeka*, 349 US 294, 75 S. Ct. 753 (1955)
Engel v. *Vitale*, 370 US 421, 82 S. Ct. 1261 (1962)
Griswold v. *Connecticut*, 381 US 479, 85 S. Ct. 1678 (1965)
Hamm v. *City of Rock Hill*, 379 US 306, 85 S. Ct. 384, Rehearing Denied 379 US 995, 85 S. Ct. 698 (1964)
Heart of Atlanta Motel, Inc. v. *U.S.*, 379 US 24, 85 S. Ct. 348 (1964)
Plessy v. *Ferguson*, 163 US 537, 16 S. Ct. 1138 (1896)
Reynolds v. *Sims*, 377 US 533, 84 S. Ct. 1362 (1964)
U.S. v. *McClung*, 379 US 294, 85 S. Ct. 377 (1964)
Coleman, James S. *Equality of Educational Opportunity*. Washington, D.C.: United States Printing Office, 1966.

National Defense Education Act, 1958.

The President's Commission on Law Enforcement and Administration of Justice, Task Force on Juvenile Delinquency, Task Force Report. Juvenile Delinquency and Youth Crime: Report on Juvenile Justice and Consultants' Papers. Washington, D.C.: U.S. Government Printing Office, 1967.

Books

———. Advisory Commission on Civil Disorders. *Report of the National Advisory Commission on Civil Disorders*. New York: Bantam, 1968.
Aitken, Jonathan and Michael Beloff. *A Short Walk on Campus*. New York: Atheneum, 1966.
Alinsky, Saul D. *Reveille for Radicals*. New York: Vintage Books, 1969.
Andes, John. "Designing Policies Governing Students' Activities." *Constitutional Rights of Students*, ed. Kern Alexander & James Campbell. Gainesville, Florida: 196–.
Antieau, Chester J. *Federal Civil Rights Acts*. Lawyers' Cooperative Publishing Company, New York, 1970.
Becker, Howard Saul. *Campus Power Struggle*. Chicago: Aldine Publishing Company, 1970.
Mendiner, Robert. *The Politics of Schools*. New Yorker: Harper & Row, 1969.
Bennett, Lerone, Jr. *Before the Mayflower*. Baltimore: Penguin Books, 1966.
Bennett, Lerone, Jr. *Confrontation Black and White*. Chicago: Johnson Publishing Company, Inc., 1965.
Bennett, Margaret Elaine. *College and Life* (Problems of self-direction and self-discovery). New York: McGraw Hill, 1952.
Bernsteine, Saul. *Alternatives to Violence*. (Alienated youth, riots, race, poverty). New York: Associated Press, 1967.
Berube, Maurice E. and Marilyn Gittell. *Confrontation at Ocean Hill-Brownsville*. New York: Praeger, 1969.
Birmingham, John. *Our Time is Now*. (Notes from High School Underground). New York: Praeger, 1970.
Breitman, George. *Malcolm X. Speaks*. New York: Grove Press, Inc., 1965.
Bryant, Barbara Everitt. *High School Students Look at Their World*. Columbus, Ohio: R. H. Goettler and Associates, 1970.
Byrne, John T. *A Study of Student Problems in Catholic Men's Colleges*. Washington: Catholic University Press, 1957.
Cahn, Edgar S. *Our Brother's Keeper: The Indian in White America*. New York and Cleveland: A New Community Press Book, 1969.
Cain, Edward. *They'd Rather Be Right*. New York: McMillan Co., 1963.
Califano, Joseph A. *The Student Revolutionary*. New York: Newton, 1968.
Carling, Francis. *Move Over Students, Politics, Religion*. New York: Sheed and Ward, 1969.
Carmichael, Stokely and Charles V. Hamilton. *Black Power: The Politics of Liberation in America*. Vintage Books by Alfred A. Knopf, Inc. & Random House, Inc., 1967.
Chambliss, William J. *Crime and the Legal Process*. New York: McGraw Hill, 1969.
Christman, Henry M. *History of Bigotry in the United States*. New York: Capricorn Books, 1960.

Digitized by Google

———. Citizen's Board of Inquiry. *Hunger, U.S.A.* Boston: Beacon Press, 1968.
Clark, Kenneth B. "Alternative Public School Systems." *Radical School Reform*, ed. by Ronald Gross and Beatrice Gross. New York: Simon and Schuster, 1969.
Clark, Kenneth B. "Alternatives to Urban Public Schools." *The Schoolhouse in the City*, ed. by Alvin Toffler. New York: Praeger, 1968.
Coles, Robert, M.D. *Teachers and the Children of Poverty.* Washington, D.C.: Potomac Institute, Inc., 1969.
Conant, James Bryant. *The American High School Today: A First Report to Interested Citizens.* New York: McGraw Hill, 1959.
Cooper, David. *To Free a Generation.* New York: MacMillan Company, 1969.
Dewey, John. *Democracy and Education.* New York: MacMillan Company, 1966.
Domhoff, G. William. *Who Rules America?* New Jersey: Englewood Cliffs, Prentice Hall, 1967.
Douglas, Stephen A. *Political Socialization and Student Activism in Indonesia.* University Illinois Press, 1970.
Douglas, William O. *Points of Rebellion.* New York: Vintage Books, 1969.
Droper, Hal. *The New Student Revolt.* New York: Grove Press, 1965.
Duhl, Leonard J. *The Urban Condition.* New York: Basic Books, Inc., 1963.
Evans, Medford Stanton. *Revolt on Campus.* Chicago: H. Regney Co., 1961.
———. Fact-Finding Commission on Columbia Disturbances. New York: Vintage Books, 1968.
Fanon, Frantz. *The Wretched of the Earth.* New York: Grove Press, Inc., 1968.
———. *Toward the African Revolution.* New York: Grove Press, Inc., 1967.
Fantini, Mario O. *Alternatives for Urban School Reform.* New York: Ford Foundation, 1968.
Feuer, Lewis Samuel. *The Conflict of Generations.* New York: Basic Books, 1969.
Fischer, Jon J. "Schools for Equal Opportunity." *The Schoolhouse in the City* by, ed. by Alvin Toffler. New York: Praeger, 1968.
Frazier, E. Franklin. *Race and Culture Contacts in the Modern World.* Boston: Beacon Press, 1957.
Friedl, Ernestine. *Academic Freedom in the Secondary Schools.* New York: American Civil Liberties Union, September, 1968.
Friedman, Lawrence M. and Stewart MacCaulay. *Law and the Behavioral Sciences.* Indianapolis, Indiana: Bobbs-Merrill Company, Inc., 1969.
Gleeson, Patrick. *Essays on the Student Movement.* Columbus, Ohio: Merrill, 1970.
Goldschmidt, Marcel L. *Black Americans and White Racism.* New York: Holt, Rinehart and Winston, Inc., 1970.
Green, Robert L. *Racial Crisis in American Education.* Chicago: Follett Educational Corp., 1969.
Grier, William H. and Cobbs. *Black Rage.* New York: Basic Books, Inc., 1968.
Gross, Ronald and Beatrice Gross. *Radical School Reform.* New York: Simon and Schuster, 1969.
Hechinger, George and Fred Hechinger. *Teenage Tyranny.* New York: Morrow, 1963.
Henry, Jules. "American Schools: Learning the Nightmare." *Radical Perspective on Social Problems*, ed. by Frank Lindenfield. New York: MacMillan Co., 1968.
Hunt, Everett Lee. *The Revolt of the College Intellectual.* New York: Human Relations Aids, 1963.
Jones, Gareth Stedman. "The Meaning of the Student Revolt." *Student Power: Problems, Diagnosis, Action*, ed. by Alexander Cockburn and Robin Blackburn. Baltimore: Penguin Books, 196–.
Kelley, Earl C. *In Defense of Youth.* Englewood Cliffs, New Jersey: Prentice-Hall, 1962.
Kelman, Steven. *Push Comes to Shove.* Boston: Houghton, Mifflin, 1970.
Keniston, Kenneth. *Young Radicals.* New York: Harcourt, Brace and World, 1968.
King, Martin Luther, Jr. *The Trumpet of Conscience.* New York: Harper & Row, 1967.
Kozol, Jonathan. *Death at an Early Age.* New York: Bantam, 1967.
Leiden, Carl and Karl M. Schmitt. *The Politics of Violence: Revolution in the Modern World.* Englewood Cliffs, New Jersey: Prentice-Hall, 1968.
Lerner, Max. *Education and a Radical Humanism:* Notes Toward a Theory of the Educational Crisis. Columbus, Ohio: Ohio State University Press, 1962.
Lindenfield, Frank. *Radical Perspectives on Social Problems.* New York: MacMillan Company, 1968.

Digitized by Google

Lipseth, Seymour Martin. *The Berkeley Student Revolt: Facts and Interpretations.* New York: Anchor Books, 1965.
Lipseth, Seymour Martin and Phillip G. Alttrach. *Students in Revolt.* Boston: Houghton-Mifflin, 1970.
MacIver, Robert M. *The Prevention and Control of Delinquency.* New York: Atherton Press, 1966.
Malcolm X. *The Autobiography of Malcolm X.* New York: Grove Press, Inc., 1964.
Malcolm X. "To Mississippi Youth." *Malcolm X Speaks,* ed. by George Breitman. New York: Grove Press, 1965.
Mallery, David. *Ferment on the Campus* (1st edition). New York: Harper & Row, 1965.
McKissick, Floyd. *Three-fifths of a Man.* New York: MacMillan Company, 1969.
Mead, Margaret. *Culture and Commitment: A Study of the Generation Gap.* New York: Natural History Press/Doubleday and Company, Inc., 1970.
Meyers, Marvin, John G. Cawelti, Alexander Kern. *Sources of the American Republic, a Documentary History: Politics, Society and Thought.* Vol. I, "Reason's Voice. The Moral Instinct as the Foundation of Man's Morality," (a letter from Thomas Jefferson to Thomas Law dated June 13, 1814.) Atlanta, Georgia: Scotts-Foresman, 1967.
Murphy, Gardner, *Public Opinion and the Individual.* New York: Russell and Russell, 1967.
Ng, Larry. (ed). *Alternatives to Violence.* New York: Time-Life Books, 1968.
Obeles, Elvin. *The Student and the University.* New York: Parents' Magazine Press, 1969.
Peter, Dr. Laurence, J. and Raymond Hull. *The Peter Principle.* New York: William Morrow and Company, Inc., 1969.
Peterson, Richard E. *The Scope of Organized Student Protest in 1967–68.* Princeton, New Jersey: Educational Testing Service, 1968.
Postman, Neil and Charles Weingartner. *Teaching as a Subversive Activity.* New York: Delacorte Press, 1969.
Reich, Charles A. *The Greening of America.* New York: Random House, 1971.
Rickover, Hyman G. *American Education—a National Failure:* The Problems of our Schools and What We Can Learn from England. New York: E. P. Dutton and Company, Inc., 1963.
Riesman, Frank. *Strategies Against Poverty.* New York: Random House, Inc., 1969.
Romano, David. "I Saw America in the Streets." *The High School Revolution,* ed. by Marc Libarle and Tom Seligson. New York: Vintage Books, 1970.
Samford, Clarence, Edith McCall, Floyd F. Cunningham. *You and the Americas.* Chicago: Benefit Press, 1967.
Samford, Clarence, Edith McCall, Floyd F. Cunningham. *You and Regions Near and Far.* Westchester, Illinois: Benefit Press, 1968.
Schaub, Joseph Jackson. *College Curriculum and Student Protest.* Chicago: University of Chicago Press, 1966.
Scheer, Robert. Eldridge Cleaver, *Post-Prison Writings and Speeches.* New York: Vintage Books, Division of Random House, 1967.
Scott, Marvin B. *The Revolt of the Students.* Columbus, Ohio: Merrill. 1970.
Seidenbaum, Art. *Confrontation on Campus.* Los Angeles: Ward Ritchie Press, 1969.
Silberman, Charles E. *Crisis in the Classroom:* The Remaking of American Education. New York: Random House, 1970.
Simon, Rita James. *The Sociology of Law.* Chicago: Chandler Publications, 1968.
Smith, Donald H. "The Black Revolution and Education." *Racial Crisis in American Education,* ed. by Robert L. Green. Chicago: Follett Education Corp., 1969.
Stinchombe, Arthur. *Rebellion in a High School.* Chicago: Quadrangle Books, 1964.
Stone, Chuck. *Tell It Like It Is.* New York: Trident Press, 1967.
Stroup, Herbert Hewitt. *Toward a Philosophy of Organized Student Activities.* Minneapolis, Minnesota: University of Minnesota Press, 1964.
TenBroek, Jacobus. *The Law and the Poor.* San Francisco: Chandler Publishing Company, 1966.
Toffler, Alvin. *Future Shock.* New York: Random House, 1970.
Walch, J. Weston. *High School Discipline.* Portland, Maine: J. Weston Walch Publisher, 1960.

Digitized by Google

Weaver, Gary R. and James H. Weaver, ed. *The University and Revolution.* New York: Prentice-Hall, 1969.
Wilcox, Preston. "The Thrust Toward Community Control of the Schools in Communities." *Racial Crisis in American Education,* ed. Robert L. Green. Chicago: Follett Education Corp., 1969.
Wittenberg, Rudolph M. *The Troubled Generation.* New York: Associated Press, 1967.
Wills, Garry. *The Second Civil War,* Arming for Armageddon. New York: Signet books, June 1968.
Wright, Nathan, Jr. *Let's Work Together.* New York: Hawthorn Books, Inc., 1968.
Wright, Nathan, Jr. *Black Power and Urban Unrest.* New York: Hawthorn Books, Inc., 1967.
Young, Richard P. *Roots of Rebellion.* New York: Harper & Row, 1970.
Young, Whitney M., Jr. *Beyond Racism.* New York: McGraw-Hill, 1969.
Young, Whitney M., Jr. *To Be Equal.* New York: McGraw-Hill, 1964.
Xweig, Ferdinand. *The Student in the Age of Anxiety.* New York: Free Press of Glencoe, 1964.

Periodicals

"Activated Student." *National Association of Secondary School Principals Bulletin.* Vol. 53, pp. 1–44. September 1969.
"Activism Among College Students." W. W. Brickman. *School and Society.* Vol. 95, p. 4. January 7, 1967.
"Age of Protest." H. H. Punke. *Social Studies.* Vol. 59, pp. 318–25. December 1968.
"Alienation of Students: Have we missed their signals?" E. G. Williamson. *National Association of Women Deans and Counselors Journal.* Vol. 30, pp. 27–37. Fall 1966.
"ACLU on Student Demonstrations." ACLU. *School and Society.* Vol. 96, p. 376–7. October 26, 1968.
"Amnesty New Order on College Campuses." V. W. Johnston. *School and Society.* Vol. 96, pp. 364–5. October 26, 1968.
"Amnesty Spreads in U.S. Colleges." *U.S. News.* Vol. 64, p. 65. May 6, 1968.
"Anatomy of a Revolt." A. Buchwald. *School and Society.* Vol. 99, p. 371. October 16, 1965.
"Armband Case Stirs Debate by Supreme Court." L. O. Garber. *Nation's Schools.* Vol. 83, pp. 72+. June 1969.
"As Turmoil Spreads Uneasy U.S. Takes Stock." *U.S. News.* Vol. 66; May 19, 1969.
"Battle on Sproul Hall: Protest Against Ban On Politics at Berkeley." J. M. Russin. *Newsweek.* Vol. 64, pp. 44+. December 14, 1964.
"Battle Scarred Youngsters (SNCC)." H. Zinn. *Nation.* Vol. 197, pp. 193–7. October 5, 1963.
"Berkeley: New Crisis Breaks Out on California Campus." D. S. Greenberg. *Science.* Vol. 154, pp. 1304–6. December 9, 1966.
"Board of Trustees and Student Behavior." J. L. Chapman. *School and Society.* Vol. 96, pp. 363–4. October 26, 1968.
"Both Rebellion and Strike." University of Massachusetts. *Science News Letter.* Vol. 82, p. 237. October 13, 1962.
"Campus Activism." F. E. Kearns. *Yale Review.* Vol. 58, pp. 28–44. October, 1968.
"Campus Agitation v. Education." *Life.* Vol. 58, p. 4. January 22, 1965.
"Campus Disruptions." R. W. Fleming. *School and Society.* Vol. 96, pp. 232–3. April 13, 1968.
"Campus Protest Yes, Violence No." *Life.* Vol. 61, p. 4. December 2, 1966.
"Campus Rebels Find a Cause." A. Brick. *Nation.* Vol. 189, pp. 395–7. November 28, 1959.
"Campus Rebels: Who, Why, What." *Newsweek.* Vol. 72, pp. 63–8. September 30, 1968.
"Campus Report: Mood of the Students." *New York Times Magazine.* pp. 24–5+. November 7, 1963.
"Campus Revolutionaries." R. M. Nixon. *Vital Speeches.* Vol. 35, pp. 546–8. July 1, 1969. (of *U.S. News*)—June 16, 1969.
"Campus Riots: A Justice Speaks Out." A. Fortas. *U.S. News.* Vol. 64, p. 8. June 3, 1968.
"Campus Unrest." *Today's Ed.* Vol. 58, pp. 25–33. November, 1969.

Digitized by Google

"Campus Uproar that is Blamed on Reds." *U.S. News.* Vol. 57, p. 12. December 14, 1964.
"Case for the Rebellious Students and Their Counterrevolution." J. Fisher, *Harper.* Vol. 237, pp. 9–12. August 1968 or *Reader's Digest,* November 1968, p. 90.
"Cease Fire on Campus." *Newsweek.* Vol. 76, p. 79. October 19, 1970.
"Chaos on Campus." *New Republic.* Vol. 158, pp. 14–15. January 6, 1968.
"Chief Justice Earl Warren." Archibald Cox. *Harvard Law Review.* Vol. 83, p. 2. 1970.
"Chorus of Whimpers . . . Campus Revolt on Wane." *Time.* Vol. 89, p. 39. April 7, 1967.
"Civil Liberties and Uncivilities in School." W. W. Brickman. *School and Society.* Vol. 95, p. 102. February 18, 1967.
"Civil Liberties for College Students." G. R. Hawes. *Saturday Review.* Vol. 49, pp. 61–3. June 18, 1966.
"Climate Berkeley; Discipline and the Issue of Political Protests." *Time.* Vol. 84, p. 30. December 25, 1964.
"College Classrooms: The Mute Rebellion." R. H. Costa. *College English.* Vol. 31, pp. 683–4. April 1970.
"Coming Revolt of High School Students." L. M. Bramer. *Ed. Digest.* Vol. 34, pp. 18–21. November 1968.
"Consequences of Student Protests." L. B. Mayhew. *School and Society.* Vol. 96, pp. 388–9. November 9, 1968.
"Conservatism of Campus." J. P. Sisk. *Commonwealth.* Vol. 723, pp. 451–4. January 27, 1961.
"Crisis After the Calm." *Time.* Vol. 91, p. 40. May 31, 1968.
"Critique of Student Activism." *School and Society.* Vol. 97, pp. 138–40. March 1969.
"Dealing with Disruption." *School and Society.* Vol. 97, p. 341. October 1969.
"Dissent Comes to the High School." R. E. Forbes. America. Vol. 123, pp. 177–8. September 19, 1970.
"Dual Purpose Revolution." F. H. Bowles. *NEA Journal.* Vol. 55, pp. 38–40. December 1966.
"Education: A Search for Legitimacy." Charles V. Hamilton. *Harvard Educational Review.* Reprint Series No. 3, 1969.
"Education and Community." Fred Newmann and Donald W. Oliver. *Harvard Educational Review.* Reprint Series No. 3, 1969.
"Educational Agenda for the 1970's and Beyond: Public School of Choice." Mario Fantini. *Social Policy.* November–December, 1970.
"Extremism in the Defense of . . ." R. E. Fetch. *Christian Century.* Vol. 82, pp. 11–15. January 6, 1965.
"Foolproof Scenario for Student Revolts." J. R. Searle. *New York Times Magazine.* pp. 4–5. December 29, 1968.
"Frederick Douglass." *Jet.* 1969.
"Goal of New Left: Down with Everything." *U.S. News.* Vol. 66, pp. 56–57. January 20, 1969.
"Guerrillas on Campus: Move from Protest to Resistance at San Fran State." *Newsweek.* Vol. 70, pp. 68+. December 18, 1967.
"Have We Overlooked the Obvious?" D. Lawrence. *U.S. News.* Vol. 69, p. 96. October 5, 1970.
"High School Faces New Challenges from Growing Student Unrest." *Nations Scholastic.* Vol. 82, pp. 28+. November 1968.
"High School Student Activism." C. R. Ashbaugh. *Nations Scholastic.* Vol. 83, pp. 94–6. February 1969.
"History of College Student Unrest." *School and Society.* Vol. 94, p. 56. February 5, 1966.
"How Racists Use 'Science' To Degrade Black People." C. T. Rowan. *Ebony.* 1970.
"How to Wreck a Campus." D. Swanston. *Nation.* Vol. 206, pp. 38–41. January 8, 1968.
"Incredible 1968, Year of Dissent." *Life.* Vol. 66, pp. 38–98. January 10, 1969.
"Induction of Student Demonstrators." *School and Society.* Vol. 96, pp. 156–7. March 2, 1968.
"Inequality in Education, Number One: October 10, 1969." *Harvard Center for Law and Education.* 1969.
"Integrated Education." Meyer Weinberg. The Glencoe Press, 1968.

Digitized by Google

"Is Student Protest Spreading to the High School?" D. M. Gudridge. *Today's Education.* Vol. 57, pp. 30–2. October 1968.
"Issue in Democracy: Anarchy v. the Rights of all Students." H. E. Babbush. *Journal of College Placement.* Vol. 28, pp. 12+. February 1968.
"Ivy League Integrationists." R. W. Apple, Jr. *Reporter.* Vol. 28, pp. 32–4. February 14, 1963.
"Militant Mood in Negro Colleges." J. Bass and P. Clancy. *Reporter.* Vol. 38, pp. 21–3. May 16, 1968.
"Mood and Mores." *Time.* Vol. 89, pp. 95–6. November 18, 1966.
"More Chaos Coming." *Changing Times.* Vol. 22, pp. 17–18. August 1968.
"Much Interrupted by Bell and Shooting." R. L. Wright. *Journal of General Education.* Vol. 18, pp. 151–4. October 1966.
"Meeting at a Great University." *Life.* Vol. 64, pp. 36–48. May 10, 1968.
"New Campus Cry: Student Power, But a Crackdown Starts." *U.S. News.* Vol. 63, pp. 6+. November 13, 1967.
"New Campus Mood, From Rage to Reform." *Time.* Vol. 96, pp. 38+. November 1970.
"The New Sovereign Immunity." Edgar S. and Jean Camper Cahn. *Harvard Law Review.* pp. 929–991. March 1968.
"New Student Crusade: Working in the System." *Time.* Vol. 95, pp. 19–20. May 25, 1970.
"New Student Left." D. Lowman. *National Association of Women Deans and Counselors Journal.* Vol. 31, pp. 57–63. Winter 1968.
"New Student Power and Needed Educational Reforms." J. Katz, and N. Sanford. *Ed. Digest.* Vol. 32, pp. 37–40. September 1966.
"No Fair! Students Strike at California." G. Marine. *Nation.* Vol. 199, pp. 482–6. December 21, 1964.
"Not So Silent Generation." F. M. Heckinger. *New York Times Magazine.* pp. 30–1. October 16, 1960.
"Oakland: How to Loose in Winning." J. S. Hadsell. *Christian Century.* Vol. 84, pp. 1476–8. November 15, 1967.
"On High School Violence: Teacher-Student Role." A. Cornstein. *Journal of Sec. Ed.* Vol. 45, pp. 99–105. March 1970.
"On the Campus: Fear and Anger." *Newsweek.* Vol. 70, pp. 87–8+. July 10, 1967.
"Organized Student Protest in 1964–65." R. E. Peterson. *National Association of Women Deans and Counselors Journal.* Vol. 30, pp. 50–6. Winter 1967.
"Origins of Judicial Control of Public Education." Theodore C. Roth. *National Elementary Principal.* Vol. L, No. 1, September 1970.
"Our Angry Undergrads." *Saturday Evening Post.* Vol. 241, pp. 23–7. September 21, 1968.
"Patterns of Political Learning." M. Kent Jennings and Richard G. Niemi. *Harvard Educational Review.* Vol. 38, No. 3. Summer 1968.
"Prerogatives of Students . . ." W. W. Van Alstyne. *National Association of Women Deans and Counselors Journal.* Vol. 30, pp. 11–16. Fall 1966.
"Placement and the Campus Revolt." L. A. Lansner. *Journal of College Placement.* Vol. 26, pp. 77–8. April 1966.
"Politics of Democracy." E. H. Rosenburg. *Phi Delta Kappan.* Vol. 46, pp. 465–6. May 1965.
"Politics of Outrage." M. Rogin. *Commonwealth.* Vol. 84, pp. 99–102. April 15, 1966.
"Power to the People or the Professions?—The Public Interest in Public Interest Law." Edgar S. and Jean Camper Cahn. *Yale Law Journal.* pp. 1005–1048. May 1970.
"Price of Campus Peace." *Life.* Vol. 68, pp. 38. May 29, 1970.
"Reasons for Discontent." J. W. Lederle. *School and Society.* Vol. 96, p. 166. March 16, 1968.
"Rebellion on Campus." S. M. Lipset. *American Education.* Vol. 4, pp. 28–31. October 1968.
"Revolt in the High Schools: The Way It's Going to Be." Diane Divakey. *Saturday Review.* February 15, 1969.
"Racial Ruckus Turns Into Student Boycott." L. C. Hickman. *Nations Schools.* Vol. 80, pp. 26–8. November 1967.
"Recommendations on Student Activism in High Schools." *School and Society.* Vol. 97, pp. 342–3. October 1969.
"Revolt on Campus." R. MacLeish. *Reader's Digest.* Vol. 94, pp. 71–76. June 1969.

Digitized by Google

"Rights and Responsibilities." *School and Society.* Vol. 95, pp. 246–8. April 15, 1967.
"Rights of Protesting Students, a New Issue in Courts." *U.S. News.* Vol. 65, pp. 50–1. December 30, 1968.
"Riots and Disorders." J. D. Grambs. *Catholic Ed. Review.* Vol. 67, pp. 123–32. November 1969.
"Running a University Under Fire." *Business Week.* Pp. 126–8. September 21, 1968.
"Savio Onstage." *Newsweek.* Vol. 64, p. 71. December 21, 1964.
"Schools and Communities: A Look Forward." Thomas F. Green. *Harvard Educational Review.* Spring 1969.
"Soon a Student Strike Inspired by Communists?" U.S. News. Vol. 64, p. 10. April 1, 1968.
"Student Activists and Faculty Irrelevance." H. D. Gideonse. *American Association of College Teachers Education Yearbook.* Vol. 21, pp. 180–9. 1968.
"Student Activists: Free Form Revolutionaries." C. Burck. *Fortune.* Vol. 79, pp. 108–11. January 1969.
"Student Activism, Moral Development and Morality." K. Keniston. *American Journal of Orthopsychiatry.* Vol. 40, pp. 577–92. July 1970.
"Student-Administration War of 1966." J. Simmons and P. O. Grande. *Catholic Educational Review.* Vol. 64, pp. 582–9. December 1966.
"Students at the Barricades." B. Gifford. *Ohio Schools.* Vol. 47, pp. 12–14. March 14, 1969.
"Student Dissent; An Analysis." J. J. Pietrofesa & W. H. Van Hoose. *Clearing House.* Vol. 44, pp. 395–400. March 1970.
"Student Drive to Destruction." L. J. Halle. *New Republic.* Vol. 159, pp. 10–13. October 19, 1968.
"Student Freedom." *School and Society.* Vol. 94, pp. 372. November 12, 1966.
"Student Freedom and the Republic of Scholars." P. Seabury. *Comp. Ed. Review.* Vol. 10, pp. 350–8. June 1966.
"Students in Court." Richard L. Berman. *Harvard Educational Review.* Vol. 40, No. 4. November 1970.
"Students on Rampage All Around the World." *U.S. News.* Vol. 66, p. 8. February 3, 1969.
"Students Politics and Power." R. A. Schroth. *America.* Vol. 119, pp. 258–9. September 28, 1968.
"Student Power." *Commonwealth.* Vol. 88, pp. 251–3. May 17, 1968.
"Student Power and Academic Anarchy." W. W. Brickman. *School and Society.* Vol. 96, p. 6. January 6, 1968.
"Student Power." J. A. Brown. *National Association of Women's Deans and Counselors.* Vol. 32, pp. 97–103. Spring 1969.
"Student Power." *Newsweek.* Vol. 70, p. 49. September 4, 1967.
"Student Power." J. R. Cayne, Jr. *National Review.* Vol. 21, pp. 432–3+. May 6, 1969.
"Student Power." Brandon. *Saturday Review.* Vol. 51, p. 72. June 15, 1968.
"Student Power Movement." *America.* Vol. 119, pp. 238–9 September 28, 1968.
"Student Power and Business of Intellectuals." D. Cohn-Bendit. *Ramparts Magazine.* Vol. 6, pp. 24–5. June 29, 1968.
"Student Protests." *Science.* Vol. 161, pp. 20–3. July 5, 1968.
"Student Protest and Commitment." N. M. Pussey. *School and Society.* Vol. 93, pp. 471–4. December 11, 1965.
"Student Protest and the Establishment." C. G. Austin. *Journal of Higher Education.* Vol. 39, p. 223–5. April 1968.
"Student Radicals." *Newsweek.* Vol. 71, pp. 42–3. June 24, 1968.
"Student Revolt Against Liberalism." Eisen & Steinberg. *Current.* Vol. 108, pp. 11–14. June 1969.
"Student Riot Bill." W. F. Buckley, Jr. *National Review.* Vol. 21, pp. 622–3. July 1, 1969.
"Student Social Class and Teacher Expectations: The Self-fulfilling Prophecy in Ghetto Education." Ray C. Rist. *Harvard Education Review.* 1970.
"Student Strike: High School in New York." *New Yorker.* Vol. 44, pp. 53–6. December 14, 1968.
"Student Take Over." K. Rexroth. *Nation.* Vol. 191, pp. 4–9. July 2, 1960.
"Student Unrest: The Educational Reasons." J. J. Ryan. *Catholic World.* Vol. 208, pp. 7–9. October 1968.

Digitized by Google

"Student Violence and Rebellion." *NEA Journal.* Vol. 54, pp. 10–13. December 1965.
"Teachers Role in Campus Revolt." *U.S. News.* Vol. 68, pp. 36–8. June 15, 1970.
"Tensions on Campus." S. M. Linowitz. *School and Society.* Vol 98, pp. 115–6.
"The Black Scholar." Robert Chrisman. *The Black World Foundation.* January-February 1970.
"To Prison With Love." *Time.* Vol. 84, p. 60. December 11, 1964.
"Toward Remedies for Restlessness: Issues in Student Unrest." E. J. Shoben, Jr. *Liberal Ed.* Vol. 54, pp. 221–30. May 1968.
"Turbulance on the Campus." J. C. Hoover. *PTA Magazine.* Vol. 60, pp. 4–6. February 1966.
"Trustees Take a Hand in Campus Showdowns." *Business Week.* Pp. 58–60. October 19, 1968.
"UCLA v. Mob Rule on Campus." *School and Society.* Vol. 96, p. 233. April 16, 1968.
"Unrest on Campus." L. A. Kimpton. *Vital Speeches.* Vol. 32, pp. 302–5. March 1, 1966.
"Unrest on Campus: Reasons Why." *U.S. News.* Vol. 62, p. 12. May 1, 1967.
"Unsilent Generation." J. Rothchild. *National Review.* Vol 21, pp. 591–4.
"Vanguard of the Campus Revolt." E. Dunbar. *Look.* Vol. 32, pp. 23–9. October 1, 1968.
"Vietnam: Growing War and Campus Protests Threaten Student Deferments." E. Langer. *Science.* Vol. 151, pp. 517–18. February 4, 1966.
"Violence Hits High Schools, Colleges: What's Causing It?" *U.S. News.* Vol. 64, pp. 36–40. May 20, 1968.
"What Are the Young People Telling Us?" N. Cousins. *Saturday Review.* Vol. 51, p. 28. May 18, 1968.
"What Place For Controversy?" A. A. Glatthorn. *National Association of Secondary School Principals Bulletin.* Vol. 50, pp. 1–8. September 1966.
"What Student Power Means." J. R. Kramer, *New York Times Magazine,* pp. 32–34. May 26, 1968.
"What the Rebellious Students Want." S. Spender. *New York Times Magazine.* pp. 56–7. March 30, 1969.
"When Student Power Gets Out of Hand." *U.S. News.* Vol. 64, pp. 70–2. April 1, 1968.
"When Students Try to Run a University: Berkeley." *U.S. News.* Vol. 57, p. 43. December 21, 1964.
"Where Campus Violence is Heading." L. Wilson. *U.S. News.* Vol. 64, pp. 41–4. May 20, 1968.
"Where Disordered Closed a Campus." *U.S. News.* Vol. 65, p. 12. November 25, 1968.
"Which Students Protest and Why?" *Trans-Action.* Vol. 5, p. 6. June 1968.
"Who Are the Activists?" E. Van Loon. *American Ed.* Vol. 4, pp. 2–4. December 1967.
"Why Students Revolt." B. Ward. *Nation.* Vol. 200, pp. 81–5. January 25, 1965.
"Why Students Revolt." S. Barr. *Ed. Digest.* Vol. 34, pp. 4–5. May 1969.
"Why Students Seize Power." L.S. Levine. *Nation.* Vol. 206, pp. 622–4. May 13, 1968.
"Why Students Are Protesting." *Time.* Vol. 91, pp. 24–5. May 3, 1968.
"Why Students Rebel." J. R. Frymier. *Ed. Leader.* Vol. 27, pp. 346–50. January 1970.
"Youth in Ferment." *Senior Scholastic.* Vol. 94, pp. 4–12. March 7, 1969.
"Youth In Turmoil." *Fortune.* 1969.
"Youth Revolution." J. B. Sheerin. *Catholic World.* Vol. 208, pp. 98–9. December 1968.
"Zengakuren: Leftism Run Riot." M. Cooper. *America.* Vol. 103, pp. 392–4. June 25, 1960.

Proposals and reports

Alexander, Kern and James Campbell, ed. *Constitutional Rights of Students;* Gainesville, Florida: University of Florida, College of Education and Florida State Department of Education, 1969.
American Bar Association, Law Student Division, Committee on Student Rights and Responsibilities, *Model Code for Student Rights, Responsibilities and Conduct.* Chicago: American Bar Association, 1968.
American Civil Liberties Union; *A Preliminary Statement on Civil Liberties of Children in Elementary Schools.* New York, 1970 (unpublished).

Digitized by Google

American Civil Liberties Union; *Statement of the American Civil Liberties Union to the White House Conference on Children.* New York, October 20, 1970.

Bittman, Howard; Marie Grossman, Martin Katz, Geoffrey Sadwith, Janet Wells and Spencer Wells; *The Education Rights Manual.* Cleveland: Council of Churches of Christ of Greater Cleveland, Education Task Force, and the Legal Aid Society of Cleveland, Inc., 1969.

Cahn, Edgar S. and Barry A. Passett; *Citizen Participation.* Trenton, New Jersey: New Jersey Community Action Training Institute, 1969.

Dayton Public Schools Division of Research, Department of Planning and Development; *A Dayton Public School Dropout Statistical Profile.* Wayne M. Carle, Superintendent of Schools. Summer 1970 (unpublished).

Dayton Public Schools Division of Research, Department of Planning and Development; *Administrative Statistics for Decision Making.* Vol. 1, No. 2. November 11, 1970 (unpublished).

Detroit Public Schools; *Guidelines for School Decentralization.* Board of Education, 1970 (unpublished).

Glasser, Ira; *A Student Bill of Rights.* New York Civil Liberties Union Memorandum. New York: August 5, 1969 (unpublished).

Goldwin, Robert A.; *On Civil Disobedience.* Gambier, Ohio. The Public Affairs Conference Center, Kenyon College, 1968.

Miles, Matthew B.; "Planned Change and Organizational Health: Figure and Ground." *Change Process in the Public Schools,* ed. Richard D. Carlson. Eugene, Oregon: University of Oregon Center for the Advanced Study of Educational Administration, 1965.

National Association of Secondary School Principals; *The Reasonable Exercise of Authority.* Washington, D.C.

Pierce, Truman M.; *Educational Change and the Role of Media.* (A report of the Symposium on identifying techniques and principles of gaining acceptance of research results of use of new media in education.) Lincoln, Nebraska, 1963.

Russell Sage Foundation; *Guidelines for the Collection, Maintenance and Dissemination of Pupil Records: Report of a Conference on the Ethical and Legal Aspects of School Record Keeping.* Sterling Forest, New York. 1969.

The Harvard Center for Law and Education; *Student Rights Litigation Materials.* Cambridge, Massachusetts: The Harvard Center for Law and Education, 1960.

The Harvard Center for Law and Education and the NAACP Legal Defense and Education Fund, Inc.; *A Litigation Packet for Title I of the Elementary and Secondary Education Act,* Cambridge: 1970.

Thomas, Arthur E.; *The Education Component Model Cities Demonstration Project,* Dayton, Ohio. A Proposal for Improving Educational Opportunities. August 23, 1968 (unpublished).

Thomas, Arthur E.; *Proposal for a Student Advocate Center to Secure Legal Redress for Student Rights and Grievances:* Center for the Study of Student Citizenship, Rights and Responsibilities. Institute for Research and Development of Urban Areas, Central State University, Wilberforce, Ohio. December 1969 (unpublished).

Thomas, Arthur E.; *Preliminary Progress Report,* Center for the Study of Student Citizenship, Rights and Responsibilities, Dayton, Ohio. September 30, 1970.

Thomas, Arthur E.; *Progress Report Number I,* Center for the Study of Student Citizenship, Rights and Responsibilities, Dayton, Ohio. December 1970 (unpublished).

Thomas, Arthur E.; *Progress Report Number II,* Center for the Study of Student Citizenship, Rights and Responsibilities, Dayton, Ohio. March 31, 1971 (unpublished).

Thomas, Arthur E.; Refunding Proposal for a Center to Secure Legal Redress for Student Rights and Grievances. Institute for Research and Development in Urban Areas, Central State University, Wilberforce, Ohio. April 1970 (unpublished).

Thomas, Arthur E.; *Delinquency: An Assessment of the Juvenile Delinquency Prevention and Control Act of 1968,* ed. Larry L. Dye, "Love, Trust, and Respect for Each other, Preconditions of Justice as the Basis for Law and Order," Amherst Massachusetts: University of Massachusetts Conference, 1970.

Thomas, Arthur E. and Ruth W. Burgin; *Community School Council, Philosophy and Framework for Urban Educational Change.* Institute for Research and

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Development in Urban Areas, Central State University, Wilberforce, Ohio. May 1971.
Thomas, Arthur E. and Ruth W. Burgin; An Experiment in Community School Control: *An Evaluation of the Dayton Experience.* Institute for Research and Development in Urban Areas, Central State University, Wilberforce, Ohio. May 1971.
Totten, W. Fred and Frank J. Manley; *The Community School.* Galien, Michigan; Allied Education Council, 1969.
White House *Conference on Children,* Washington, D.C. 1970 (unpublished).

Newspapers—New York Times

Activism on College Campuses Compared to 1962. Nov. 20, 1:2;20 (1967)
Dissident Students Activists are a Minority. Dec. 4 IV p. 9 (1967)
Lack of Unrest at Catholic Institutions. June 9, 59: 2 (1969)
N.S.A. Blames Campus Administrators for Disorders. Feb. 15, 16:7 (1969)
Prof. H. Aiken, Questions How Demonstrations are Handled. Jan. 28, 43:1 (1969)
Prof. L. S. Feuer (urges students self-government, self-discipline; analyzes campus unrest). Septmeber 18, VI p. 56. (1966)
Student Activities and Conduct Articles by Prof. Friedenberg (students feel alienated and college is meaningless). Jan. 16, VI p. 10 (1966)
U.S. Supreme Court asks Justices to limit power of officials to oust student protestors. Jan. 8, 51: 3 (1969)

Video tapes

Hillman, Larry W.; School Decentralization: The Detroit Story. Wayne State University Center for Instructional Technology, 1970. (A 48 minute video tape, No. 456.)

Handbooks

Dayton Public Schools, *Student Rights and Responsibilities in the Dayton Public Schools,* September, 1970.
Roosevelt High School, *Rally for Roosevelt,* student handbook, Dayton, Ohio. Printed yearly.

Addresses

Kennedy, Robert F. Address presented to the University of Chicago, May 1, 1964, (unpublished).
Ladd, Edward T. Due Process for Students in Public Schools. Presented to the American Association of School Administrators Convention in Atlanta, Georgia. February, 1971 (unpublished).
Lerner, Max. Address presented at Wayne State University, August 1970 (unpublished).
Saunders, John. *Student Rights,* a speech given at the Advisory Board Meeting of the Center for the Study of Student Citizenship, Rights and Responsibilities. December 9, 1970 (unpublished).

MACFARLANE SCHOOL STUDY, 1968

Introduction

Earlier this year, a series of questionnaires were given to students in grades Kindergarten through Eighth at the MacFarlane Elementary School. Other questionnaires were given to teachers at the school. A set of reading tests were administered to students in grade Four and in the summer program in grades Two and Four. As a result of this preliminary research effort, data has been collected and the purpose of this study is to analyze and interpret the information contained in the questionnaires and standardized tests.

Areas Covered In the Study

1. Student Questionnaires
   a. Test of Perceptions
   b. Survey of Attitudes
   c. Survey of Motivation (Job Survey)
2. Measures of Reading Ability and Progress
3. Teacher Evaluations of the MacFarlane School Program

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Method Employed

A random sample of students at the MacFarlane School was drawn from the total registration and attendance lists. A random number table was used to select the sample of students in grades Kindergarten through Eighth. The student questionnaire was administered to those students in the sample who were available for testing. Although the original sample contained 123 students, only 71 students completed the forms.

The Gray Standardized Oral Reading Paragraphs Test was given to all Fourth grade students; however, absence from class and moves from the school district account in large measure for the smaller number of students who actually took the test. In all, 115 students out of a possible 156 registered students participated in the testing program.

Fourth graders participating in a summer reading program were given the Gray's Standardized Oral Reading Paragraphs reading abilities test, and 64 students completed the test. Another summer reading project was conducted using junior and senior students from Roosevelt High School. This program was offered to second graders and the California Reading Test was administered to 52 students.

A questionnaire testing occupational goals and projected income levels was given to 1266 MacFarlane students. The results of this job survey are included in this report.

Finally, teachers at the MacFarlane school were asked to evaluate the program of the institution with regard to (1) motivation, (2) learning, (3) discipline, (4) staff morale, and (5) self image. Moreover, teachers were asked to comment on the aspects of the institution which they favored and those which they disliked in a short survey conducted independently of the first evaluation.

Student Questionnaire—Analysis of Data

Introductory remarks

In order to be meaningful the findings indicated from the student questionnaire must be viewed in light of some of the problems attendant with the measure itself and the way in which it was administered. These problems are a normal function of an initial research work and help to provide cues for changes and improvement in future research designs.

First, asking students in an elementary school (which in this case includes grades Kindergarten through Eighth) to respond to general questions is at best a difficult problem. Therefore, it would be best if the responses within each grade level could be treated separately and then lumped together to form a total group profile. However, in spite of an adequate sampling, too few students in each grade level were able to fill out the questionnaire and this makes meaningful groupings somewhat more problematic. In most cases the responses of students were treated as reflections of the total group, with great caution being applied to responses which tended to raise questions about the definite direction of the responses.

Second, a simple listing of responses provides little clear cut indication of either attitude, perception, or even motivation. For this reason, the listing of responses is included in the appendix. It is possible to extract the essence of the meaning in many cases and the patterns and trends which the responses dictate are noted and expressed in an interpretated form.

Student Questionnaire—Analysis of Data

Definitions

For the purposes of this study, the following definitions have been used as the basis for categorizing questions and responses: (1) *attitudes* are one's feelings about a given issue, idea or object, (2) *perception* is used here in its narrow sense to include what one actually sees or hears in a given situation, and (3) *motivation* is linked to the goals toward which one strives.

Analysis of the Data

Student questionnaire (May 1968)

Essentially, the questionnaire is a survey of attitudes, motivation and perceptions. It represents an initial attempt to learn more about the ways in which students view the world around them, the ways in which they feel about themselves and others, and the goals and aspirations which they have for the future.

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Perceptions

In testing the student's perception a question was asked in which students were required to name three Americans studied this year (Item 2). It is interesting to note that a wide variety of Black and White Americans were listed by the students and a surprising number were included, over all.

Both men and women were included in a remarkable number of different walks of life and these included politicians, athletes, explorers, patriots, entertainers, and scientists. Famous history figures were noted, along with contemporary members of the local Dayton community.

The name of Dr. Martin Luther King, Jr. is by far the most often mentioned along with such names as George Washington, Frederick Douglas, Abraham Lincoln, and George Washington Carver.

It is apparent that the students at MacFarlane are aware that both Black and White Americans have played an important part in our nation's history, as well as in our contemporary world.

Students were asked to identify whether or not they had seen signs which said: (Item 6 a,b,c) (1) Black is beautiful, (2) Be the best of whatever you are, and (3) Knowledge is power. The overwhelming majority of students indicated that they had in fact seen signs with these expressions on them (in each case over 88% of the students indicated they had seen the signs).

Of greater interest than the visual identification of the sayings is the meaning which students affix to the expressions themselves. In general students found it difficult to express the meaning they attach to these familiar sayings. Yet, some of the responses have a freshness and honesty which adds a new dimension to the meanings normally given to these sayings by adults, who themselves might find it difficult to explain what they actually mean.

For example, a little first grade girl commented that "Black is beautiful" means "I am beautiful to me," a young boy noted that Black is beautiful because "that is my color and I am proud of it because that is the way I was born."

Students in grades 4, 5, 6, 7, and 8 were asked to name three speakers they had had this year. (Item 23) Students included the following names, in order of frequency: C. J. McLin, 11; Charles White, 10; Captain Astro, 8; no response, 8. In addition, over 29 other men and women were listed.

Attitudes

A number of questions were asked relating to the pride which students have in their school. From these questions it is apparent that students have a great deal of pride in their school. Most students (86.85) stated that it was not all right to throw papers on the floor, even though one might not get caught. (Item 8a) Students generally felt that others helped to keep the playground neat (80.9) (Item 8c) and that students did care if the halls were messy. (Item 8d)

A variation of this theme of school pride was a question which asked if three boys at MacFarlane got into trouble, would people think all the boys and girls at the school were bad. (Item 8n) There is a clear split in the students' response to this question, with 50% of the students saying it would be true that people would generalize and condemn the whole school for the actions of a few and 47.1% of the students believed that this would not reflect badly on the entire school. One question asked (Item 8b) students to comment on whether their homeroom looked better than other homerooms. Contrary to the pride the students have in their school, 64.6% of the students said that this was not true of their homeroom.

Self image is brought out in a number of ways in this questionnaire and it is significant to note that 89.5% of the boys and 93.3% of the girls feel that most other boys & girls in their classes like them. (Item 8g) When asked whether or not their homeroom teacher liked them 86.1% of the boys and 96.7% of the girls stated that they felt that their teacher liked them. (Item 17) Asked if they believed that Mr. Thomas, their Assistant Principal, liked them 77.8% of the boys and 100% of the girls indicated that they felt that he did like them. (Item 18)

Although there is a great deal more to self image than whether or not one is liked by peers, teachers and others, these questions did serve to highlight the degree to which students believed that they were popular with other people.

The students at MacFarlane School clearly indicate that they would like to have white friends, (Item 8f) with 67.6% of the group expressing this attitude. Whereas, at this time, 50% indicate that all of their friends are Black. (Item 8c)

When asked if Mr. Thomas likes white people, (Item 19) students responded by stating: (1) yes, he did like all white people (24.6%) (2) yes, some of them (61.5%) and (3) no, none of them (12.3%). There was 1.5% no response to this question.

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Two of the questions posed to students require that the student relate himself to the role of the teacher and then make a determination of what would be an appropriate response to student behavior.

In one question students are asked to indicate how they would deal with noisy students and students who misbehave. (Item 13a) Interestingly enough, the response of the boys was quite different from that of the girls. Fifty-two and seven tenths per cent of the boys stated that they would yell at noisy students, while only 23.3% of the girls would react in this fashion. On the other hand, 73.7% of the boys would paddle students who misbehave and 93.3% of the girls would follow suit. (Item 13b)

Questions pertaining to how students would act if they were teachers dealing with students who did not walk on the proper side of the hall (Item 13c) indicated that 18.4% of the boys and 6.7% of the girls would let students walk on any side of the hall they wanted; obviously, the vast majority would insist that students walk on the right hand side.

Without dwelling on all of the sections of this question, it is fairly clear that the majority of students, placed in the role of the teacher would be strict disciplinaries and follow the procedure which currently exist in the institution.

The next set of questions relate to the way in which students feel about teachers and other adults at school disciplining their behavior. (Item 14) Attempting to gauge the response of students to this set of questions, one is immediately struck by the conflict which students appear to feel in responding to these questions and to the modes of discipline used. By and large students indicate that disciplinary actions do not bother them, yet most suggest that the consequences of disciplinary acts are to make them (the students) want to improve their performance. And, a sizable number of students indicate that disciplinary actions directed at them tend to also make them feel badly, or feel that they are being picked on, or make them angry.

One of the questions related to violent versus non-violent response to a provocative situation. Students were asked what they would do if another student hit them (Item 9) and 19.1% indicated that they would feel like hitting the other student back, 4.5% would wait until after school to hit him, 59.6% would report the other student to the office, 14.6% would hit him right back and 2.2% did not respond.

Motivation

Motivation was related to occupational goals in three questions and students were asked what they would like to be when they left school. (Item 20) A wide range of choices were presented by the boys, generally they suggested occupational categories which call for a reasonably high level of skills. Among those occupations mentioned by boys were—

athletics (7)
professionals (9)
Military careers (3)
entertainers (2)
law enforcement officers (3)
businessman (2)
semi-skilled worker (8)
don't know (2)

The girls offered a surprisingly limited number of occupational choices. A teaching career was the most popular choice, with 19, nursing second (8) and two girls wanted to become secretaries. No girls indicated that they intended to become housewives or mothers.

(Item 22) Overwhelmingly, students stated that staying in school and getting an education were the ways in which these occupational goals could be reached.

Academic motivation was linked with whether or not students took books home with them after school and the type of subject area books which would be selected. (Item 1) Among those students who indicated they took books home, reading and spelling seemed to be the most popular. However, the majority of students chose not to take any books home. It is very likely that this question does not get at the information desired since in the lower grades there is much less occasion for taking books home.

Job survey

In the spring of 1968 a job survey was administered to 1266 MacFarlane students. The results and conclusions of this study were arrived at independently of this report and are simply presented here to provide additional information.

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RESULTS

	Percent
Undecided	3.9
Unskilled labor (high school education)	18.8
Semiskilled	14.4
Skilled labor	30.3
Armed services	3.9
Professional	28.4

Unskilled.—No particular training after high school!—truck driver, etc.

Semiskilled.—Minimum training after high school. Example, bakers, any job that a person could be trained for in a two-week period.

Skilled labor.—Carpenters, plumbers, and those prepared to pass test for such jobs as fireman, postman, policeman, etc.

Armed Service.—Careers in same.

Professional.—Nurses, doctors, teachers, etc.

All students wanted and planned to finish high school. The undecided planned to finish high school with no definite plan for the future.

Required Income

The results on this shows that the students understood that it takes money to live even though they had no knowledge of what some jobs pay. Some students in the upper grades were involved in discussing the relationship between desired income and education.

INCOME DESIRED ACCORDING TO SURVEY

	Percent
Less than $5,000	14
$5,000 to $8,000	36
$8,000 to $10,000	37.3
Over $10,000	11.1
Not completed	1.6

General Observations

More of our students need to be trained immediately after high school or during high school for jobs such as plumbers, carpenters, and in skills that provide a person with a good income. We need to encourage our students to work towards a goal and not always necessarily a college degree.

Measure of reading ability and progress

Gray's Standardized Oral Reading Paragraph test was administered to fourth graders in the fall and in the spring of this year. When the two sets of scores were compared, we found a mean improvement in reading ability of .8 or (8 months). This would appear to represent a normal level of progress in reading ability for the period between the two tests, which was slightly less than eight months.

In the summer reading program the Gray's Standardized Oral Reading Paragraphs test was also used and a mean improvement of .4 or (4 months) was noted. This progress represents a marked improvement during the summer months since more than four months of improvement was achieved in only six weeks.

The California Reading Test was administered to second grade students participating in a special summer program involving a large number of Junior and Senior students from Roosevelt High School as reading tutors. Among those tested, a 57.7% improvement was noted, with 32.7% registering no change and 9.6% showing a decrease in reading ability. However, it should be noted that the amount of decrease was only one month and this may be accounted for by the close proximity of the testing dates in the summer session. It, therefore, appears that this program has genuine merit and may be considered a clear success.

Teachers' Evaluation of the Program

Teachers at MacFarlane were asked two open ended questions which left considerable room for discussion and evaluation of the program. On one hand

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teachers were asked to list the three aspects of the program they liked best and on the other, to indicate three aspects which they liked least.

Tabulation of the response indicate what the teachers like most about MacFarlane is:

A. The personal relationships which exist within the school for all members of the institution.

B. The discipline policy of the school and the way in which it is implemented.

C. The concern and interest shown in students.

D. The students themselves.

E. The relationship between teachers and the administration of the school.

F. The freedom to be creative.

G. The cooperation of the family.

H. Faculty relationships.

I. The Learning Center.

In addition, a number of other comments were made which pointed to positive aspects of the program, including:

1. The lack of special preparation for visitors
2. The programs the school is involved in
3. The emphasis on behavior, achievement and respect for self
4. The opportunity to work with the socially deprived child
5. The volunteers who come in to work with the reading program.

Overall, 38 different positive aspects of the program were mentioned by teachers.

Among those aspects of MacFarlane School which teachers disliked the most were:

A. Use of the public address system

B. Maintenance of the building

C. The ways in which supplies are ordered and distributed

D. Noise in the halls, particularly when large numbers of students are moving from one location to another

E. The lack of adequate playground space and equipment.

F. The frequency of meetings and the unproductivity of some of those meetings.

G. The need for prompter psychological testing for children with special emotional problems.

H. General problems with the facility.

Over 47 different areas were highlighted by teachers as aspects of the program which they have objections to. It should be noted that many teachers addressed themselves to personal objections rather than specific programmatic criticisms.

Near the end of the year Teachers were asked to evaluate the program in terms of motivation, learning, discipline, staff morale, and self image. It is apparent that the teachers used this form as an opportunity to discuss both student performance and the degree to which both they and the students had been affected by the program.

Across the board, improvement was noted and there is a clear indication that teachers express satisfaction with the total program as it relates to the areas mentioned above.

In terms of motivation on the part of students, teachers described the processes by which students are motivated in the program, the importance of motivation, and the fact that the program appeared to succeed in motivating their students.

The learning process was linked to motivation and it was found that students progressed during the year and that most teachers were satisfied with the improvement in learning demonstrated by their students. The learning center at the school was underscored as having made a significant contribution to learning improvement.

Within the area of discipline, most teachers indicated that student behavior had improved. This they attributed to the disciplinary policy and to the backing of the administration in matters of discipline. A number of teachers placed emphasis upon the need for good discipline in the learning situation.

Staff morale was generally conceded to have improved and was considered by and large very good. However, a number of teachers felt that this was one area in which improvement was definitely possible.

Finally, the question of self image was posed in terms of two areas, first why students need a positive self image and second, the efforts that had been made to raise self image. Generally, teachers felt that student and staff self image had been improved, but there was a strong indication that further strides should continue to be made to bring about greater improvement in this area.

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Student Rights Handbook

for Dayton, Ohio

1. SCHOOL DISCIPLINE
2. STUDENT EXPRESSION
3. COUNSELING
4. PHYSICAL PUNISHMENT
5. POLICE IN THE SCHOOLS
6. MARRIAGE AND PREGNANCY
7. VERBAL ABUSE OF STUDENTS
8. RIGHT TO AN EDUCATION
9. ARRESTS
10. CONCLUSION

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THIS HANDBOOK IS NOT A SUBSTITUTE FOR AN ATTORNEY

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Table of Contents

1	SCHOOL DISCIPLINE	Suspensions	3
		Expulsions	4
		If You are Suspended or Expelled	5
2	STUDENT EXPRESSION	Distribution of Literature, Leaflets and Newspapers	7
		Symbolic Expression	8
3	COUNSELING		8
4	PHYSICAL PUNISHMENT		9
5	POLICE IN THE SCHOOLS	Questioning By Police	11
		Questioning By Private Security Forces	12
		Searches	12
6	MARRIAGE AND PREGNANCY	Marriage	13
		Pregnancy	14
7	VERBAL ABUSE OF STUDENTS		16
8	RIGHT TO AN EDUCATION		17
9	ARRESTS	What Is An Arrest?	20
		What Are Your Rights?	20
		Arrest Checklist	21
10	CONCLUSION		22

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Student Rights Handbook

for Dayton, Ohio

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1

School Discipline

Suspensions

Section 3313.66 of the Ohio Code authorizes the superintendent of schools or the principal of a public school to "suspend a pupil from school for not more than ten days." Neither the Ohio Legislature nor the Dayton school system has specified the potential reasons for which suspension may be imposed. Thus a student may be suspended for any conduct which does not meet the approval of the superintendent, or more particularly, the principal of the school.

There are limitations which may apply to the actions of school officials with regard to suspensions. Students have a constitutional right to an education and this right cannot be taken away as punishment for any act unless "due process of law" has been provided. What "due process of law" requires for high school students in disciplinary situations is very unclear. Court cases are being brought almost daily, but the courts in Ohio have not yet followed the trend toward recognizing significant student rights in this type of situation.

When it is determined that a student shall be suspended, Section 3313.66 requires that the student's parent or guardian be notified within 24 hours of the suspension, in writing, of the fact of the suspension "including the reasons therefore." The Pupil Personnel office, in its "Guidelines for Suspension and Expulsion", requires the communication sent to include "a description

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of the behavior which made the suspension necessary." These guidelines further provide that "other methods of guidance and control should have been tried and the parents should have been apprised of the growing seriousness of the student's behavior." Thus, the principal should not suspend a student unless all other methods of dealing with the problem have been tried and failed. Suspension should only be used as a last resort.

A suspension may not last longer than 10 days or until the end of the current semester, whichever comes first. The principal may ask the student's parent or guardian to come in for a conference to discuss the problem which led to the suspension. The parent does not have to attend this conference. If the parent does attend the conference, the length of the suspension may be decreased or the student might not be recommended for expulsion. For example, where the suspension is the result of a misunderstanding between the student and the school, it may be beneficial for the student and parent to attend the conference. But even if the parent does not attend the conference, the student may not be kept out of school beyond the ten-day period.

Expulsions

Section 3313.66 grants to the superintendent of schools the power to expel a student from school. No expulsion shall continue "beyond the current semester." When a principal feels that an expulsion is necessary, he will suspend the student for ten days and recommend to the superintendent that the student be expelled. If the superintendent agrees, an expulsion letter will be sent to the parent within the ten-day suspension period.

The "Guidelines For Suspension And Expulsion" state that "(E)xpulsion from school must be considered an extremely serious step." One example given of be-

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havior which might warrant recommendation for expulsion is "willful assault upon a teacher or student." As with suspension, other methods of guidance and control should have been tried by the school and have failed before an expulsion should be considered. A student may be expelled for the same reasons and based upon the same act or acts as merited the suspension.

When a student is expelled, a parent has the right to appeal to the Board of Education. The Board of Education, by a majority vote, can reinstate the student to the school. Thus, the right to appeal should always be exercised. When a student and his parents appear before the Board of Education, they should always try to have an attorney with them. If they cannot afford an attorney and have not found an attorney who will take the case free of charge, they should contact the Student Rights Center. The address of the Student Rights Center is in the back of this Handbook.

An expelled student is eligible to return to school the semester following his expulsion. The principal or the guidance counselor may try to discourage the student from coming back to school. However, *he may not be legally prevented from re-entering the school because of the expulsion.*

If You Are Suspended Or Expelled

1. You cannot be suspended for more than ten days or expelled for longer than the remainder of the current semester.
2. At all times you should remember that anything you say may be used against you at a later time. You don't have to speak or answer questions when what you say could get you in trouble. Whenever what you say might lead to a juvenile court or criminal court prosecution, you shouldn't talk until you have received advice from an attorney.

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3. If you are suspended or expelled, school officials must send to your parent or guardian, within 24 hours, a notice of the suspension or expulsion. The notice should include a *specific* description of the behavior which made the discipline necessary.
4. If you are expelled you have the right to appeal to the Board of Education. This right should *always* be exercised. To exercise this right, your parent first calls the Pupil Personnel Office to arrange an appointment with Dr. Goff (461-3850). He will then have a conference with you and your parents, and will set a date for the appeal hearing before the Board of Education.

Since this conference can affect your appeal, you should try to bring an attorney with you. If you cannot afford an attorney you should contact the Student Rights Center (223-8228).

At the appeal hearing, you should demand that the principal present documentary evidence or the testimony of witnesses concerning the behavior which resulted in your expulsion. If you think that the reasons for the expulsion are unjustified, you should have witnesses of your own at the hearing to testify to the real facts. Above all, try to have an attorney at the hearing.
5. A suspension or expulsion is a very serious matter which can have severe consequences for the rest of your life. It can decrease your chances to get into college or to get a good job. Sincere educators believe that when a school imposes serious disciplinary action upon a student, it is because the school has failed to meet the needs of the student in some way. Frequently, the best way to help a student who is suspended or expelled is to work to improve the school which he attends. Students who have been suspended or expelled, and their parents, should contact the Student Rights Center (223-8228) to discuss their problem with someone at the Center.

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2

Student Expression

The recent United States Supreme Court case, *Tinker* v. *Des Moines Independent School District,* 393 U.S. 503, (1969), affirmed the constitutional rights of students to freedom of expression. The court declared that "students . . . may not be confined to the expression of those sentiments that are officially approved." No expression of opinion may be prohibited unless school officials can make a *reasonable* forecast that the expression will cause a *substantial disruption* or a *material interference* with school activities.

Distribution of Literature, Leaflets and Newspapers

You may distribute printed materials adjacent to the school but off school grounds. The school may not discipline you for this activity.

Board of Education regulations require that you request authorization from the principal before distributing any material on school property. A request, with two copies of the material to be distributed, must be submitted to the principal at least two days before the time of distribution. Further, you must have the permission of the Superintendent of Schools before distributing any materials not written and signed by students.

Within the spirit of the *Tinker* decision, these regulations may be unconstitutional. Nevertheless, students should realize that a person who challenges a regulation on constitutional grounds is guilty unless a *court* declares that the regulation is illegal. It is often difficult to get a

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case before a court so that the constitutionality of a regulation may be challenged. Before challenging any school regulation which you think is unconstitutional, you should consult an attorney.

Another way to deal with this problem is to request school officials to change these regulations so that your free speech rights are recognized. School officials should only be able to regulate the time and place of the distribution of written material so that a *substantial* disruption of school activities does not occur.

Symbolic Expression

You may wear political buttons, armbands, or other symbols of your beliefs so long as these symbols do not constitute a threat to the health and safety of other students or substantially disrupt the educational process.

3

Counseling

Tax money is used to place counselors in the schools to help you. You have the right, therefore, to demand assistance from the counselors.

Some counselors do not allow students to write their own course schedules. Many students are forced into the general course; but remember there are no general jobs. You should choose the courses which you feel are most relevant to your future life. Guidance counselors do not know as well as you do what information you want to learn and are capable of learning. If a counselor tells

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you that you should not take a particular course, ask him to tell you his reasons. If you do not agree with those reasons, demand to take the course which you want. Above all, do not allow yourself to be pressured into taking a course which you do not want to take, unless that course is required for graduation for all students.

The counselor should have information about the alternatives available to you when you leave the school. The counselor should have information files on these alternatives. He should give you assistance on colleges, job possibilities, and the draft. You have a right to receive this information and assistance. If the counselor is not giving you the assistance which he is paid to give, you, your parents, and your friends should demand a counselor who will do the job properly.

The most important function a high school serves is to provide an avenue for students to the various alternatives they have for their future lives. Students should demand nothing less than the best and most complete information on what these alternatives are.

On some subjects, other organizations exist which will provide more complete information to the students than counselors will provide. If you cannot get the information you need from your counselor, contact the Student Rights Center (223-8228).

4

Physical Punishment

Section 3319.41 of the Ohio Code authorizes teachers,

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principals or administrators to inflict *reasonable* physical punishment upon a student "whenever such punishment is reasonably necessary in order to preserve discipline while such pupil is subject to school authority." The right to administer physical punishment is thus a limited one. As the Board of Education has aptly noted, "authority derives from justice." (Student Rights and Responsibilities in the Dayton Public Schools, September, 1970.)

The punishment given must be *reasonably necessary in order to preserve discipline*. A teacher may not administer physical punishment merely because he does not like a student. Also, the punishment given to a student must be related to the student's act and to the reasons for the student's act. Physical punishment is not reasonably necessary if other means of controlling a student's behavior exist. In no event should physical punishment be given in anger.

The physical punishment given should be reasonable. Punishment which leaves serious marks or injures the student is not reasonable physical punishment.

You should question punishment which is not reasonably necessary in order to preserve discipline, or which is given for acts which you did not commit. You should demand to be taken immediately to the principal to explain the facts to him.

Many educators believe that corporal punishment is never reasonably necessary. Corporal punishment is being challenged in many communities across the country. Many have abolished this practice. If you have been given physical punishment which was unreasonable or unfair, you should contact an attorney or the Student Rights Center (223-8228).

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5

Police In The Schools

There are two separate groups which serve a police function within the schools. First, there are the city and state police whose duty it is to enforce the law both within and outside school grounds. Second, there are private security forces who are employed by the school system to protect students, teachers, and staff from outsiders thought to be harmful within the school.

The police have the same powers within the school as they do on the street or anywhere else. The private security forces have more limited powers. They are employed to patrol the parking lots and guard the doors of the school. They are not employed to harass or intimidate students. Because the Board of Education employs this private security force, it is responsible for their conduct. If any member of this security force acts outside of his authority or harasses or intimidates students, the students should immediately report this to the principal and to the Board of Education. If no action is taken on the matter, the students should contact an attorney or the Student Rights Center (223-8228) so that further action can be taken.

Questioning By Police

Municipal police or court officials have the right to remove a student from school without his consent or that of his parent or guardian only after the student has been arrested. See the section on ARREST.

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Under some circumstances, particularly when investigating a crime committed on school grounds, police authorities may question students within the school. The Constitution fully protects the student's right to remain silent at all times. Anything which a student says may be used in a future prosecution against the student. A student may give his name, his address, his age, and the reason for his presence within the school. However, the student should absolutely refuse to answer any further questions without having first consulted an attorney. The police and the school officials may well try to be friendly toward the student, as if the questioning was not important, or make threats toward the student. Do not be misled. DON'T TALK!

Questioning By Private Security Forces

Private security forces may question students when they are performing the duties for which they were hired. A student who is in the parking lot or is coming into the school at an unusual time should answer questions only to the extent of explaining the reasons for his presence at that particular place. If the questioning continues, or if the private security forces attempt to ask questions *in any other situation,* the student should demand to be taken immediately to the principal's office. At this point, private security forces have no reason to ask any further questions.

REMEMBER: You have the right to remain silent; anything you say may be used against you.

Searches

If you have been arrested, police have the right to search your person. Even if you have not been arrested, police have the right to "frisk" you if they are about to question you and if they have reasonable cause to believe that

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you are carrying a concealed weapon. These are the only situations in which police may search your person without your consent. Further, school officials do not have the authority to consent to a search of your person in your behalf.

It is the Board of Education's policy that "When (the) search of the student's person or personal effects is for evidence of a violation of school regulations and not for evidence of a crime *per se,* such search is permissible without consent . . . "A court might disagree with this policy. However, in most cases it is wise not to resist a search of this nature, since school officials will make trouble for you in other ways if you do. It is the Board of Education's policy that evidence obtained in a search on this theory may not be used in any subsequent criminal prosecution or juvenile court hearing.

It is possible that evidence obtained when school officials search your locker may be used against you. Therefore, you should never carry on your person or keep in your locker any object which you would not wish to show to a school official or police officer. Above all, you should not resist an illegal search beyond a statement that it is a violation of your rights, since active resistance will cause you more trouble.

6

Marriage And Pregnancy

Marriage

A married student may continue to attend school under

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the same conditions as any other student. The state of marriage does not excuse a student from compulsory school attendance.

Pregnancy

According to the current policy of the Pupil Personnel Office, "A married or unmarried girl who becomes pregnant must withdraw from the regular day school program upon knowledge of pregnancy. This withdrawal is required as a protection of the health of the student."

This policy is contrary to a recent Attorney General's opinion. In OAG 68-061, the Attorney General of the State of Ohio ruled that a board of education may not exclude from school an unmarried pregnant student, unless school attendance would be detrimental to her physical safety and well being. The determination of whether school attendance would be detrimental to a pregnant student's physical safety and well being must be made upon an individual basis. This is a medical decision rather than an administrative one. Consequently, if a principal attempts to exclude a pregnant student and the student feels that her continued school attendance would not be "detrimental to her physical safety and well being," she should demand that the determination be based upon a physical examination and a report by a physician. A statement from a doctor in behalf of the student's position would be helpful in securing the student's continued attendance in school.

The Pupil Personnel Office has adopted the following policy with regard to students whom the school officials believe to be pregnant but who deny that they are pregnant. "The School may insist upon a physical examination and a report by a physician of a student believed to be pregnant but who denies she is pregnant, such examination and negative report to be a condition of her

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remaining in school." This policy is of very questionable legality. The administration cannot exclude a student merely because of her pregnancy, but only when her continued "school attendance would be detrimental to her physical safety and well being." The student, particularly if she is not pregnant, should demand that this medical examination be given at Board of Education expense.

The Pupil Personnel Office has adopted several policies in order to attempt to provide continued education for pregnant students. For one thing, "A student whose pregnancy occurs or is discovered during the last grading period of a semester and whose classroom work is passing may be given homework assignments and a final examination, the completion of which shall enter into the determination of six week grades." If the exclusion because of pregnancy does not occur during the last grading period of a semester, a pregnant student has two alternatives, depending upon her age. If she is 16 years of age or older, she may enter the Dayton Night High School free of charge. For those pregnant students under 16 years of age, the School Board has adopted the following policy: "Upon application by the parent and the recommendation of a physician, a pregnant girl under 16 years of age may receive home instruction for the completion of the semester under the following conditions: (a) student is making satisfactory progress in her classroom work; (b) a home teacher is available."

Separating pregnant students from other students violates the pregnant student's right to equal protection of the laws. Further, concern for the "protection of the health of the student" is lacking when the student is compelled to attend night high school to secure the education to which she has a right. This sounds like another case of "separate but equal" education.

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In any event, a student-mother, whether married or unmarried, may return to her regular school in her regular program in the semester following the birth of her child. No student may be excluded from the regular day school program because she is a mother.

7

Verbal Abuse Of Students

Some teachers and school officials insist upon calling students "dumb," or other derogatory terms. This must be stopped. Students have the right to be free from the psychological damage which comes from verbal abuse. "Dumb," for example, should be applied only to those students who lack the power of speech, and then not in a derogatory manner.

When a teacher calls a student "dumb," or any other dehumanizing word, the student should immediately make a complaint to the principal, as well as inform his parents of the incident. If the principal does not act upon the matter (at a minimum, an apology would be appropriate) the complaint should then be brought to the attention of the superintendent's office or the Board of Education. If no action is taken at this level, or if the verbal abuse continues, the student should contact an attorney or the Student Rights Center (223-8228) to consider further action.

Further, the provisions of Sections 2901.20, and 2901.21 of the Ohio Code may be applicable. Section 2901.20 provides that no student or person in attendance

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6029

at a school shall engage in hazing or commit an act which injures, degrades, or disgraces a fellow student or person attending such school. Violators may be fined up to $200.00, or imprisoned up to six months, or both. Section 2901.21 provides that no teacher or other person in charge of a school shall knowingly permit hazing or attempts to haze, frighten, degrade, or disgrace a person attending such school. Violators may be fined up to $100.00.

8

Right To An Education

Every student has the constitutional right to an education. As the Supreme Court of the United States has stated, "Where the state has undertaken to provide it (an education), (it) is a *right* which must be available to all on equal terms." (Emphasis added.) *Brown* v. *Board of Education,* 347 U.S. 483, 493 (1954). The dimensions of this right are still unclear. However students, as the consumers of education, should demand that the education to which they have a right be a reality.

The Dayton Board of Education has made a general statement on student involvement in educational policy. "Students should have a voice in the formulation of school policies and decisions which affect their education and lives as students. Through such participation, students can be a powerful resource for the improvement of the school, the educational system and the community." Students should accept the Board's challenge.

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Students might organize action groups, composed of students and parents within a particular school, both to attempt to improve the quality of education within the school and to formulate new school policies where these are necessary.

The following are only a few of the many possible actions which might be taken.

1. Schools are supposed to teach students how to live in the world in which they are growing up. Thus, the school curriculum should be relevant to the particular interests and needs of the students within the school. If this is not the case, students should demand appropriate changes in the curriculum so that these interests and needs will be met.
2. No group is more capable of evaluating the quality of teachers than the students who must listen to them every day. Students should work to implement a system in which all teachers are evaluated by their students and where these evaluations are considered in the decision of whether or not to rehire a teacher.
3. In many schools textbooks and machines are used which are outdated. Look inside the cover of your textbooks to see in what year the book was published. If it is more than five or ten years old, ask your teachers and your principal why they are teaching you from this outdated book.
4. No student should be forced to take a course which one does not want to take or does not feel is in one's best interests. To be forced to take one set of courses rather than another can mean, for example, that a student will not be able to gain admittance to college. Students should demand the right to take those courses which they feel are in their best interests. It is, after all, students who must live with the consequences of these choices, rather than guidance counselors or other school

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officials.

5. Students and their parents or guardians should have the right to inspect all school records which pertain to the student. Further, students and their parents or guardians should demand that all records which are untrue be removed from the student's file. At the present time, teachers or other school officials can place any statement, whether true or false, on your record, without you or your parents or guardians ever knowing that it exists. These false and damaging records can then follow you around for the rest of your career in the schools, and the effects of them can continue for the rest of your life.

These are only a few of the many changes which students might demand. Further assistance in changing these and other conditions in the schools can be obtained from the Student Rights Center (223-8228). Students will have their right to an education implemented only when they demand it.

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9

Arrests

What Is An Arrest?

A policeman does not have to say "You are under arrest" in order for an arrest to take place. Any loss of freedom, any indication that the policeman is taking custody of you, as for example his grabbing your arm, should be treated as an arrest.

An arrest without a warrant is legal if a policeman has reason to believe that *any* crime is being committed in his presence or that the person arrested has committed at any place a *serious* crime (felony). Whether any arrest, with or without a warrant, is legal, is a technical question of law which can only be answered in a court. Thus, it is important that any "arrest" *not be resisted.* No matter what you think happened, the judge will almost invariably believe what the policeman says happened. Further, even if your arrest was ruled illegal, it would still be a crime to resist it.

What Are Your Rights?

When you have been taken into custody, there are two important rights which you always have, no matter what the situation. First, you have the right, which you should *always* exercise, to remain silent, since anything you say may be used against you in a future criminal prosecution. Second, even if you are only being detained for "custodial interrogation," you have the right to the assistance of counsel. Further, if you cannot afford to hire an attorney, the state is required to appoint one for you.

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When you have been arrested, since you are frightened, you might be tempted to talk to the police. The police may pretend to be friendly, encouraging you to talk, or they may threaten you with all sorts of terrible things unless you talk. Do not give in to temptation; DON'T TALK! The more you talk to a policeman, the more likely it is that you will admit something which is incriminating. Since you have no idea what information he is looking for, it will not usually pay to be evasive. The Fifth Amendment to the Constitution of the United States gives you the absolute right to remain silent. Exercise it.

The police may also threaten or cajole you to try to get you to sign a waiver of constitutional rights form. Regardless of what the police tell you, never sign any form which waives your constitutional rights. Demand that your parents be notified and present and that an attorney be appointed to represent you. Until you have spoken to your attorney, you need not give the police any information other than your name, your address, your age and your occupation. It is useful to give this limited information to facilitate your release from custody.

Arrest Checklist

1. You can safely tell the police your name, your address, your age and your occupation. Except for this, remain silent.
2. When you are arrested, there is a tendency, because you are scared, to "freeze-up" and not notice your surroundings. Try to remain calm and take careful note of the circumstances of your arrest. For example, who witnessed the arrest? People who saw your arrest may be very important witnesses for you at a future time. What is the badge or car number of the police who arrested you? What are the facts which led up to the arrest? Do

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not rely on your memory. As soon as possible, write down everything which you remember about the arrest since you will otherwise quickly forget the details.

3. Demand that your parents be notified of your arrest immediately. If you can afford an attorney, either you or your parents should notify one immediately. You have the right to make these phone calls from either the police station or the juvenile court where you have been taken. If you cannot afford an attorney, demand that one be appointed for you immediately. Persons who cannot afford an attorney are entitled to one at state expense.

10

Conclusion

This booklet tells you what your human rights are in school. It also explains what your human responsibilities are in school.

The two things — rights and responsibilities — go hand in hand. You can't have one without the other. If you have a right to free speech in school, you also have the responsibility to use that speech to build, not to destroy. If you have a right to free press in school, you have the responsibility of exercising that right with the same standards of good taste that professional, honest, non-racist newspapers use. And so on.

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Use this book as a tool to improve the quality of your life in school, and the quality of life for all young people. One reason we have written this book for you is to help bridge the gap between young Black and young White people. I agree completely with Frederick Douglass, who said: "I esteem myself a good, persistent hater of injustice and oppression, but my resentment ceases when they cease, and I have no heart to visit upon children the sins of their fathers." He also said: "You cannot outlaw one part of the people without endangering the rights and liberties of all people. You cannot put a chain on the ankles of bondsmen without finding the other end of it about your own neck . . . Experience proves that those are oftenest abused who can be abused with greatest impunity. Men are whipped often who are whipped easiest."

We believe it is imperative that you, as a student, learn to use the law as a tool for survival in a society that can be, at times, oppressive. That is the purpose of this book. According to Nathan Wright, it is the duty of the oppressed to save both himself and the oppressor. According to Martin Luther King, power is never good unless he who has it is good. Malcolm X advised young people to *"think for yourselves."*

Less than two percent of the lawyers in this nation come from Black and other "minority" groups. It is imperative that more young people from lower economic groups become interested in the law. The Student Rights Center, 1145 Germantown Street, is trying to convince those in power that they can concede power to students and that, by sharing their power with young people, they can create a true democracy within the Dayton schools.

Margaret Mead, the anthropologist, talks about three kinds of cultures: the post-figurative, where the young learn from the old; co-figurative, where the old and

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young learn from their own peer groups; and pre-figurative, where the old learn from the young. She says we are now strongly moving into a pre-figurative culture. So it becomes more and more important for you to know your rights under the law. You will be setting the pace and the style of the future.

We think it is important to remember that the idea of "student rights" is a frightening thing to parents, teachers, and administrators, but that they have to be convinced that to give students rights is not to take away parent, teacher, and administrator rights. In a book called *In Defense of Youth,* Earle C. Kelley wrote: "Hostile attitudes on the part of the elders are quickly sensed by youth whose response in many instances is hostility and aggression. The conflict between age and youth is one of the saddest aspects of our culture. And the saddest fact of all is that age always strikes the first blow."

There are many fine teachers and administrators in the Dayton system who will help you. There are also some who will be afraid of you and work against you. Using this book, you can defend your rights within the bounds of the law. That is the only kind of lasting and meaningful defense that I know. Use this book as a tool to defend your human rights in school. Do not use it as a substitute for a lawyer. There are two reasons for this. First, the law, by its nature, is constantly changing. Although several attorneys helped write this handbook, only an attorney who knows all the facts of a case can fully advise you of your legal rights. Second, there is a crucial difference between legal theory and practice. How people enforce laws in a community is often more important than what the Supreme Court says in Washington.

We at the Center love, trust, and respect you and have

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6037

confidence in your ability to use this book to make democracy for the young a reality.

The handbook was developed with the assistance of many people. Among these were: Robert Bowman, Walter Brooks, Ruth Burgin, Joe Cannon, Ames Chapman, Michael Geltner, Ellen Hanson, Larry Hillman, Ellis Hutchinson, Ted Lauer, Richard Menefee, Donnie Moore, William Patterson, Carolyn Peck, James Phillips, Paul Piersma, Carolyn Russell, John Saunders, Robbie Smith, David Turner, Claudius Walker and Ferieda Walker.

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KNOWLEDGE IS POWER . . . BE THE BEST OF WHATEVER YOU ARE, AND IT'S WHEN THINGS SEEM WORST THAT YOU MUST NOT QUIT.

Yours in the struggle for the best possible education for all of you very beautiful and together young people.

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*Terms Expire January, 1972

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Assistant Superintendent	
Joseph F. Rogus	221
Executive Director For Secondary Education	
Spencer E. Durante	601
Pupil Personnel	
William H. Goff	243-244
Guidance and Testing	
W. Eugene Hodson	363-364-365
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Alma Jones	235-236
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School Security	
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KISER, William Stover	1401 Leo Street	224-1753
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32 *Student Rights Handbook*

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Senior, Dunbar High School

Miss Linda Mooty
Senior, Wright State University

Mr. Michael Motley
Senior, Central State University

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President, Central State University Student Government

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Whittier Community School Council

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Citizenship, Rights and Responsibilities
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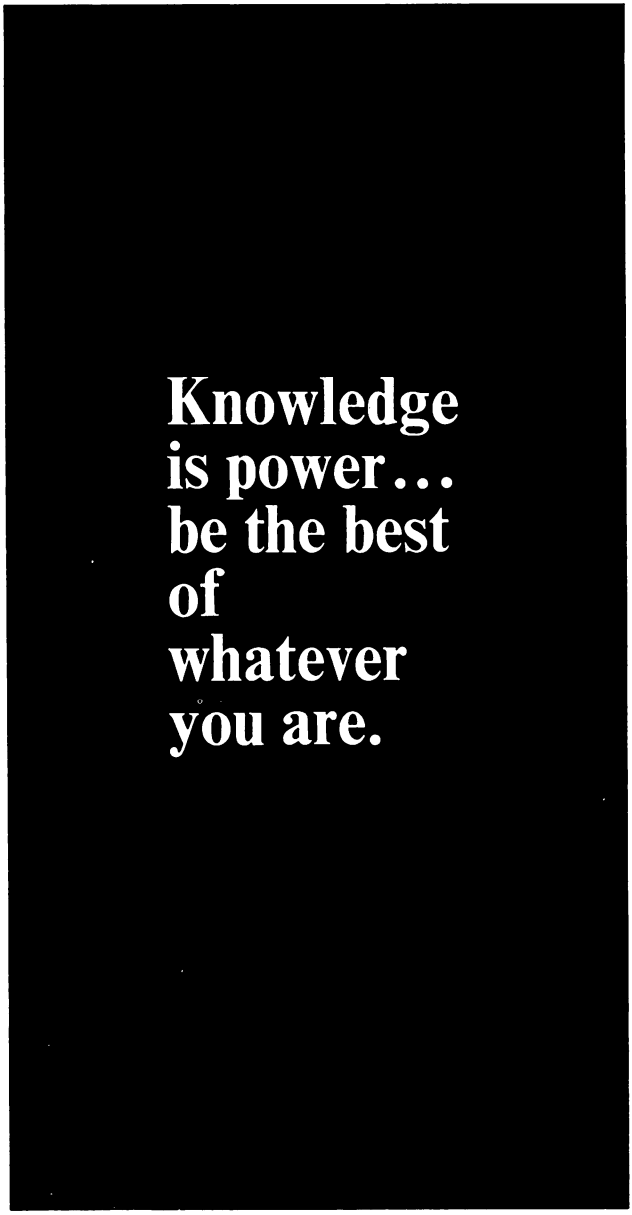

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Chocolate faces in vanilla places

(and other great suspenders of our times)

I.

In September, Mark Lewis was among 81 students bused from his mostly black, low income Jefferson Elementary School neighborhood to white, middle income Valerie Elementary School in Harrison Township.

A short time later, he was suspended for 10 days.

"The little primary school kids were playing outside at lunchtime, white kids and black kids. I saw a little white boy going back into the building, crying. I stopped him and asked him what was wrong. He said that he and Dan Freeman, a black boy, had been fighting. I started to take him over to Dan to talk things out. The white boy's brother tried to take him from me and back into the building, but I brought the white boy to the primary school entrance. Someone else brought Dan Freeman."

Instead of talking things out, the white boy, frightened, got on his knees and begged Dan Freeman not to hit him again. Everyone went back inside to class.

"The next morning, Dr. Fields, the principal, called me into his office. The little white boy and his mother were sitting in the office. Dr. Fields asked the white boy if I had egged on the fight. The boy said yes. Dr. Fields said to me: 'From this minute on, you are suspended from school until further notice. I will take you home. Go get your books and come back to the office.'

"It was about 10 o'clock. Dr. Fields drove me home and let me out in front of my house. He told me to tell my mother to call him. He drove off. My mother didn't get home until 2:30 in the afternoon. I went over to my brother's house and kept checking to see when my mother would get home."

Four and a half hours after Dr. Fields had left Mark out on the street, Mrs. Josephine Hobson, Mark's mother, came home. "I took Mark right back to school," she says, "to see Dr. Fields. He told me that if Mark hadn't stopped the white boy from going back into the building, the fight wouldn't have happened. Mark got to tell his side of the story for the first time. He told Dr. Fields that the fight had happened before he saw the white boy and that the white boy was crying from the fight when he saw him.

"Dr. Fields listened. Then he apologized to me and Mark for what he had done. Dr. Fields told us he had gotten angry and acted too quickly. He said he knew he shouldn't have suspended Mark and left him in the street like that. He said Mark could come back to school the next day."

II.

The Dayton Board of Education's rule on suspension, published on official administration stationery and signed by Dr. William Goff, assistant superintendent in charge of pupil personnel, states:

"Ohio law grants to the building principal the authority to suspend a student from school for a period of not more than 10 days. The use of suspension as a disciplinary measure should always be preceded by a careful and judicious evaluation of the total situation involving the student. Normally, other methods of guidance and control should have been tried and the parents should have been apprised of the growing seriousness of the student's behavior."

III.

Late in January, Dr. Fields received a letter from Elizabeth Scondrick, an employee of the Amalgamated Transit Union, Local 1456, whose job it is to ride buses where children have misbehaved consistently and to report on the situation.

In her letter, she listed the names of 29 Valerie School children, accusing them of swearing, name calling, talking to the driver, moving from one seat to another, leaving the bus before it stopped, and defying authority. In order to get the children's names, she passed a piece of paper around and asked them to sign it. Then she wrote down her accusations and sent her letter to Dr. Fields.

Only nine of the 29 names had individual discipline violations next to them. After the names of four students, Mrs. Scondrick wrote: "more or less with the crowd." After two others, she wrote: "late every morning." After Mark Lewis' name, she wrote: "I told him to

dan geringer article
dr. fields interview by brian smith
peter gillespie photography

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sign his name on the slip of paper I gave him, he sweared and told me what he wasn't going to do. Mark made a move towards me. And I told him he had better have a seat, and do what I told him. He said he was going to call his mother. I told him he could call anyone he liked after he did what I said."

Running out of paper on her one sheet of stationery, Mrs. Scondrick listed 13 students' names and said, "all of these students' conduct is very bad, they do name calling, move from seat to seat, very loud."

On the day Dr. Fields received Mrs. Scondrick's letter, he immediately suspended all 29 children and told them he would not let them come back to school until he talked to their parents.

Mrs. Hobson went to see Dr. Fields to ask why Mark had been suspended. "I told him that I didn't see why he suspended so many children just on the woman's word. I told him what the children had told me, how she had called them names and said, 'Shut up or I'll knock your damn teeth down your throat' when they didn't want to sign the paper. I told him I didn't think she was fit to work with children. I said: 'Why suspend all these children?' He said: 'I had no other choice.' What kind of answer is that?"

Mrs. Hobson circulated a petition among the parents of the suspended children, calling Mrs. Scondrick's behavior "child abuse" and asking Dr. Fields for a meeting in his office within 24 hours to resolve the situation.

"Three days later, he called us and we had our meeting. Besides the parents, there was Dr. Goff from the Pupil Personnel Department downtown, a bus company representative, and a union representative for the drivers.

"They kept talking around the bush. I kept telling them I was there to keep Mrs. Scondrick off the bus. Finally, Dr. Goff got angry and yelled at me, 'Dammit, I can't get anything done around here.' And I yelled back, 'Dammit, answer my question" They finally agreed that Mrs. Scondrick wouldn't ride anymore."

IV.

Less than a month later, on February 15th, the

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children were having a snowball fight after school next to the bus stop. Mark Lewis explains what happened:

"We were throwing snowballs and when the buses pulled up to take us home, most of us got on. A few kids were still throwing snowballs at each other. Naturally, the buses got hit. Some kids on the bus had snowballs and were throwing them through the open windows at the kids outside.

"I was standing by an open window without a snowball when the driver of the other bus walked over to my window. Somebody behind me threw a snowball out the window and hit her. She got on the bus and put her face close to mine. She said, 'Did you throw that snowball at me?' I told her no. She put her face a little closer. 'I asked you did you throw that snowball at me?' I said, 'And I just told you no.' She asked me two more times. The bus was silent. She left, cursing me out under her breath. The whole bus heard what she called me.

"She went and got Dr. Fields. He told her to point out who was throwing the snowballs. She pointed out Thomas Glover and Anthony Harris and then she looked over at me and said, 'This one here hit me with a snowball.'

"Dr. Fields told us to follow him. The buses got ready to leave and began driving off. I asked Dr. Fields how I was going to get home. He said, 'You are going to walk.' I told him I was going inside the school to call my mother to come get me. He said he would call her and let her know we were on our way home. He started going toward the school. We started home."

The walk was five miles on a cold day. It took the boys two hours to reach their Lower Dayton View homes. "I kept Mark home the next day," Mrs. Hobson says. "Fed him aspirins all day long and kept checking to make sure he wasn't running a fever. The following day, I sent him back to school."

A meeting was scheduled at the Board of Education with Dr. Fields and Dr. Goff. "I told Dr. Fields that he had done a cruel thing and that he had no reason to make the children walk home. I asked why he hadn't asked the children for their side of the story. He told me he had to back up the bus driver. He said that he couldn't take the word of the children. He said that all children tell lies when they do something wrong.

"I asked why didn't he take them inside and call me. He said he didn't see the point of taking them inside. He said that if they had waited outside, they were in a dry place. He said he had other work to do."

Mrs. Hobson showed Dr. Fields the Dayton Board of Education's official policy on busing which says that "Any child who insists on misbehaving shall be denied the privilege of riding the bus by the proper authority." There was no evidence of the children's insisting on misbehaving. There is no rule that permits a principal to make children walk five miles home as punishment. Dr. Fields told Mrs. Hobson that he did not tell the boys to walk home. He said he left them on the school grounds and went inside the school building.

By this time, Mrs. Hobson was disgusted and feeling completely helpless. She asked that her son be transferred back to a school in her neighborhood. Dr. Goff and Dr. Fields immediately agreed to this. At a second meeting with them, she asked that all three suspensions involving Mark be erased from his permanent record. She said they were clearly in violation of the Dayton Board's own suspension and busing regulations, and she didn't want her son's new principal and teachers to look at the permanent record and get a first impression that Mark was a problem child. Dr. Goff agreed to erase all three incidents from Mark's permanent record. Mrs. Hobson asked to see the record so that she could be sure of this. Dr. Goff refused.

V.

Mark transferred to Longfellow School. "There has been no trouble at all since the transfer," Mrs. Hobson says. "At first, Mark missed his friends at Valerie, but he adjusted quickly. He gets good grades and he will start at Patterson Co-op in the fall."

VI.

A month after Mark left Valerie School, Dr. Fields, who is white and speaks with a soft Southern twang, discussed integration at Valerie and sounded wise and gentle. It was as if Mark Lewis and other black students who had been expelled from or had "decided" to transfer from Valerie after several run-ins with Dr. Fields, couldn't possibly have existed.

"The inner city children like our Jefferson students have two marks against them before they set foot in a white school like Valerie. First, they are black. Second, they come from a disadvantaged socio-economic background. These differences create a wide gap in learning achievement. This gap must be accounted for, and accommodations made.

"When you have diversified cultures merging like we have at Valerie, you are going to have some problems, which I feel is a natural outgrowth of mistrust and identification misunderstandings. For example, a child from the inner city might take a pencil when he needs one from another student's desk, and then replace it, without asking if he could use it. At Valerie, the students would call it stealing. But it isn't, taken in the context of the situation. The basic problem is one of majority values displacing minority values (black students learning white values) over a period of time, without losing individual identity.

"Other misunderstandings arise from differences in how the kids play. The inner city students are a bit more rough in their play because they are less protected at home and learn at an earlier age how to play. Language is one more difference as just an idle comment by a black child will be taken in an offensive manner by a white child. But with time these differences will subside."

Dr. Fields' comments about "play" were ironic in view of his actions after the snowball fight. This year at Valerie School, there was also the case of Melvin Robin-

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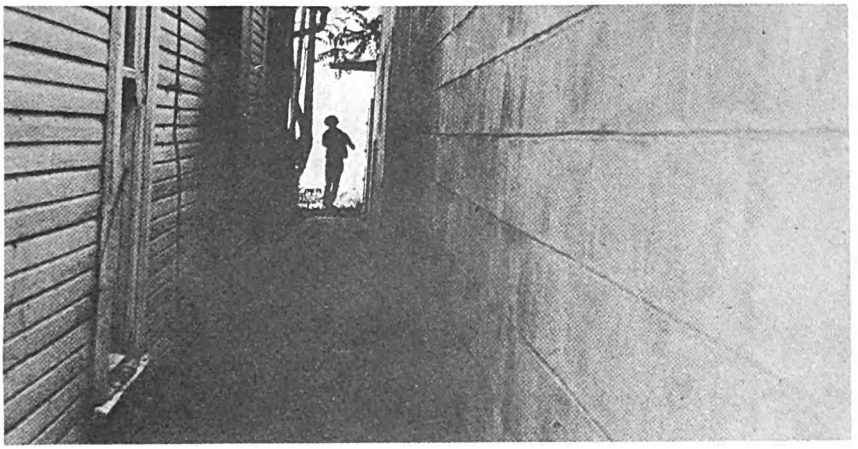
"There is to be no loud talking, whistling, or shouting. There is to be no running in the halls or on stairways. Do not loiter around or use another's locker. Do not group around landings or corridor intersections. Go immediately from one class to the other. Walk to the right. Trash cans are provided. Use them. Students must have signed permits to be in the halls at irregular times." (Panther Handbook, Kiser High School)



son, a black eighth grader who was suspended several times and then expelled for fighting. One of Melvin's suspensions was for hitting a white child in the face during the bus ride to school. Melvin claimed the white child had called him a nigger. The white child denied this. Not content to suspend Melvin, Dr. Fields informed the white child's parents that Melvin hated all white people, that he came from a home where his mother, Mrs. Elizabeth Robinson, hated all white people and taught this hatred to her children, and that the only solution was psychiatric help for Melvin. Acting on the advice Dr. Fields had given them, never having met either Melvin or Mrs. Robinson, the white parents decided to file an assault and battery charge against Melvin in Juvenile Court.

Had Dr. Fields been better informed, he would have known that Mrs. Robinson is state chairman of the Welfare Rights Organization and has been an active welfare rights leader for years here. She has worked closely with a large number of Appalachian welfare mothers and black welfare mothers during those years. Her position is a non-salaried one.

When the case came up in Juvenile Court, the referee explained to the white parents that the problem never should have reached court. He said it should have been settled between the families, or at school.

VII.

"Sometimes, we fail to see the child's problems," Dr. Fields reflected, "and we only see ours in relation to his. When a child is disruptive, we try 100 per cent to keep him in school. What must be noted is the child's actual behavior and the child's perception of the situation.

"When a problem occurs, the first step involves the counselor and a general discussion with the child about how he perceives the situation. If the child is referred again, there is a conference between the student and the principal where firm guidelines about the situation are established. If he still persists, a note is sent to the parent and a face-to-face conference may be held with student, principal, and parent.

"If this fails, the child is given a choice of corporal punishment or suspension. This is only after all other methods of keeping the child in school have been expended. Usually the child will take the corporal punishment. If this doesn't work, we will resort to suspension. Suspensions are normally from one to three days. But it

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varies."

Dr. Fields was asked why, in view of the many steps he says are taken to keep a child in school, Mark Lewis was suspended so quickly. "Nothing I said seemed to make an impression on Mark," he said. "You know. Some kids will look at you, and you know that you are not getting through. There was no behavior change, no attitude change that I could see. Punishment did not teach Mark anything. So I suspended him."

How much counseling did Mark Lewis and Melvin Robinson receive? How did the staff at Valerie deal with Mark's and Melvin's adjustment problems? "I don't know how much counseling they received, but I don't think it was much. We have one counselor here for 450 children."

When his counselor was pointed out to Melvin, he said, "I've seen her walking around the halls. But I never knew what she did here." By that time, Melvin had been suspended twice, was regarded by teachers and Dr. Fields as "trouble", and was only a short time away from expulsion and three months on the street.

VIII.

Students are suspended from the Dayton school system at the rate of almost 3,500 per year. Suspension is the first step in a clearly documented pattern. Several suspensions add up to expulsion from school, or dropping out. Expulsion or dropping out ends up as juvenile court referral. Juvenile court referral ends up as jail.

There are some startling facts in the Dayton Board of Education's own "Dropout Profile" book. During the 1969-70 school year, 1,380 students dropped out of the Dayton schools. As it has for 10 years now, Roosevelt High School, with a student body that comes largely from low income, black neighborhoods, led the city (247 dropouts). At Stivers High School, where the student body comes largely from low income, white neighborhoods, 235 students, an amazing 21.5 per cent of the total student body, dropped out.

In making its "profile", the administration researchers questioned one boy and one girl dropout from the 9, 10, 11, and 12 grade levels at each high school. Administration statistics show that almost half of the dropouts had intelligence ratings of average and above, yet 62.1 per cent had failing grade point averages, 62.1 per cent missed 26 or more days of school, and 69 per cent were in the General Course, referred to by students as The Dumping Ground. "I was in that General Course for awhile, man," says Donnie Moore, a graduating Dunbar senior who got out of the General Course and is now headed for college. "Spent all semester bullshitting and making a broom, man. Worked on that broom for MONTHS. Got a 'A'."

The two key facts in suspension and dropout statistics are the high percentage of students who fail to adjust to school in low income areas, and the Board of Education's own information on the relationship of student dropouts to the people in school who could have helped them.

More than half of the dropouts in the survey said they wanted more classroom discipline from the teachers; 65.4 per cent wanted more "counseling for direction and guidance." More than half rated "communication between pupil and disciplinarian poor"; 43 per cent rated communication between pupil and counselor poor; 51.6 per cent rated communication between pupil and principal and between pupil and assistant principal poor.

The reason lies in the difference between how most teachers and administrators see students, and how students see themselves. The difference is as basic as language.

IX.

The administration researchers explain that their dropout study is "designed to ascertain what must be provided for the dropouts to beget the apparent despair of meaninglessness, senselessness, pointless affirmation of nonentity; how he is to relieve himself of the impossible predicament of the autonomous suicidal destruction of his worthwhileness . . .

"One who feels worthwhile comprehends it as an act which is utterly (probably) beyond a complete scientific explanation. To comprehend worthwhileness is an act of contemplation and philosophical wisdom mutated with the fruit of scientific analyses. Most can identify 'there is a tree; that is a man'. But few are struck by the realization of the real import or input of what is really meant by 'is'."

X.

Luke Huggins, a Roosevelt freshman, writes: "One day as I was walking down the street this lady came out of a house say you black bitch. I didn't know what was going on but she had caught this lady in the house with her man. The lady came out the door with a gun in her hand and said come out of there. The other lady came out the house and the man with her. He said don't you shoot her or you shoot me. Then she drop the gun on the ground and said God be with me."

XI.

"The Roosevelt Seal which is in the main hall by the Mathison Street entrance is not to be walked on by anyone. This is a sacred symbol of our school and is to be respected at all times." (Roosevelt student handbook, "Rally for Roosevelt")

XII.

"I don't see why pimp hit their women when they don't get any money and there is no reason for that because she can't help it. And all pimp want is new cars and lot of money and he should want the woman herself." (Tycelia Whatley, Roosevelt freshman)

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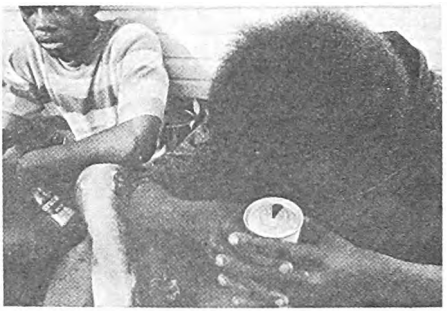
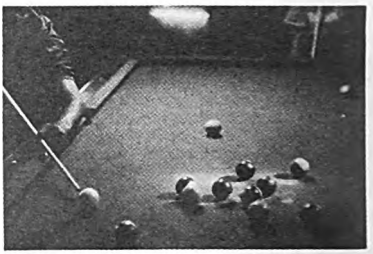
XIII.

"By 1923 Fairview had its Bulldog, a scrawny little bull terrier. But like the school, Fairview's bulldog had to grow. The original bull terrier has developed into the stalwart, proud Bulldog which now stands in the Senior Section of the cafeteria. In 1962, a contest was held to select a proper name for the bulldog. Bruiser was the





"We have won the sportsmanship trophy in the past. Let us win it this year. Let us keep our thousand points. By watching our behavior while going to and coming from the game, as well as while at the game, we can win this coveted trophy. Follow the directions of the cheerleaders. Be enthusiastic but not rowdy. More points are deducted for profane language than for any other misbehavior. Students should try to get together in the center sections of the stands. This adds greatly to our cheering potential." (Panther Handbook, Kiser High School)

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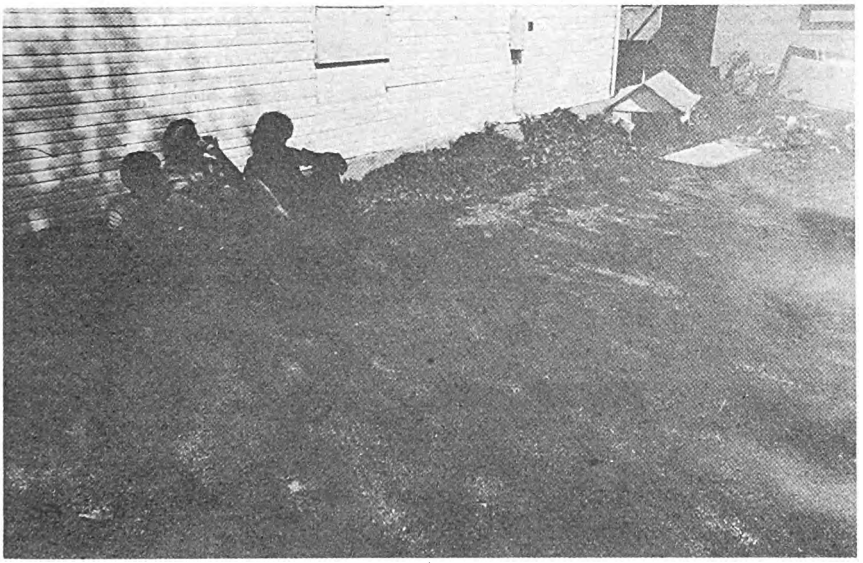
"You cannot choose to do nothing. You must do something, and what you do must be good---it must be a worthy contribution to whatever group you belong. And you must give your best. If each gives his best, there are no problems that can't be solved at Colonel White." (Colonel White Student Handbook)



name chosen." (Fairview student handbook, "Welcome to Fairview")

XIV.

"When I was in a car rake you didn't no if any one was going to live or die because the cars bump together and then the car I was in turn over five times and when it land every one fail out of the car and my sister was cut over her eye and every one thought it was her eye and my teeth were all louse and all my bones were broke. And I could harly brea and they didn't no if I was going to live or die." (Tycelia Whatley, Roosevelt freshman)

XV.

"Three members of the class of 1918 wrote Fairview's song 'The Blue and Gold.' While they were composing the song, they discovered that blue and gold sounded better when put to music than blue and orange, the colors chosen in 1909. As a result, Fairview's colors were changed to blue and gold." (Fairview student handbook, "Welcome to Fairview")

XVI.

"It was on Easter Sunday I almost got shoot over fifty cent. I seen one of my old girl friend mother. And she told me if she would of known the dude had a gun she would of shot him. But I was lucky enough to get away from him." (Edward Bratchette, Roosevelt freshman)

XVII.

"No open display of affection please, holding hands will suffice." (Centerville Student Handbook)

XVIII.

"I saw two man fight. They was fight about a young lady. This man feel this lady booie and the other man got jealson and hit him. He pull out a knife and stab him

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in the arm. And they start shooting. Both us them died and the lady walk out of the bar and said them fool." (Denise Russell, Roosevelt freshman)

XIX.

"The purpose of the language clubs is mainly social, but sociability with a specific educational aim: to use the language in informal conversation, learn the social customs of the peoples of the countries who speak the language, become acquainted with their music, games, art, literature and foods." (Roosevelt student handbook, "Rally for Roosevelt")

XX.

"All you L7's break away from playing the dozen and dig up on the tips about a hound who eats at the Y. Hey deaden that shit and give me a square if you got a dime bag it's cool." (Randy Meadows, Roosevelt senior)

XXI.

In a December 15th letter to the Dayton school board, Dr. Wayne Carle, superintendent of Dayton's public schools, wrote: "Racial integration is both the number one social and number one educational problem confronting our country. If schools fully overcome the effects of racial isolation, there is considerable reason to believe that they can also unravel the related issues of humanization, motivation, accountability, financial support, and learning problems confronting public education in general . . ."

But as the histories of Mark Lewis and Melvin Robinson and others like them at Valerie School indicate, the problem of children ending up on the scrap pile will not be solved by integration. It will only be solved when administrators and teachers begin to hear the language of their students, and to understand it.

At St. Agnes School in Lower Dayton View, where 40 per cent of the 270 students are black and the class size of 30 is approximately the same size as public school classes, there has been one suspension and two paddlings in the past two years. "When a kid gets angry and says 'motherfucker', the last thing in the world I will do is be shocked and scream at him," explains St. Agnes counselor Betty Jane Kurtz. "Screaming at him is the best way to help him curse the next time he gets angry. If I can't act calmly and work with the kid to get at the cause of his anger and change his mood, then I'm not controlling the situation. I'm not helping anyone."

At St. James School on the West Side, where 140 out of 175 students are black, Sister Mary Ann Drerup, the white principal, recalls only one suspension in recent years. "A long time ago, before I learned to control my adrenalin, I remember slapping a girl who sassed me. And making another girl wash her mouth out with soap for cursing.

"But I learned. The first thing I learned was never to act when I'm angry. That is a rule for our teachers here, too. When children misbehave, it is usually because they feel inferior for some reason, or they are jealous, or they are in a power battle with the teacher or another student. It takes time to get at the heart of the problem. If you don't calm down first and think, both you and the student are lost.

"I remember a girl that I just didn't like. She was so . . . I don't know . . . flip. She just rubbed me the wrong way. One day, in class, she was reading out loud to herself. Without thinking, I said, 'Read with your eyes, not with your lips.' And she looked at me and I could see how she hated how I spoke to her. I thought to myself, 'Wait a minute. First I better deal with myself before I try to change someone else's behavior.'

"It does take time to learn about children. But I don't know any other way of reaching them."

XXII.

If the Dayton public schools continue to lack the patience to reach their thousands of "difficult" students, then suspension, dropout, and juvenile court referral rates will continue to rise. The administration's stated dream of "quality education" will simply never happen.

XXIII.

Donald Blanton, Roosevelt freshman: "Some dude name Donald Catten he's my best friend. We've been knowing one another for four years, 7th, 8th, 9th, 10th. We went to Weaver School in the 7th and 8th grade together and went to Roosevelt High for the 9th and 10th together and we get hi together fight together get suspended together. Me, him and Dudley Thomas all three of us get suspended all the time in the 8th grade . . .

"If I could do what I want all day with no one messing with me and my lady we would have fun all day and good fun too all day playing in the bed just playing not have sex or anything just be playing and having fun for once just like we would if we were little again and lay in bed, talk, laugh, play, eat food or popcorn in the bed or something like that . . .

"Me, Catten, and Dudley was taking dope we was shooting $70 a day habit all day every day we would shoot dope. All three of us had sons and they was seniors in high school. All three of them ran together, played football and basketball together and they did just like us. We played football, basketball and ran together, fight together. Sometimes they would drink some thing together and get hi and had a son all three of them . . ."

XXIV.

Edward Bratchette, Roosevelt freshman: "If I was head of Roosevelt High and I had a bad day I would expel any person who come in my office and beat my dog if he jump on me when I get home."

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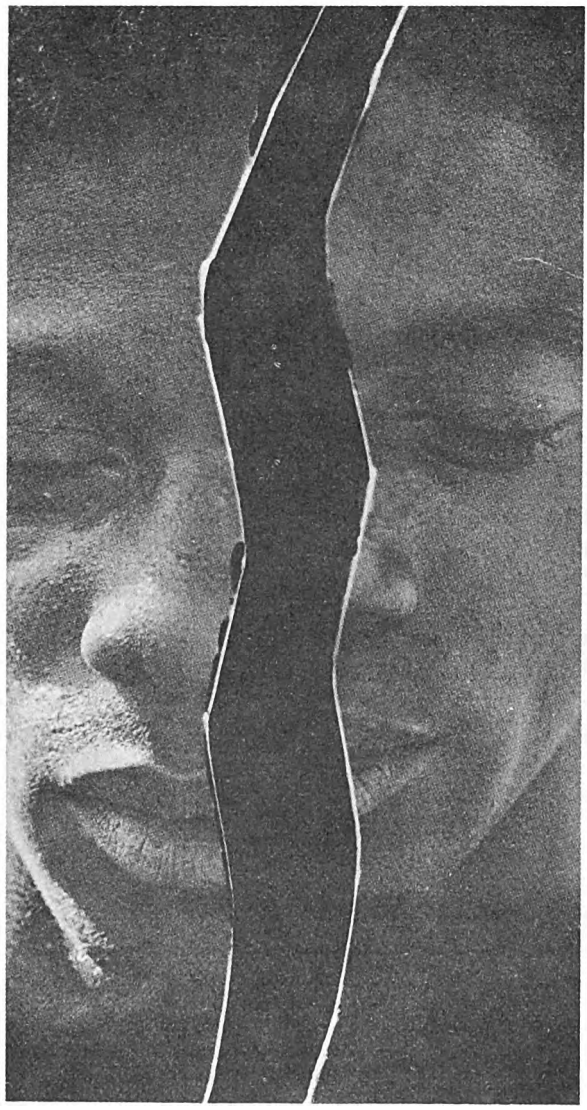
"One day there live a handsome prince name Gregory and a beauty princess name Denise. They were madness in love. They use to pick flowers every Sunday after church. Then one day a girl name Jackie came along and move her out of place. Gregory forgot all about Denise. One day they was have a dance. Gregory took Jackie and Denise went all by her self. Jackie was dresses in a beauty yellow dress with yellow and white shoes. Gregory was dress in a black tockseole. Soon they were dances together and then Denise came in. She was loveful. Every body stop dances and look at her. Gregory stop dances and dance with her and he said she the mose beauty woman he ever saw. . ." (Denise Russell, Roosevelt freshman)



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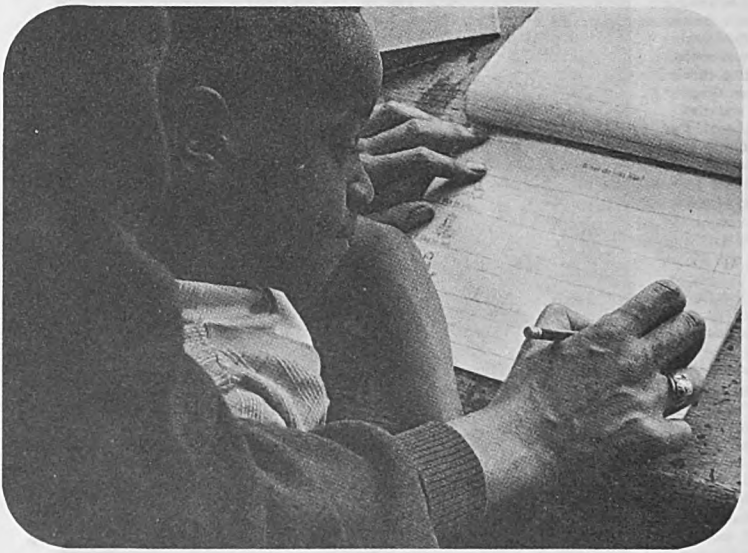
COMMUNITY SCHOOL COUNCIL

Philosophy and Framework for Urban Educational Change



May, 1970, Dayton, Ohio

Arthur E. Thomas, *Director, Dayton Community School Council*
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Preface

The purpose of this document is to develop an understanding and a mechanism of change in the public education system as it exists for minority group children. Specifically, it is designed to stimulate its users to apply their own skills and make their own decisions about how to implement a community school council. While the handbook is based on the Dayton experience, which occurred in a black urban community, the principles of change and action apply to other oppressed minorities throughout the nation.

The achievement of community control as decentralization of the educational system calls for a redistribution of power relationships, exercised and implemented legislatively or through the collective action outlined in the following pages. On this point the document is clear: parents will be merely exercising their basic rights by determining educational policy for the schools their children attend. The creation of a community school council, as a process which honors that right, can be achieved only with great difficulty; but the skills developed in overcoming obstacles and opposition, lead to qualitative change in the education of Black children.

The non-negotiable right of parents to be involved in shaping their children's education is the underlying value of what is presented. All else is added for the purpose of encouraging readers to exercise their responsibilities and to explore alternative strategies for doing so.

The ideas for the development of the handbook, based on the Dayton experiment Parent-Community involvement and community school control, came from Arthur E. Thomas, Director, Dayton Community School Council, and Ruth W. Burgin, Deputy Director, SCOPE Community Action Agency in Darke, Greene, Miami, Preble, and Warren Counties, Ohio*. Mr. Thomas initiated the action for the financing of the council which resulted in an allocation of funds for the program from OEO CAP Grant 8716, which was administered by the City of Dayton's City Demonstration Office.

Arthur E. Thomas

Mr. Thomas assumed responsibility for the selection and assignment of persons in the development and production of the handbook with Mrs. Burgin, who organized the work and managed the editing and logistics.

Preston Wilcox, President, Afram Associates, provided the major part of the discussion. Donald H. Smith, Director, Educational Development, Bernard Baruch College, contributed to the his-

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tory and contemporary changes occurring within the community school control movement. Mr. Wilcox and Dr. Smith have both served as consultants to the Dayton Community School Council. Mr. Wilcox continues to meet periodically with the council as a consultant in community school control.

The ideas presented are those of the parents and students of the Dayton Community School Council. In addition, Mr. Wilcox draws upon his wealth of experience as a teacher and practitioner in affairs of community organization and parent-community school control. Dr. Smith draws upon his knowledge and skills as an innovator in the field of urban education for systematically deprived poor Black children.

Kenneth Blanchard assisted in the organization of the contents.

Major editorial assistance was contributed by Patricia A. Rector. Jari Wyatt and Linda Provencal typed the document.

Bill Patterson did the art work and photography and assumed responsibility for production.

The Office of Economic Opportunity nor any other governmental agency is responsible for the views expressed, and the discussion within takes advantage of the freedom of expression permitted. Community school control as a concept and goal is relatively recent and controversial for poor minority and Black people of this country, and as a subject attracts, of necessity, in some form, the interest and concern of the education community - parents, students, teachers, boards of education and the greater citizenry whenever it is raised. Consequently, most of the writings on this topic are scattered about in periodicals having less than wide distribution to the general public or lie dormant as unpublished documents in the hands of persons having yet to bring their works to the attention of the larger community. For this reason, a limited bibliography is included. The writers, where reference is made to sources other than their own, have so indicated in the text of the handbook.

The handbook springs from the belief so often articulated by the Director of the Dayton Community School Council, Arthur E. Thomas: "The people have the intelligence, the skills, and the brilliance to make their schools the best schools in the world. The educational technician must provide information and be willing to take risks in order to put the people in a position to make decisions where they can affect real democracy. The technician must view himself as a tool to be utilized by the people. This can be easily done if the technician really loves, trusts, and respects the people."

R. W. B.

**Thomas holds a master's degree in educational administration from Miami University and served as the only coordinator and first director of the Dayton Model Cities Education program. He is now Director of the OEO Legal Services funded Center For the Study of Student Citizenship, Rights and Responsibilities in Dayton which is associated with the Harvard University Law and Education Center. Mrs. Burgin holds a master's degree in community organization from Ohio State University, was chief technical assistant and advisor to Mr. Thomas in the development of the Dayton Model Cities Education program and the operation of the Dayton Community School Council, developed the comprehensive framework of the Dayton Model Cities program and coordinated the development of and wrote the Social Services Component of the program. Mr. Thomas and Mrs. Burgin are doctoral students at the University of Massachusetts, School of Education.*

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Table of Contents

I. Introduction: The Need For Community Control 6

II. The Role Of The Community School Council 9

III. The Process of Establishing A Community School Council. 15

IV. Composition And Structure For A Community School Council. 21

V. Power Of The Community School Council 28

VI. Community School Project Appraisal and Conclusions. 31

VII. Bibliography 35

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I. Introduction: The Need for Community Control

The Dayton Community School Council is part of one of the most important movements in the history of American education.

Inspired by the courageous examples of Black and Puerto Rican citizens in New York who formed the Governing Boards of IS 201, Manhatten, Ocean Hill-Brownsville, and Brooklyn, Black and other minority citizens have begun to organize themselves throughout the country to improve the education of their children. The Dayton Community School Council, as an important force for educational change in this city, is linked with Black, Brown, Red, and Yellow "change agents" in cities all over the nation.

Citizen Control of Schools - A New Idea?

The idea of citizen control of schools is not a new one; it is "new" only in the cases of non-whites and the poor. The white middle and upper classes have historically and traditionally exercised both direct and indirect control over the schools their children attend, and ironically, over the schools which their children do not attend; that is, those attended by the dark-skinned and the poor.

By means of various control mechanisms, comfortable and well-to-do white people have exerted powerful influence over who will teach, what will be taught, who will manage the schools, and how the schools will be managed. Among these control mechanisms have been their power to appoint and dismiss superintendents; their power to appoint school boards, or in the cases of elections to provide funds for election campaigns and for mass media publicity, which in turn, significantly influence election outcomes; their presence on state and local committees which determine policy concerning teacher certification and employment, curriculum and textbooks, the expenditure of local, state and federal funds, and the employment of various contractors who serve the schools - building contractors, food service contractors, medical and dental services, and even such services as janitors, window washers, and garbage disposers.

They exert indirect influence through their station in life which is a constant reminder to principals, teachers, counselors, and others that the children of these parents are important human beings who are expected to learn. Educational personnel know that their jobs depend on performance. They know that white affluent parents expect the schools to prepare their children to attend Harvard, Yale, Chicago, or California, and therefore, they know they had better take care of business or be prepared to move on.

This network of powerful elements, including the control of universities which train the teachers and administrators, has enabled affluent whites to control their schools and the schools of oppressed minorities in a manner intended to serve the interests of the white middle and upper middle classes.

Until very recently Black and poor parents had no mechanism of control.

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They had no way whatsoever to influence what was happening to their child in school. They knew the children weren't learning, that they read poorly and had difficulty with math. They knew their children were in danger of becoming "push outs," but, as in the case of many parents, they often didn't know what to do, and even when they did know, nobody would pay them any attention because they had no power.

The lessons of the history of civilization have taught that *groups which hold power and control the destinies of others never give it up until they are confronted with enough counter-power that they are forced, in their own best interest, to give up, or at least share, the power.*

The Rationale for this Handbook

The real significance of the Dayton and other community school council movements is that they help Black and other oppressed citizens to achieve the following:

- develop the power and strategies to affect the educational destinies of their children,
- assert to the white establishment the power that black and poor parents intend to have over the education of their children is as great as the influence that white parents exover the education of their children,
- prove to themselves that they have the courage and the talent to organize and conduct a social change movement, and
- show their children and the adult community that they are no longer a powerless people who can be manipulated to the advantage of and at the will of the powerful majority, and that they will develop a power base so that they can control their own educational destinies.

In accordance with these objectives, this handbook and policy guide was developed as a project of the Community School Council. During the course of its educational leadership development program, the director of the program, Arthur E. Thomas, found himself continually engaged in conflict with the school superintendent and the Dayton Board of Education. The conflict became an educational tool since it provided stark evidence of the basic condition of white institutional racism. Efforts to educate minority group children are meaningful only as this condition is understood.

The handbook is designed to serve as a training and community development tool for minority groups, poor whites, and mixed communities who are interested in modifying the content and form of educational services that are delivered to their children. This alternative mode of delivery of educational services operates as a change agent of the context of white racism documented as a feature of the institutions of this country by the National Advisory Council on Civil Disorders. The Council reports, "What white Americans have never fully understood, but what the Negro can never forget, is that white society is implicated in the ghetto. White institutions created it, white institutions created it, white institutions maintain it, and white society condones it."

Beginning with that basic premise, it is evident that most large cities have two school systems: one white and one Black and/or other minorities, both controlled by whites. Yet most schools, whether Black or white, continue to be organized and to operate as though racism does not exist. The absence of integrated curricula, the absence of minority groups in leadership positions

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or in teaching positions in predominantly white schools, and the failure of the schools to educate their students to learn to guard the nation's democratic ideals are neither accidental nor unwitting omissions.

Flowing from the rising consciousness of minority peoples of their condition is a recognition that a counter-racist strategy has to be developed, one which removes racists from control over the lives of minority and poor white children, and enables learners to gain the skills, knowledge, and desire to transform the hostile environment in which they live. The alternative is to blind students and their communities to this reality, to mute their sensitivities to their oppression, rather than enabling them to develop strategies for survival and liberation.

Included among many alternative strategies is the necessity to develop ways and means to ensure that parents, students and community leaders are involved with teachers and school administrators in shaping the content and form of their educational programs. Kenneth Haskins, urban educator and former principal of the Morgan School in Washington, has discussed this necessity as follows:

> Parent participation can be viewed in three ways (and therefore evaluated in three ways, though not necessarily separate): as a right which belongs to parents regardless of the degree of change in any other area than that of parent participation itself; as a positive adjunct to an educational program or as an integral part of it (parent participation in this sense should reflect its value in educational terms, at least for the children and in a limited way for parents); as a necessity, where there is a perceived inability of traditional educators and current sponsors to completely understand and deal with the children they are "educating," either in terms of needs or desires.

The relationship between parent participation and student achievement is becoming increasingly apparent. In cases where parents hold negative attitudes toward the school, the student is inclined to reflect a similar attitude. Involved parents feel better about their schools, and hence their children feel better about learning in those schools. As teachers, parents, and students begin to work together, they begin to learn from and to teach each other, and to perceive the school and the community as being integral parts of the same educational construct. They merge their individual and joint responsibilities into a workable whole.

As participants begin to share with each other what they have learned and experienced, they begin to perceive, many for the first time, that indeed their own children are both human and educable, despite the fact that the society of which they are a part withholds this information from them. The strength of a counter-racist alternative is its potential for helping school and community groups to feel better about themselves, an essential component of any educational process. In a society that is organized against the best interest of minorities and the poor, parent-community involvement is an educational necessity, an eminently human option to the centralized white bureaucratic control of minority group schools.

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II. The Role of the Community School Council

One of the very most important assignments of members of the Community School Council is to help free the minds of the students and the adult citizens of the community. It is well known that slavery and present day racism have very carefully and systematically carved out a position of inferiority and servitude for Black people. It is also known that the constant repetition of failure in school, low-paying or no jobs, poor housing, physical abuse and psychological humiliation, poor health conditions, and minimal political power, have resulted in convincing many Black people that they are unworthy, that "Black is Bad", and that Black people are incapable of handling complex intellectual, economic, or political activity.

In essence, what occurs is that when Black people look into the social mirror that white America has created, many Black people are confused and believe the reflections they see there are a true picture of themselves. Not enough Black people can see the picture for what it is: a deliberate, ugly distortion whose purpose it is to keep Black people in a state of self-hate and self-defeat.

Little by little, the current emphasis on Black heritage, Black achievement, and Black power is helping increasingly larger numbers of Afro-Americans to reject the white images and to take on new feelings of confidence and self-worth. More and more the new image of "Black is Beautiful" is developing, and slowly the old feelings of inferiority and powerlessness are being replaced with beliefs of power and worth.

It should be clearly understood, however, that there remain many powerful impediments to the complete psychological freedom of Black and other dark Americans. Three of the primary roadblocks are the following:

First, there is the strong holding power of centuries of automatic responses to white tyranny. In spite of the very positive effects of the Black Movement during the last fifteen years, people who have lost their jobs, their homes, their loved ones and have been, themselves, threatened and brutalized for not staying in their "place" find it extremely difficult to maintain their new images and independence of thought in the face of ever-present punishment for non-conformity. The strength of the new Black Awareness is ever challenged by the psychological remnants of white supremacy.

Second, the closer Black people come to gaining their psychological freedom, the more hazardous the journey becomes. Efforts of the majority to reinforce the old inferiorities become more furious, in a last-ditch attempt to maintain the parent-child, master-servant relationship.

Third, those Black people who are in the most strategic positions to help free other Black people: teachers, ministers, and politicians, are, themselves, too often psychological prisoners of "the system". Those who have the rostrums and the platforms are often too captive or too afraid to set the examples and speak the words which will inspire others toward emancipation.

Armed with the understanding that these three and other impediments will hinder the task, community school council members are, at the same time,

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better equipped to cope with these obstacles. A clear understanding of the nature of the problem is an important part of the solution.

It is advantageous as strategies are planned that they reflect an accurate analysis of the psychological damage which slavery and racism have inflicted upon Black people. The three impediments cited are by no means intended to be a complete analysis but they are submitted to stimulate the Councils toward developing their own criteria for analysis.

There is great urgency for helping Black people to discard the old racist, self-defeating images and to recognize some of the barriers which will surely be encountered. Further, the necessity for replacing the old image with a new one of self-worth, pride, and dignity is a priority well worth mentioning. Admirable as these qualities are, though, they are not specific enough for program planning and strategy development. Guidelines must be drawn to determine what the new positive image or the new positive Black Self might be.

Recently a black high school student in Dayton complained at a student meeting, "What is wrong with this school is it doesn't turn out Black students." When asked what should a Black student be like, the high school student had difficulty in trying to answer. So did all of the other students at the meeting. Not one of them felt he could give an adequate answer to the question, but most of them had partial answers. As they began to talk with each other, expressing their ideas, a number of desired characteristics began to emerge.

This same question has been posed to various black parents and teachers in the Dayton Model Cities schools. Based on the responses of some students, parents, teachers and administrators, the following profile emerges. It is by no means complete, but is offered as a possible vision of what Black people might expect education to accomplish for their children.

[redacted]

Profile of the New Black Student:

[redacted]

He understands and appreciates his heritage.

He values the worth of Black people in his community and in the larger national and international communities.

He understands himself and values his own personal worth and dignity. Has confidence in himself.

He knows what it means to be a "free man", refusing to be anything less.

He has respect for his parents and teachers, with a full understanding of how race and class bias have determined their behavior.

He has an inquiring mind which is ever questioning the nature of man's historical and contemporary existence.

He has a deep commitment to be a change agent in his own and in the larger Black communities.

He has familiarity with and appreciates the history and culture of other oppressed groups, particularly Puerto Ricans, Mexican-Americans and American Indians.

He is intolerant of injustice in any form to any people and is willing to make great personal sacrifices to eradicate injustice.

He has specific awareness and in-depth understanding of the American social and economic system, with

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particular knowledge of its overt and covert barriers to Blacks and other dark minorities.

He has a knowledge of how to cope with or "negotiate" that system, with specific strategies for dealing with unyielding exclusions and oppressions.

He has outstanding skills in the areas of written and oral communication, reading, and mathematics.

He has developed skills of abstract and critical thinking.

He has developed the criteria for selecting and evaluating alternative ideas and behaviors related to his existence and his future career or vocation.

Based upon his own skills and desires, he has received the kind of education which will permit smooth entry into college or a meaningful job.

He is physically healthy.

Above all, he has been helped to develop the kind of psychic strength which will allow him to survive in the face of forces which will attempt to destroy him because he has become a free man who is trying to free other men.

If one agrees that the foregoing profile is valid, then it logically follows that major changes must take place in the Dayton Model Cities schools and in the thousands of other school complexes throughout the nation whose responsibility it is to educate black pupils.

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The Range of Goals and the Decision-Making Processes

Rather than listing specific goals for a community school council, an effort has been made below to identify a range of possible goals, depending on the expected roles that parent/community leaders choose to perform. The accompanying questions are included as study guides.

Table I

Consumer Roles	*Helper-Consumer Roles*	*Participant-Consumer Roles*
1. Identification of Needs/ Problems What are the basic causes and problem solution? 2. Reinforcement of the Existing Program What is being reinforced? Is the program worth supporting? 3. Increased Participation Are people involved in meaningless busy work, or does participation lead to concrete change? 4. Liaison Between School & Community Is there cooperation or compliance mutuality or subservience? 5. Guidelines for Evaluation Do parents and students have a systematic method of evaluating their edution?	6. Assistance with Individual Problems How can parent volunteers multiply the time spent by regular classroom teachers for each student? 7. Community Problem-Solving How responsive is the school staff to the community?	8. Advisory Roles How are suggestions received? Are they ever implemented? 9. Participant in Joint (Parent-Staff) Committees as Equals Are people listening to each other? 10. Policy-making Roles Is there exclusive or shared decision-making?

A review of Table I reveals a range of different goals and a suggestion for a combination of goals and parental roles based on the choices made. A decision to establish a policy-making role for parents would permit the inclusion of all of the goals and roles. The number of choices increase as one moves from Consumer Roles to Helper-Consumer Roles to Participant-Consumer Roles. The table then, includes a variety of possibilities dependent on the choices of the particular community school council.

It is instructive to note that the goals mentioned above are largely based on parental roles, and not student roles, nor educational achievement. Neither are they limited to events which take place only within the four walls of the school. The assumption here is that the necessity for meaningful parent involvement is derived from the failure of existing school systems to educate the minorities and the poor effectively, and to integrate a concern for social

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problems into their educational programs.

The policy-making role requires further elaboration since, in addition to decision-making and evaluating the implementation of those decisions, it offers greater opportunities for holding the educational staff accountable. In such instances, policy-making bodies should have the power to make the ultimate decision with appropriate consultation in the following areas: hiring, firing and promotion of school staff; purchasing of books, supplies, equipment, food services; expenditure of funds - local, state and federal; site selection, design and construction of schools; and establishing educational policy, shaping school-community curriculum and special educational programs and activities.

Maximum local school-community autonomy or school-community control is best understood when one considers the right of communities to be involved in those decisions that affect them, and to control the network of internal power relationships within their own communities. In fact, this is not a challenge to the powers of the central system but a legitimate exercise of one's democratic prerogatives. It includes two categories of decisions, exclusive and shared. Exclusives consist either of those which can only be made by the central system of of those which can only be made by the local community. Shared decisions are those in which the central system and the local community together arrive at a decision.

Such a plan requires that the central system confirms legitimate local decisions, and advocates on behalf of local interests when the ultimate power rests with the central system. When more than one community finds itself in competition, the central board may act to negotiate with the community rather than make unilateral decisions.

It is the continuing responsibility of local school-community groups to identify those decisions which fall exclusively within its purview and to learn how to participate in shared decision-making with the central system. The community school council should also operate to ensure that the central board does not expand its decision-making areas so as to usurp the rights of local community school councils.

It is vitally important to understand the varying levels of participation in the decision-making process. This knowledge is significant as a guide to learning how to participate in the process and how to ensure relevance of decision-making. The issue of who makes or shapes the ultimate decision is crucial since people usually make decisions in their own interest. Hopefully the community school council will come to perceive the positive value of making collective and consensus-oriented decisions as a support for building workable relationships and community unity.

Table II

Levels of Participation in Decision-Making

Support of Issues and Ideas
Contribution of Ideas and Information
Reinterpretation. Redefinition of and Evaluation of Ideas and Information Presented by Others
Substitution of New Ideas for Those Previously Submitted
Participation in Voting or Other Modes of Decision-Making
Shaping the Ultimate Decisions
Making the Ultimate Decisions

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III. The Process of Establishing a Community School Council

The process by which one establishes a community school council is a major determinant in achieving the educational goals of utmost concern to Black and poor people and their children. Advocates of meaningful parental involvement continually must find the ways and means to respond to the following three questions:

1. How does one enable parents to want to exercise their rights and obligation to function in an advisory and/or policy-making capacity in the education of their children?
2. How does one enable community school councils to learn to develop a followership which is capable of holding it accountable, and an appropriate structure and process to sustain followership interest and participation?
3. How does a community school council develop a workable relationship with central boards and school systems (particularly unions and middle management principals and teachers) so that it increases its ability to exercise conflict-free decisions on behalf of its own children?

In addressing these strategic questions, it is clear that the first requires a community education program directed toward parents, school staff, and community leaders, the second requires a workable structure and procedure, and the third requires operational skills.

Establishing Community Preparedness.

Many parents are reluctant to get involved in school affairs because they fear that reprisals will be taken against their children by the school system, or against themselves by employers, the Welfare Department, or similar agencies. Their fears are not completely unfounded. Efforts should be undertaken to get parents to identify such fears (if they exist) and to help them overcome them. Three strategies are suggested: Understanding Rights, Relating Rights to a Community Educational Philosophy, and Learning Involvement.

Understanding Rights.

Help parents to understand their rights and how to protect them. Test whether or not the rights which are presumed to exist are, in fact, operative. Such rights include those of appeal, access to information, dissent, rights of students and student organizations, confidentiality of information concerning individual students and families.

Relating to a Community Educational Philosophy.

The values of various groups in the community reflect a deep concern for the greatest possible development of the intellectual, emotional, and physical character of every person in that community. These values are stated more explicitly in the following:

(a) The Students.

All children are human and educable. They possess creative capabilities and potential.

All children have a right to have that which is of value to them accredited and respected within the classroom. That "something of value" includes his cultural heritage,

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his religious beliefs, his aspirations, his ethnic backgrounds, his perception of himself and his sense of worth.

(b) The Families.

All families have a right to have access to the basic necessities of life: food, shelter, clothing and the opportunity to enjoy and express their own interests as long as they do not violate the rights of others.

All families have a non-negotiable right to be involved in shaping the policy and content of the educational programs serving their own children.

All families have a right to expect that a democratic society will guard and enhance their right to achieve and exercise their fullest potential.

The educational process should strengthen, not weaken, family relationships.

(c) School Staff.

Employees of the school system are the servants of the people.

Deep down many teachers want their children to learn whether or not they are capable of teaching them.

Professionals are expected to be evaluated on the basis of their performance and their ability to enable parents and students to participate in this process.

An effective principal understands the relationship between teacher attitudes and student achievement; family security and student potential.

(d) The School and Its Purpose.

The school exists to serve the educational needs of the community and not those of the central system.

The school is an integral part of the community.

It must be a living laboratory for learning how to make democracy work on behalf of all of its members as against a place where democracy is imposed as a hollow ideology.

Corporal punishment, school suspensions, excessive failures, track systems, white racist rule, double standards, compensatory education (educational reparations), negative labeling, nonphysical violence and autocratic rule have no place in the production of human beings through the vehicle of education.

Learning Involvement.

Parents need to be helped to get involved. One way to bring about this learning, after they understand their rights and the community's educational philosophy, is to involve them in helping the school staff to relate to the local community. As they do so, they become involved themselves.

The activities listed below are not meant as an exhaustive list, nor do they necessarily apply to every community. Furthermore, it is hoped that involvement on various levels reflects the needs and priorities set by the community school council itself.

(1) Staff Selection and Recruitment: Give priority to local residents in staff recruitment and hiring but not the ultimate priority.

(2) Locale of Meetings, School Events, etc: Hold committee meetings - grade level, executive, etc. in homes or local non-school facilities.

Establish a local non-school facility as a school community social center. Plan weekly breakfasts, social hours, luncheon meetings, etc. Use a storefront, a meeting room in a local church or bar, etc.

Encourage school staff and others to patronize local businesses.

Invite school staff to local social

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events: Meetings, weddings, parties, picnics, and outings.

Keep the school staff informed about local happenings: through newsletters, newspapers, flyers, pamphlets, a community bulletin board in the school, through personal contacts, etc.

Abolish teacher room and staff toilets and integrate them into "community toilets. Students need to know that teachers have bowel movements.

Encourage community organizations to "adopt a class", to finance trips to plan community tours and study, to locate employment and to develop "my brother's brother" kinds of relationships and not Big Brother relationships with the students. Encourage such groups to present citations to deserving teachers and students.

(3) Corporal Punishment: Abolish corporal punishment and insist that teachers begin to learn how to handle student behavior in the classroom as a part of the educational process. Remember violence begets violence.

(4) Suspensions: Prohibit school suspensions and develop strategies to enable students to utilize the educational experience productively. Protect the right of students to be themselves and to learn by doing so.

(5) Open School: Organize regular class and school visitations by parents - and feed-back the collective reactions of the parents to the respective school staff.

Keep the school open on weekends and evenings for use by community groups, etc. Weddings, funerals, card parties and political meetings should be held in the school.

The "gate-keeping" function should be exercised by community members and not just by the school staff. The community knows who should be allowed into the schools.

Encourage the school to utilize local residents as guest lecturers, speakers, etc. - in the areas of their special experience and knowledge.

(6) Accountability: Develop an instrument and a process for enabling students, parents and community leaders to evaluate the school program, the staff and to participate in shaping the educational goals of the school. Monthly reports should be sent home dealing with: Teacher Turnover; Teacher Absences; School Dropouts, if any; School Emergencies; Problems of Vandalism and Theft; Calendar of Special Events: on a classroom level, grade level or school-wide level; Financial Income and Expenditures.

A Parent-controlled Grievance Committee should be established. This committee should be available to parents and staff to elicit problems and concerns.

Encourage teachers to prepare a one-page statement which clearly outlines their goals for the year. Encourage them to hold meetings with parents to ensure a clear understanding of the goals and to elicit parent opinions and reactions. The same discussions should be held with their students.

(7) "Teaching" the Teachers: Teachers should be required to have their students and their parents teach the teachers about the local community mores, values and customs such as language, behavioral patterns, etc. An "Open Community Month" should be established during which time all homes have to be visited by teachers.

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The first ten minutes and the last ten minutes of every day should be used by the students to teach teachers about "how it was in the local community last night" and "what kind of a day it has been", respectively.

The officers of the individual school councils, the principal, student leaders and key teachers should hold weekly "staff meetings" in the school.

(8) Classroom Assignments: Students should be given classroom assignments designed to bring the home and school closer together. Interviews with parents on critical social issues, eliciting of parent attitudes toward school, childhood experiences, etc. should become an integral part of the students learning.

(9) Parent-Directed School-Community Studies: Parents should be enabled and assisted to collect information on community interests, attitudes and aspirations as a way to help the community to relate to the school.

(10) Justification and Mediation: Most issues are not really settled by a vote or by the exercise of power by those in school.

Develop a means for resolving conflict, settling disagreements or breaking log jams by supporting principals, students, teachers and parents only when they are right.

Require all the participants to justify why they acted in certain ways and to listen to reactions to others about their assessments.

Settle disagreements through the use of impartial mediators or by negotiation.

Building Community Understanding.

The process of establishing a community school council, if effective, will result in building operational unity, in increasing the number of people who are interested and able to participate in identifying weaknesses and strengths of their own program, and in gauging the strength of the opposition.

Concentrate on the process of community-building, and not just the issues. In cases where issues can be consciously selected, the extent to which the issues generate community solidarity becomes a criterion of selection. It is not necessary to attempt to educate the majority: concentrate your attention on the strategic "local influentials" and "opinion makers" - clergy, beauticians, bankers, businessmen, community workers, block leaders, numbers men, doctors, social workers, politicians, youth leaders, organizational representatives, the bench sitters, the people in the laundromat and so forth. Have them play the message back to you in their own words to be sure that they understand you. Then, ask them to speak with specific people, and to put the message on the informal grapevine: When it comes back to you on the grapevine, listen carefully to find out what is being communicated. Ask questions in order to learn more about what is being said.

Other selected techniques are:

Getting to know who knows who, so that one will know the other people each person can talk with freely.

Encouraging the development of buddy-buddy systems wherein the buddies "agree" to keep each other informed.

Dropping in at the social centers - beauty parlor, laundromat, etc. - and encouraging people to question you.

Focusing on personal contacts, not paper flyers, pamphlets, etc.

Developing a list of key telephone

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numbers and getting to know the secretaries of those who have them.

Returning telephone calls, keeping promises and showing up when one is needed; the only time it really counts!

Helping people to evaluate issues, to explore alternative strategies and to get involved in learning what has to be done.

Encouraging the development of meetings in homes, speaking engagements, student assignment, essay contests, newspaper and TV programs where ideas are discussed, not sold.

Keeping a running record of those who give evidence of a deepening understanding of the issues: getting them invited to meet with others: in churches, civic groups, etc.

Inviting speakers and consultants in from other cities to local forums and workshops. Invite professionals, community interns and parents from other communities.

Focusing activities on organizations: providing them with materials and speakers; inviting them to canvass their neighborhoods; to convene conferences and meetings.

Helping people to get to know you as a person.

Being whomever you think you are and not what others want you to be.

Helping people to learn how to keep you honest; to prevent even you from manipulating them.

Helping people begin to feel good about themselves: help them understand and learn from their mistakes, compliment them when they deserve it.

Educating the antagonists; attempting to get them linked to the movement.

Avoiding false promises - or any promises at all.

Remembering the students should be a full part of this effort.

The effectiveness of this effort can be measured in the following ways:

One hears about the issue at formal and informal gatherings.

Individuals and organizations begin to put the issue on their meeting agendas.

The request for materials, speakers and information begins to increase.

More local residents begin to explain to you what's going on.

Individuals and organizations begin to subscribe to community control/decentralization publications.

The rate of school visitations begins to increase; school principals and teachers begin to attend meetings in the community.

Former strangers get to know each other.

Regular meeting attenders begin to bring their friends with them; more strangers begin to attend meetings.

Relationships of the Community School Council to Other Systems

The community school council must learn to deal with principals, district superintendents, and the school superintendents. Since the principals will be responsible to or working with the community school council several suggestions are submitted:

1. Involve him fully in the affairs of the council,
2. Meet with him regularly in the school,
3. See that he is invited to community meetings,
4. Ask for regular written reports from him to be distributed to the parents,
5. Develop a meaningful relationship with him; help him to learn how to advocate on behalf of the students,

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6. Help him to share his professional problems with you and then try to help him solve them on a joint basis,
7. Encourage him to keep the individual council in his school fully informed, and
8. Establish a network of committees to enable him to involve parents and benefit from their inputs: financial committee, personnel committee, program committee and student relations.

Efforts should be made to convert both the district and school superintendent into advocates for the local community, and to ensure that they keep the local community informed. Other systems to which the community school council should relate are: the state board of education, U.S. Department of Health, Education and Welfare, mayor's office, and other local agencies - welfare, health, Model Cities programs and so forth. The suggestion here is that two-way relationships be established on two levels: (1) written - get on the mailing lists for news releases and reports, study the newspapers daily, review calendars for public hearings, and (2) personal - establish liaison with a person inside of each one of these agencies. Use them as "consultants" by inviting them to interpret agency policies. The same kind of contact should be maintained with elected officials.

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IV. Composition and Structure of a Community School Council

The community school/decentralization movement differs from the regular system, not only in relation to the role of the parents in the educational process, but also in its broader interpretation of the concept of education. It is more than that which goes on within the classroom; the community and the school become inseparable. The community school teacher is concerned with more than that which takes place within her classroom, a concern for the total school is required. A student must be perceived as a member of a family and as a member of the community: community pressures or community support have a bearing on his ability to achieve within the school.

Every effort should be made to make it possible for community school council participants to obligate themselves to discharge their responsibilities to their communities and their schools. Teachers should have an opportunity to meet with their colleagues in order to aptly represent the views of the other teachers. Students should be afforded a chance to meet with other students. Parent meetings should be called for the express purpose of informing the parent representatives. Where necessary, babysitting, telephone, travel and meal costs should be met for all participants. The composition of the community school council is largely affected by the opportunities provided to guarantee full participation of its members.

Composition

Community school council should recruit, encourage and sustain the full participation of parents, students, community leaders, administrators (including principals) and teachers.

The community school council should consist of one large council with representatives from every school in the target area, and a number of similar councils, one in each school in the target area. The following diagram reflects the structure of the Dayton Community School Council, consisting of elementary and secondary schools in the target area of the Dayton Model Cities program. One must distinguish the Dayton Community School Council, which includes over one hundred people – parents, students, principals, PTA presidents, and teachers, from the smaller community school councils for each school.

Each school selects six parents, one student, two teachers, (all of whom are democratically elected from their respective constituencies) and the principal and PTA president. These eleven people make up the community school council for that school. These people then select their own officers: a chairman, a vice-chairman, and a secretary. All eleven people, however, are representatives to the Dayton Community School Council.

The large Dayton Community School Council has no officers. Meetings, held once every two weeks, are presided over by a rotating chairmanship. In order to maintain the flow of communication between the Model Cities Planning Council and the Dayton Community School Council, the four members of the Model Cities Planning Council Education Committee attend the large group meetings.

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persons and/or organizations against each other. In addition, it should be a process by which accountability to the local community is increased. The resultant community school council should be one which represents the entire community and not just special segments of it such as "teachers", "students", "administrators", or the "teachers union".

Establishing Qualifications

Some criteria should be developed for membership on the community school council. The criteria should relate to:

Understanding of the issues.

Advocacy on behalf of local interests.

Demonstrated interest and participation.

Availability.

Ability to deal with whites without "scratching one's head": lack of fear; unable to be intimated.

Inability to be compromised by job offers, praise, etc.

Ability to deal with children humanely.

Ability and willingness to learn: reflective, suspends judgement, asks questions.

Respected by local residents: street people included.

Membership in at least one local organization.

Willing to represent the views of others, when appropriate.

Ability to get angry, when appropriate.

A minimum of hang-ups - Black-white; male-female; boss-workers, etc.

Committed to serve the people.

Other selected criteria might also be developed in relation to the definitions of parents, teachers, students and administrators relating to number of children in school, years of service, grade level, past performance, etc.

Ensuring Representativeness

As mentioned it is suggested that parents, students, teachers and community leaders serve on the community school council. Each school should be involved in developing qualifications and determining how its candidates are selected as a basic necessity. All candidates should be in favor of community control/decentralization efforts. Those who are against it should not be afforded a right to vote. Rather, they should be offered an opportunity to transfer or to function as part of the centralized system in relating to the principal. The purpose of this process is to decrease conflict and to protect the right of dissenters to dissent without imposing their will on the community. Some schools, then, will end up with dual kinds of staff: centralized and decentralized/community-controlled.

The two groups can meet separately, when appropriate. The point is that any teacher, parent or student who is against community control/decentralization should not be permitted to participate in the selection of candidates for the community school council.

Each school should develop a position statement on the subject with which all candidates must agree to be considered for selection. Students should be involved in this process along with parents. Each candidate should meet the qualifications established by the respective schools. Candidates, should not be permitted to campaign but should submit themselves to interviews by the various participants: teachers, students, parents and community leaders. After the interviews, the candidates should decide for themselves if they still want to be considered for election.

The resultant candidates should be

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involved in the identification of important local issues.

Participation of the Students.

It should be kept in mind that the students are the main target of attention: organizational development is being undertaken on their behalf and to protect their right to a decent education. Their involvement in this effort should be an integral part of their education, for example:

1. Class meetings should be held on the subject of community control/decentralization.
2. Each student should be helped to interview at least two community residents on the subject, and develop as a class assignment.
3. Poster contests should be arranged.
4. Meetings with all candidates should be held.
5. Dramatic skits should be staged.
6. Racism and education should be discussed in the classroom. The track system, school suspensions, corporal punishment, school push-out procedures, white-controlled integration, authentic integration, Black community control, etc. should be discussed in the classroom. Students should be involved in visiting the welfare department, the police department, etc. and discussions held of the experiences felt.
7. Student-directed meetings should be encouraged both within and outside the school and among different student bodies.

Identification of Important Local Issues.

A block by block survey should be made to identify the ten most important local issues: housing, unemployment, health services, narcotics, police brutality, need for recreational facilities, consumer problems, traffic and transportation, segregation/discrimination, in addition to the traditional educational problems: poor student achievement, lack of effective Black leadership, need for Black teachers, and so forth.

This information should become the basis for determining which of the qualified are most qualified. Their views on these issues will help the community to evaluate them. Some guidelines for evaluating the views of the candidates are:

Do they blame the community or the system?

Do they understand the consequences of white institutional racism on the life of the community?

What is their attitude toward the poor? Understanding?

Do they want the guidance of the community or do they want to lead the community?

The Pre-Selection Meeting.

A community-wide forum should be held to enable the community to hear a report on the ten issues which were identified. Each candidate should be prepared to speak on at least two of the issues.

An informal gathering should precede and follow the forum to allow the community to meet the candidates.

A representative committee from each school should be established with candidates sitting on each committee. The purpose of this committee should be that of defining the duties and responsibilities of the community school council. This will enable the candidates to get to know key people in the community and vice versa.

Structure:

The number and types of officers are responsibilities which must be determined by the community school council.

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In general, it is proposed that: the chairman be a parent, the majority of the officers be parents and that parents serve as chairmen of all committees such as financial, grievance, personnel, educational policy, community relations, and day-to-day interim action. The total council should be comprised predominantly of parents.

In order to affect vitally needed communication and relations among and between the council and the general community, it is recommended that a selected representative from each council form a community relations committee and elect a chairman to be ratified by the total community school council. Each council should select an alternate who attends all meetings. The committee should work only on problems that are common to all schools represented in the total community school council – providing mutual support when dealing with boards of education, local state and federal agencies, citizens planning groups and coalitions, and collaborating in the planning and developing of community-wide efforts. Committee members should attend one another's meetings as observers, share ideas and experiences as well as attend other community meetings where issues affect the school-community program. Other suggested program ideas for the committee are: publication and circulation of annual and other important reports, distribution of news releases through the schools for home delivery and the community at large, announcement of meetings, when appropriate, through the mass media, and maintenance of the community school council library.

Each individual school council has a responsibility for developing a process for relating to its constituency and must identify key students, parents, and community leaders who will assist them in ensuring a two-way flow of information between them and their reference groups. The key contacts should be urged to propose agenda ideas and to report back to their own reference groups – "brothers on the block," PTA members, civic, religious, and social clubs, and grade level class members – about what happens at the community school council meetings. Additionally, the community school council should encourage PTA/PTO/PA members and officers, block club members and captains and grade level volunteers to attend the council meetings on a regular basis.

Initiating a plan to enable the community school council to reach the reference groups mentioned above and establishing a means of immediate identification and communication are essential. This can be accomplished by establishing a system that keeps the following information current:

- Number of students in each school, by grade level, sex, age, ethnicity, block in which they reside, and telephone number.
- Number of families per school.
- Test scores by student, grade level, sex, ethnicity, and age.
- Total capacity enrollment of the school – actually enrolled as compared with recommended numbers by fire and health standards and the number of students the school was originally built to serve.
- Names of teachers by room number, subject matter and grade level, home address and telephone.
- School organization chart including name, address, telephone number.
  - *Principal*
  - *Other administrators*
  - *Department heads*
  - *Teachers/CommunityInterns/Paraprofessionals*

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PTA/PTO/PA organizations - name, address, telephone number
Officers
Active members
Volunteers (general and specific functions)
Grade level volunteers
Student Government - name, address, telephone number
Officers
Classroom representatives
Special Committees and officers
Block clubs - name, address, telephone number
Officers
Committees and chairmen
Families having children in school by block and other necessary information to complement council program
Community School Council - name, address, telephone number
Officers
Members
Committees and or Task Forces and chairmen

The above information should be compiled and discussed at community school council meetings with students and parents in order to inform them of the value, purpose and usage of communication in community organizations and then sent home with written instructions on how to use it. Information and instructions should be included in a "community school council information guide" along with other pertinent practical knowledge about the school-community and kept on file in the home and the community school office for immediate reference. Representatives of the council should be requested to visit the homes within his school district to interpret the information to the families as well as the purpose of the community school council.

Rather than the school compiling the traditional school profiles on students and their families, information should be made known to teachers about the housing conditions, access to health services, sources of income including welfare and/or unemployment insurances) as it relates to students. This information when compiled and understood, should become the source for the development of curriculum, PTA/PTO/PA programs, and school-community action in which the students are involved as learner-participants. Problems should be brought to the attention of the community school council, the central board and other agencies. These issues must be understood, accepted and solved to benefit the students.

Social protests by students around the problems which their classmates suffer should not be overlooked. In instances where the schools serve students under the age of twelve, these students should be involved in student government activities, encouraged to present their ideas to the community school council and enabled to discuss their problems with school personnel and parents.

The community school council should maintain an office in the school, preferably in the community room where parents may come in to volunteer their services, for social purposes or to register complaints. Further, every opportunity should be afforded the parent to take his complaint directly to the teacher, principal or other appropriate school personnel. Copies of all community school council minutes should be kept on file, pamphlets, notices, and school programs, in the office, for easy review and inspection by parents and students.

The overall importance for keeping the school-community informed cannot be overemphasized. Regular communication ensures the parents' rights to be kept informed, to participate in decision-

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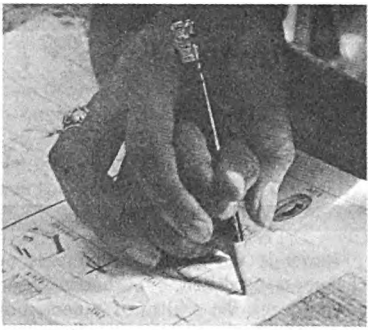
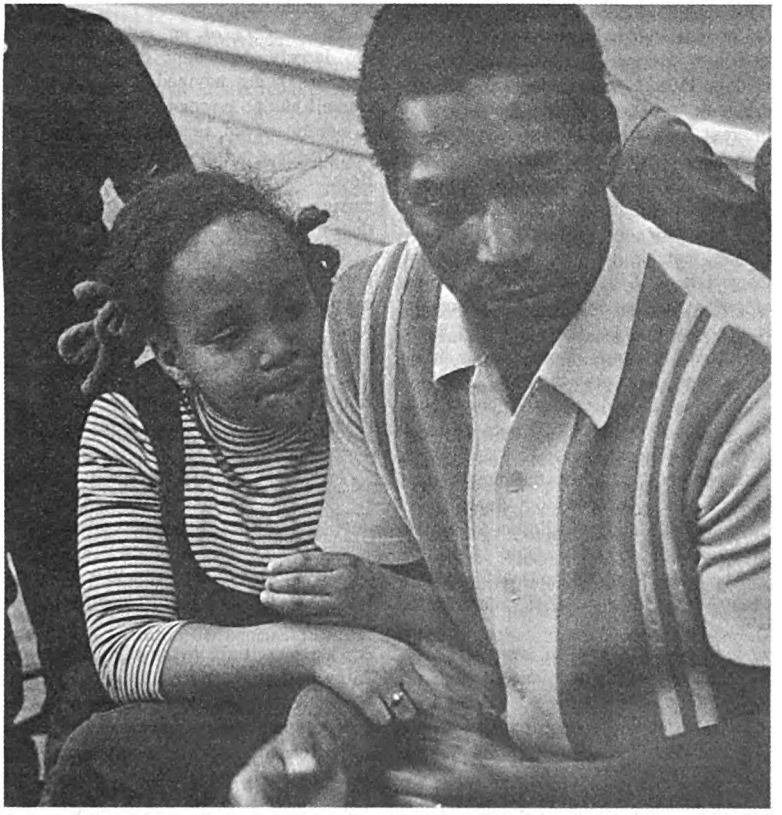
making, to shape and make ultimate decisions and propels the council to develop systematic procedures for establishing liaison with individual school councils, principals, teachers, students, parents and various community organizations.





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V. Power of the Community School Council

Power is the ability to influence or change a condition. In human terms power means the ability of a person or a group of people to make a difference. It is almost an axiom of human behavior for people who have power to use it in their own interest. For some, the borders of this interest may stop with one individual. Others enlarge the scope of interest to include their family, neighborhood, community, county, or even world, because they recognize the frail interdependency of people in all these environments.

The concept of a community school council honors the latter understanding of power, because it views the school and community as extensions of each other; what happens in one greatly influences what goes on in the other.

Because the community school council in the form described here is relatively new, council members will soon discover that much of the power they assume will be carved out as much by their actions and participation as by the decisions they make more formally.

The powers of the community school council will depend largely on several issues, namely:

1. Whether it has an advisory or a policy-making function.
2. Whether its efforts are deliberately undermined, cooperatively encouraged or left alone by the central board.
3. Whether it is able to develop a meaningful relationship with its constituency.
4. Whether it can develop an effective consensus among its members.
5. Whether it can operate in non-exploitative ways, i.e., decrease the possibility that it mobilizes local opposition.
6. Whether or not it can avoid unnecessary conflict with its staff - and can act - humanely toward them.
7. Whether or not it can have a positive impact on the lives of the students.

The powers of an advisory council are largely dependent on the systems that are being advised. The advisory council has no power to make decisions; it merely served as advisor. Suggested powers for a policy-making council were listed earlier. However, a given policy-making council may have fewer powers than were listed.

Certainly the mere possession of power does not ensure one that if one exercises it, it will work. The exercise and the "cooperation" of those over whom the power is exercised determines the outcomes. Moreover, if its application does not have a positive impact on those for whom it was exercised, it is useless.

Power can be used to empower others, if one who possesses power sees his destiny as being tied to the destinies of others - and learns to share it with them. Those who make the best use of power are those who use it infrequently but effectively.

One can begin to develop or expand one's role as an individual council member of collective councils, when he begins to formulate programs and strategies of implementation. An appropriate start is to begin to formulate answers to the following questions:

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A. How do community school council members, first, put their own house in order? Assuming that the training events of the first year have been positively instructive, what more needs to be done within the council to assume that its members have taken on the new attitudes which are desired for students?
B. What kinds of attitudes and behaviors of teachers, counselors and administrators are desired? How shall the councils reinforce positive behaviors and attitudes, and discourage negative ones?
C. What kind of co-operative efforts can be effected by students, parents and educational personnel to change the attitudinal environment of the schools?
D. What kinds of curricular changes are necessary to support the new Black student image?
E. How can the basic skills of communication, reading and mathematics be taught so that they contribute to the students' overall impressions of themselves as worthy, and also enrich academically competent individuals already skilled in the language of discourse and numbers?
F. How can other subject areas such as social studies, humanities (music, art, literature), and foreign languages be taught so that students perceive themselves accurately in the context of a multi-national, multi-cultural past and present?
G. How can vocational education be changed so that Black pupils are no longer being denied admission to those programs or if they are admitted they no longer are being trained for jobs that are either poor-paying or that are going out of existence? How can vocational programs be devised that train Black and other minorities for the job demands of a computerized technological society?

Some General Principles About Power

Answering these questions, thus effective positive change for the education of Black and other minority group children presupposes that the community school council becomes aware of some general principles about those in power: People in power tend to "divide and conquer" those over whom they have power; their language is designed to keep "the people" in their places and is one of oppression which is designed to get the oppressed to identify with the oppressors. Those in power put out the messages, "You can't fight City Hall," and "Don't ever underestimate the opposition."

Usually, those in power are more skillful in expanding their spheres of influence over those in their "charge" than they are in limiting their power. Unlimited power leads to an exploitative relationship with the powerful victimizing the Black and minority poor into a position of powerlessness. Consequently, the powerless too frequently tend to identify with those in power and to substitute their own values for the value of those in power. The victimized, on the other hand, acquire the skills - coping, resistance, and survival - to exercise power from a presumably powerless position. They identify with those in power as a tactic only and not as a basic philosophy. Those in power have a need to be loved by those over whom they have power. Such love manifests itself as a controlling device rather than as mutual interest and effect. Respect exercised in this case is a reward for deference. Stated another way, those in power reward "the people" below them whose behavior can be predicted and controlled. Finally, power can corrupt, but it can

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also be utilized to humanize relationships and to liberate the oppressed. This then must be the guiding principle of the community school council in its effort to seek to bring more parents and students into positions where they may express more control over the educational destiny of their communities.

Changing Power Relationships

All confrontations, if successful must terminate with a negotiation for a settlement or for a plan of implementation of the program deriving from the settlement. Remember that a successful negotiation leads to an agreement to work together. Communities should confront themselves before confronting the system and in so doing must:

(a) develop a procedure and a process for determining who speaks for them - and the criteria for selecting such spokesman,
(b) develop techniques and processes for achieving "operational unity" among the various special interest groups within such communities,
(c) identify those decisions that can be made about their communities only by their communities.
(d) identify those issues which are felt and experienced and which, if effectively dealt with, will bring about an alleviation of pressures and the freeing of local energy for self-development,
(e) study and understand the nature of decision-making - informal and formal - within institutions and how personnel can be converted into advocates for the local community in pursuit of their own special interests,
(f) organize and educate one's constituency as to the issues and how they can lend their efforts by educating others, and
(g) develop a plan to mute and/or neutralize the expression of opposing sentiments by other "local influentials" who do not speak for the local community. (When such persons speak out, they should be urged to identify for whom they speak).

Teachers and principals should be helped to learn how to work with parents, students and legitimate community leaders and how to learn to be held accountable by them. In addition, the community school council must acquire the skills to enable the principal to do his job and reduce the pressure of the centray system on him. It must ensure his right to be creative and advocate in the interests of students.

Among a variety of change strategies, the following are suggested:

(a) legislative change,
(b) action by the local board of education,
(c) progression from PTA/PA's to advisory committees to policy-making committees: following a procedure of "getting one's foot in the door first",
(d) volunteer activities to learn how the school operates and to help the students, parents, teachers and principals learn the value of meaningful parent participation,
(e) systematic cataloging of the problems of the system and education of the community,
(f) continuing and systematic evaluation of the school's programs,
(g) require that teachers and principals write out their educational goals for the year,
(h) foster heightened student investment in learning; assist their families in overcoming social problems and barriers to learning,
(i) involve community organizations - churches, youth groups, sororities, fraternities, civic, business and so-

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cial organizations - in understanding the relationship of local educational programs to their destinies,

(j) develop a system of awards for meaningful educational participation, and

(k) make education a family issue.

Community school council members should visit the school regularly, observe classes, offer support, talk with the students about their needs and interests. Further, they should support the right and need of students to be taught how to learn rather than be constantly reminded of the fact that they are "children". Members should review the procedures of the school as they relate to the use of corporal punishment, suspensions, leaving and entering the school, homework assignments, and so forth. They should know what is expected of the students and make available to them the opportunities to live up to the expectations. All participants should be involved in the process of changing power relationships but the students should provide the key to change. What they say and feel is very important.

VI. Community School Project Appraisal and Conclusions

Once the collective efforts of the council - the teachers and administrators, the students, and other parents - begin to have a positive impact on the self-concepts of the students and the rest of the community, the work has only begun. While it is absolutely necessary that students believe in themselves and in their own people, it is also required that they move beyond the "rapping" state of "Black is Beautiful"; just as "civil rights" is an empty victory if the children have not also become Beautiful Black readers and mathematicians, who will later become Beautiful Black scientists, engineers, businessmen and other well-paid professionals and skilled workers.

The community school council task and that of the schools is to combine the qualities of Beautiful Black personhood with intellectual and skill competency. For over the long haul, a child cannot continue to feel good about himself, if he has not been taught the proficiencies which make for success in school and ultimately in the pursuit of his life's work and personal worth and happiness.

Council members should expect and demand that their children be honored as the beautiful Black children they are, but should be equally adamant that the children be taught to read, to think and to compute well.

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In visits to the classrooms, one should be looking for evidence that black heritage and culture are a part of the on-going curriculum, and one should also be looking for demonstrations that the students are handling their academics excellently.

Among all the requirements that one has a right to expect of those who educate his children, perhaps two requirements stand like beacons above the rest. These two are belief and accountability. They are related but they are not the same. Belief means that educational personnel have high regard, sometimes love, for the children, that the children are thought to be capable and worthy of learning and deserving of the best efforts possible. Belief is attitude; it is also theory. Accountability is performance which is measured, documented and reported; it is putting into practice the positive beliefs that are held. Educational personnel must be accountable by their students, and their parents, and by the community. It is possible to give evidence of positive beliefs by "talking Black", wearing a dashiki or an Afro, or by supporting students in their demands, but none of this adds up to accountability unless these educators are actually doing a first-rate job of teaching, counseling or administering saleable educational skills which have short and long term benefits. Accountable personnel are those who produce. Oratory and clothing are symbols not substance. The symbols can be significant; the substance is everything.

The community must demand that all educational personnel, Black or white, perform or step down. Educational personnel should have high standards and high expectations for student achievement. This does not mean that they will expect all students to achieve and perform at the same rate, or that some students won't need special help. It does mean that no student will be given up on, that all students will be treated as if they were the children of the most powerful families in the community. High expectations, fair treatment, and high performance are the hallmarks of accountability.

Belief and accountability, when demonstrated over a period of time, should beget loyalty and support from the councils and the remainder of the community. For example, a principal who has selflessly and tirelessly worked to bring the new positive images and academic excellence to his school is probably in danger. He has worked hard to do the very thing that may cost him his job. When the hand of oppression does touch him, council members, teachers and the community must carry his standard. They must let the board of education members, and teachers know that the people will not be intimidated, because the council and the community will not permit it! Those who serve well will be protected.

On the other hand, those school board members, superintendents, central office administrators and school personnel who attempt to thwart justice and Black progress should know that they are the council's special assignment. They should know that council efforts to remove them will be ceaseless.

Keep in mind, however, that almost all individuals and organizations would prefer to think that they take certain courses of action because they have chosen to do so. Therefore, one who wishes to change policies or procedures would be well advised to begin by showing that certain new courses of action are in the best interest of all. Combined with the presentation of the suggestions, there should be communication that power and organization lie behind these suggestions; hence, they must not be ig-

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nored.

After a reasonable waiting period -- determined by the nature and cost of the policies or changes desired -- if there are no affirmative responses, the suggestions should be escalated to demands. It is probably good strategy to place additional items in the new demands; one must determine which items are negotiable and which ones are not.

Again, bear in mind that the potential for achievement of the council's demands will depend upon the amount of power, real or apparent, that the council is able to muster, not upon the justice of the cause.

The important point here is that power structures should be given the opportunity to respond to suggestions, because the suggestions or demands are just and should be implemented anyway. When they do not respond, however, appropriate pressure should be applied.

The relationship between the central board of education and the locally-based community school council is a case in point. The following selected criteria help illustrate this relationship:

Staff from the central board and administration begin to attend local meetings by invitation only. Such staff tend to function as "company agents" for the central board and as "eavesdroppers" to collect data on how the central board can implement its own plan with or without the consent of the local community.

The local community benefits in economic terms from participating in planning.

The power to select staff and disburse funds is vested in the hands of the local group.

The central board clears with or consults with the local group before initiating any plans within the local area.

There is a regular exchange of information-formally and informally - between the central board and the local community.

Items are not put on the agenda of public hearings unless cleared with the local community.

The central board shares information fully with the local group.

The local community begins to "feel its oats": to believe in its capacity to effectuate change.

The number of unemployed begins to decline, police brutality is terminated, economic exploitation is undercut, housing ownership shifts from absentee landlords to local people; health and hospital services preventive and rehabilative- become available.

The number of local leaders are multiplied; intra-organizational conflict declines; and a value of community cooperation develops.

Easy access to the informal channels of influence and power develop.

"Uncle Toms" lose their ability to manipulate the community or to function as agents for the "Man".

The local community begins to develop increasing autonomy over the internal affairs, relationships and content of the local experience.

Soul food and *Muhammed Speaks* are talked about openly without being whispered. One does not have to subscribe to a philosophy in order to talk about it. The beauty parlor, the pool room, bars, etc. become places where one also begins to hear discussions about local problems - and from which action is planned.

Local residents begin to make sacrifices on behalf of each other. People begin to talk cogently in terms of the struggle and not just

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winning it. Struggle, in itself, will produce its own vistories. Preoccupations with winning may prejudice one against the right to make honest, or even stupid, mistakes. One also learns from mistakes. People begin to talk about how they can help each other - and not just about their own problems. They begin to criticize the system - and not just each other.

In summary, local community groups begin to get involved in attempting to manage and shape their own destinies rather than permitting others to do it for them. A community policy begins to take form and to serve as a guideline for organizational behavior. Leaders in various problem areas begin to be identified, to relate to each other and to develop cooperative working relationships among each other. Importantly, those outside of the community begin to learn new ways of dealing with the local community rather than automatically making decisions about it without the full involvement of the community.

The people are the undefined masses, leading each other, rather than being led; following their own instincts and not leaders; "reading" the system rather than writing about it, observing history rather than making it; holding the balance of power rather than enacting. They cannot be fooled, spotting a phony a mile away, and are less interested in change than in progress, questioning change but exploiting progress, which to them means a "better life". They feel and experience; they don't just talk about it, tending to reject exploitation of each other, valuing interest in each other as a survival necessity. They would rather not lead but are reluctant to follow anyone who has a need to lead them. You have to show these people, not tell them; their philosophy being teach me, but don't tell me. The people say, "Correct this sentence for me, but don't mess with my feelings". Instead of telling them they are poor, teach them how not to be poor. Being poor is not a romantic ideal, but is a drudgery. The people want you to act on their behalf. They are the mirrors of society; a reflection of society's actual achievements. To them, society is a window pane which they can see right through. Therefore, it is important to recognize and translate these reflections into relationships which shape the linking process between decision-making and implementation. By reason of diversity in social, political and educational climates in various communities, community school councils must build certain elements into whatever decision-making process they may employ to promote and protect the interests and program of the people. Some general safeguards are:

ensuring representative participation in decision-making,

sharing facts and figures prior to deliberation on issues in decision-making,

understanding and discussing alternative strategies,

developing the ability to achieve a meaningful consensus,

utilizing available talent and ability to carry out the agreed-upon decision,

monitoring the process of implementation of the decision, and

evaluating results of the decision, and feed back the results to the decision-makers, constituents and consumers or students and parents.

In the final analysis, change will require benefits and rewards to those who seek it and those whom you want to involve. Unless the community begins to act like the schools belong to them and

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accept the responsibility for helping them to perform at a high level, even legislative action will not make a difference.

VI. Bibliography

Articles
Manuals
Position Papers
Proposals and Legislation
Training Materials

This bibliography includes articles, legislative statements, a variety of manuals, directories, and proposals, all of which reflect efforts undertaken at the local level or in response to the concerns of citizens for their schools.

The items referred to herein may be obtained by writing directly to the sources listed.

The bibliography should serve as a resource to groups who are interested in developing local plans for school community control and/or decentralization.

ARTICLES:

Wilcox, Preston, *Community Control: Some Observations.* New York: Afram Associates, Inc. 3/24/69. 3 pp.

. *Decentralization: A Listing of Some Ideas and Issues.* New York: Afram Associates, Inc. October 5, 1968, 9 pp.

. *The Meaning of Community Control.* New York: Afram Associates, Inc. December 2, 1968. 7 pp.

. "The School and The Community" in *CAP School Seminar Papers.* Trenton, New Jersey: Community Action Training Institute (NJCATI), May 1968 pp. 9-20.

. "Structural Redistribution of Power: The Neighborhood Educational Council" in *Renewal.* October-November. 1966. p. 7.

. "Neighborhood Committees" in *For School Board Members.* New London, Conn.: Croft Educational Services. March 1967. p. 2,

. *Toward New Ideas in Urban Organizing: Promoting the Black agenda.* New York: Afram Associates, Inc. November 15, 1967. 10 pp.

. *Community Control and Staff Selection: A Bibliography.* New York: Afram Associates, Inc. March 1969. Vol. I, No. 1. 4 pp.

. "The Community-Centered School" in *The Schoolhouse in the City.* New York: Frederick A. Praeger, Inc. October 1968. Chap. IX. reprinted in: *Radical School Reform,* edited by Ronald and Beatrice Gross. New York: Simon and Schuster, 1969.

. Wilson, Charles F. *Guidelines and Expectations For Community Consultants.* New York: Afram Associates, Inc. undated 7 pp.

MANUALS:

Annual Report to the Community: 1967-68. Washington, D.C.: The Morgan Community School, August 1968. 42 pp.

Central Area School Council Information Packet. Seattle: Central Area School Council Election Headquarters. undated. 6 pp.

Discussion Guide For Citizens School Seminars. Dayton: Dayton Public Schools. November 10-21, 1969.

Electing Local School Boards. New York: Center for Community Education, January 1970. 14 pp.

Fact Sheet on Columbus School Crisis. Columbus, Ohio: Community Council For Quality Education. February 1968. 3 pp.

Kelly, Kay. *I.S. 201 and Its' Feeder Schools: An Autonomous Community Center Combining Service, Training and Research Functions.* New York: I.S. 201 Complex. August 7, 1967. 12pp.

Parent Manual. New York: Parent Development Project. 1967.

State Education: Structure And Organization. Washington, D.C.: U.S. Dept. of Health, Education and Welfare. 1964. OF-23038, Misc. No. 46. 144 pp. plus appendices.

Staff Relations: New Urban League of Greater Boston. Boston: New Urban League of Greater Boston, September 27, 1968. 3 pp.

The I.S. 201 Community Information Manual, 1968-69. New York: The I.S. 201 Community Education Center. 1968. 245 pp.

The Philadelphia Council for Community Advancement: A Citizens Guide to the Philadelphia Schools. Philadelphia: PCCA. undated. 38 pp.

POSITION PAPERS:

A Black Position in Education: To the Commission on Decentralization and Community Participation: Black Caucus Minority Report. Phila., Pa.: November 1969. 31 pp. plus bibliography.

Final Report of the Ad Hoc Committee For A Central Area School Council. Seattle, Washington. Central Area School Council. April 1969. 17 pp. plus appendices.

Position Statement of the Five-State Organizing Committee For Community Control. Cambridge, Mass.: Conference on Ed-

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ucational Subsystems, Harvard University Graduate School of Education, Offices of Metropolitan Educational Collaboration. January 24-26, 1968. 3 pp.

Statement of the Black Caucus Attending the Annual Meeting: National Committee for Support of the Public Schools. Washington, D.C.: March 19, 1968, 4 pp.

PROPOSALS AND LEGISLATION:

An Act To Amend The Education Law. Albany, New York: State Legislature. S-3690, A-7175. April 30, 1969. 64 pp.

Commission on Decentralization and Community Participation: Interim Report. Philadelphia, Pa.: School District of Philadelphia. November 1969. 80 pp. plus appendices.

Constitution and By-Laws of the Arthur Schomburg I.S. 201 Complex. New York: I.S. 201 Complex. 4 pp. undated.

Community Self-Determination Bill: A Summary New York: CORE. February 1969. 22 pp.

Education Action Programs: Proposal For Decentralization. New York: Brownsville Community Council. undated. 3 pp.

"Educational Bill of Rights" in *Your Schools.* Columbia, S.C.: So. Carolina Community Relations Program. Vol. I, No. 1. September, 1969.

Proposal Submitted to the New York City Board of Education for a Decentralized School District in 1968. New York: I.S. 201 Complex. 1968. 4 pp.

Plan For Development of a Community School District System for the City of New York. New York: Board of Education. January 29, 1969. 43 pp.

Summary of the 1969 School Decentralization Law for New York City: As Passed by the New York State Legislature April 30, 1969. Albany, N.Y.: Office of Education Affairs. July 1969. 20 pp.

Self-Determination in Education Act of 1969. Sacramento: California State Legislature. Assembly Bill No. 2118. April 8, 1969. 9 pp.

Wilcox, Preston and Nichol, Robert. *A Proposal for a Neighborhood Education Committee.* New York: I.S. 201 Complex. November 1967. 11 pp.

Wilcox, Preston. "The Controversy Over I.S. 201: One View and a Proposal" in *Urban Review,* July 1966. pp. 12-16.

Proposal For an I.X. 201 Community Education Center. New York: Afram Associates, Inc. February 28, 1968. 27 pp.

TRAINING MATERIALS:

Community Control of Schools: Chance For Change For Black Children. Detroit: Citizens for Community Control of Schools. December 1968. 6 pp.

Education For Action. New York: Scholarship, Education and Defense Fund for Racial Equality (SFDFRF). 1968. 23 pp.

Evaluation Package. Trenton, New Jersey: NAACP. 1969. 10 pp.

How Do Parents Get Power? Boston: Urban League of Greater Boston. 1968. 4 pp.

How To Raise Money For Community Action. New York: Scholarship, Education and Defense Fund for Racial Equality. (SFDFRF). 1968. 123 pp.

Negotiation: A Tool For Change. New York: Scholarship, Education and Defense Fund For Racial Equality. (SFDFRF) 1968. 18 pp.

Parent Advisory Council. Honolulu, Hawaii: Kalihi-Palama MNA, c/o City Demonstration Agency. October 24, 1969. 12 pp.

Parent Leadership Training Program. New York: United Bronx Parents. September 1967. Contains the following:

a. *Materials Kit #1: Leadership Skills in* cludes "How to take a Problem Inventory", "Guide to Board of Education Doubletalk", a simulated field problem to aid in analyzing basic requirements for successful action. Also checklist for ensuring good meetings. $4.50.

b. *Materials Kit #2: Teacher Kit* A collection of resource and informational material geared toward providing parent and community action groups with some of the background data needed in the fight to obtain improved quality teachers. $1.50.

c. *Materials Kit #3: Curriculum* contains information on curriculum and promotional policies. $2.70.

d. *Materials Kit #4: Discipline and Suspensions* includes a 'treasure hunt for parents who blame themselves', a role play training activity illustrating how the powerful pressure the powerless to conform. $1.50.

e. *Materials Kit #5: How To Evaluate your School.* How to make a school visit, Report card for parents to use in 'marking' your school. $4.50.

f. *Materials Kit #6: What To Do If Your Child's School is Over-crowded.* Information on Budget procedures, rezoning, annexes, grade re-organization and portables. 12 pp. $1.00.

Political Strength: How To Get It. New York: Scholarship, Education and Defense Fund For Racial Equality, (SEDFRE) 1967. 22 pp.

Policy Statement on the Administration of the Morgan Community School. Washington, D.C.: Morgan Community School, September 1968. 1 page.

Teagle, John. *Dear Parents* Philadelphia, Pa.: District #4 Staff Development Committee. November 28, 1968. 2 pp.

Training For Local Control. New York: United Bronx Parents. December 4, 1968. 3 pp.

What is Community Control of Schools: A Citizen Fact Sheet. Pittsburgh, Pa.: Training Center for Community Action, Pittsburgh, Inc. 12/7/68. 10 pp.

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Appendix 2

ARTICLES OF INTEREST

[The Washington Post, July 6, 1971]

MORGAN EXPERIMENT FADES—SCHOOL RETURNS TO CONVENTIONAL CLASS REGIMEN

By Lawrence Feinberg

After four years of community control by an elected, neighborhood board, Washington's Morgan Elementary School has moved away from the free, noisy, unstructured classes that won it a wide reputation.

After considerable turmoil, the school has returned almost full circle to a conventional regimen of firm discipline and what most of its board members say proudly is "basic education."

The most conspicuous new element remaining is about 30 jobs, paid for by the city and federal governments, for nonprofessional "community people," including last year's board chairman, Mary French. She is being paid about $6,500 a year as a "parent stimulator."

However, despite the extra jobs and money—*Morgan gets more per pupil in federal and foundation grants than any school in D.C.—there has been no clear improvement in average student achievement.*

And paradoxically, as the neighborhood board members acknowledge, there has been no substantial broadening of community interests in the school.

Indeed, the Morgan board itself has done most of its important business at private meetings, and in the last board election in May, only 137 neighborhood residents voted out of a potential 10,000 eligible.

After a flurry of interest and concern when the project began in 1967, the number of parents visiting the school has dropped, teachers say, so that now only a few come around, aside from those who are paid to work there.

Enrollment last spring was about 650 students, all but 10 of them black.

The brown stucco school at 1773 California St. NW, just a few blocks from the corner of 18th Street and Columbia Road, now is the oldest venture in community-control of schools in a poor big-city neighborhood in the United States.

But the comic books that at first replaced basic readers and the young teachers in sandals who first replaced older staff have both disappeared.

They have been supplanted by more conventional workbooks, which children in most classrooms are expected to fill in quietly, and by conventional teachers, also mostly young, who stress the need for "guidance" instead of the "freedom" that marked the first two years of community control.

Most board members and paid community aides speak scathingly of the "chaos" that came from permitting students to leave classrooms when they please and from disciplining them lightly even for fighting.

To prevent it from happening again, they have promulgated a mimeographed list of rules for student behavior. The first is: "All students are expected to respect all adults in the school and their fellow students."

"They don't say anything about adults having respect for children," one former teacher remarked. "That's the way we started at Morgan."

But some parents and board members reply that letting students "do their own thing" was not a sign of respect for children but of indifference.

"The reason why (educational) things haven't happened at Morgan," said Robert Brown, the board's new chairman, "is that we haven't had a specific program to make sure that kids will learn to read, write and do math problems."

He added that most students from low-income families, such as those at Morgan, "don't have the self-discipline that's necessary to go into a free form educational set-up."

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"They don't have the incentives. They don't have the examples at home to follow," he continued. "There had to be some discipline imposed upon me before I could develop self-discipline."

Morgan still groups children by "teams" instead of grades, and there are "learning centers" in most classrooms for individual and small-group work. But both were part of the flexible, "open-classroom" program set up by liberal whites before the first Morgan board was elected.

The board has kept its present teachers, have little interest or enthusiasm for it.

The board has kept its contract with the Educational Development Center of Boston for training in informal teaching methods, and there still are two or three well-run open classrooms. But nearly all the teachers who understood and practiced the innovative methods were pushed out by the board last year.

Contrary to these teachers' wishes, the board insisted on report cards with letter grades and an indication of the standard grade-level at which each child was working.

The community board also demanded that children be given homework, and last fall directed the staff to give the standardized achievement tests, which were part of the city-wide Clark reading mobilization plan.

Of the 30 teachers on the staff this past spring, 17 were in their first year at Morgan. Many were hired by the neighborhood board after a recruiting trip through the South, during which one board member said they were looking for "people who can relate to the community."

According to Brown, some of the new teachers as well as the older ones have serious difficulty themselves in speaking and writing correctly.

"These people need help before they can help the kids," he said, after reading through a file of the teachers' letters and applications.

"They have troubles and yet they're teaching," he remarked. "This type of thing just multiplies our problems and passes them on."

D.C. school administrators who have also read the files agree with him.

Yet, most of the teachers this past year kept their classes orderly and purposeful. They appeared to be much better liked by the board members than were the more innovative and often better-educated teachers whom the replaced.

Fred Thompson, for instance, the teacher whom the staff elected as its representative on the board, rules over his fifth-grade English classes with a strong, traditional hand.

On one of the days a reporter visited last month, he was teaching the parts of a "friendly letter"—heading, greeting, body and closing. Then he passed out copies of a grammar text, put some questions on the blackboard about adjectives, and told the students to write their answers in complete sentences.

When the class stirred, Thompson shouted, "Quiet, quiet. There's too much talking in here."

One girl came up to him with a question. Thompson replied with a reprimand: "I think your problem is that you don't want to do what you know you have to do . . . Don't look at me and frown. You know we've had this material before."

After about 20 restless minutes, the papers were collected. Thompson found most of them unsatisfactory.

He issued a warning as the period ended:

"All those who passed in material that's wrong, you study it tonight, and tomorrow we'll do the same thing over. If you don't know it then, be prepared to stay from 3 to 4 (after school), and we'll learn it."

Down the hall, Mohammed El-helu, an African, was teaching the chemical elements and their abbreviations to another class of fifth-graders. Some had trouble sounding out and reading the words—sodium, bromine, fluorine, copper. But when he wrote the abbreviations on the blackboard and the class had to chant what they stood for in chorus, the whole group joined in enthusiastically.

Morgan has four African teachers, in addition to 20 American Negroes and six whites. The Africans usually teach by conventional methods. Almost always they dress in Western clothes, including jackets and ties on hot afternoons.

Several weeks ago, Morgan's sixth-graders dressed in dashikis and African robes for their graduation. But aside from the clothing, the ceremony was traditional. It ended with Thompson selling yearbooks, and a chorus of "Pomp and Circumstance." The graduates marched down the center aisle in cadence, as some of the parents remarked how well everyone kept in step.

When Morgan became a community-controlled school in 1967, the interests of the different groups involved were not nearly so unified. The black parents at the

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school had complained about it bitterly, but mostly about the overcrowding, the classes in the auditorium and the dilapidated state of the Morgan building and its annex—now both over 70 years old. There was almost no interest in the curriculum or in who would control it.

Yet, these were the main interests of the group of liberal whites who also lived in the neighborhood and participated with the blacks in the schools committee of the Adams-Morgan Community Council.

Among them were Christopher Jencks, now at the Harvard Graduate School of Education, and the two co-directors of the Institute for Policy Studies, Marcus Raskin and Arthur Waskow, and their wives.

They were the chief authors of Morgans new program and, mainly through Raskin, they arranged for Antioch College to sponsor the project.

The school's first principal, Kenneth W. Haskins, was picked by Antioch and the community council before the first Morgan board of 11 black and 4 whites was elected.

Haskins believed strongly in the loose structure and innovations that had already been set in motion. He also had the personal appeal and strength to stick with them despite an undercurrent of objections from parents, classroom aides and board members. But Haskins left the school in June, 1969, to take a fellowship at Harvard.

A few months later, Bishop Marie Reed, head of a storefront church and the Morgan board's first president, died.

Without Haskins and Bishop Reed, feuding and politicking on the board increased. Objections to the informal methods and compliants that children were not learning to read became more insistent. In less than a year, one city school official explained, "The black mamas triumphed, and the reformers fled."

The board elected in May, 1970, after a bitter campaign, was all-black. Among the defeated members of a "progressive" slate was the wife of George Wiley, leader of the National Welfare Rights Organization.

Bruce L. Smith, a political science professor at Columbia University says all this is "very much part of the pattern" of many community-controlled projects he has studied around the country.

In Washington, the Anacostia decentralization project has been from the start nearly all-black and aside from also hiring classroom aides, conventional in its educational program. The Adams School, near Morgan and also community-controlled, still has an active group of liberal whites' and is pressing ahead with innovations.

During 1967–68, the first year of community control at Morgan, about 20 white children, including Raskins', were enrolled in the school. Nearly all of them left a year later, most for private schools.

Barbara Raskin, who served on the first Morgan board, describes her involvement with the school as being "like a bad love affair, a very passionate relationship which just didn't work out." She said there were "bad vibes for the white kids" after the riots of April, 1968.

Morgan's current board chairman Brown, is more caustic. *"These people (the white reformers) say a black community they could perform an experiment on," he said. "And when it was not working out, they withdrew and left the whole thing to people who didn't know what it was supposed to do."*

Actually, the number of Negro students at Morgan dropped by over 100 in the first year of community control as some parents put their children in regular schools nearby. The flash enrollment has continued to decrease since.

For those who stayed, though, there have been quite definite improvements as *extra staff and money were added to Morgan and the drop in enrollment ended overcrowding.*

Average class size, for example, was 23 this past year, two less than the citywide average.

Before community control, per pupil spending at Morgan from the regular city budget was much below the citywide average. This past year, Morgan ranked in the top fifth among all city elementary schools in spending from the regular budget.

It also *had the city's highest expenditure per pupil from federal government grants and private foundations.*

Since 1968, when U.S. Education Commissioner *Harold Howe singled out Morgan for praise*, the school has received over $550,000 from the federal government, mostly in direct payments, bypassing the D.C. school board, for an elaborate Follow-Through program for kindergarten, first- and second-grades who earlier

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had been in the preschool Head Start. For the coming year, the Follow-Through grant is another $231,000.

In addition Morgan has received about $100,000 from foundations. The biggest donation was $60,000 from the Ford Foundation, also a major backer of the now-disbanded community-control projects in New York City.

Exactly how all the money has been spent is unclear because Morgan's financial records are sketchy.

A substantial amount has gone for educational games and other equipment, and for trips—sightseeing for students; conferences and workshops here and out-of-town for teachers, aides and board members.

The bulk of Morgan's extra money has gone to neighborhood residents, mostly women, who work as classroom aides. For most of the past year, there were 28 of them, and they play important roles in both Morgan's politics and educational program.

The aides were part of Antioch's original plan for the school, and at Morgan they are called "interns" because they help with teaching and are not concerned with just clerical and child-watching chores. Indeed, when teachers are absent, interns take charge of the classes. In some cases, they have been in command for several months. The Morgan school uses no substitutes.

Training for the aides has been sporadic and their effectiveness is mixed—some are very competent, others are rather tough disciplinarians or stoic monitors, maintaining the peace while children fill in workbooks, and sometimes clashing with classroom teachers.

The aides' jobs, which now pay about $5,500 a year, are an important part of the patronage system that undergirds the politics of the local school board. At least four of the posts have been filled by former community board members, others and their relatives of members and their friends. In the 1970 election, the aides and the principal, Anthony, were active campaigners for the winning slate.

Another vehicle for patronage is the policy advisory committee, set up at the insistence of the federal government, as part of follow-through.

Under federal regulations, the committee is supposed to be elected by parents of Follow-Through children (kindergarten through second grade). At Morgan, however, no election has been held. The committee is made up of a close-knit group of volunteers—about 10 parents and a smaller number of teachers, aides and board members, including Mrs. French.

Since it was formed last October, its four officers have been paid salaries to help give achievement tests. Three of them now are employed—at $60 a week—in the school's summer program.

Mrs. French said she was chosen by the advisory committee for her $6,500 post as "parent stimulator." The salary is paid, from a federal grant, by a Harlem-based group of consultants called Afram Associates, whose vice president is Morgan's former principal, Haskins.

As chairman of the Morgan board, Mrs. French sent a letter to Afram last Oct. 21, hiring them to "help strengthen parent involvement."

A few weeks later, she in turn was hired by Afram as the "parent stimulator," although her salary did not become generally known until mid-winter. Other board members and a small group of parents then quietly forced her to step down as board chairman, but she remained on the board and kept her job as "stimulator."

"Sixy-five hundred dollars is hardly living money," she explained last week, leaning heavily on a cane, "especially if you're sick and have to buy medicine to keep yourself going."

This summer, Mrs. French is also being paid over $100 a week as a neighborhood director of the mayor's summer youth program.

At Christmastime, operating somewhat like an old ward politician, she gives out turkeys to the poor in the school neighborhood. The turkeys are paid for by the Junior League, but Mrs. French decides who gets them.

The D.C. school system has also been generous to Morgan. With the agreement of the system's special projects office, the seven teachers who have been designated chairmen or "leaders" of their grades at Morgan, are each paid $90 a month extra from the regular school budget. The money comes from a budget account for night school for adults even though none of these teachers holds classes at night.

According to payroll records, principal Anthony drew $282.24 extra for the last half of May, and similar amounts before then, as principal of the night school.

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But Hugh Burton, a teacher, is actually in charge of night classes. Burton said that Anthony has little to do with them.

The principal's salary is $18,160 a year. In addition, his wife, Jean, works as one of Morgan's secretaries for $6,200 a year.

The Washington Teachers Union has raised no question about the extra pay for the grade chairman, or "team leaders," as they are called at Morgan, even though there is no provision for it in the union's contract with the D.C. school board.

Several years ago, the union leaders offered to sign a separate sub-contract with the Morgan board, but negotiations for the pact never took place. The union did adopt a general statement endorsing community control when the Morgan project began.

During the first two years of community control, Morgan's supporters spoke proudly of a drop in absenteeism and of fewer broken windows, less theft and vandalism and an increase in achievement test scores.

On all these points, the figures to back up the claims are uncertain, and in any case this past year Morgan had nearly all the problems of most other schools in poor neighborhoods.

According to statistics kept by the school system's office of buildings and grounds, there were 194 broken windows at Morgan and its annex in 1967–68, the first year of community control, compared to 200 a year earlier and 343 a year before that. The number of broken windows fell to 136 in 1969–70, but this past year, 1970–71, there were 579 broken windows through 11 months.

No complete figures have been kept on losses due to theft and vandalism. But the problems are so serious that nearly all movable equipment is kept overnight in a storeroom, protected by a locked iron gate.

According to Anthony, student absenteeism averages about 10 per cent daily, which is slightly above the citywide average for elementary schools.

Morgan's average scores reading achievement tests went up noticeably in the spring of 1968, the first year of community control. But after that, the scores for sixth-graders dropped to where they had usually been—about two years below national norms.

The scores for third- and fourth-graders, the other groups regularly tested, held up much better. But last September, when the tests were given during the first week of the term, the results for all grades were low. Indeed, the average score for fourth-graders, equivalent to grade 2.5, was eight months lower than the average reported for the same children when they were in third grade a year before.

But the tests certainly are not the only measure of academic problems at Morgan.

Second-grade teachers say they have many students who cannot distinguish all the letters of the alphabet, for example h and n. Even in fifth grade, there are students who seem able to read a text, but when asked to read particular words, cannot do so.

[The Washington Post, July 14, 1971]

U.S. CHARGES CITY'S SCHOOLS MISSPENT MUCH OF $5.2 MILLION IN AID TO POOR

By Lawrence Feinberg

Federal investigators have charged the Washington school system with misspending much of the *$5.2 million in federal aid* earmarked last year for the city's poorest children.

In a highly critical report, investigators for the U.S. Office of Education said *some of the money was spent on low-priority extras, including a course in aviation at one high school* where most students have severe difficulties in reading.

The investigators added that *the school system also used the money to buy expensive equipment, including television sets and record players, with "no evidence" that it was needed to overcome problems in reading and math.*

At one elementary school, which has only 12 teachers, the investigators said they found 10 television sets, 10 filmstrip projectors, 10 record players, four calculators and three overhead projectors. All were bought with money from Title One of the Elementary and Secondary Education Act of 1965, but the investigators said they *found no indication of what they were needed for or even if they were being used.*

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The report added that the 29 public schools and five Catholic schools in which the money is spent were not selected carefully to make sure that they serve the city's highest concentration of poor children.

Within these schools, it said, *the extra programs* paid for by Title One, *including counseling, trips, and tutoring, often were provided for all children enrolled instead of only to those with the most severe educational problems.*

The federal regulations require that Title One money be concentrated in schools with the most children from low-income families, and that within these schools it be spent on students with the most serious problems, and not in general "enrichment."

The report, which did not charge any criminal wrong-doing, was sent last week to D.C. School Supt. Hugh J. Scott, who passed it on to school board members. Yesterday afternoon Scott was out of town, and could not be reached for comment.

Anita F. Allen, the school board president, said the Title One program had been "out of control of the board" under several school superintendents for the past four years.

She said she and other board members have pressed for a clear definition of the program's goals and for limiting it to children with the greatest need in order to make an impact.

"I have complained about Title One," Mrs. Allen said, "since the day I got on the board (in July 1967) . . . I knew that somewhere down the road we had to get clobbered about what we were doing."

Since 1966, the federal government has spent over $31 million in Title One aid in Washington schools.

According to annual evaluations prepared separately from the federal investigation, there is no evidence of significant academic improvement among students in the schools receiving money from the program.

The *Title One funds originally went to 77 schools in all parts of the city, and in the program's second year, 18 more schools were added. After the federal government complained that the money was spread too thin to have any effect on student achievement, the school board reduced the number of aided schools to 36.*

On the advice of a report prepared by former Supt. William Manning in 1968, all of the 36 schools were in the Cardoza area or near Dunbar High School, about 10 blocks away, just above the city's old downtown area.

The federal report said these schools were designated to receive the extra aid without ranking all schools in the city according to their concentration of low-income students, it suggested that schools elsewhere may actually have a greater need, a complaint often made by residents of far Northeast Washington and of Anacostia.

The report ordered Scott to cancel the Learning Through Aviation program at Cardoza High School and another program at the school in data processing. The two programs cost over $60,000 last year.

It added that the school system must follow federal regulations in selecting aided schools and projects, and "recommended" that it seek "technical assistance" in drawing up a plan to manage the program.

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THE RELEVANCE OF EDUCATION FOR BLACK AMERICANS*

By C. Eric Lincoln

In 1903, one G. F. Richings published a volume entitled "Evidences of Progress Among Colored People" (1). He has moved to undertake the effort, he explained, because:

> To my mind the last generation has been characterized by greater conflicts and has been freighted with more thrilling events than any generation through which the history of this country has brought us. * * * It is therefore important that some close observer of events constantly keep before the people in whose interest these factors have been set in operation, full accounts of all the developments, that the young may be inspired to noble aims and lofty endeavors (2).

Richings achieves importance because he appointed himself the task of observation and investigation. By his own account, he spent 16 years cataloging and visiting hundreds of schools, seminaries, colleges, and businesses and professional offices operated by or for Black Americans, and documenting at first hand the "evidences of progress" he noted. Richings' book is not a scholarly compendium, but it does provide an interesting and useful account of the Black American's unprecedented struggle to educate himself and to challenge the crippling stereotypes with which he was bound then and now by a frequently hostile society. The fledgling efforts of our historic institutions are noted and appraised. Some of them are no longer in existence: Walden (3), Roger Williams (4), Leland (5), Straight (6), Dorchester Academy (7), Avery Institute (8), Western University (9), Monticello Seminary (10), Eckstein Norton University (11).

Richings, who was white, expressed the opinion (remarkable for his time) that "the color of the skin, the texture of the hair, and the formation of the head have nothing whatever to do with the development and the expansion of the mind (12). That some Americans are less confident now, almost 70 years later, is indicative of the persistence of the racial myth which contaminated our history and our science so long ago. Finally, I cannot refrain from one further quote from Professor Richings, whose remarkable clairvoyance relating to issues which are the inevitable corollaries of education must certainly establish his relevance:

> I only hope that the white friends may be made to feel that the colored people are entitled to more consideration and ought to be given a better opportunity to fill the places for which they are being fitted, in the commercial and business life of this country (13).

For most of the 66 years since Richings completed his informal study, the "better oportunity" to make full, logical use of the education they won at such a dear cost has not generally been available. That is in part what the contemporary black revolution is about—the relevance of the Black American's education to the prevailing socioeconomic structure—the logical end of the struggle to know.

Observations like Richings' are important because, however challenging it may be, we cannot speak with profit about the contemporary educational experience of the black minority except against a background of history. Terms such as "compensatory education," "desegregation," "community control," "black studies," "cultural deprivation," and the like have no meaning except within the context of the peculiar development of segregated education in the South (where more than 75 percent of all blacks lived prior to World War II). The poor quality of public schools for Negroes in all of our history is of course well documented, but the extended effect of the miseducation of blacks as recently as a generation ago suggests the usefulness of citing some comparative statistics to illustrate the mor-

*From Journal of Negro Education, summer, 1969.
Notes at end of article.

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bidity of the infrastructure on which past educational experiences were built. The effects of the past ramify in the problems of the present and produce the terminology (and the unresolved racial dilemmas) which characterize contemporary education. In 1900 the white school population of the South (13 States) was 4,069,175. The black school population for that year was 2,349,968. In 1940, the white school population for the South was 6,614,734, an increase of 62.6 percent. But the black school population remained practically constant at 2,454,198—an increase of only 4.4 percent in 40 years! (14) Even in a truly open "democratic" society, the implications for competitive socioeconomic development would be astounding. How much more so for a society in which educational preparation is qualified severly by racial identification! The school-age mortality rate in the black population was matched (possibly encouraged) by the per pupil expenditure differential. As late as 1952 the South was still spending $132.28 on white pupils for each $90.20 spent on blacks. This was a vast improvement over the arrangement in 1940, when the ratio was $41.99 to $16.29. (15) After the Supreme Court decisions of 1954 (*Brown* v. *Board of Education*), some Southern States instituted crash programs to bring per pupil expenditures into alignment in order to stave off integration. They would seem to have met with extraordinary success (although credit for that success is certainly not limited to the equalization of expenditures on white and black pupils). Fourteen years after the court order to desegregate (with "deliberate speed"), the U.S. Office of Education could report that only 18 percent of America's black children at most were attending school with whites in the South. Even this unspectacular estimate is probably inflated, perhaps by 100 percent, because it considers a "predominantly black" school as being "desegregated" if it has one white pupil. (16)

Since "desegregation" implies the previous existence of "segregation," we confront now the crucial implications of minority-group status, or more specifically, being black in a white-oriented society. Before 1954, segregation in education was the rule throughout the South, being required by law in all Southern and some border States. Black recognition of the accrued disability incident to segregated education antedated *Brown* v. *Board of Education*, however, by more than a hundred years when Charles Sumner argued the case of *Roberts* v. *The City of Boston* in 1849. During the brief period of the reconstruction, when black Americans held some decisionmaking power in public education for the only time in history, they underscored their vital concern for paticipation in shaping educational policy by the avidity with which they sought the office of superintendent of education. (17) Five States—Arkansas, Florida, Louisiana, Mississippi, and South Carolina—elected black superintendents. (18) Some of them, like Dartmouth- and Princeton-educated Jonathan G. Gibbs of Florida, and J. C. Corbin of Arkansas, who graduated from Ohio State in 1853, were distinctly superior in education and administration to most of their white counterparts in the South. Their unfortunately brief tenure in office was not sufficient to effect lasting policies of educational accessibility and parity which might have anticipated—and obviated—the problems which confront the black minority today. The power of black men in reconstruction offices was not unlimited. In spite of the brilliant work of Gibbs in Florida, perhaps the administration of superintendent James Brown of Louisiana was more typical and more realistic in terms of the times. Brown was described by a contemporary as " 'a quite inoffensive man' who did not obtrude himself into white schools where he was not wanted." (19)

At any rate, the education of Black Americans had a rather singular development in segregated public schools and (for the most part) private or church-related black colleges in the South; and in increasingly *de facto* segregated public schools in the North with occasional blacks in the northern colleges and universities. Nowhere were curricula and ancillary programs designed with the peculiar, fundamental needs of Black Americans in mind; and nowhere did the academic credentials acquired by blacks carry with them the logical consequences of academic investiture. The period between the world wars saw dramatic gains in the numbers of blacks who were engaged in the educational process.

> From 1940 to 1960, the percentage of Negroes who had attended college more than doubled; from 1950 to 1960 the percentage of Negroes who had completed high school rose from 14 to 22 percent, a faster rate than that of whites; and from 1950 to 1960, the median school years completed by all adult Negroes increased over a grade, 6.9 to 8.2 years. (20)

But the increased numbers of blacks who improved themselves educationally was not reflected in the numbers of those who achieved reasonable levels of par-

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ticipation in the socioeconomic process of affluent America. The Negro college graduate carrying mail, waiting tables, or redcapping was a familiar phenomenon of the 1940's and the 1950's.

The Supreme Court decision of 1954 has not produced "integrated" education; nor has it effected through the educational process the more generalized racial assimilation so optimistically predicted 15 years ago. Indeed, outside the South we are more segregated than before.(21) Professor Thomas Pettigrew of Harvard University attributes continuing segregated education to the following causes:

(1) The basic cause is structural: the way we organize our school districts, especially the way we organize in the main metropolitan areas. * * *

(2) The existence of private schools—parochial schools in particular. * * *

(3) The careful misplacement of schools, the zone drawing. * * *(22)

"Our problems," Dr. Pettigrew avers, "are less the machinations of evil men * * * than structural problems." Perhaps, so, but "structural problems" are structured by men, evil or otherwise, and the net results for black children seem to be the same. Men organize school districts, build, endow, make exclusive, and send their kids to private or parochial schools, and "misplace" public schools. However, the old argument that the future of black America hinges on physical juxtaposition in "integrated" classrooms is no longer convincing to a substantial number of Black Americans. Integrated schools may be desirable from many points of view—the provision of extratribal experience for white children among them, but the latest data seem to show that factors other than the integration of children in the classroom are more critical to the learning process. The Coleman report suggests that social class is the more crucial variable. If that is in fact the case, perhaps our educational strategies are being crippled by misplaced emphasis. While education is a prime determinant of middle-class statuts, other avenues of mobility, such as employment equivalence, suggest the perspicacity of G. F. Richings' remarks when he was studying black educational institutions at the turn of the century: "The colored people are entitled to more consideration and ought to be given a better opportunity to fill the places for which they are being fitted. * * *" It is patent that classroom integration without corollary behavior in other aspects of our human relations is not a panacea for what is wrong with America.

There are perhaps as many as 25 million black Americans in this country, most of them involved at some level in striving to escape the disabilities or the symbols of caste. The tenuous involvement of black people in the educational process has been both a symbol of powerlessness and social degradation and an effective means of disablement. As a result, the contemporary educational crisis is so intertwined with other factors only peripherally related to it as to obscure and confuse the central issue at times, and make it difficult to bring about orderly change. What I am saying, of course, is that the black American has a compelling stake and an unprecedented interest in changing his *whole condition*. Education is but one aspect, albeit a vital one, of a much larger social construct which has operated to the black American's disadvantage—or to a disproportionately lesser advantage than for others in the society. "Education" is the formal instrument by means of which a society socializes developing members and prepares them for meaningful and satisfying participation in that society. Our socialization process has prepared white children to continue the privileged traditions of the established white hegemony, while black children have been programed for social and economic oblivion. The black insistence upon meaningful involvement in decision making, curriculum offerings, administration, instruction, and every other aspect of the academic enterprise denotes the more basic intention of destroying the racial caste structure, and cannot be seen in isolation from that interest. Similarly, the extraordinary resistance to the burgeoning programatic demands of black students, black instructors, and black parents is not totally a resistance to changing the configuration of traditional patterns of *education*, but a resistance to changing larger patterns of relationships which are touched by educational procedures.

If the education available to black Americans and their rate of involvement have improved steadily since the 1940's, why should there be a "crisis" in 1969? First of all, the improvement of the black's educational position in contrast to that of the white man has been only relative. When seen in perspective, it is

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not impressive. Dr. Thomas Pettigrew, who is committed to the necessity for integration (23) and is not impressed greatly by black gains in education outside an integrated system, suggests why:

> Negro education has yet to approach that generally available to whites. It remains in general less accessible, and especially less adequate. In 1960, Negro college attendance was . . . only about half that of whites; the percentage of aault Negroes who had completed college was considerably less than half that of whites; and the percentage who had completed high school was precisely half that of whites. . . . Negro hopes for the future are so centered upon education that training of poor quality at this stage could well undercut the determined thrust toward group uplift(24).

Furthermore, the devaluation of the black man's academic credentials will keep him at a competitive disadvantage vis-a-vis the white man. Christopher Jencks and David Reisman, interpreting the data of the Coleman report, find that when black men are compared with white men with three-fourths as much formal education, the better-educated blacks earn 10 to 20 percent less than white men with only 75 percent as much training. (26) Jencks and Reisman support the contention that the factors determining the continuing differentials which operate to the disadvantage of black Americans now derive from segregation by "class" rather than by "race," thus implying a relatively unrestricted mobility and acceptance across class lines for "those Negroes who acquire white middle-class habits and attitudes."(27) One does not need to argue whether this is true or to what degree, whether the "new" segregation is substantively different from the more familiar kind, so long as Negroes, who are *racially* identified, remain at the bottom of the class structure, and their *visibility* operates to keep them there.

The "improved" circumstances of contemporary blacks is precisely the key variable in their present commitment to the renovation of our educational structure. The black middle class, as measured by conventional criteria, is five times as big as it was in 1940. Two important byproducts of an increased middle-class base are (1) relative economic security, and (2) leisure. For the first hundred years out of enslavement, the black man's all-consuming interest was expressed in terms of visceral needs—to provide food and shelter for the family; and to keep out of the way of the man, i.e., to stay alive. Education, formal or informal, functioned almost entirely in these interests. Now that the visceral needs of an important minority of the black community have been met substantially, there is *time* and a *psychological readiness* to examine the systems of strictures which function to perpetuate black subordination. Education represents and reflects one of those strictures. The "radicalization" of black students demanding a wide assortment of institutional and programmatic changes in the universities is a by-product of the security and leisure ("introspection") now available to a small minority of black people. So is "community involvement" in school issues, even when that involvement may utilize the physical pressure of parents who are themselves from the less emancipated black masses.

Black Americans are more acutely aware now of the critical importance of education to the general improvement of their conditions of living in and participating in our kind of society. They know that "our kind of society" is geographically indifferent. It extends North and South, East and West. For decades they have fought through the NAACP and other agencies for better schools, better-paid teachers, integrated classrooms and faculties, and the like. There have been some successes; but, as has always been the case, "the development of schools and programs of education for Negroes has represented largely the influences of social forces outside the Negro community and over which he had little or no control."(27) To the extent that this remains true, to that extent will the larger spectrum comprising the life circumstances of black Americans remain inaccessible to their control or moderation. In a truly democratic society, the issue would be less crucial, for the socialization of children, and the preparation of youth to be meaning participants in the ongoing life of the society, would be indifferently conceived and executed. In a society where racial preference is itself one of the institutions which modify and shape all others, decisive involvement at every level of the educational enterprise is critical. The democratic process will be strengthened by the new commitment of black Americans to help make education relevant and responsible.

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NOTES

1. G. F. Richings, "Evidences of Progress Among Colored People." Philadelphia: George S. Ferguson Co. (1902).
2. Ibid., pages 17–18.
3. Nashville, Tenn.
4. Nashville, Tenn.
5. New Orleans.
6. New Orleans.
7. McIntosh, Ga.
8. Charleston, S.C.
9. Kansas City, Kans.
10. Montecello, Ark.
11. Cane Spring, Ky.
12. Op. cit., page xii.
13. Ibid.
14. Truman M. Pierce et al., "White and Negro Schools in the South." Englewood Cliffs, N.J.: Prentice Hall, Inc., 1955.
15. Op. cit., page 165.
16. See Thomas F. Pettigrew, "School Integration in Current Perspective," The Urban Review, January 1969.
17. E. Franklin Frazier, "The Negro in the United States." New York: Macmillan Co., 1949, page 142.
18. Horace Mann Bond, "The Education of the Negro in the American Social Order." Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1934, page 49.
19. Ibid.
20. Thomas F. Pettigrew, "A Profile of the Negro American." Princeton: Princeton University Press, 1964, page 184.
21. Cf. Pettigrew, op. cit., page 4.
22. Ibid., pages 5, 6.
23. Ibid., page 4.
24. "A Profile of the Negro American," page 190.
25. Christopher Jencks and David Riesman, "The Academic Revolution," Garden City: Doubleday, 1968, page 412 n.
26. Ibid., page 411.
27. Virgil A. Clift, "The American Negro Reference Book," John P. Davis, ed., Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1966, page 360. See also Jencks and Riesman, op. cit., page 418.

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THE EDUCATION OF BLACK CHILDREN*

By M. Lee Montgomery

A few months ago Dr. Ruth Hayre, superintendent of District 4, issued a call to teachers, principals, parents, students, and community residents of the North Philadelphia area for an "Educational Goals Conference." Discussion would center on the question, "What should schools and the community be doing to better meet the needs of boys and girls in these areas?" (1) With the question so ably stated, Dr. Hayre had laid before all of us the gigantic task of making education relevant to black children, and of probing the depths of our thinking to create, develop, and deliver new substance, methods, and techniques in curriculum.

Such questions are of importance because of what is happening to black children in inner-city schools. Of all of the young men and women who do graduate, 60 percent are functionally illiterate. They are unable to read at a sixth-grade level. All this means is that they have difficulty reading and understanding the daily newspaper. And as the 21st century rushes upon us, we must ask ourselves, What kind of world will it be when these children grow up? Technology will surely continue to advance. Then what skills must men and women have? How will they relate to each other? What will happen to those who have not been taught how to live and mastered a skill by the 21st century? Will they be able to survive in a highly mechanized and depersonalized society? What will the great cities of this Nation be like? Will they still be growing in inner-city density with black people? What will education be in the 21st century? Let us not dwell upon this, because our reason for being here is a recognition that there are some things which all of us must begin to do *now*.

We have as community and school made some steps toward opening the lines of discovery of new methods of communication with one another. The pressures for change in curriculum, career development, and community involvement, as well as in staffing and personnel development, reflect the growing concern of parents about the education of our children. The question raised at the goals conference can be more simply stated: "What does education mean for black boys and girls?" What is education's purpose? Shall we begin with the examination of a very basic measurement instrument of the educational system—tests? We need not, at this time, enter into the discussion of the relevancy of such instruments to the life style of the black child. An aerospace engineer, Clarence Harris, states in a monograph that "both cultural bias and bias based on color can and does effect the validity of tests and, therefore, the results of administered tests."(2) That is to say, these instruments have built-in biases and the results have to be biased. We have talked briefly about tests because we use them to provide the information in order to determine the development of the child, and very rarely do we question the validity of the measurement. But we are not here to speak about the many inadequacies of current tests; we are just as concerned with what we, as community, and you, as teachers, can and must do to make education an in-depth and meaningful learning experience for each child.

Cultural and Ethnic Sensitivity

In order to achieve the cohesiveness that we wish, we must first do some very basic things, such as getting to know each other. We should feel very comfortable in talking with one another. This has something to do with "attitudes." This raises a concern of our attitude toward each other; toward each child. Let's be honest and recognize that there are variations in our attitudes toward each

*Delivered at Staff Development Institute, Fitz Simons Junior High School, Philadelphia, Pa., Aug. 20, 1968.
Notes at end of article.

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other. A gap does exist between black and white, particularly in issues of race and values. Values may relate to spiritual or materialistic goals. The frank acknowledgment of the gap is a must if we are to begin to mend the break. How do we begin? Well, again, let me repeat a recognition on the part of each of us that we must attempt to overcome our shortcomings and in the process begin to discover the new *me*.

Parents want to be partners with teachers in the education of their children. There are three major facets to this desire. The first is the desire to have their cultural differences recognized and appreciated. Thus, as teachers you must appreciate the styles of speech, the mode of dress, the natural hair, the dashiki, the beads or the medallions which are popular in or indigenous to the black culture. Rules which are superfluous and offensive to black parents and students should be modified or discarded. Second, integration into this school community involves the development of a genuine sense of community among teachers, students, and parents. A lack of this sense of community has been revealed in the past by the behavior and attitudes of teachers, students, and parents. Finally, black children desire and need to be loved for themselves and be a vital part of all activity. Every child would, if the climate of opportunity is provided, be a participant. This is not a call to limit the inputs in the educational process, but rather an effort to point out where the desire of parents and children is focused.

Alvin Poussaint has written: "For all that may be said about student, parental, and teacher desire in order to understand the black man's self-image, self-concept, and Who am I? we must go back to the time of birth and creation of the 'American Negro.' "(4)

This, of course, brings us to the matter of the black man's heritage. Everyone is getting into the act of teaching Afro-American history. And the cry is loud that anyone can teach Afro-American history. And this is probably true, but for some of us black history or Afro-American history must be taught with perspective. Ron Karenga said, "Black history demands definition, interpretation, in terms of the movements of this nation and the world. Our heroes stand as symbols of the onward movement of man."(4) Thus black people must be able to relate today's events to yesteryear's facts in a way that helps us indicate tomorrow's meanings. I've mentioned history because of the great wave of concern which flows through this land. The value of history as well as the value of the total black experience—myths, soul, etc.—in the context of our gathering here is to provide an opportunity for all of us to understand what the struggle is all about today. We cannot define for any child or adult the purpose and the meaning of his life. What we can do is create conditions in which he can find his own purpose and meaning in life.

Community and School

It has long been whispered that you, teachers and administrators, should beware of community people. They are without information, ignorant, stupid, harassing, ill-tempered, and don't understand a thing about educating children. So often we—that is, those of us who have been able to acquire skills—place a limit on human resourcefulness. What parents are really concerned about is the development of human potential and the liberation of the human spirit. Now I know this covers an awful lot of ground, but let's meditate for a moment.

As parents, let us look at how our children are perceived. First, they are conceived of as slow learners and really unable to master this middle-class school system. They are told you're out of it by the attitude and behavior of the teachers. The process of alienation begins from the first encounter and tends to continue with peer groups in and out of school. Hence, these same black youth are comfortable with their friends and many times they are able to organize very sophisticated social groups (gangs) which we could view as an extension of the family. We can say this because the desire of belonging and identifying is very strong, and out of it grows group cohesiveness and loyalty. Second, we, as parents, are told that our children are beset with all of the woes of life, lack of self-esteem, and serious behavior problems. And more than that, parents are responsible for these bad kids. This is true; the point I am trying to make here is that it is most important that each of you try to understand some of the frustrations which a black parent is compelled to go through each day—the constant decimation of character, the mental as well as spiritual suffering—all of this in an effort to survive. This limits the amount of time parents can spend with children. A more important question is, What are parents really saying when they talk about "com-

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munity control of schools"? They mean not only physical control, but more importantly the control of information and learning for the liberation of the human spirit. In brief, the battle is for the minds of our children. We express our concern for our survival as an ethnic people in a battle of *who cotrols the minds of our children.* Thus, it becomes very very clear that no parent wants to see his child develop into an inhuman being.

So the purpose of our being here today is to develop the kind of relationship which will provide an opportunity to understand why it is important for black parents to say how their children are to be educated. At best, every black child has a constant battle to keep from being shunted aside as incapable of learning. There is no question in my mind that black children are destroyed daily by innuendo, by verbal and nonverbal communications. That the child is compelled to learn only those things which relate to the dominant culture in this nation. What we are really talking about in relevancy of curriculum is that which puts life itself in the context of the learning process as the most precious input into the black child's experience.

Therefore, what we do today, tomorrow, next week, and in the months to come will have an impact upon every child. Our main concern is that that impact have positive effects on the child. Black consciousness leads to black awareness, leads to black power, leads to self-reliance. Not everyone will understand the importance of these phrases, but somehow all should attempt to empathize with black parents and students. Of course, we will make mistakes, but I feel that the task is too great to confront it with little energy and little commitment. Today this activity demands your personal commitment to a *task.*

NOTES

1. Conference Report—a priority of the conference was to initiate a 5-year plan of action.
2. "The Aerospace Scientist as a Local, National, and Worldwide Community Planner," Clarence J. Harris, General Electric, Valley Forge, Pa., p. 6, Conflicts.
3. Alvin F. Poussaint, M.D., *"The Negro American, His Self-Image and Integration."*
4. Ron Karenga, speech in Detroit, March 31, 1968.

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A TALK TO TEACHERS

About 200 New York City teachers are taking a special in-service course this year on "The Negro: His Role in the Culture and Life of the United States." The course meets at Public School 180 in Harlem. At the October 16 session the speaker was James Baldwin, who was born and brought up in Harlem and attended Harlem schools. His topic was "The Negro Child—His Self Image." Mr. Baldwin spoke extemporaneously, and without notes, but his remarks were recorded on tape. By special arrangement with Mr. Baldwin and the New York Board of Education, his talk to the teachers is presented herewith.

By James Baldwin

Let's begin by saying that we are living through a very dangerous time. Everyone in this room is in one way or another aware of that. We are in a revolutionary situation, no matter how unpopular that word has become in this country. The society in which we live is desperately menaced, not by Khrushchev, but from within. So any citizen of this country who figures himself as responsible—and particularly those of you who deal with the minds and hearts of young people—must be prepared to "go for broke." Or to put it another way, you must understand that in the attempt to correct so many generations of bad faith and cruelty, when it is operating not only in the classroom but in society, you will meet the most fantastic, the most brutal, and the most determined resistance. There is no point in pretending that this won't happen.

Now, since I am talking to school teachers and I am not a teacher myself, and in some ways am fairly easily intimidated, I beg you to let me leave that and go back to what I think to be the entire purpose of education in the first place. It would seem to me that when a child is born, if I'm the child's parent it is my obligation and my high duty to civilize that child. Man is a social animal. He cannot exist without a society. A society, in turn, depends on certain things which everyone within that society takes for granted. Now, the crucial paradox which confronts us here is that the whole process of education occurs within a social framework and is designed to perpetuate the aims of society. Thus, for example, the boys and girls who were born during the era of the Third Reich, when educated to the purposes of the Third Reich, became barbarians. The paradox of education is precisely this—that as one begins to become conscious one begins to examine the society in which he is being educated. The purpose of education, finally, is to create in a person the ability to look at the world for himself, to make his own decisions, to say to himself this is black or this is white, to decide for himself whether there is a God in heaven or not. To ask questions of the universe, and then learn to live with those questions, is the way he achieves his own identity. But no society is really anxious to have that kind of person around. What societies really, ideally, want is a citizenry which will simply obey the rules of society. If a society succeeds in this, that society is about to perish. The obligation of anyone who thinks of himself as responsible is to examine society and try to change it and to fight it—at no matter what risk. This is the only hope society has. This is the only way societies change.

Now, if what I have tried to sketch has any validity, it becomes thoroughly clear, at least to me, that any Negro who is born in this country and undergoes the American educational system runs the risk of becoming schizophrenic. On the other hand he is born in the shadow of the stars and stripes and he is assured it represents a nation which has never lost a war. He pledges allegiance to that flag which guarantees "liberty and justice for all." He is part of a country in which anyone can become President, and so forth. But on the other hand he is also assured by his country and his countrymen that he has never contributed anything to civilization—that his past is nothing more than a record of humiliations gladly endured. He is assured by the republic that he, his father,

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his mother, and his ancestors were happy, shiftless, watermelon-eating darkies who loved Mr. Charlie and Miss Ann, that the value he has as a black man is proven by one thing only—his devotion to white people. If you think I am exaggerating, examine the myths which proliferate in this country about Negroes.

Now all this enters the child's consciousness much sooner than we as adults would like to think it does. As adults, we are easily fooled because we are so anxious to be fooled. But children are very different. Children, not yet aware that it is dangerous to look too deeply at anything, look at everything, look at each other, and draw their own conclusions. They don't have the vocabulary to express what they see, and we, their elders, know how to intimidate them very easily and very soon. But a black child, looking at the world around him, though he cannot know quite what to make of it, is aware that there is a reason why his mother works so hard, why his father is always on edge. He is aware that there is some reason why, if he sits down in the front of the bus, his father or mother slaps him and drags him to the back of the bus. He is aware that there is some terrible weight on his parent's shoulders which menaces him. And it isn't long—in fact it begins when he is in school—before he discovers the shape of his oppression.

Let us say that the child is 7 years old and I am his father, and I decide to take him to the zoo, or to Madison Square Garden, or to the U.N. Building, or to any of the tremendous monuments we find all over New York. We get into a bus and we go from where I live on 131st Street and Seventh Avenue downtown through the park and we get into New York City, which is not Harlem. Now, where the boy lives—even if it is a housing project—is in an undesirable neighborhood. If he lives in one of those housing projects of which everyone in New York is so proud, he has at the front door, if not closer, the pimps, the whores, the junkies—in a word, the danger of life in the ghetto. And the child knows this, though he doesn't know why.

I still remember my first sight of New York. It was really another city when I was born—where I was born. We looked down over the Park Avenue streetcar tracks. It was Park Avenue, but I didn't know what Park Avenue meant *downtown*. The Park Avenue I grew up on, which is still standing, is dark and dirty. No one would dream of opening a Tiffany's on that Park Avenue, and when you go downtown you discover that you are literally in the white world. It is rich—or at least it looks rich. It is clean—because they collect garbage downtown. There are doormen. People walk about as though they owned where they were—and indeed they do. And it's a great shock. It's very hard to relate yourself to this. You don't know what it means. You know—you know instinctively—that none of this is for you. You know this before you are told. And who is it for and who is paying for it? And why isn't it for you?

Later on when you become a grocery boy or messenger and you try to enter one of those buildings a man says, "Go to the back door." Still later, if you happen by some odd chance to have a friend in one of those buildings, the man says, "Where's your package?" Now this by no means is the core of the matter. What I'm trying to get at is that by this time the Negro child has had, effectively, almost all the doors of opportunity slammed in his face, and there are very few things he can do about it. He can more or less accept it with an absolutely inarticulate and dangerous rage inside—all the more dangerous because it is never expressed. It is precisely those silent people whom white people see every day of their lives—I mean your porter and your maid, who never say anything more than "Yes, sir" and "No ma'am." They will tell you it's raining if that is what you want to hear, and they will tell you the sun is shining if *that* is what you want to hear. They really hate you—really hate you because in their eyes (and they're right) you stand between them and life. I want to come back to that in a moment. It is the most sinister of the facts, I think, which we now face.

There is something else the Negro child can do, too. Every street boy—and I was a street boy, so I know—looking at the society which has produced him, looking at the standards of that society which are not honored by anybody, looking at your churches and the government and the politicians, understands that this structure is operated for someone else's benefit—not for his. And there's no room in it for him. If he is really cunning, really ruthless, really strong—and many of us are—he becomes a kind of criminal. He becomes a kind of criminal because that's the only way he can live. Harlem and every ghetto in this city—every ghetto in this country—is full of people who live outside the law. They wouldn't dream of calling a policeman. They wouldn't, for a moment, listen to any of those professions of which we are so proud on the Fourth of July. They

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have turned away from this country forever and totally. They live by their wits and really long to see the day when the entire structure comes down.

The point of all this is that black men were brought here as a source of cheap labor. They were indispensable to the economy. In order to justify the fact that men were treated as though they were animals, the white republic had to brainwash itself into believing that they were, indeed, animals and deserved to be treated like animals. Therefore it is almost impossible for any Negro child to discover anything about his actual history. The reason is that this "animal," once he suspects his own worth, once he starts believing that he is a man, has begun to attack the entire power structure. This is why America has spent such a long time keeping the Negro in his place. What I am trying to suggest to you is that it was not an accident, it was not an act of God, it was not done by well-meaning people muddling into something which they didn't understand. It was a deliberate policy hammered into place in order to make money from black flesh. And now, in 1963, because we have never faced this fact, we are in intolerable trouble.

The Reconstruction, as I read the evidence, was a bargain between the North and South to this effect: "We've liberated them from the land—and delivered them to the bosses." When we left Mississippi to come North we did not come to freedom. We came to the bottom of the labor market, and we are still there. Even the Depression of the 1930's failed to make a dent in Negroes' relationship to white workers in the labor unions. Even today, so brainwashed is this republic that people seriously ask in what they suppose to be good faith, "What does the Negro want?" I've heard a great many asinine questions in my life, but that is perhaps the most asinine and perhaps the most insulting. But the point here is that people who ask that question, thinking that they ask it in good faith, are really the victims of this conspiracy to make Negroes believe they are less than human.

In order for me to live, I decided very early that some mistake had been made somewhere. I was not a "nigger" even though you called me one. But if I was a "nigger" in your eyes, there was something about you—there was something you needed. I had to realize when I was very young that I was none of those things I was told I was. I was not, for example, happy. I never touched a watermelon for all kinds of reasons. I had been invented by white people, and I knew enough about life by this time to understand that whatever you invent, whatever you project, is you! So where we are now is that a whole country of people believe I'm a "nigger," and I don't, and the battle's on! Because if I am not what I've been told I am, then it means that you're not what you thought you were either! And that is the crisis.

It is not really a "Negro revolution" that is upsetting this country. What is upsetting the country is a sense of its own identity. If, for example, one managed to change the curriculum in all the schools so that Negroes learned more about themselves and their real contributions to this culture, you would be liberating not only Negroes, you'd be liberating white people who know nothing about their own history. And the reason is that if you are compelled to lie about one aspect of anybody's history, you must lie about it all. If you have to lie about my real role here, if you have to pretend that I hoed all that cotton just because I loved you, then you have done something to yourself. You are mad.

Now let's go back a minute. I talked earlier about those silent people—the porter and the maid—who, as I said, don't look up at the sky if you ask them if it is raining, but look into your face. My ancestors and I were very well trained. We understood very early that this was not a Christian nation. It didn't matter what you said or how often you went to church. My father and my mother and my grandfather and my grandmother knew that Christians didn't act this way. It was as simple as that. And if that was so there was no point in dealing with white people in terms of their own moral professions, for they were not going to honor them. What one did was to turn away, smiling all the time, and tell white people what they wanted to hear. But people always accuse you of reckless talk when you say this.

All this means that there are in this country tremendous reservoirs of bitterness which have never been able to find an outlet, but may find an outlet soon. It means that well-meaning white liberals place themselves in great danger when they try to deal with Negroes as though they were missionaries. It means, in brief, that a great price is demanded to liberate all those silent people so that they can breathe for the first time and tell you what they think of you.

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And a price is demanded to liberate all those white children—some of them near 40—who have never grown up, and who never will grow up, because they have no sense of their identity.

What passes for identity in America is a series of myths about one's heroic ancestors. It's astounding to me, for example, that so many people really appear to believe that the country was founded by a band of heroes who wanted to be free. That happens not to be true. What happened was that some people left Europe because they couldn't stay there any longer and had to go someplace else to make it. That's all. They were hungry, they were poor, they were convicts. Those who were making it in England, for example, did not get on the *Mayflower*. That's how the country was settled. Not by Gary Cooper. Yet we have a whole race of people, a whole republic, who believe the myths to the point where even today they select political representatives, as far as I can tell, by how closely they resemble Gary Cooper. Now this is dangerously infantile, and it shows in every level of national life. When I was living in Europe, for example, one of the worst revelations to me was the way Americans walked around Europe buying this and buying that and insulting everybody—not even out of malice, just because they didn't know any better. Well, that is the way they have always treated me. They weren't cruel, they just didn't know you were alive. They didn't know you had any feelings.

What I am trying to suggest here is that in the doing of all this for 100 years or more, it is the American white man who has long since lost his grip on reality. In some peculiar way, having created this myth about Negroes, and the myth about his own history, he created myths about the world so that, for example, he was astounded that some people could prefer Castro, astounded that there are people in the world who don't go into hiding when they hear the word "communism," astounded that communism is one of the realities of the 20th century which we will not overcome by pretending that it does not exist. The political level in this country now, on the part of the people who should know better, is abysmal.

The Bible says somewhere that where there is no vision the people perish. I don't think anyone can doubt that in this country today we are menaced—intolerably menaced—by a lack of vision.

It is inconceivable that a sovereign people should continue, as we do so abjectly, to say, "I can't do anything about it. It's the government." The government is the creation of the people. It is responsible to the people. And the people are responsible for it. No American has the right to allow the present government to say, when Negro children are being bombed and hosed and shot and beaten all over the deep South, that there is nothing we can do about it. There must have been a day in this country's life when the bombing of four children in Sunday School would have created a public uproar and endangered the life of a Governor Wallace. It happened here and there was no public uproar.

I began by saying that one of the paradoxes of education was that precisely at the point when you begin to develop a conscience, you must find yourself at war with your society. It is your responsibility to change society if you think of yourself as an educated person. And on the basis of the evidence—the moral and political evidence—one is compelled to say that this is a backward society. Now if I were a teacher in this school, or any Negro school, and I was dealing with Negro children, who were in my care only a few hours of every day and would then return to their homes and to the streets, children who have an apprehension of their future which with every hour grows grimmer and darker, I would try to teach them—I would try to make them know—that those streets, those houses, those dangers, those agonies by which they are surrounded, are criminal. I would try to make each child know that these things are the results of a criminal conspiracy to destroy him. I would teach him that if he intends to get to be a man, he must at once decide that he is stronger than this conspiracy and that he must never make his peace with it. And that one of his weapons for refusing to make his peace with it and for destroying it depends on what he decides he is worth. I would teach him that there are currently very few standards in this country which are worth a man's respect.

That it is up to him to begin to change these standards for the sake of the life and the health of the country. I would suggest to him that the popular culture—as represented, for example, on television and in comic books and in movies—is based on fantasies created by very ill people, and he must be aware that these are fantasies that have nothing to do with reality. I would teach him that the press he reads is not as free as it says it is—and that he can do some-

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thing about that, too. I would try to make him know that just as American history is longer, larger, more various, more beautiful, and more terrible than anything anyone has ever said about it, so is the world larger, more daring, more beautiful and more terrible, but principally larger—and that it belongs to him. I would teach him that he doesn't have to be bound by the expediencies of any given administration, any given policy, any given time—that he has the right and the necessity to examine everything. I would try to show him that one has not learned anything about Castro when one says, "He is a Communist." This is a way of not learning something about Castro, something about Cuba, something, in fact, about the world. I would suggest to him that he is living, at the moment, in an enormous province. America is not the world and if America is going to become a nation, she must find a way—and this child must help to find a way—to use the tremendous potential and tremendous energy which this child represents. If this country does not find a way to use that energy, it will be destroyed by that energy.

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RACISM IN EDUCATORS: A BARRIER TO QUALITY EDUCATION

By Ermon O. Hogan*

> Somehow, I happened to be alone in the classroom with Mr. Ostrowski, my English teacher. * * * I was one of his top students, one of the school's top students. * * * He told me, "Malcolm, you ought to be thinking about a career. Have you been giving it thought?" * * *
>
> "Well, yes, sir, I've been thinking I'd like to be a lawyer."
>
> Mr. Ostrowski looked surprised, I remember, and leaned back in his chair and clasped his hands behind his head.
>
> "Malcolm, one of life's first needs is for us to be realistic. Don't misunderstand me, now. We all like you, you know that. But you've got to be realistic about being a nigger. A lawyer—that's no realistic goal for a nigger. * * *"
>
> The more I thought afterwards about what he said, the more uneasy it made me. It just kept treading around in my mind. It was then that I began to change—inside. (1)
>
> —*Autobiography of Malcolm X*

Educators react with horror, anger, and condemnation at this incident of paternalistic racism from the "Autobiography of Malcolm X." However, racism and social class bias are very much a part of the curriculum in schools serving poor and minority youth. This "hidden curriculum" is conveyed covertly to students in inferior schools through low expectations, assignment to tracks, vocational-oriented counseling, rigidly controlled classroom behavior and, most insidiously, in disparaging references to intellectual limitations, family background and values. The negative psychological impact resulting from this curriculum has caused students to counter with aggressive or withdrawn behavior.

Social scientists, recently awakened to the problems of poor and minority youth in America's schools, have attributed this dilemma to the pathology of the ghetto family, community, and life style and to the hypothesized chasm existing between the middle class values of the school and the lower class values of the students. Few have dared look at the pathology caused by racism in educational institutions.

In assessing criteria for quality education in urban schools, it is imperative that we examine critically the influence of racism and social class bias on educational personnel, the promulgation of racism through the socialization process, the relationship of racism to education theory and the attitudes of school personnel, and then delineate variables critical to developing quality personnel for urban schools.

Institutionalized Racism and American Education

Maxine Green writes in "The Public School and the Private Vision":

> When, in the early nineteenth century, campaigns for public education began in America, the men who argued for the cause of common schools linked them to the ancestral promise and to the images of the American dream. Not only would the schools, they said, promise a common experience and a common heritage for the diverse children of the nation, they would also equip the young for the responsibilities of freedom, insure universal equality and guarantee prosperity through the years to come. (2)

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However, during the last decade many educators and social activists have become painfully aware that the ancestral promise and the American dream for many children in this country have been analogous to Tantaulus' penance. Although our schools have provided a quasi-common heritage, they have not provided a common experience out of which youth could learn to develop the responsibilities of freedom, to respect universal equality, and to acquire the skills necessary to guarantee prosperity through the years to come. The resulting social tragedy was conceived and nurtured by means of the subjective interpretation of the concept "equality of educational opportunity." Historically, this major aim of education has reflected the values of the dominant class. Such "equality" has been interpreted and misinterpreted as a benefit for white Anglo-Saxon Protestants from distinct social classes. Rarely has this birthright included minority and poor youth.

The recent inclusion of minority and poor youth among those qualified for the benefits of equality of educational opportunity has not always evolved through an awareness of social injustice nor through increasing humanism and a new morality on the part of the great society. More often, it has been a reaction to pressures from civil rights groups, confrontations with black militants, and violence in urban communities. Most important, it is directly related to economic factors in our technological era. Brookover asserts:

> The contemporary concern with the education of the disadvantaged in American society reflects the failure to adequately educate certain subsocieties' youth for the contemporary social system. So long as the society needed large proportions of people with relatively low levels of competence and our beliefs in equality of educational opportunity were not too strongly held, the maintenance of a differentiated school program served the society adequately. The schools have functioned to maintain the differences which are now identified as cultural or education disadvantages. (3)

Deutsch, too, acknowledges that the schools have not assumed a leadership role in attacking racism and social class bias in our society. He writes:

> Generally education has been satisfied to offer an inferior intellectual diet in the urban ghetto, and the demand for change has not come from educators, but from external social forces demanding equality of opportunity. * * * The changes that are taking place in education * * * are for the most part being stimulated from the outside. (4)

The 1965 Elementary and Secondary Education Act encouraged school systems to begin educational reforms in ghetto schools. Ironically, the most ineffective districts were often rewarded for their past inefficiencies with large grants to continue to miseducate minority youth.

In addition to this act was the civil rights bill espousing the necessity for equal educational opportunity for all children. Additional funds were made available for school districts that had separate but unequal educational facilities and wanted to remedy an undemocratic, unconstitutional situation. This legislation produced a flood of confessions by school districts and State departments of education analogous to those of sinners at a Billy Graham rally. After this act of penance and the reward of additional Federal funds, all too frequently business was conducted as usual.

White Experts on the Black Community

During this period, white experts on the black community came into view. Reissman, Passow, Ausubel, Jencks, ad infinitum, categorized, classified, and stereotyped minority groups and the children of the poor so successfully that few teachers perceived these children as educable.

One critic angrily stated after reviewing one of Passow's books:

> By equating negritude with a metaphysical category called the disadvantaged we assert that a Negro is not merely poor—but he is tainted with a stigma of racial inferiority no less virulent for its covert assumptions. (5)

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Few of the theories postulated by these eminent scholars were based on empirical research. The early body of knowledge regarding the "disadvantaged" was based upon "experts" quoting other "experts" until speculation became fact.

Three important research studies were conducted that illuminated the inequities in the American social order and served to further stereotype the black American: (1) Moynihan's analysis (1965) of the Negro family; (2) "Equality of Educational Opportunity" (Coleman, 1966); and (3) "Racial Isolation in the Public Schools" (1967).

The Moynihan report was the vanguard of recent national studies that focus on the plight of the black American. This report stated that the fabric of Negro society is deteriorating and at the heart of this process is the deterioration of the Negro family. The report asserted that the pathology is due to slavery and past oppression rather than the racism prevalent in American society. Whitney Young of the National Urban League wrote in answer to this report:

> The picture of prevalent pathology it presents just does not fit reality and is a gross injustice to the overwhelming majority of Negro families which are as stable as any in the Nation.
>
> Further, the statistics it quotes leave out factors which put its findings in doubt. Nowhere among the many charts in the reports is there a breakdown of comparative statistics which contrast figures for Negro families with those for white families of comparable income. What appear to be racial differences in regard to family stability are more probably class differences which Negro lower class families share with white. (6)

In response to the Moynihan report, Andrew Billingsley, a black professor at the University of California, authored "Black Families in White America" (1968). This book discusses the 75 percent of Negro families who have stable marriages, the 50 percent of Negro families who have managed to pull themselves into the middle class, the 90 percent of Negro families who are self-supporting, and the even larger proportion of Negro families who manage to keep out of trouble, often despite the grossest kinds of discrimination and provocation.

The study "Equality of Educational Opportunity" (Coleman, 1966) was conducted in response to section 402 of the Civil Rights Act of 1964 and sought to document: (1) the extent to which racial and ethnic groups are segregated in the public schools; (2) whether the schools offer equal educational opportunity; (3) how much students learn as measured by performance on standardized achievement tests; and (4) the possible relationship between student achievement and the kinds of schools they attend. James Coleman of Johns Hopkins University had major responsibility for the design, administration, and analysis of the survey. Ernest Campbell of Vanderbilt University shared the responsibility. The Coleman Report, like the Moynihan Report, has been the objective of much controversy. It verified the assumption that the vast majority of black and white children are educated in segregated schools. However, the findings regarding the other three concerns are tenuous at best.

Levin's critique (1968) of this report asserted that it suffered from important methodological errors, inadequate descriptions of the actual data used to test hypotheses, and sweeping conclusions which are often misleading and sometimes completely unsupported by the evidence that is presented. He stated that the report was overwhelmingly weighted in a direction that understated the importance of school resources in explaining variations in achievement. This report tends to take the heat off the social system that produces ill-educated students, and it continues the pattern of censoring the cultural influences of the environment.

The third report, "Racial Isolation in the Public Schools" (1967), is a reanalysis by Thomas F. Pettigrew, et al., of the Coleman Report data. Four major findings emerged from this report:

1. Racial isolation in the public schools, whatever its origin, inflicts harm upon Negro students.
2. Racial isolation in the public schools is intense and is growing worse.
3. Compensatory efforts to improve education for children within racially and socially segregated schools have been ineffective.
4. School desegregation remedies have been devised which will improve the quality of education for all children. (7)

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Pettigrew contends that only through racial integration will the deficits experienced by minority and poor children be overcome. Without this panacea, there is no hope. Quality education cannot be provided for the ghetto child within the framework of the inner city school because:

> * * * the performance of Negro students is distinctly less related to differences in the quality of schools and teachers than the social class and racial composition of their school. (8)

In discussing their findings, the researchers stated:

> The major source of the harm which racial isolation inflicts upon Negro children is not difficult to discover. It lies in the attitudes which such segregation generates in children and the effect these attitudes have upon motivation to learn and achievement. Negro children believe that their schools are stigmatized and regarded as inferior by the community as a whole. Their belief is shared by their parents and by their teachers. (9)

Notice that this statement refers first to deficiencies in the children, then the parents, and finally the teachers; i.e., segregation has caused students to have negative attitudes toward learning and achievement, has caused students to believe that their schools are stigmatized and regarded as inferior, and their belief is shared by parents and teachers. Is it not possible that school boards and administrators view the schools as stigmatized and inferior, that teachers view the children as uneducable, and that these attitudes are conveyed to parents and children? And, could it not also be possible that motivation and learning are reflections of teacher expectations along with nonacademically oriented community environments?

Pettigrew obviously was aware that the root of racism is deeply entrenched in both black and white Americans. Therefore, he could perceive no means other than integration of black children into middle class white schools to overcome this barrier.

Educators, civil rights activists, and social scientists were enchanted at first with the findings of the Coleman Report and "Racial Isolation." Integration was the panacea for the miseducation of black and poor youth. Then advocates of this theory suddenly discovered that there weren't enough middle class white children near black communities to raise the intellectual achievement of black and poor youth. And in communities where there were, little effort was made to move in this direction. Compensatory education had failed, and open occupancy legislation added little to the reality of the "ideal" of integrated education. As Edward Forte, superintendent of schools in Inkster, Mich., wryly stated: "Integration is the brief interlude between the time the first black family moves in and the last white family moves out."

Integration as a reality was as great a hoax on black people as the melting pot myth. And most important, it gave further credence to the stigma of racial inferiority because the burden of implementing it was placed on the black American. Black children rode the bus out of their neighborhoods into white communities. Black teachers who were considered superior were placed in white schools, leaving black children with average or poor teachers, both black and white. Some black teachers were declared inferior and dismissed because there was no place for them in integrated schools. Black parents were charged with being unconcerned about their children's education. And black children who did attempt to attend integrated schools outside their neighborhoods experienced physical, social, and emotional retribution—overt hostility, segregated ability grouping within an integrated school, apartheid in extracurricular activities, and a curriculum designed to "meet the needs" of the disadvantaged migrant.

The above discussion does not mitigate integration as a viable goal for all children in a democratic, pluralistic society. However, if we establish integration as a priority, then it must be pursued on an equalitarian basis, with all groups recognizing its merit and working diligently toward its achievement.

Racism in the Socialization Process

If, as the Kerner Report states, racism is a reality in America, and if we are to combat the insidiousness of its curriculum in American schools, we must view the manner in which it is developed and nurtured in the socialization process.

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Harley (1968) has carefully analyzed institutionalized racism engendered in American society and draws upon Rose's (1950) "social control" or caste structure theory to explain American race relations. He uses Berreman's definition of caste: "a hierarchy of endogamous divisions in which membership is hereditary and permanent." This statement, Harley believes, historically characterizes the composition and relations between the races in our society. The races are perceived in a hierarchy with whites in the superior role. The races are thought to be separate species, and status is defined by parentage, with crossbreeding between the races forbidden. Caste membership is seen as permanent as evidenced by the persistent effort to "keep the Negro in his place" and the tremendous resistance to all changes in the system. Harley continues:

> Color bars, cries of white supremacy and purity of the races and all the other catch phrases and ideological harangues of the prejudiced are essentially statements made to announce and reinforce the sanctions of the dominant caste. When these sanctions or racial types are closely examined, they have all the primary characteristics of a caste system. Thus, the genesis of racist attitudes is seen to be part of the total process of enculturation and the attitudes themselves part of the fund of social common knowledge.
>
> The mechanism of caste distinction in America is simple and straightforward—the social perceptions are learnings and distinctly social products. And that which must be learned by the members of the society is also simple and straightforward. As Dollard indicates, "Whiteness indicates full personal dignity and full participation in American society. Blackness represents limitation and inferiority." (10)

He also refers to Davis' discussion of the mechanism for enculturation of racist attitudes:

> For learning and maintaining the appropriate caste behavior, an individual of either the black or white group is rewarded by approval and acceptance for this caste; if he violates the controls, he is punished physically, economically, socially, or legally, depending upon the seriousness of the infraction. (11)

Black people in America have been striving constantly to free themselves from the caste system. During the late 1960's, after years of sit-ins, wade-ins, pray-ins, and other humiliating pleas to the white community for racial justice, the black people escalated their efforts. They realized that any improvement in their condition would have to be attained through other methods. Recognizing that racism is perpetuated through enculturation, they decided to inhibit this phenomenon by controlling the second major social institution that influences the minds of black children—the schools. This effort to defy the caste-class system caused the mechanism for social control to whip into motion.

In New York City, for example, the public schools were paralyzed for several months during an intense power struggle. Strange alliances were made in an effort to maintain the status quo. Physical, social, and legal punishment was inflicted upon those who attempted to change patterns of control in the New York public school system.

Racism and Teacher Attitudes

Ruth Benedict writes in *"Patterns of Culture"*:

> No man ever looks at the world with pristine eyes. He sees it edited by a definite set of customs and institutions and ways of thinking. Even in his philosophical probings he cannot go behind these stereotypes; his very concepts of the true and the false will still have reference to his particular traditional customs. (12)

Smith (chapter 3) illustrates this concept when he points out that nowhere has the effect of white supremacy been more pervasive and more debilitating than in the American school. White racism has poisoned the American school, and the most deadly paralysis of all is that which renders school personnel almost totally unaware of their social sickness.

Research relevant to teacher attitudes, expectations, and behavior toward disadvantaged youth demonstrates how racism produced by the socialization

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process has been stronger than professional responsibility. Becker (1962) and Clark (1964) used the interview as a research tool to identify teachers' perceptions of inner city students. Becker found that teachers believe inner city children are difficult to teach, uncontrollable, violent, and morally unacceptable on all criteria. Clark asked a group of white students to interview a sample of white teachers in the New York inner city. Fifty percent of the teachers stated that Negroes are inherently inferior in intelligence and therefore cannot be expected to learn. They believed that the humanitarian thing to do is to provide schools essentially as custodial institutions.

Groff's survey (1963) of 294 teachers in 16 inner city schools corroborates the findings of Becker and Clark. Forty percent of those interviewed in Groff's study stated that the personalities of socially disadvantaged children are responsible for the dissatisfaction that leads to high turnover rates among teachers.

Gottlieb (1964) also assessed the views of Negro and white teachers toward students in a northern urban community. He found differential perceptions of students by their teachers. White teachers typically selected adjectives indicating that black students are talkative, lazy, high strung, rebellious, and funloving. Black teachers viewed the same students as happy, cooperative, energetic, ambitious, and funloving. The adjectives attributed to the students by white teachers are similar to the stereotypes of Negroes held by American society. Allport (1954) relates that Negroes are traditionally stereotyped as mentally inferior, lazy, superstitious, emotionally unstable, happy-go-lucky, religious, dirty, and morally primitive.

Attitudes held by prospective teachers do not differ markedly from those of experienced teachers. Grambs (1950) found that undergraduate education students expressed good, tolerant attitudes toward children of all groups in our society but that the degree of acceptance dropped markedly if the personal lives of the future teachers were involved. A recent study conducted by the author (Hogan, 1968) shows that attitudes have not changed in the last 18 years. Undergraduate education students were asked to react to a hypothetical situation. When they were asked to reside in the community of an inner city school, a majority of the students stated they would accept the teaching assignment, but few could accept the idea of living in the community. The modern acculturation mechanism obviously is plastic enough to permit the utterance of verbal platitudes but strong enough to prevent interaction other than at sanctioned levels.

An exploratory study also was conducted on the attitudes of undergraduate education students at a large midwestern university toward teaching in the inner city (Hogan and Boca, 1968). Only 16 percent of the students stated that they preferred to teach in the inner city. Fear, value conflicts, and job difficulty were given as primary reasons for not desiring such an assignment. The students said their reasons were based on personal feelings and information from the communications media. Personal feelings may be attributed to cultural conditioning of racial attitudes, which in turn have been supported by the communications media.

Findings of the Michigan Public School Racial Census conducted in 1967 for the Michigan State Department of Education showed that teacher attitudes toward pupils were negative in classes with a large proportion of black pupils. The report states:

> It appears that the greater the proportion of Negro pupils in a class, the lower the teachers' rating of their pupils' academic ability and motivation.

A seminal study conducted by Jacobson (Rosenthal and Jacobson, 1968) clearly points out the influence of racism on teachers' perceptions of their students. Jacobson asked two groups of teachers to rank a set of children's photographs by their American or Mexican appearance (American was not defined). Essentially, the teachers agreed on their rankings. They were then asked to rank photographs of Mexican children who were unknown to one group of teachers but were the students of the other group. Here there was little agreement. The teachers who knew the Mexican children saw those with higher IQ's as looking more American. The significant correlation of IQ and appearance was present only when the IQ scores were known. Apparently, teachers agreed in their perception of "Mexican-looking" until they knew how a child tested—then their perceptions showed a marked change.

The above research demonstrates that teachers, reflecting the institutionalized values of the larger society, have traditionally held negative perceptions of

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disadvantaged and minority youth. We shall now look at the manner in which these perceptions have caused educators to misinterpret educational and psychological theory.

Racism and Educational Theory

Racism wears many faces in the classroom. We are all too familiar with the type of teacher who told his student, "We just got a new dog at our house. As a matter of fact, he looks very much like you; he looks so much like you that we've decided to call him 'Blackie'." (13) Overt hostility such as this receives much publicity and—like the behavior of Mr. Ostrowski in the excerpt from the "Autobiography of Malcolm X"—arouses horror and indignation in most school personnel.

However, the covert and often unconscious behavior of teachers and administrative personnel who interpret psychological and educational theory to mean that poor and black children cannot learn is equally damaging. Frank Riessman first popularized the term, "culturally deprived" a sophisticated synonym for inherent inferiority, and delineated the dominant characteristics of this child: slow mentally, which may give the impression of stupidity, physically oriented, anti-intellectual, pragmatic rather than theoretical, inflexible and not open to reason about many of his beliefs, deficient in auditory attention and interpretation skills, an ineffective reader and generally deficient in the communication skills, ignorant in many areas, and often suggestible, although he may be suspicious of innovations. In later writing. Riessman described the "overlooked positives of disadvantaged groups." The "positives" were as damaging as the original stereotypes.

Armed with this ammunition—in addition to the alleged pathology of the culture of poverty and other concepts exhorted by educational, sociological, and psychological theoreticians—school personnel justified their behavior toward minority and poor children. For example, the concept of "readiness" has been the major rationalization for the miseducation of ghetto children.

E. L. Thorndike never dreamed he was creating a monster when he stated the law of readiness: "A learner must be ready to learn." This rather hazy concept simply meant that the desired response is available and likely to occur. However, defining readiness was tenuous at best. If an organism learned, apparently it was ready. If it did not, apparently is was not ready.

Many educators have overlooked motivation and teacher expectation as selected factors that relate to readiness. Educators, utilizing their usual eclectic approach to psychology, meshed this principle with maturation and concluded that readiness for learning tasks follows a pattern similar to physiological readiness. The process was fixed and could not be accelerated. Therefore, children who were not enchanted by the dry, sterile curriculum and rigid teaching methods obviously were not ready to learn. Such middleclass children were considered underachievers, and lower class and black children were considered dull. Teachers awaiting the "teachable moment" busied the children with activities such as coloring maps, cleanliness, mannerliness, resting, field trips, and so forth. In the meantime, they empathized with each other in the faculty lounge for their martyrdom and maliciously exchanged tidbits about the children's lineage and abilities.

Readiness was soon superseded by the concept "critical period"—the time in which certain tasks are most likely to be learned. If this period is passed without task attainment, then the specific task may never be fully learned. The critical period, eclectically interpreted, further absolved the schools from responsibility for the low level of learning in ghetto schools. Children who failed to achieve "readiness" certainly missed the "critical period," and so schools in the inner city became custodial rather than educational institutions.

Next, the term "motoric" was applied to the ghetto child. Miller and Swanson (1960) asserted that if the teacher enables the lower class child to express himself with the large muscles of the torso and limbs, the students may make surprising educational progress. Other theorists have written long essays about the physically-oriented child who learns best through role-playing, games, and dramatic play. However, a visit to any middle-class public or private school, prekindergarten through graduate school, will find these students, too, involved in a variety of active learning experiences that serve to make education exciting and challenging.

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The Teacher and Quality Education

The teacher is a significant person in bringing quality education to ghetto schools. Arthur Combs (1962) asserts that some improvements sought by educators can be brought about by spending more money, by building better schools, by introducing new courses of study, new standards, or new equipment. However, he believes the most important changes will occur only as teachers change, for institutions are made up of people and it is the classroom behavior of teachers that will finally determine whether our schools fail or whether they meet the challenge of our times.

Carl Rogers (1967) also stresses the importance of the teacher's attitude and behavior in the classroom. He postulates that one of the most important conditions facilitating learning is the quality of attitudes in the interpersonal relationship between teacher and learner. He emphasizes the need for teachers to be genuine instead of putting on a facade. Teachers must prize, accept, and trust their students in addition to developing an empathic understanding of them. According to Rogers, individuals who hold attitudes of genuiness and trust in their students are more effective in the classroom than those who do not. Weinberg (1967) also believes that teachers hold the key to progress in education. He believes that what counts in the classroom and *throughout the schools* is the human meaning of the interaction of professional personnel and children.

In ghetto schools, the interaction between professional personnel and children has operated in the racist frame of reference. For many years humanism has taken the form of kindly missionaries collecting cast-off clothing for the natives. Humanism has meant concern for hygiene, deportment, and nutrition with little concern for encouraging children to learn.

Rapidly replacing the missionary is the educational mercenary who has suddenly become concerned about the education of poor and black children. This individual is often employed as an instructional specialist, curriculum specialist, or communications media specialist, who has been given the responsibility of helping teachers meet the learning needs of disadvantaged children. Like the specialists in Jonathan Kozol's *Death at an Early Age*, many special school personnel neither like nor understand the black child. They continue to measure him by white middle class standards and believe there is gross pathology in the black community. With the aid of Title I funds, they have purchased books, tapes, projectors, tape recorders, and films that collect dust in the closets of the school. Few teachers know how to use these new media, and even fewer want to use them. The specialist plans numerous field trips for the children that are totally unrelated to the curriculum.

One critic of these practices cited the following incident. A field trip was planned to acquaint the "disadvantaged" children with trains (even though planes are more relevant to this age). Much time was spent insuring that the children had the correct change for the fare, had brought their lunch, and were dressed properly. No preparation was given regarding trains as a mode of transportation. The children then rode the train, ate their lunch, and talked about the same experiences they talked about on the playground. Any learning that took place was incidental.

Humanism in the classroom should mean that the teacher is a professional educator who accepts the child as an individual, believes he can learn, and provides educational experiences to insure that he does learn. This teacher respects the child and is concerned about his personal life but does not use the handicaps he brings to the classroom to obviate learning. Hunger, hygiene, and health certainly must be taken care of before the child is ready to learn, but the ultimate goal is education.

An effective teacher in an urban school recognizes the importance of involving parents in the education of the child. Numerous contacts must be made with parents. These contacts should include visits to the home to discuss the mutual responsibility to encourage learning. The teacher's role is not to educate the parent but to learn more about the child from the parent. Notes should be written and calls should be made to praise the child's efforts and to encourage improved performance.

It is extremely important that teachers exercise control over the quality of education in their colleagues' classrooms. The teacher has a responsibility to insure that students throughout the school receive the best education. It is inexcusable for a teacher, under the guise of academic freedom, to be oblivious of miseducation in other classrooms.

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An effective teacher in any school must have mastery of the subject matter. One critical problem in poor schools is the large number of permanent substitutes and individuals teaching out of their field. It is indeed strange that educators concerned about providing an abundant educational environment for deprived children begin with teachers who are so ill-equipped to provide such an environment.

For example, the Chicago public schools announced in 1968 that for the first time in many years they had a waiting list of teachers for the inner city. College students who could no longer qualify for draft deferments were promised deferments if they taught in inner city schools. A 2-week orientation to teaching was provided. School personnel asserted that ghetto children would have "good" male models in their classrooms and would benefit from the expertise of these scholars. However, in a Chicago newspaper article, the prospective teachers were quoted as saying they would not have accepted the positions if the war in Vietnam were over, and only a small percentage intended to remain in the field of education.

To insure that teacher quality is maintained, inservice education should be continuous, and it should be conducted during school hours. It is unrealistic to expect teachers to be receptive to continuing education programs held after school and on Saturdays.

Inservice education should include the updating of subject matter. Experts in curriculum areas should be brought in to share the most recent findings with the faculty. Instructional specialists should demonstrate the latest instructional methodology to teachers. Concepts such as individualized instruction and skill grouping should be demonstrated in a realistic setting to prove that they are possible. Social psychologists and sociologists should help teachers interpret problems in the student-teaching environment and determine strategies to resolve them. Parents should be invited to inservice sessions to inform teachers of their aspirations and concerns for their children. In planning inservice sessions, teachers should have the responsibility for determining the priorities and developing the calendar. Inservice education should also include a teacher-exchange program. Teachers could gain experience in other community schools, while other teachers should welcome the opportunity to teach in a challenging inner city situation.

In-service education should be stimulating and motivating. It should include incentives for teachers, such as expense-paid trips to regional and national professional conferences, scholarships for culturally enriching travel, and additional salary for the development of curriculum guides and materials.

Other Resources Essential for Quality Education

In addition to the teacher, we must provide other resources to insure quality education. In order to do this, expenditures for schools should be in direct proportion to the needs of the students. In schools where academic achievement is lowest, the per-pupil expenditure should be highest. At present, the reverse is true. We must have a pupil-teacher ratio that corresponds with the needs of the students and the skills of the teacher. We must utilize the services of paraprofessionals in order that the teacher may function as a learning and behavioral diagnostician, rather than perform many roles inadequately.

We must provide curriculum materials that are relevant to the student's background and interests. We must extend the schoolday and the school year in order to achieve and maintain high levels of learning. We must have, in each school, a learning center where a variety of educational hardware and software are available for individualized and group instruction. And we must make available on the school premises the necessary health services for the prevention and remediation of physical and psychological problems. Early childhood education should be provided for preschool children so they will begin school with the cognitive and effective skills essential to success.

Finally, parents must be involved in the education of their children through a range of experiences—as representatives on school governing boards and advisory committees and as room mothers and paraprofessionals. Parents, school personnel, and boards of education have served as a check and balance system in middle class communities to insure high levels of educational attainment. A similar system must be developed in schools for the poor.

Parents in black and poor communities often appear to be unconcerned about the education of their children. This is not true. These parents are deeply concerned and view education as a way of insuring that their children will have a better life. However, because they are able to recall bitter experiences as children

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enrolled in the public schools, they are hesitant about interacting with the educational establishment. Because their language is not sophisticated and their dress is often less than fashionable, they are reluctant to come to school and express their opinions. School authorities often are paternalistic and use educational jargon to talk down to parents. They put them on the defensive and make them feel guilty and uncomfortable. Hostility and confrontations are the result. Mechanisms must be developed to facilitate the involvement of low-income parents in the education of their children. A climate of mutual respect must be developed if school personnel and parents are to cooperate in educating poor children.

Summary

Providing quality education in low income schools is one of the most critical problems in American education. Many have viewed this problem simplistically and assert that quality will come in poor schools through reduced class size, through educational hardware and software, and through new physical plants. Material improvements are essential to quality; however, they do not insure quality. The major barrier to improving the quality of the educational environment for black and poor children is covert and often unconscious racism in educational personnel.

In this chapter, we have seen how racism is inculcated in black and white Americans through the socialization process and how it is reflected in teacher attitudes, expectations, behavior, and interpretations of educational theory.

How can the influence of racism be eliminated? This is the question that white Americans ask, for they believe it can be obliterated as easily as removing an uncomfortable garment. Few people recognize that racism is deeply entrenched. Young black Americans recognize this and are working desperately to attack the racism that has clouded their minds and their self-images. With slogans such as "Black is Beautiful" and "Black Power," natural hair styles and dashikis, they are rejecting the norms set for them by white society and developing new values and standards of their own. White America can learn from this search for identity. They, too, should be searching for the true relationship between the races and casting off the paternalistic role they assume so readily. Rather than attempting to rationalize black America's behavior, they should be studying white America and developing strategies to combat racism. With both groups aggressively attacking this insidious phenomenon, we may look forward to a multiracial, pluralistic nation that is truly democratic.

To eradicate the influence of racism on school personnel, educational institutions must consider it a major priority. Efforts should include pre-service and in-service seminars designed to make personnel sensitive to their attitudes and able to deal with them objectively. Because racism is deeply ingrained in all individuals, it is unrealistic to assume it can be eliminated in a short period of time. Programs to attack this phenomenon must be on-going. It is also extremely important that the entire spectrum of educational personnel from superintendent to custodian be involved in this process.

When people become aware of their attitudes and learn techniques and behaviors to change them, then educational innovations will play a meaningful role. Without this first step, material improvements will be utilized in the traditional paternalistic manner that has retarded the educational development of black children.

Once people can deal effectively with racist attitudes, perhaps teachers like Mr. Ostrowski will respond to their students' ambitions with remarks that will encourage them to reach for the stars. And the dream of Dr. Martin Luther King, Jr., will be realized.

NOTES

(1) Autobiography of Malcolm X (New York: Grove Press, 1965), pp. 36–37. Reproduced by permission.
(2) M. Green, The Public School and the Private Vision (New York: Random House Inc., 1965), p. 3.
(3) W. Brookover and E. Erickson, Sociological Foundation of Educability (New York: Allyn and Bacon, in press). Reproduced by permission.
(4) M. Deutsch, "The Principal Issue," Harvard Educational Review (1966), 36: 492. Reproduced by permission.
(5) S. W. Itskoff, "Book Reviews" in The Record, Columbia University (November, 1967).

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(6) W. M. Young, "The Real Moynihan Report" in L. Rainwater and W. L. Yancey, The Moynihan Report and the Politics of Controversy (Cambridge: MIT Press, 1967), pp. 415–416.
(7) Racial Isolation in the Public Schools, Summary, p. 1.
(8) Ibid., p. 11.
(9) Ibid., p. 11.
(10) D. Harley, "Institutionalized Racism in America," unpublished paper, Michigan State University, Lansing, Mich., 1968.
(11) Ibid.
(12) R. Benedict, Patterns of Culture (New York: Mentor Book Company, 1946), p. 18.
(13) Report of the Task Force on Human Rights (Washington, D.C.: National Education Association, 1968), p. 47.

REFERENCES

Allport, Gordon. The Nature of Prejudice. Cambridge: Addison-Wesley, 1954.
Ausubel, David P. and Ausubel, Pearl. "Ego Development Among Segregated Negro Children" in A. H. Passow (ed.), Education in Depressed Areas. New York: Columbia University Press, 1963.
Becker, Howard S. "Career Patterns of Public School Teachers," Journal of Sociology, 1962, 57: 470–477.
Billingsley, Andrew. Black Families in White America. Englewood Cliffs, N.J.: Prentice-Hall, 1968.
Clark, Kenneth B. "Clash of Cultures in the Classroom," in M. Weinberg (ed.), Learning Together. Chicago: Integrated Education Associates, 1964.
Coleman, James S., et al. Equality of Educational Opportunity. U.S. Office of Education. Washington, D.C.: U.S. Government Printing Office, 1966.
Combs, Arthur W. "A Perceptual View of the Adequate Personality," in Perceiving, Behaving, Becoming. Washington, D.C.: Association for Supervision and Curriculum Development, 1962.
Gottlieb, David. "Teaching and Students: The Views of Negro and White Teachers," Sociology of Education, 1964, 27: 345–353.
Grambs, Jean. "Are We Training Prejudiced Teachers?" School and Society, 1950, 71: 196–198.
Groff, Patrick J. "Dissatisfaction in Teaching the CD Child," Phi Delta Kappan, 1963, 45: 76.
Harley, David. "Institutionalized Racism in America." Unpublished paper, Michigan State University, Lansing, Mich., 1968.
Hogan, Ermon O. "Prejudice in Teacher Candidates." Unpublished paper, Michigan State University, Lansing, Mich., 1968.
Hogan, Ermon O. and Boca, Thelma. "Inner-City Versus Outer-City: Opinions of Undergraduate Education Students." Journal of Teacher Education, Winter, 1968, 19: 495–497.
Jencks, Christopher. "Private Schools for Black Children." New York Times Magazine (Nov. 3, 1968).
Kozol, Jonathan. Death at an Early Age. Boston: Houghton-Mifflin, 1967.
Levin, Henry M. "What Difference Do Schools Make?" Saturday Review, January 20, 1968, pp. 57–58.
Miller, Daniel R. and Swanson, Guy E. Inner Conflict and Defense. New York: Henry Holt, 1960.
Moynihan, Daniel. The Negro Family: The Case for National Action. Washington, D.C.: U.S. Government Printing Office, 1965.
Passow, A. Harry (ed.). Education in Depressed Areas. New York: Columbia University Press, 1963.
Racial Isolation in the Public Schools. U.S. Commission on Civil Rights. Washington, D.C.: U.S. Government Printing Office, 1967.
Report of the National Advisory Commission on Civil Disorders. U.S. Riot Commission Report; also called the Kerner Report. Washington, D.C.: U.S. Government Printing Office, 1968.
Rogers, Carl R. "Humanizing Education: The Person in the Process," ASCD News Exchange, 1967, 4: 2.
Rose, Arnold M. "The Causes of Prejudice," in F. E. Merrill (ed.), Social Problems. New York: Alfred A. Knopf, 1950.
Rosenthal, Robert and Jacobson, Lenore, Pygmalion in the Classroom. New York: Holt, Rinehart, and Winston 1968.
Weinberg, Meyer. "Techniques for Achieving Racially Desegregated Superior Quality Education in the Public Schools of Chicago, Illinois." Paper for U.S. Commission on Civil Rights Conference, Washington, D.C., 1967.

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POSITION STATEMENT

FIVE STATE ORGANIZING COMMITTEE FOR COMMUNITY CONTROL

TO THE

OFFICE OF METROPOLITAN EDUCATIONAL COLLABORATION
CONFERENCE ON EDUCATIONAL SUB-SYSTEMS

January 25, 1968

Black people in America in the year 1968 find ourselves at a critical point in our history. Having survived more than 350 years of brutal oppression at the hands of the white majority, we are now faced with two alternatives:

1. We can submit to the continued control by white people of the institutions that control our lives realizing fully that those people are victims of an ethnocentric ideology which cannot envision the development of a viable nonwhite civilization in modern times, and which, therefore, is bent on the genocide of all black people.

2. We can battle with whatever weapons and through whatever means necessary to wrest control of these basic institutions from the hands of those in power in order to develop our own black consciousness in accord with our sense of human values and the possibilities of human development.

It is no longer reasonable to expect that black people will continue to accept oppressive colonization by the white majority; nor that black people will submit to a genocidal system that deprives white as well as black of certain potentialities for human development.

Black people in American cities are in the process of developing the power to assume control of these public and private institutions in our community. The single institution which carries the heaviest responsibility for dispensing or promulgating those values which identifies a group's consciousness of itself is the educational system. To leave the education of black children in the hands of people who are white and who are racist is tantamount to suicide.

Recognizing the critical nature of public education in the five cities represented at this conference and the destructive affects of the system on the black community in particular, concerned black participants have formed a black caucus to address the question: "How do we gain control of our schools; thus the destiny of our children?"

OUR POSITION ON EDUCATIONAL SUB-SYSTEMS

We are firmly opposed to the concept of educational subsystems. As we see it, subsystems take their place alongside compensatory education programs, proposals designed to racially balance the schools, and other techniques created by white Americans to avoid presenting relevant and innovative educational programs. These efforts are only token modifications of the power relationships which currently exclude black people from all levels of participation in the education process.

We also reject the concept of subsystems because educators are taking what was essentially a black movement for control of our schools and refining that movement to their advantage, creating the concepts of subsystems, decentralization and community schools. There must be a clear differentiation between the concepts of educational subsystems and the movement toward self-determination. Black people will not be satisfied with the compromise which subsystems present. We will do whatever is necessary to gain control of our schools. We view movements toward incorporation of the concept of community control into school systems whose basic control remains with the establishment as destructive to the movement among black people for self-determination.

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OUR DEFINITION OF CONTROL

The nature of the control we seek does not mean merely naming black people into administrative positions in the existing public school systems. Control must extend to the active members of the community for which the schools exist. The objectives of our concept of control of the schools are fourfold:

1. Decisionmaking in regard to the procedures and processes of education must be responsive to the community.
2. There must be organization for absolute administrative and fiscal control of the school.
3. The function of education must be redefined to make it responsive and accountable to the community.
4. Supporters must be committed to complete control of the educational goals as they relate to the larger goals of community development and self-determination.

STRATEGIES: GENERAL

The strategies for accomplishing control of our schools will be essentially twofold:

1. Mobilizing community concern in regard to the need for community control.
2. Training community people (everyone with a stake in the products of the school) to effectively participate in the new process of community control of our schools.

STRATEGIES: SPECIFIC

The Five-City Organizing Committee for Community Control herein suggests the need for the following. We welcome and will actively seek moneys for the implementation of these activities.

1. The organization of a national network of communication for black people concerned with the control of the schools in their communities.
2. A national conference of community people to discuss varying ideas of gaining control of schools in black communities.
3. Development of a program to influence black professionals and university people to refuse to participate in any educational conference without being accompanied by parents or community activities. Black professionals also need to be influenced to begin a dialog and working relationship with the educational consumer; namely, the student. Professionals will also be influenced to refuse to participate in any educational programs that do not adhere to our definition of control and address the question of helping community people gain this control of the schools.
4. Development of a pool of resources relevant to the educational needs of the black community as defined by the members of that community.

In sum, we demand the responsibility for what happens to our children. We consider it an insult to be asked to prove whether we can do a better job in order to be granted the necessary resources and support. We should not be forced into answering the question, "Can you do it better?" to those who have failed miserably in the past despite their control over substantial resources.

Our vision for control by the community is not on a demonstration basis for 1 or 2 years, but indefinitely.

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THE DIXIE SCHOOLS CHARADE

By Alex Poinsett

Sad songs of farewell float through the open gymnasium windows at Ruffin (South Carolina) High School as 125 black and white seniors rehearse for the school's first racially integrated graduation. Memories of his first desegregated year stream through the mind of the Rev. R. A. Leonard, black principal of the 600-student high school where blacks outnumber whites two to one. "It was a very good year," he finally says in summation. "There were no major problems as far as the races were concerned. I fear maybe they got along too well so far as the boys and girls were concerned. Some of the white girls were hero worshippers. They ran after the black star athletes. I counseled with the boys and girls. I didn't discourage social contact, but I discouraged courtship because this is a small, conservative community."

The principal goes on to explain that "Miss Ruffin High" was a black girl, while the homecoming queen was white, "because we kind of had an understanding." He believes the school year went quite well even though there were no school dances and the junior-senior prom was cancelled.

Leonard's experience with school desegregation contrasts with its handling by the Nixon administration which during 2 years of "footdragging" has been sabotaging the very school laws it is supposed to enforce. Most of the momentum for desegregation had come—not from verbose Nixonian apostles of "law and order"—but from the Supreme Court's *Alexander* decision (October 1969), replacing its own "deliberate speed" doctrine with a mandate to tear down dual school systems immediately. The decision had been opposed by the administration which continued dangling an olive branch to Dixie much like the 19th century Republican President Rutherford B. Hayes who withdrew Federal troops from the South and relaxed the enforcement of Federal laws protecting the black minority. In the modern-day sellout, the Department of Health, Education, and Welfare is withholding funds from only one Southern district and passing the buck to an equally reluctant Justice Department to bring numerous others into compliance with the law. The wisdom of Nixon's "Southern Strategy" seemed confirmed last October when HEW Secretary Elliot Richardson jubilantly announced that all but 76 of the South's 2,700 school districts were desegregated, that 90.5 percent of the South's white and black students were attending schools in "unitary" systems and that "unprecedented progress" had been achieved in the dismantling of dual schools.

Progress? Not so, contended the Atlanta-based Southern Regional Council. The administration had played a deceptive game of numbers, it charged. By reporting desegregation in terms of "unitary" systems instead of its previous measuring criterion—the percentage of black children attending desegregated schools—HEW had produced its glowing figures. But the difference between the two criteria was the difference, say, how, between counting mixed fruit by freight carloads or by crates. Under administration reckoning, a school system could be desegregated and yet consist of largely segregated schools just as a carload of fruit could be loosely called mixed though only two of its crates contained apples while the remaining 98 held oranges.

Months after the Council's critique, HEW finally released more precise figures showing the actual extent of school desegregation. Black students in majority-white schools rose from 18.4 to 39.1 percent between the 1968–69 and 1970–71 school years, while black students attending all-black schools dropped from 68 to 14.1 percent. That there had been statistical progress was undeniable.

Nevertheless, HEW's figures are still misleading insofar as they underscore the quantitative aspects of school desegregation while masking the qualitative. Last March, for example, the General Accounting Office—Congress chief investigative arm—generally substantiated earlier charges from six civil rights groups (The American Friends Service Committee; Delta Ministry of the National Council of Churches; Lawyers Committee for Civil Rights Under Law; Lawyers Constitu-

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tional Defense Committee; NAACP Legal Defense and Educational Fund, Inc., and the Washington Research Project). These groups charged that $75 million in emergency Federal funds appropriated to facilitate desegregation had been misused (one critic suggested the money was a straight payoff to Southern schools for their minimal compliance with the law). Thus Jackson, Miss., was given a $1.3 million desegregation grant 4 days before it even filed an application for funds. Talladega County, Ala., received $168,247 after lying to HEW officials that there was no discrimination against black teachers.

Generally, the funding procedures assumed that a financial emergency existed in desegregating school districts, an emergency best met by sending Federal money to as many of these districts as could be reached in the shortest possible time. President Nixon's personal order had been to "get that money out there" and it was gotten out, even though, in some instances, projects were funded on the basis of racist claims—that black children have special defects of character, that they are specially suited to training for menial jobs, that they have poor hygiene. School districts not even engaged in terminal desegregation were funded and large amounts of Federal "desegregation" money went to projects which had little or nothing to do with desegregation.

The funds, in fact, may be helping the South to resist desegregation in newer, more subtle ways. In community after community, black schools are closed and converted to warehouses, vocational education centers or administration buildings. Then to relieve the inevitable overcrowding of formerly white schools, mobile classrooms are purchased or expensive additions made. In the process, black students are the ones who take the longest bus rides to all-white schools run by all-white school boards in all-white neighborhoods. White students are not similarly burdened as they continue attending their old schools in their own neighborhoods. Blacks, meanwhile, lose a familiar and much-needed meeting place and social center. Worst of all, because white parents cannot tolerate their children attending schools once set aside for blacks, school policy is fashioned to suit their prejudices, with little concern for the feelings of black parents.

The joint report from the six civil rights groups states that at least 384 black schools have been closed within 3 years. Many of the black schools allowed to remain open are renovated and remodeled to make them fit for white students. So it is that in Anderson, Pendleton, and Williamston, S.C., all of the toilets or toilet seats in the formerly black schools have been replaced, though repairs were not needed. The former black school in Chester County, Tenn., has been fumigated to "deniggerize" it, while Brinkley, Ark., has redecorated a black school "to get rid of disease."

Again, HEW's recent figures on Southern school desegregation progress are also misleading because they ignore 1) widespread segregation in classrooms, buses and extracurricular activities within supposedly desegregated schools; 2) massive dismissals or demotions of black teachers, principals, athletic coaches, band directors and counselors, and 3) the flight of whites to private "segregation academies" to escape desegregation. Clearly, the same whites who yesterday fiercely resisted school desegregation, today effectively determine its tone and pace, going to almost psychotic extremes to keep black and white students separated. Some schools adopt separate bell systems to call black and white children to classes, while others place the students in separate classrooms. Black students in Anderson County, S.C., sit on one side of a high school history classroom, white students on the other, with a row of empty desks down the middle. Chalkboards similarly divide a classroom in Carthage, Tex.

Numerous Southern school districts use track systems to segregate students. Higher tracks are predominantly white, and lower tracks are invariably all-black with black pupils being assigned to vocational remedial classes. Typically, lower track and nonacademic classes are taught by black teachers, and higher track or college preparatory classes are taught by whites. In some districts, students are tracked into A, B, C, D, and E groupings. Thus in Okolona, Miss., this method, reportedly based on California Achievement Test scores, assigns sixth graders at one school this way:

A—all white. B—5-black of 22 in the class. C—approximately 50–50 black-white ratio. D—7 white of 32 in the class. E—29 black students, no whites.

Reportedly, testing and grouping of the students at this school, are performed only by white teachers. No black teacher has an A or B class, while no white teaches a D or E.

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These racial patterns generally carry over from curricular to extracurricular activities in Southern schools. Such social events as school proms are no longer held in many high schools but in white students' homes or in other places where blacks are excluded. In some schools black girls have been elected cheerleaders, but more often, cheerleading teams and all school clubs, including the student government, are all white.

When a black student was elected 11th grade class president in Waskom, Tex., the school board met and decided the previous year's officers would serve again. In Texarkana, Tex., no applications for school social clubs are accepted from black students. The school allows an all-white club sponsored by the Kiwanis, but will not permit an Afro-student union. In West Orange-Cove, Tex., when black students moved to the desegregated high school, they were told to turn in their honor society pins and were not allowed to join the society at their new school.

A star athlete may be accepted on a team, especially if he can help win a State championship, but as one high school student in Center, Tex., noted: "All they want us to do is play football on the field and sit quiet in the classroom. And all I want to do is get out of this mess." A Mobile, Ala., high schooler reports black football players carry the ball to "about the 99-yard line," then a white player is substituted to score the touchdown.

Similarly, the Mize, Miss., high school voted a white girl as homecoming queen and, surprisingly enough, a black fellow as king last spring. A parade was scheduled in which the king and queen traditionally ride together through town. Pressure mounted from the townsfolk. Finally, the black youth was called in and told there had been an awful mistake. He was ineligible to be king, school officials explained, because he had not attended the school for a year.

Generally, desegregated schools operate on terms set by whites, governed by white rules, and committed to the perpetuation of white values, attitudes, and traditions. With the myth of white supremacy so omnipresent, many black students feel they have experienced displacement, rather than desegregation. At the desegregated Carthage, Tex., high school they are not allowed to wear award jackets, sweaters, or colors from their old black high school. Black senior girls in Tyler, Tex., have been told they cannot have their class pictures taken with Afro hairdos. In most schools, black school trophies and school pictures either disappeared or are displayed in places other than the desegregated high school. In Edgefield, S.C., the desegregated school retains the old white schools' name, Strom Thurmond High, as well as its colors, the Confederate flag, the team name, "Rebels," and the school song, "Dixie." Asked how white students would feel if all of the black symbols had been adopted instead, the principal explained simply: "But that's different."

Segregated busing is the same as always, however, in many southern school districts. In some, separate schoolbuses carry black and white students over identical or closely similar routes. In other districts, as in Lauderdale County, Miss., some of the bus seats are reserved for whites and the others for black students. On three occasions, black children have sat in seats reserved for whites because the black section was full; and on each occasion, the blacks have been suspended for 3 days for violating the racial seating arrangement.

In the face of these monstrous insults, black students throughout the South express new attitudes of dignity, self-reliance, impatience, and unwillingness to endure continuing discrimination in their daily school lives. Although short-changed in separate black schools they see little improvement in "desegregated" education. Within 6 weeks after school opened in the fall of 1970, 152 districts had expelled blacks and 95 had expelled whites. Five times as many black students as white students were involved. While whites were expelled generally for school discipline problems, more than 80 percent of the black students were expelled for participation in protests or demonstrations.

Thus, black students at Anderson County No. 4, S.C., have been suspended from the band for refusing to play "Dixie" and march behind the Confederate flag. Black high schoolers in Earle, Ark., have walked out of classes to protest suppression of black expression, segregated classrooms and facilities, demotion of black personnel, and the banning of blacks from school activities. Some 53 black students (average age 13) in east Tallahatchie, Miss., have served 20-day prison sentences at the notorious Parchman State Prison for protesting the elimination of some school activities, a busing system that placed a greater burden on them than on white students, and against other racist actions of the school board.

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And so one North Carolina student laments: "If you start to even question any of the rules and regulations, even if you know they are directed against you, you are called a Communist or you are just a black militant that is going totally insane."

And Anita Kleinpeter, a black honor student from Lake Providence, La., reiterates: "You feel like you are nothing, like you don't have any say-so about anything because if you say it you are not heard. You feel like you are nothing, you don't have any kind of voice at all. . . . After I got over there [in the "desegregated" school] I was under so much pressure I just didn't even care if I made it or not. It didn't make any difference. I just gave it up."

Compounding the hurt, black students find that the authority figures who once gave them pride and a sense of security—generally their black principals, but also many of their black teachers and coaches—have been demoted, dismissed outright, denied new contracts or pressured into resigning, and the less educated, less experienced teachers hired to replace them include fewer and fewer blacks. The National Education Association reports 1,072 black educators lost their jobs from 1968 to 1970 in six Southern States. At the same time, 5,575 white teachers and administrators were hired by those States—Alabama, Georgia, Florida, Louisiana, Mississippi, and Texas.

Instead of releasing black teachers outright, most school boards relieve former department heads of their titles and demote high school teachers to junior high or elementary school classrooms while shifting white teachers into junior and senior high levels. The boards place blacks in federally funded programs, such as those under title I of the Elementary and Secondary Education Act of 1965, and when the Federal money runs low or is revoked, release them. Or the boards put black teachers in subjects out of their field, and when the English teacher has trouble teaching science they fire her for "incompetence." Blacks are made "coteachers" with a domineering white, "teacher's aides" without responsibility, "floating teachers" without classrooms of their own, and sometimes even hall monitors without classrooms at all. Some of these teachers give up and resign. Others protest and are fired for insubordination.

Black principals are similarly treated. Few are fired outright, according to the Nashville-based race relations information center. Some are "kicked upstairs" into the central administrative offices where they become "assistant superintendents" or "Federal coordinators" without any clear delineation of responsibilities and without authority ("assistant to the superintendent in charge of light bulbs and erasers," one black educator says indignantly).

Some black principals are reduced a notch—from, say, high school to elementary school. Others are put back into the classroom. Some keep their title, but have a white "supervisory principal." Others go into college teaching, and some simply retire. Within 3 years the number of black principals has fallen from 620 to 170 in North Carolina, and from 250 to 40 in Alabama. Mississippi reportedly has lost more than 250 black principals within 2 years.

All of this is part of the hidden meaning of "progress" under the Nixon administration. Desegregated school systems—which hired black educators during the heyday of dual schools—now hypocritically regard them as unqualified to teach in traditionally all-white situations. They rarely question the competence of whites. Some of their schools are 95 percent black, and still presided over by white principals.

"There are going to be some black casualties—teachers, principals, etc.—as the single school system evolves," explains Florida's Gov. Reubin Askew. "Why? These black teachers and principals have always, in many instances, been relegated to jobs in a wholly inferior system. Many of them have never been qualified to teach and if they had been white they could not have taught. They were products of an inferior educational system beginning with elementary schools and often going all the way through college. That's no indictment of the black principal or teacher. It is an indictment of the system itself—one which was always separate but never equal. Traditionally, they were good enough, white people thought, to teach black children. Now I know that blacks don't like to be told that, but it's true."

"Hogwash!" is the reply of Governor Askew from Sam Ethridge, black assistant secretary for teacher rights of the National Education Association in Washington, D.C., and project coordinator for a 17-State task force survey of the displacement of black educators. Ethridge contends that black educators are

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fired, not because they are unqualified, but because they are black. He notes that, until recently, segregation forced many of them to leave the South and attend northern graduate schools, thus receiving training superior to that of their white counterparts.

Supporting Ethridge's contentions, the NAACP legal defense fund has criticized a recent Government proposal to make available $3.2 million to retrain black teachers in the South. LDF suggests that, rather than accept at face value statements that black teachers and principals are untrained, the Government should use the money to enforce the law. Currently representing dismissed black educators in 35 court cases, LDF has established the legal principle that if an all-black school is phased out its black staff cannot simply be fired.

While the fight continues to save black educators, white students are abandoning public schools and enrolling in one of the South's approximately 1,800 "segregation academies." The Southern Regional Council estimates that 450,000 to 500,000 students—slightly more than 5 percent of the South's school-age population—now attend nonpublic elementary and secondary schools. The NEA has found that public buses are frequently used to carry students to private schools, some of which are former public school buildings, now leased or sold to private interests. Textbooks and other school equipment bought with public money are sometimes loaned or given to private academies. At its 1970 session, the Louisiana State Legislature appropriated $10 million for paying private and parochial schoolteachers' salaries—a move later declared unconstitutional in court.

Meanwhile, the Internal Revenue Service has ruled that contributions to private schools which discriminate on the basis of race are not tax deductible. But the Southern Regional Council notes the impact of this declaration on segregation academies is questionable, pointing out:

> At first glance this new policy seemed a victory for civil rights advocates who had long argued for an end to indirect public subsidy, through the tax system, of private segregated schools organized deliberately to avoid public school desegregation. However, as the first favorable rulings were announced under the new policy, it became painfully clear that the IRS, in accepting "good faith" statements by the schools themselves as to whether they discriminate, was defeating its own stated policy.

Such compromises with racism characterize the Nixon administration. To date it has not implemented school desegregation guidelines laid down in April by the U.S. Supreme Court. In brief, the Court decided that Federal district judges and school boards may (1) order busing, (2) establish racial quotas, (3) order school pairing or (4) gerrymander school districts to undo segregated systems established by law. Coming out of court cases in Charlotte, N.C., Mobile, Ala., and Athens, Ga., these guidelines undercut the neighborhood school concept vigorously championed by President Nixon. Hence, the legal initiative has been left to such citizen activists as the NAACP legal defense fund which led the Charlotte and Mobile suits. The Supreme Court's April rulings should have a profound effect on the large urban areas of the South where the least amount of integration has occurred. In at least 49 southern cities—including Birmingham, Little Rock, Dallas, Houston, Atlanta, Tampa, Memphis, and Richmond—LDF plans a legal offensive for new integration programs. In about 20 other cities, similar cases are either pending or about to be introduced.

While LDF fights for school integration, the Congress of Racial Equality and other black nationalist organizations question whether integration—in every case—is the most practical or most desirable means of obtaining equal education for black youngsters. In a Supreme Court brief, filed in connection with the Charlotte school case, CORE argues that whether or not a given school is inferior or superior has nothing, as such, to do with whether or not it has an admixture of racial groups, but it has everything to do with who controls that school and in whose best interest it is controlled.

In other words, equal education implies more than blacks merely sharing equal physical space with whites in the same classroom, with the same teacher, or sharing the same principal. Equal education, CORE contends, further implies black opportunities equal to whites to structure curriculum, have equal access to all available resources and equal representation among school policymakers and managers. The record shows that integration as presently structured implies black children are inferior. Integration has been defined to mean it is beneficial only to black students. Whites allegedly gain little or nothing from the exper-

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ience. Not only are they asked to give up much of their culture and identity, but as they are dispersed they lose many of the communal ties which traditionally have been the cornerstone of the black community. Clearly, an integrated setting can be as potentially damaging psychologically as a segregated setting. "The assumption that integration cures all the evils of segregation," CORE contends, "does not take into consideration what the National Advisory Commission on Civil Disorders affirmed—that is, the essentially racist character of American society." CORE insists desegregated schools in the South at this time generally do not constitute the sort of environment which can foster the healthy development of black children.

Hence, CORE calls for the setting up of racially determined school districts in the South corresponding to natural community lines. Thus, where one State school district formerly existed there would be two State school districts equal in rights, privileges, duties, obligations, authority, and power to each other and to any other district in the State. Within each "unitary" district so formed the residents would elect a school board empowered to handle public education funds, hire personnel and, in general set school policy. Students would be free to choose either school attendance in a majority black (and therefore black-controlled) or majority white district.

Some critics of CORE's plan dismiss it as naive and neosegregationist. "Most people object to it because they fear (and not without cause) that the white legislature and tax collectors will find a way to shortchange the new (black-controlled) districts," says NEA's Samuel Ethridge. Already, in fact, public school tax rates are often lowered after whites abandon the system—leaving the remaining black schools in a financial bind, guaranteed to produce failure.

Ethridge doubts (1) that blacks have the political power to bring CORE's plan into being and (2) that the courts will allow such a plan to be implemented in any of the Southern States. And so the problem persists. Under segregation, blacks are locked into a system over which they exercise no control, for which they have no responsibility and with which they are powerless to effect meaningful change. Under integration, the schools, the curricula, the policies are still white controlled and black youngsters are still crippled. No one wants segregation. But "integration"—as presently structured with the blessings of the Nixon administration—who needs it?

ON THE WAY TO SCHOOL—COMMUNITY CONTROL SOME OBSERVATIONS*

By Preston Wilcox

> There is not in the whole report a single word about *taxation without representation.* There is not a single protest about a public school system in which the public it serves has absolutely no voice, vote, or influence.
>
> W.E.B. Dubois in
> "Negro Education 1918" in
> *W.E.B. Dubois: A Reader*

PREFACE

By Preston Wilcox, February 29, 1970

The "integration-segregation" issue has turned out to be a series of "games white people play" to keep black people in their places.

- In New York City, 43.9 percent of all Negro pupils attend schools that are 95 to 100 percent black
- In Washington, D.C., the comparable figure is 89.2, in Baltimore 75.8; in Chicago 85.4 percent. (1)

When Senator Ribicoff proclaimed "the North is guilty of monumental hypocrisy," he was really making an appeal to the silent majority and not to the disenfranchised and uneducated blacks. (2) His appeal really was designed to stimulate the integration of black students into white racist schools rather than to end the control of black education by white racists. (3) Either he has un-

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Notes at end of article.

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limited faith in the ability of up South hypocrites to become humanists overnight or he fails to recognize what they really are: authentic hypocrites. His failure to consider the issue of black control over their own schools was a failure to accord to blacks the status of human beings with potential in their own right. One other alternative: he was asking hypocrites to integrate their schools: in order to turn blacks against themselves.

> No person can make his fullest contribution to the total society with a feeling of compromise about who he is because he is a minority group member. (4)

The issue is clear. The growing concentration of blacks within the inner city has turned the "new comers" into a political threat. Chuck Stone observes:

> Thirty-nine percent of all black people are concentrated in the 10 largest cities in America. (5)

There are two ways to mute this growing power: to scatter black people geographically and to metropolitanize the urban complexes so that the suburban and urban white coalitions can be gerrymandered into a partisan (anti-black) political force. (6) The current white integrationist movement, then, is a move to retain white control over black education. It is not a move to educate blacks, effectively.

The challenge facing black communities across this Nation is to acquire the skills, knowledge, and ability to take control over their own schools. And this will not make Senator Stennis or Mississippi happy. Black-controlled schools would not be segregated as he would suggest for two reasons: they would not refuse to admit whites as white segregationists down South and up South have done with consummate skill—and they would not be controlled by whites as all segregated white and black schools are.

This statement should be perceived as being an educational tool to enable readers to distinguish a white-controlled school from a black and human school and to suggest that it not only calls for changes in who controls the schools but for changes in philosophy, attitudes, behavior, and perspectives.

NOTES

(1) "Crisis Over Schools Becomes National—Moving Into North" in U.S. News and World Report, February 23, 1970. Page 33.
(2) Ibid., page 32.
(3) Preston Wilcox, "Integration or Separatism, K.12," in Integrated Education, January–February 1970. Pages 23–33.
(4) Dan W. Dodson, "Toward Institutional Policy" in Rhetta Arter, ed. Between Two Bridges. New York University Center for Human Relations, 1956.
(5) Chuck Stone "Black Politics: Third Force, Third Party or Third-Class Influence" in The Black Scholar, 1:2, December 1969. Page 10.
(6) "Abolish Atlanta Gains in Georgia: Plan to Merge the City and Fulton County Pressed" in New York Times, November 9, 1969. Page 65.

III. THE TRANSITIONAL PROCESS: CENTRALIZATION TO LOCAL CONTROL

Variable	From centralization	To local control
Principals	Agent of system	Agent of local community.
	Teacher control	
	Completes forms	Teacher development
		Understands function.
Teachers	Transmits curriculum	Develops curriculum.
	Advocates of system	Advocates of the students.
Students	Targets of system	Reason for the system's existence.
School and community delivery patterns.	Separate entities	Single entities.
Parents	Spectators and reactors	Participants and enactors.
	"Trouble-makers"	"Constituents."
Identity	We—they	Us.
	Their school	"Our" schools.
Accountability	To central board	To local community.
Goals	Change students	Change society and schools.
Values	White middle class	Humanistic and relevant.
	Double standards	Responsive and egalitarian.
	Suspend students	Educate students.
	Punish students to break spirit	Enable student not to require punishment.
	Prison-inmate	Person-to-person.

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IV—Professionalism: Caste and/or mutual respect system:

Caste System	Mutual Respect
Tells	Listens
"I teach"	"We learn"
Ignores student advice	Incorporates student advice
Explains away disagreements	Weighs disagreements
Controls information	Shares information
Controls staff	Involves staff
Controls followers	Multiplies leaders
Accountable to system	Accountable to students

V—Alternative roles for local Advisory and/or Policymaking boards:

or

New Masters	Responsible Adults
Controls information	Shares information
Develops followers	Provides leadership opportunities
Centralizes local control	Decentralizes local control
Jobs as patronage	Jobs as parent-education vehicle
Oppressive	Nonoppressive
Executive as a tool	Executive as an educationist
Ingrained suspicions	Seeking to entrust
Demand deference	Demands respect
Need for specific answers	Need to know relevant questions
Power used to control	Power used to liberate
Impress "Outsiders"	Convince "Insiders"
Transmits information	Transmits information and skill

RESISTANCE TO COMMUNITY CONTROL IS . . .

OR

COMMUNITY CONTROL COMMENT: SOME OF THE WAYS THAT THOSE IN POWER TRY TO MAINTAIN THEIR POWER AND/OR CONFUSE THE ISSUE*

By Kenneth Haskins

INTRODUCTION

> Camus and Sartre have asked, "Can a man condemn himself?" Can whites, particularly liberal whites, condemn themselves? Can they stop blaming us and blame their own system?
>
> Stokely Carmichael,
> "What We Want" in
> N.Y. *Review of Books*,
> Vol. VIII, No. 5, Sept. 22, 1966, pp. 5–8.

The following statements and questions were developed by Kenneth Haskins, former principal of the Morgan Community School in Washington, D.C. out of his own experiences in the struggle for community control of schools.

Morgan, like Harlem's I.S. 201 and Ocean Hill-Brownsville in Brooklyn, was one of the first attempts at community control of schools, and although these statements reflect the school community control issue, they can be applied to all areas where the movement for community control is locking horns with the establishment—to services in the fields of health, welfare, public housing, etc.

Kenneth Haskins has explored this issue at the barricades as few have had the opportunity to do. To those who have engaged in the same battle—parents, teachers, students, and "community people" what follows will be understood immediately as ironic, humorous truths.

To those readers on "the other side"—this is how you sound to us—and when we mirror your words back to you, we hope that you will understand them for what they really are—resistance tactics couched in words of "concern."

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Community Control.—". . that condition which members of the Black community will have developed when we (the Black community) have psychological, cultural, political, economic, and social control over those institutions and factors which effect and direct, overtly and covertly, our (Black's) everyday lives and expressions."

Staff Relations: New Urban League of Greater Boston. Boston: New Urban League of Greater Boston, Sept. 27, 1968, 3 pp.

RESISTANCE TO COMMUNITY CONTROL IS:

Asking.—"What happens to the children when they leave this ideal situation?"
Asking.—"This is only one situation—can it be duplicated?"
Saying.—"I think that this (the school) depends mainly on you (the principal) . . . how can we produce others?"
Saying.—"This school is really built around a personality."
Saying.—"You really can't have a good school unless you have a good principal." (See all of the above re: how can you duplicate it?)
Saying.—"We will not respond to pressure!" (When a large number shows up.)
Saying.—"If the community really wanted it there would be more of you here." (When a small number shows up.)
Asking.—"Do you really think that the parents can run the school and make decisions on such things as hiring and curriculum?"
Asking.—"But isn't community control against integration?"
Saying.—"Community control is going back to segregation."
Saying.—"I'm not so much against your group having community control . . . but aren't you afraid that if you get it that some John Birchers will want the same thing in their communities?"
Saying.—"I don't mind you people being in control of your own schools—but how will you prevent the Black militants from taking over?"
Suggesting.—
Partnership with industry.
Partnership with labor.
Partnership with teachers.
Partnership with universities.
Partnership with business.
Partnership with government.
Ignoring.—The venture sullenly after it starts, that is "You wanted to be left alone." (This is done while keeping from you what is your due.)
Open Sabotage.—
This occurs after, to the surprise of the establishment, you begin to have the success that you knew you could have. This is done by:
Not sending teachers who want to come to the community's school.
Transferring out very quickly those who want to leave.
Losing supply and repair requests.
Blowing up complaints and minimizing praises.
Seduction—"all you have to do is get to know the right people down here and you will have no trouble."
Threats to people who want to come—signifying that someday they may need to come back into the system; or just, "Why do you want to go there?"
The Inability.—Of the powers-that-be to understand our definition of either "community" or/"control" or "community control."
Asking.—"Is the Board representative?"
Saying.—
"You are an experimental school district."
"You are a model school district."
"You are a sub-system."
"You are decentralized."
Confusing.—The term "our community" with the term, "the community."
Giving.—You permission when you have not asked for it!
Asking.—Continually that you comply with all rules, forms, regulations, etc. of the larger system. (They try to act as if this is unimportant; it is a way, however, of symbolically retaining control.)

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Saying.—"We don't have the power ourselves * * * we couldn't delegate it even if we wanted to * * * (usually from the Central Board to the Local Board.

NOTE: ('even if we wanted to.')

Saying.—

"The union won't let us do it."

"Congress won't let us do it."

"The State Education Department won't let us do it."

"The Principals' Association won't let us do it."

"It might be illegal!"

Saying.—

"It's not only the school in the ghetto that need improvement * * * all schools do * * * I'm paying high taxes and our schools aren't that good either. Many implications in that statement—some of them are * * *

Poor people in ghettos don't pay high taxes.

"How dare you complain when white people are suffering!"

You're entitled to only what you pay for from public services.

People in Black communities don't deserve good schools; not as good as "ours", anyway.

Asking.—"How can you operate if any parent can come in and tell any teacher what to do?"

Saying.—"Teachers have rights, too!"

Asking.—"What about tenure?" (You are supposed to honor "their" tenure.)

Liberals.—

Who put forth new programs which they will control * * * because they too are white and of course know best, or at least better. These are diversionary:

Mini-schools.

Voucher systems.

Integration.

Compensatory education.

Schools without walls.

Educational innovations—more effective schools.

Better diagnosis—cognition, perception, emotion, culture, etc.

Special methods for deprived children.

Parent education.

Kibbutz theory—("in one generation we can change the values of these children to something different than those of their parents.")

NOTE.—Community control does not necessarily reject any of the above when they are not posed as alternatives to community control. Community control speaks to who makes the decisions. A racist in a school without walls, a mini-school or an MES school can mess you up better because he has better facilities with which to mess you up!

Saying.—"There are a lot of hustlers in the black community just waiting to get their hands on that construction money and stuff, you know. * * *"

Saying.—"You're not just talking about changing from a white slavemaster to a black slavemaster are you? I don't see what good that would do * * * or what sense that would make."

Saying.—

"People in the suburbs don't really control their own schools; there is still a State and Federal Government, you know * * * you have to follow some rules." Shorter versions of this are:

"White parents don't have community control, either."

"You have to follow some rules."

Saying.—"There is dissension in this community." (They have found some people who do not wholly agree.)

Saying.—"There has been no evaluation of your school (or schools)." In the meantime, no other schools (those under central control) have been evaluated either.

Attempting.—To treat the local school board as a PTA, or at best, a delegation of enraged parents.

Redefining.—

Accountability to mean reading and math scores only, and only as measured by standardized tests.

Continued attempts to make the definitions.

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PUBLIC SCHOOLS OF CHOICE

By Mario Fantini, Donald Harris, and Samuel Nash

We have entered an age of education and the American public knows it. The public realizes this not so much from an historical perspective, but from daily awareness of the centrality of education to economic, political, social, and personal survival. The term "survival" is particularly appropriate for describing the role of education in an advanced technological society which needs and wants universal education. To be denied quality universal education today is to be denied the means for societal survival. The environment of a postindustrial society literally compels those within its boundaries to perform in certain ways. Thus, the manpower needs of an automated service dominants economic market are quite different from those of an industrial-goods producing economic system of decades past—and education is manpower development (lest we forget the postsputnik emphasis on scientists and mathematicians). Consequently, to survive economically, the individual must attain higher levels of educational preparation—appropriate for the needs of the modern economy. Unless the individual is independently wealthy, therefore, he will have to achieve increasingly higher degrees of education in order to qualify for career entry and mobility in the economic marketplace. That is to say he will need education in order to earn a living, one of the basic survival needs.

The fact that business and industry have had to set up their own private educational system reinforces the importance of education while speaking also to the ineffectiveness of standard public education.

The case for political survival is also clear. The quality of education effects the role of citizen. Political socialization is an educational process. Participation is learned. We have heard for some time that democracy cannot work long without an educated citizenry. Unless an individual is fully aware of his rights in our political system, his chances of surviving are seriously jeopardized. Blacks, Chicanos, Indians, and other minorities are especially sensitive to the importance of education to their political survival. If schools produce illiterates among blacks, Chicanos, Puerto Ricans, and Indians, as they have, then the quest for group economic and political power is crippled. Without access to this power, these minority groups cannot play in the political arena. Hence, when they exclaim that schools are engaged in a systematic conspiracy against them, when they use "educational genocide" to describe their frustration, it is all wrapped around the political survival needs of minority groups.

Then, of course, there is the effect of education on the individual himself—his phychological self—that is, his aspirations, his sense of inner worth, his potential. Inferior education can be devastating to individual growth. To a society that values human dignity, individual development becomes the central ideal toward which institutional functions are geared, for example, schools as societal institutions exist to serve human growth, not retard it.

Modern education should be tied to the needs of society, of groups, and of individuals, and to the encompassing growth and development of all of these. An obsolete educational institution handicaps all learners, teachers, administrators, communities, and the larger society. Thus, we are all disadvantaged.

When major social institutions like the public schools become dysfunctional today, the survival of American society itself is at stake. Survival of the individual, his group, his society, is a life and death affair. It is little wonder therefore, that the educational consumer (parent, student, taxpayer) has reached an unparalleled frustration level which manifests itself as retaliation behavior against the public schools—that is, loss of confidence, defeat of school bond issues, high absenteeism, boycotts, strikes, etc.

Commensurate with this increased level of consumer frustration is the macabre mood of current literary criticism of the public schools: "Death At An Early Age," "Our Children Are Dying," "The Classroom Disaster," "Murder In The Classroom."

It is clear that public schools as they are presently set up cannot meet the growing demands that are being thrust on them. In a pluralistic society, diversity is an important value that our educational institutions should express. Students are demanding that schools become relevant to them and help close the generation gap. Minority parents are demanding a quality of education that guarantees equality of educational performance. Business and industry are increasingly demanding an educational product who is prepared for a technolog-

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ical, service-oriented economy. We are asking the schools to deal with such societal problems as poverty, alienation, delinquency, drug addiction, pollution, and racism. The result is that while these demands are legitimate, the schools cannot now satisfy these demands. The consequences are loss of confidence, frustration, disconnection, and retaliation by the public. It is little wonder that President Nixon started his education message of March 3, 1970 with "American education is in urgent need of reform."

In our society when a major societal institution, such as the schools, is in need of basic reform, the public participates in the process. Participation is the heart of an open political system. Thus far, the push for increased participation has come from our urban centers, from those most apparently shortchanged by poor education, i.e., minorities: Black, Chicano, Puerto Rican, etc.

Participation in big cities is taking the form of decentralization and community control. Participation under decentralization can mean that parents and other citizens share educational decisionmaking with professionals, at the local level and with central school authority. Participation under decentralization is limited for each citizen to voting representatives to a local school board. The locally elected board then is responsible for trying to represent the interests of those who voted for him. Decentralization can mean a federation of local school boards, each with a limited authority over part of the total school system.

Participation under community control shifts the bulk of authority to a local board elected by the community. In its extreme form a local subdistrict may actually secede from the rest of the school system to assume an independent status with the State department of education. Again, participation in direct decisionmaking for each citizen is limited to voting for a representative in the local election.

We need a process today in which each user of our public schools can make a decision concerning the type of education which makes the most sense for him. This means giving parents, teachers, students, and administrators a direct voice in educational decisionmaking. Parents, teachers, students, and school administrators—those closest to the learning front—have traditionally been those farthest from participation in educational decisionmaking. We are all familiar with the "top-down" flow of authority which characterize our educational institutions in which those furthest from the learner are making decisions about his nature and nurture.

The rise of the parties closest to the action—teachers, parents, students—during the 1960's has signaled the beginning of a new flow of decisionmaking from the bottom up.

However, the plurality of publics which now relate to the school in direct, vested-interest ways makes the school an arena for power politics. That is, since each public, teachers, parents, and students, wants the school to be responsive to its concerns and needs, it has had to organize politically in order to have its interests realized.

Competing for power in order to meet group needs can result, and indeed has resulted, in direct confrontation among the new publics. We are witnessing collision between parents and teachers, students and teachers. Ironically, parties who should be natural allies have been trapped into conflict because the current institutional arrangements literally compel this type of behavior. Parents have blamed teachers for the poor quality of education and for the high cost of schooling, teachers have blamed parents for being apathetic and unreasonable about holding teachers accountable without realizing that teachers themselves are constrained by the institution. The point is that the key publics are blaming each other and losing track of the real enemy—the outdated nature of the institution we call the school. The parties need to have access to a new form of participation during this period of school reform. We need a new participatory scheme if we are to avoid the group power game in which we are presently engaged. How can we enter a new state of participation in which the rights of the plurality of school publics are protected? Two movements which started at the tail end of the sixties offer us some signs for the seventies.

The first of these is the movement of alternative schools outside the bureaucratic public school system. These new schools have increased in number over the past few years as conditions in urban public schools continue to decline. With this effort, parents, teachers, and students have broken entirely with the traditional pattern of public education and created their own private schools. These

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new schools took various forms—prep—academic, mini, and so-called open or free schools (in contrast with the "closed" public schools).

The second movement is an attempt to reach the educational consumer directly through a tuition voucher which can be used to purchase superior education. This latter form attempts to generate needed change by altering the dominant structure of American education, that is, increasing the purchasing power of the educational consumer to purchase different forms of education in a type of free market enterprise.

Both these movements are extremely significant, not so much by what they offer as programs, but for what they reveal about the fundamental nature of the reform problem and the desperation state many of our educational options to conventional public schooling exist and can be vastly superior. However, this movement suffers from the fiscal constraints which victimize new schools. Most new schools have good ideas but find it difficult to stay alive financially without setting high tuitions (thereby denying many citizens access to this alternative).

The tuition voucher approach points out the need for providing the educational consumer with opportunities to make more educational choices.

Together they reveal a need for a new political-economic educational system—i.e., participatory-governance system on the one hand, a new supply and demand system on the other. In one sense, the alternative new schools movement has generated attention on the supply side of the new economic educational system and the tuition movement has stimulated development on the demand side.

What is needed is to bring these two developments—supply and demand—and individual decisionmaking into the context of public schools where the majority of students are enrolled. What we propose is a new system of public schools of choice. Before outlining our conception of public schools of choice, we should emphasize more fully the shortcoming of just dealing with the demand side of the educational supply and demand equation.

Attempts to change the realm of demand do not guarantee that the supply side will also change. In fact, what can happen is that the supply which exists can be further tightened, i.e., strengthen current alternatives with marginal increases in new alternatives (and these often reflecting a compromise with quality).

Those who have reviewed attempts to change the demand structure of other institutions—say health and higher education—have made the assessments that have important implications for us at this time. Medicaid, for example, is a voucher system which provides increased medical purchasing power for the citizen. This health system has not affected the supply system appreciably. The consumer has increased opportunity to purchase what exists. In the case of health services, therefore, some would agree that the real services for the consumer have not been ignored—the service problem being the one that is most crucial to patient welfare.

Another attempt to influence the demand market was the GI bill which provided opportunities for millions of returning servicemen to enter higher education. This demand structure connected many educational consumers with the existing supply of colleges and universities. Many of these colleges were not relevant to the varying needs of the adult populations being served. Of course, we are all familiar with the "fly-by-night" suppliers after a "fast buck" who provided mediocre and often times inferior services to the citizen.

The problem is not with the demand with the supply system. Public schools already have a built-in demand system—a voucher system if you will—through taxation. Moreover, increased numbers of parents and students are dissatisfied with the educational services being provided them i.e., with the supply system. The problem is to provide more alternatives for those dissatisfied educational customers who are demanding more choices and not to further increase the demand capability. As suggested earlier, increasing the demand capacity does not necessarily guarantee a renewed demand capacity.

On the other hand, creating a new supply system outside the public school system in the long run accomplishes little. In this case, the supply system—new educational options—exist outside the demand structure of the masses who need them and are requesting them most. Moreover, those leading the new school movement find themselves in continuous fiscal difficulty and must ultimately turn to public support.

The trick is to get a system of educational options with consumer choice to take place inside the public school system.

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Public education in America has evolved a common and rather comprehensive set of educational objectives dealing with the full intellectual, emotional, and social growth of the learner. Thus far, however, America has relied on a public school system which is uniform and monolithic to achieve these objectives.

Given our diversity and the individual right of choice in our society, it is possible that the participation movement will lead us beyond decentralization and community control and toward public schools of choice, where parents, students, teachers, administrators, and other professionals will be able to select from among a variety of educational options.

It is extremely important to underscore once again the relationship between the process utilized for reform and democratic values. Our most basic value as an open political system is the centrality of the individual. Not only is the individual the center of our society, but it is through him that governments and institutions derive their purpose and power. Individuals, therefore, delegate decisionmaking responsibilities to their representatives but reserve for themselves the right to recall responsibility. Thus we have two legitimate conceptions of democratic participation—both derivitive of our belief in the individual. The first is direct participation of the individual in all matters of government affecting him. This old town meeting symbolizes this concept. Some political scientists call this classical democracy. But as society evolved and conditions became more complicated, the individual increasingly delegated this responsibility to others who were to represent him. This concept we call representative democracy. (Some political scientists call this elitist democracy.) While we have employed both concepts the latter form has dominated.

Using these two political concepts, then, we see how the individual deals with unresponsive institutions which no longer serve him. It will be recalled that when our Founding Fathers drafted the Declaration of Independence, they emphasized that when government no longer serves the interests of people, then the people may want to substitute another government for it. This fundamental principle of individual political responsibility can also carryover into his relationship with public institutions, such as the school. When schools, as major public institutions, no longer serve the interests of the community, then the people in that community have a right to participate in its transformation. This is what decentralization and community control are all about.

However, decentralization and community control are still representative forms of government.

While communities are closer to their representative under decentralization and community control, they are not yet into the classical form of demorcatic participation.

In diverse society, it is difficult for "representatives" to satisfy the concerns of each individual he represents. Today, education is of vital concern to every citizen. Without quality education, the individual's chances for survival and further development are considerably restricted, if not stunted altogether. When individual aspirations are affected, so are human emotions. It is virtually impossible to develop a uniform plan which satisfies everyone. Some will obviously feel victimized, believing that their rights are being sacrificed. Majority rule, while fair in some situations, is not fair in all situations. A society that values diversity must respect the rights of different groups.

Instead of a sector of the population, major or minor, trying to impose its views on the other, both should have opportunities to relate their interests provided these interests are congruent with the values of a free society (that is, one group could not advocate exclusivity).

Within this proportional rights framework, the right of the individual to full choice among alternatives needs to be pursued. Until we achieve a stage in which individual choice is actually implemented, maximum harmony between community and school is not likely to take place.

We have learned from our early experience with participation that the mood among the major parties of interest is tense. The lessons from our experiences with reform can be summarized briefly as follows:

Reform proposals:

1. Cannot be superimposed either from on high or by a few people who are trying to do something for or to others. Similiarly, reformers who try to force others to go their way are resisted.
2. Cannot advocate or imply exclusivity—racial, religious, or econmic.
3. Cannot significantly increase the perstudent cost of education. Educational reform efforts should make wiser use of existing money, not continuously need add-on money.

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4. Cannot favor one group only. Proposals must provide something for everyone.

What would a participatory reform effort look like that satisfied the above criteria?

The heart of governance is individual decisionmaking. The heart of decisionmaking is choice. Being able to make decisions from among a variety of options seems to make the citizen important not only as decisionmaker, but as someone capable of selecting from diverse offerings. Stated somewhat differently, the art of governance in a free society rests with citizen decisionmaking. The more informed the citizen the more capable he is to make decisions. The more options he has, the more chance he has of making a selection which is self-satisfying.

Transferring this notion to schools, the citizen as consumer should be able to decide on the kind of school his child should attend or the kind of educational environment he would like his children to have. This type of decisionmaking would be school governance in its purest form. Making every parent the decisionmaker for his own family's education is a significant stage beyond parents electing representatives to decide for them the kind of education which makes the most sense for the majority in the locality. This is what we now have through our representative form of school governance, that is, electing local school boards. In any majority rule approach, significant numbers of citizens must accept majority rule in the kind of education their children receive. Therefore, diversity in education is severely restricted. Further, public schools then become social institutions which foster uniformity rather than diversity. Citizens who want options must turn to private schools if they can afford it. The private school option is cut off for many low-income citizens.

The trick is to get the public schools to respond to both diversity and to individual rights in school decisionmaking. However, in addition to governance, both substance and personnel are essential pillars which must be altered if genuine reform is to take place in American education. We, therefore, need to examine the implications of these two areas in a pattern which maximize choice for the consumer.

Maximizing choice affects both educational substance and personnel in various fundamental ways. A system of choice maximizes variation in both the substance and personnel of education. For example, consumers who select a school program based on a Summerhill model will carry important substantive differences from those who select a classical school. Choice does legitimize new programs each of which carried with it new curriculum and new personnel.

Certainly, professionals who are attracted to a Summerhill-like school would be different from those who prefer a classical school environment.

The point is that a public school system that maximized consumer choice legitimizes new as well as old educational approaches to common objectives. The new educational approach will be made operational by public consent. Moreover, educators, also, will be able to choose from among these educational alternatives as would students possibly enhancing their sense of professional satisfaction.

This choice model, therefore, tends to minimize conflict among the interest groups because each individual is making direct decisions in educational affairs. Also, as a supply and demand model, the choice system has a self-revitalizing capability. As the options prove successful, they will increase in popularity, be in demand, thereby increasing the flow of successful programs into the public schools generating a renewal process for public education.

Under the present system, new programs are introduced into the public schools largely through professional channels with parents, students, and teachers having little say. However, parents, students, and teachers can actually veto any new program especially when these are superimposed on them. Some programs, such as sex education, become controversial, especially if superimposed.

School systems are currently structured to present only one model or pattern of education to a student and his parents. If economic factors or religious beliefs preclude nonpublic schools as an alternative, the parent and student have no choice but to submit to the kind and quality of public education in their community. With the exception that one or two schools may be viewed as "better" or "worse" by parents and students (generally because of "better teachers" or because "more" graduates go to college or because the school is in a "good neighborhood"), the way materials are presented and "school work" should be done is essentially the same in all schools on the same level. It should be possible

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to develop within one school or cluster of schools within a neighborhood, district, or system several different models that would offer real choices to all those involved in the educative process.

Using a hypothetical school district that has seven or more elementary schools, public schools of choice might be structured in the following way:

School No. 1.—The concept and programs of the school are traditional. It is graded and emphasizes the learning of basic skills—reading, writing, numbers, et cetera, by cognition. The basic learning unit is the classroom and functions with one or two teachers instructing and directing students at their various learning tasks. Students are encouraged to adjust to the school and its operational style rather than vice versa. Students with recognized learning problems are referred to a variety of remedial and school support programs. The educational and fiscal policy for this school is determined entirely by the central board of education.

School No. 2.—This school is nontraditional and nongraded. In many ways it is very much like the British primary schools and Leicestershire system. There are lots of constructional and manipulative materials in each area where students work and learn. Most student activity is in the form of different specialized learning projects done individually and in small groups rather than all students doing the same thing at the same time. Many of the learning experiences and activities take place outside of the school building.

School No. 3.—This school emphasizes learning by the vocational processes—doing and experiencing. The school defines its role as diagnostic and prescriptive. When the learner's talents are identified, the school prescribes whatever experiences are necessary to develop and enhance them. This school encourages many styles of learning and teaching. Students may achieve equally through demonstration and manipulation of real objects as well as by verbal, written or abstractive performances. All activity is specifically related to the work world.

School No. 4.—This school is more technically oriented than the others in the district. It utilizes computers to help diagnose individual needs and abilities. Computer assisted instruction based on the diagnosis is subsequently provided both individually and in groups. The library is stocked with tape recording banks and "talking," "listening," and manipulative carrels that students can operate on their own. In addition, there are Nova-type video retrieval systems in which students and teachers can concentrate on specific problem areas. This school also has facilities to operate on closed circuit television.

School No. 5.—This school is a total community school. It operates on a 12- to 14-hour basis at least 6 days a week throughout the year. It provides educational and other services for adults as well as children. Late afternoon activities are provided for children of varying ages from the neighborhood and evening classes and activities are provided for adults. Services such as health, legal aid and employment are available within the school facility. Paraprofessionals or community teachers are used in every phase of the regular school program. This school is governed by community board which approves or hires the two chief administrators, one of whom is in charge of all other activities in the building. The school functions as a center for the educational needs of all people in the neighborhood and community.

School No. 6.—This school is in fact a Montessori school. Students move at their own pace and are largely self-directed. The learning areas are rich with materials and specialized learning instruments from which the students can select and choose as they wish. Although the teacher operates within a specific and defined methodology, they remain very much in the background guiding and facilitating student activities rather than directing them. Special emphasis is placed on the development of the five senses.

School No. 7.—The seventh is a multicultural school that has four or five ethnic groups equally represented in the student body. Students spend part of each day in racially heterogeneous learning groups. In another part of the day, all students and teachers of the same ethnic background meet together. In these classes they learn their own culture, language, customs, history, and heritage. Several times each week one ethnic group shares with

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the others some event or aspect of their cultural heritage that is important and educational. This school views diversity as a value. Its curriculum combines the effective cognizant domain and is humanistically oriented. Much time is spent on questions of identity, connectedness, powerlessness, and interpersonal relationships. The school is run by a policy board made up of equal numbers of parents and teachers and is only tangentially responsible to a central board of education.

Distinctive educational options can exist within any single neighborhood or regional public school. The principle of providing parents, teachers, and students with a choice from among varying educational alternatives is feasible at the individual school. In fact, this may be the most realistic and pervasive approach, at first. For example, in early childhood a single school might offer as options:

1. A Montessori program.
2. An established kindergarten program.
3. A British infant school program.
4. A Bereiter-Engleman program.

Again, parents, teachers, and students will have to "understand fully" each program and be free to choose from among them.

Some may ask whether a Nazi school or a school for blacks that advances the notion that all white people were blond-haired, blue-eyed devils, and pigs, could exist within the framework of a public system of choice. Plainly, no. Our concept speaks to openness; it values diversity; it is nonexclusive; it embraces human growth and development and is unswerving in its recognition of individual worth. Within these bounds, however, is an infinite spectrum of alternative possibilities in creating new educational and learning forms.

Although we have suggested several different ways in which schools might be structured under a public schools of choice system, it should be clear that there are many other possibilities. The flexibility of the concept lends itself to a whole range of options without forcing people to accept—they are attracted to the option. The choice educational system starts where the public school system and the clients are and develops from that point. For example, we have described above what could be developed within a school district. The same offerings, teaching styles, and learning environments could be presented within the same school facility. This would permit the bulk of parents and students in our hypothetical district to continue with the educational programs and activities just as they have been, but those who wanted to try different options could do so. There could be six or seven choices in the educational supply of options from which parents and students could choose.

Another application of the public schools of choice system could be implemented on the high school level in a moderately sized city.

Seven distinctive high school models could be integrated into the public system providing parents and students with choices about learning style, environment, and orientation that best met the individual needs of the learner and teacher. For example, there could be a standard or traditional high school; a university, experimental high school that is a learning center for students, teachers, and those who train teachers; a classical school that emphasized languages, learning, and rigid disciplines—Boys Latin in Boston is an example; a vocational-technical complex; a high school that emphasizes independent work, personal development and where students and teachers share a joint responsibility for the program; a high school (or student-run high school supplementary program) that in some way addresses itself to the special concerns of particular students, perhaps where black students could work out questions of identity, power, and self-determination on their own terms in their own style; and finally, a "high school without walls" concept, such as in Philadelphia, where students utilize the resources and institutions of the city and community as learning environments.

These alternatives, and others, are not unrealistic or significantly beyond the reach of a city and school system that is concerned with the quality of public education. Although many of these ideas have been tried in isolation, they have not been incorporated into a public education system. The rise of participation is leading us in this direction, when it does, we will have entered a new era of public education.

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EDUCATION FOR BLACK HUMANISM: A WAY OF APPROACHING IT*

By Preston Wilcox

> If we react to white racism with a violent reaction, to me that is not black racism. If you come to put a rope around my neck and I hang you for it, to me that's not racism. My reaction is the reaction of a *human being*, reacting to defend himself and protect himself. This is what our people haven't done, and some of them, at least at the high academic level, don't want to. But most of us aren't at that level.
>
> —*Malcolm X at a Harvard Law School Forum, December 16, 1964*

The Role of the Black Revolutionary Intellectual

It is worthy of observation that the intellectual power behind the educational revolution which is slowly penetrating the black community emanates from outside the traditional ivory-tower setting. Malcolm X's oratorical indictment of white America brought to public visibility the degree to which black Americans had been conditioned to oppress themselves of the mythical superiority of whites. (1) His public indictment of whites refurbished what Garvey had begun some years earlier. Frantz Fanon linked psychiatry with sociology as a means to reveal the oppressive nature of the relationship between the colonized native and the colonial settler. (2) Harold Cruse demonstrated with scholarly precision that the black-white conflict was cultural in form and not merely political in the fragmented and narrow sense. White hyphenated groups had substituted their values for those of the WASPs and had become antiblack oppressors also. (3) Eldridge Cleaver pulled back the covers of the integrated bedroom and revealed human interaction on one level, and mutual self-destruction on the other. (4) Martin Luther King, Jr., climbed to the mountaintop—only to be assassinated. He was too human to survive without the collective support of his black brothers.

Malcolm X's "moment of truth" occurred in a jail cell. (5) Frantz Fanon's writings surfaced after his death; he wrote about a revolution through which he lived. Harold Cruse's book turned a literal unknown into a nationally known writer. Martin Luther King's now-famous *Letter from a Birmingham Jail* moved his potential to contribute to the liberation of blacks to a higher plane. (6) Eldridge Cleaver, too, wrote from inside a jailhouse. These men held in common a desire to liberate the masses, not only themselves. What Malcolm X had to say about white racism and tricknology was matched by Martin Luther King's essays on white America's violence. Harold Cruse's excoriating attack on WASPisms was equaled by Eldridge Cleaver's analysis that America was organized to protect the white vagina. Frantz Fanon put it all together from afar. (7)

Of interest and perhaps not ironic is that white America viewed Malcolm X as being antiwhite; Martin Luther King as being violent; Harold Cruse as being envious; Eldridge Cleaver as an irreversible rapist; and Franz Fanon as a revolutionary. The peculiar ability of this Nation to assign to black men equal status as it relates to antisocial behavior and to deny them the accreditation of humanness has compelled an increasing number of black men to begin to define themselves on their own terms—*to rid themselves of the need to be defined in a positive sense by white America.*

Malcolm X's real message was that *one's right to be human is nonnegotiable.* Martin Luther King was engaged in a struggle to protect his *right to be nonviolent.* Harold Cruse's message was that if he was required to reject himself and to substitute the values of the oppressor for his own, he would choose to be *who he was himself.* Cleaver—a convicted rapist—knew too well that *the system produced rapists;* and, as Dick Gregory has commented, the goal of a humane society is to deal with those factors which create *the need for people to rape each other.* Fanon's "plunge-the-knife concept" required that the native commit a double murder in order to liberate himself, by killing the settler and his old self at the

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*Dedicated to the Malcolm El Shabazz Community College, Chicago, Ill.

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same time. He believed that one had to be reborn in order to liberate himself anew.

On one level, the above-mentioned brothers might be called black *revolutionary* intellectuals since they taught as they acted, as they organized, and as they developed others—and seldom within the traditional classroom. The black community was *their* black university. Street corners, stadiums, churches, dance halls, storefronts, picket lines, the stage, bars, courtyards of jails—and even bedrooms—were their classrooms. The content of the curriculum was real life: the Birmingham bus strike, the Memphis strike, the March on Washington, the New York school integration struggle. Selma, Ala., the Freedom Rides, the *Huey Newton* case, the Harlem Renaissance, and the Algerian revolution made learning and doing inseparable; apprehension and comprehension indivisible; intellect and emotion one; and thought and action a single effort. For all of them the authentic role of the black teacher was that of *convincing black people of their essential educability, potential, and humanity.* Malcolm X and Martin Luther King had a peculiar love for their brothers: it was undying. Malcolm died when he did because he refused to have the audience searched as they entered the hall which was to become his tomb. Martin Luther King died while surrounded by his brothers, but a part of this mystique was that no black man could really be free on earth—unless he was willing to die for that in which he believed. (8)

Booker T. Washington, the first black man anointed into national prominence by white America, chose a system of enslavement over extinction. He failed to realize, as Malcolm X did, that one's philosophy of survival affected his attitude and his behavior—toward the world and himself. (9) Booker T. Washington must have felt that black people would be given freedom by appealing to the white conscience and by the subordination of their own black consciousness. Despite his contributions, his model of education was an exaggerated imitation of that of his oppressors. His students learned to line up when whites spoke—without being "too uppity." (10)

W. E. B. DuBois, an acknowledged black intellectual, never fully understood the impact of white institutional racism. Had he been able to do so, he would not have urged the full integration of black students into white racist institutions. My point is that he lacked the current level of comprehension: that authentic blackness is not the replica of whiteness. (11) Neither is it solely a reaction to white rejection. Rather it is a soul-searching, excruciatingly difficult attempt to undo 400 years of de-Africanization, dehumanization, and colonization—to reach deeply into the instinct and belief systems of black people in order to restore them to a self-defined level of *experienced* humanity, *figurative* Africanization, and *literal* collective liberation. Sister Edwina Chavers Johnson makes the same point in this fashion:

> The African descendants in America, having passed through three phases of education in America, i.e., de-Africanization, dehumanization, and (finally) an inferior-caste status, through application of self-determination and the establishment of a voluntary self-separated school system, can educate themselves. (12)

The Design for Miseducation—Veiled

Sister Johnson's optimism as an African American, when placed beside the wish-fulfillment of the white oppressor, helps to push the issue of education for black humanism into perspective. When Miss Ophelia asked St. Claire in *Uncle Tom's Cabin* why he didn't free his enslaved persons, one of his responses was as follows:

> The capitalist and aristocrat of England cannot feel that as we do, because they do not mingle with the class they degrade as we do. They are in our houses, they are the associates of our children, and they form their minds faster than we can, for they are a race that children will always cling to and assimilate with. If Eva, now, was not more angel than ordinary, she would be ruined. We might as well allow the smallpox to run among them, and think our children would not take it, as to let them be uninstructed and vicious, and think our children will not be affected by that. Yet our laws positively and utterly forbid any efficient general

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educational system, and they do it wisely, too; for just begin and thoroughly educate one generation, and the whole thing would be blown sky high. *If we did not give them liberty, they would take it.* (13)

A careful reading of St. Clare's response, Sister Johnson's analysis, and Jerry Farber's *Student As Nigger* suggests an essential agreement about:

1. The oppressive nature of WASP-oriented educational processes. The white radical student rebellions are a case in point.
2. The latent belief by blacks and even racist whites of the essential educability of blacks.
3. The white control of integrated education as merely a tool to avoid integration of the curriculum content and to redistribute control over curricular matters. A multicultural control over the discrete cultural aspects of the program itself. As resolved at the Third International Black Power Conference:

> Black persons working within white institutions, if (authentically) black, should be working for the best interests of the black community, to whom they are ultimately responsible. The point here is that the physical locale of the black man should have no relationship to his role or perception of himself as a black man. (14)

What black men fully understand, and what white men cannot allow themselves to believe, is that the myth of white supremacy remains a myth perpetrated to foster the privileges of white skin. Indeed, if white men were in fact "superior" to black men, and black men believed it, there would be no need for white institutional racism, white backlash, White Citizens' Councils, Minutemen, or a white-controlled police system, protecting the white people from black people even within the ghettos.

Had an authentic black man written William Whyte's Organization Man, he would have probably named it *The White Uncle Toms*, Daniel P. Moynihan's *The Negro Family* would have addressed itself to how white families maintain themselves economically within white enclaves surrounding the inner city by the exploitation of black men, their families, and their communities. He would have named his statement *The Vietnamization of Black Families.* A rational policeman would question the gambling on Wall Street in the way that he "questions" in order to bribe the local numbers runner. A nonracist health service would render abortion readily accessible within less-chance communities as it is within lily-white America. The sociologists who identify such role models as pimps, prostitutes, hustlers, and racketeers within less-chance communities would look for the same behavioral characteristics on Wall Street, in the State capitals, and in the Nation's Capital. The use of God to raise money regardless of the salvation of the donors has turned the Nation's religious institutions into corporate structures devoid of legitimate relationships to their original purposes. (15)

Motherhood has become a symbol for the propagation of wars, not peace. The vagina has become the world's most vaunted war machine. It is no accident that the sons of black mothers were the first to decide not to fight in Vietnam. It is no irony that authentic blacks are attempting to articulate and codify a nondestructive relationship between males and females—a relationship that assigns roles not on bedroom or athletic criteria but on the basis of the collective survival needs of black people. (Collective survival within the black world can never be achieved as long as institutionalized conflict and colonialism exist within male-female relationships.)

Recall the recent report by the National Advisory Commission on Civil Disorders, which dealt with the issue of racism while remaining silent on the issue of sex. (16) This occurred despite Gunnar Myrdal and Emory S. Bogardus' listing of sex as the number one discrimination in "rank order of discriminations" among a list of six items (sex, social equality, use of public facilities, political disfranchisement, discrimination by public servants, and economic exploitation). (17) The black man's rank order is just about parallel but inverse to that of the white man. (18)

Is it any wonder that the public schools are just getting around to sex education courses? The fact that such courses are directed more toward birth control than they are toward sexual liberation compounds the issue. A white-middle-

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class black differential as it relates to children born out of marriage is the tendency of white to reject the causal act and the resultant child; lower class blacks tend to accept the child and they reject only the causal act.(19) But the deeper question relates to why children born out of wedlock are labeled "illegitimate" and treated as though they were less human, through no fault of their own. They have a God-given right to be born—it seems—and after that God is usually dead as far as they are concerned.

There are many other issues which, when submitted to serious intellectual scrutiny by liberated minds, reveal the application of scientific colonialism by white America. (20) Arthur R. Jensen's recent report, which suggested that blacks, on the average, are genetically inferior to whites in IQ, is an example of the above. Jensen blithely dismissed the consequences of white institutional racism. WASP-oriented IQ tests, environmental deprivation, and the absence of the requisites for serious scientific study of the subject. That he had a need in 1969 to produce such evidence was much more consonant with white America's need to continue to justify its inhumane actions against black people. (21)

Finally, much of the testimony dealing with racism suggests that whites are versatile. They have the ability to benefit in economic terms from the reality of racism and at the same time, they are able to participate meaningfully in the salvation of black people! The same people who had "trained" black people into a system of enslavement (since the white man knew that black people were not natural-born enslaved persons) now want to *plan* their emancipation! (22) It was SNCC which first challenged this assumption:

> It must be offered that white people who desire change in this country should go where that problem [racism] is most manifest; the problem is not in the black community. The whites should go into white communities where whites have created power for the express [purpose] of denying blacks human dignity and self-determination. (23)

SNCC was offering whites an alternative: to become either a part of the problem *or* a part of the solution, but not both. One sees in this white do-gooder behavior a linking of capitalism and racism. Far too many whites—and black-skinned people—are "doing well by doing good"—exploiting by getting paid to keep blacks in their places. Those with black skins who start a "movement" or a militant action in order to get a job are in the same bag. The resultant underdevelopment of black people has been characterized by James Boggs as follows:

> (1) They [blacks] have been systematically excluded from supervisory, planning, and decisionmaking roles which could have given them practical experience and skills in organizing and planning and administration.
>
> (2) They have been systematically excluded from the higher education which would have given them the abstract and conceptual tools necessary for research and technological innovation at *this* stage of economic development, when productivity is more dependent on imagination, knowledge, and the concepts of systems, that is, on mental processes, than it is on manual labor. (24)

The inseparability of capitalism and racism has had educational consequences for black people, but as James Forman put it:

> Where do we begin? We have already started. We started the moment we were brought to this country. In fact, we started on the shores of Africa, for we have always resisted attempts to make us slaves and now we must resist attempts to make us capitalists. (25)

The Response for the Black Community

What does all this mean in educational terms? What are the implications for the education of black people? How is the redefining taking place?

One example is seen in the work of the National Association for African American Education. At its first meeting in June 1968 it engaged the following issues: higher education, blackening the curriculum, black educator, black student, school and black community, materials of instruction. When it met in August 1968 in St. Louis, it followed through on the above themes but in the context of nation building: internal relationships, external relationships, and the

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role of the NAAAE. (26) Unlike most organizations, the NAAAE does not exclude on the basis of ideology, social class, age, occupational status, and/or organizational affiliation. It defines the black educator as follows:

> Students, parents, community leaders, clergymen, businessmen, activists, moderates, college professors, teachers, educational administrators, and all those who are actively involved in the educational liberation and survival of black people. (27)

During the period of August 20 to August 24, 1969, the NAAAE conducted its first anniversary meeting in the form of a 5-day Black University. The theme was "The Fire This Time: New Black Perspectives, Creative Black Solutions." Stated in functional terms, an effort was undertaken to codify on a collective basis the intellectual and technical requisites to promote the physical and mental health of black people. Brother M. Lee Montgomery, Academic Dean Brother, for the August encounter, sketched out a paradigm containing the following four threads. (28)

Childhood replaces preschool education.
Youth replaces elementary education.
Young adult replaces secondary education.
Adult replaces higher education.

Education was discussed then, not only as it occurs traditionally within the classroom, but in terms of its uses as a liberating force for black people. The four age levels above were discussed as they relate to families, neighborhoods, and cities. In other words, black educators are required to define new methods for black manhood, womanhood, families, communities, and so forth.

The aim of the meeting was to engage the enrollees in a reasoned, planful, well-thought-out approach to that:

1. Builds black competence as it develops self-concept.
2. Develops operational unity internally even as it constructs models for meaningful collective action.
3. Employs education as a liberating force.
4. Produces a winning attitude as overwhelming odds are confronted.
5. Views struggle as being educational.
6. Engages the black community in living for that for which it is willing to die.
7. Constructs models for meaningful collective action.
8. Builds an authentic sense of nationhood. (29)

The key is a recognition that the education of black people must go on inside and outside of the classroom, that "credentials" are not a prerequisite to learn from and/or teach each other, and that the experience must encourage all black people to acquire the skills to humanize their own existence and to protect their rights to be who they *need* to be. Values, too, become important concerns—as my readers shall see.

The revolutionary aspects of a search for black humanism are clear. Brother Paul Henry has put it this way:

> The moral imperative involved is apparent. When a society is organized to destroy other cultures and it is also willing to destroy its own culture to save the system, this madness must be stopped. Therefore, it is the Afro-American who must oppose this dehumanizing policy simply because it is black people who are first to be annihilated. (30)

To fail to educate for black humanism is merely to gradualize the destruction of black people and to turn black people against each other. To fail to respond to this imperative is to educate blacks to participate in the destruction of their own identities and cultures—and to substitute the oppressors' values for their own.

Education for black humanism asserts that:

1. All black children are human and educable.
2. Blacks hold in common African descendancy and victimization by white institutional racism.
3. To subscribe to racism and capitalism is to participate in one's own destruction and that of his own people, the largest oppressed class in America.

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4. Education which effectively overlooks the aspirations and technical survival requirements of the black masses is irrelevant.

5. Education for blacks is essentially a retooling process: rehumanization, re-Africanization, and decolonialization; that is, authentic black men enjoy only one kind of freedom as a conceptual whole: a respect for native cultural differences, a resistance to all kinds of oppression, and recognition of one's right to defend his right to become who he wants to become as long as the expression of that right does not demand the oppression of others.

6. Black men have a right and an obligation to define themselves and the terms by which they will relate to others.

7. Education must become a process that educates for liberation and survival—nothing less.

Some Specifics

COOPERATIVE ECONOMIC RELATIONSHIPS

A cardinal principle in the humanizing process is the humanization of the *socioeconomic relationship* among black people. As Fanon writes:

> If there is an inferiority complex, it is an outcome of a double process:
> Primarily economic;
> Subsequently, the internationalization—or, better, the epidermalization—of this inferiority. (31)

Early in their lives black people must be *conditioned*, yes, conditioned, to relate to each other on a *cooperative economic shared-decisionmaking basis.* Instead of savings bank clubs wherein students save individually—and become embryonic capitalists who learn how to postpone their gratifications—they must be helped to save jointly in credit unions as a means to begin to deal with their day-to-day problems collectively.

REPARATIONS—ECONOMIC CONTACT WITH WHITE AMERICA

The reality of white institutionalized racism strongly suggests that white philanthropy—the control of recipients via gift giving—should be politicalized into a form of black restitution: The total control of such funds when obtained by black people. James Forman's thesis is based on this premise: White philanthropy developed on the backs of black men must be replaced by a new socioeconomic contrast between blacks and white. (32) Booker T. Washington established the first one. He agreed to train black people into menial roles as the price of benefiting from white philanthropy. The black bourgeoisie chose social integration and entrepreneurism, with a small *e*, as a price for social integration. Authentic black people are choosing to control, define, and manage their own socioeconomic development through the use of reparations—not white philanthropy. They are asking for justice in payment for their slave labors, not noblesse oblige. They are choosing to compete with white America in building a humane system rather than to compete for white patronage.

Black students should learn early that the public welfare system was established to contain the have-nots who subscribe to and are the victims of capitalism. Black students are entitled to the accrued benefits in terms of interest from the original pledge of 40 acres and a mule. It is their earned and documented right; it is not charity.

SELF-CONCEPT

The fact of life for black students is that they receive a thousand daily encounters which suggest to them that they are, in fact, inferior to whites. Education of black students must convince them as they are being educated of their essential worth despite their residence within a white racist society. Authentic black students should be evaluated on the basis by which they accept themselves; view their skin color as being a permanent condition linked to a rich cultural heritage, and perceive white defined integration as Brother Joseph Pentecoste notes:

> Integration as a theory is basically a willingness to give up one's own attributes and lose racial self-identity by merging with the dominant group. (33)

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Importantly, the economic aspects of integration should also be understood. The tendency to establish lily-white suburbs and golden ghettos at the expense of the black poor is the point being made.

A black person with a healthy self-concept values integration with other black people socially and economically, establishes a reparations contract with the white system, and functions black whether within the white or the black world. A black man within a white capitalistic institution is engaged in efforts to redistribute the flow of wealth into black-controlled cooperative enterprises.

PLURALISTIC DECISIONMAKING

Black students who are helped to understand the reality of racism will also come to understand the requirement to identify those decisions which cannot be made about their lives by anyone—parents, teachers, employers, police, etc.—outside of themselves. This is particularly the case in the instance of white racists or the institutions that they operate. Black people must acquire the internal insights and ability to accredit their own actions; to ordain themselves, to certify their own humanity; to liberate themselves from a need to blindly comply with rules set outside of themselves.

Persons who respect black people will not want to make decisions about their lives. Rather they will want to transmit the skills and knowledge to them, to enable them to make decisions about their own lives. One's humanity, similarly, cannot be determined by someone else; its existence can only be confirmed outside of oneself.

SELF-LIBERATION

Ultimately the education of black people must free them from psychological dependence on others: It must teach them to think and act on their own. This ability does not rest solely on intellectual talents but on one's ability to rid himself of a need to be controlled by those who have power over him. One's ability, then, to think for oneself derives from several aspects:

1. Resolution of his parental relationships, i.e., getting his mother off his mind.
2. Resolution of his relationships with the opposite sex, i.e., male strength and feminine assets should become liberating instruments rather than weapons.
3. Resolution of his attitude toward whites, i.e., ridding himself of a need to be equal to whites but developing a desire to be "equal to the occasion."
4. Resolution of his materialistic needs, i.e., liberating himself from an ability to be controlled by someone else's purse.
5. Resolution of his religious hangups, i.e., freeing himself from the need to be saved by first finding his own salvation within himself.

A REORDERING OF VALUES

Education should provide students with an opportunity to select, design, and articulate their own values and to discern their impact on their behavior and attitudes—and relationships with others. In an earlier paper, I identified the following values which require reexamination and ordering: (34)

1. Black people must forget their *isolation* from white people and deal with their *alienation* from black people.
2. Black people must replace their *need to belong* with a sense of *functional marginality* as it relates to their membership in this society.
3. An effort must be made to distinguish *needs* from *wants;* the economic consequences are crucial.
4. Peer and mutual relationships across age, class, and sex lines should come to be valued more than superordinate and/or subordinate relationships.

Brother Bob Rhodes has posed this question with great clarity. He stated:

> We must create a new value system and determine:
> 1. How to create value;
> 2. How to allocate value; and
> 3. Upon what criterion do you create values and allocate values?

When one combines all of these specifics—cooperative economic relationships, reparations, self-concept, pluralistic decisionmaking, self-liberation, and a re-

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ordering of values—into a conceptual whole, one finds that as the student learns he alters his relationship to the teacher, his family, his community, and to the society in which he lives. Importantly, he solves problems as he learns problem-solving. He no longer separates thought from action. He no longer submits himself to be "fitted in." He learns to acquire the skills to force society to include him *on his own terms!*

NOTES

1. Alex Haley (editor), *The Autobiography of Malcolm X* (New York: Grove Press, 1964).
2. Frantz Fanon, *The Wretched of the Earth: A Negro Psychoanalyst's Study of the Problems of Racism and Colonialism* (New York: Grove Press, 1963).
3. Harold Cruse, *The Crisis of the Negro Intellectual* (New York: William Morrow, 1967).
4. Eldridge Cleaver, *Soul on Ice* (New York: McGraw-Hill Book Company. 1968).
5. Alex Haley, *op. cit.*, Chapter 10, pp. 153–69.
6. Martin Luther King, Jr., *Letter from a Birmingham Jail* (April 16, 1963).
7. Frantz Fanon, *ibid.*
8. Louis E. Lomax, *To Kill a Black Man* (Los Angeles: Holloway Publishing Co., 1968).
9. Booker T. Washington, *Up from Slavery* (New York: Dell Publishing Co., 1965), p. 180.
10. Christopher Jencks and David Reisman. "The American Negro College," in *Harvard Educational Review* (37:1, 1967), p. 21.
11. Preston Wilcox, "It's Not a Replica of the White Agenda," in *College Board Review* (No. 71, Spring 1969), pp. 6–10.
12. Edwina C. Johnson, "An Alternative to Miseducation for the Afro-American People," see pp. 200–207.
13. Harriet Beecher Stowe, *Uncle Tom's Cabin* (New York: Washington Square Press, Inc., 1963), pp. 237–38. Italics mine. See also Jerry Farber, "Student as Nigger," in *Renewal* (9:5, May 1969).
14. Preston Wilcox (editor), *Report of Education Workshop No. 1: Control of Schools Within the Black Community*, Third International Black Power Conference, Philadelphia, September 1968.
15. See James Forman, "Total Control as the Only Solution to the Economic Problems of Black People: The Black Manifesto," in *Renewal* (9:6, June 1969), pp. 9–13.
16. *Report of the National Advisory Commission on Civil Disorders* (New York: E. P. Dutton & Co., 1968). The omission of sex as an important variable may have occured because very few black people who were involved directly in the black restoration and liberation movement were heard.
17. Gunnar Myrdal, *An American Dilemma: The Negro in a White Nation* (New York: McGraw-Hill Book Company, 1964), p. 60–61. See also Emory S. Bogardus, "Race, Friendliness and Social Distance," in *Journal of Applied Psychology* (1927), pp. 272–87.
18. Myrdal, *ibid.*, p. 61.
19. Kenneth B. Clark, *Dark Ghetto* (New York: Harper & Row, 1965), pp. 72–73.
20. Johann Galtung, "The Lessons of Project Camelot: Scientific Colonialism," in *Transition 30* (1967), pp. 11–15.
21. Arthur R. Jensen, "How Can We Boost I.Q. and Scholastic Achievement?" in *Harvard Educational Review* (39:1, Winter 1969) pp. 1–117. See also Victor Cohn, "Report to Dispute Negroes Are Genetically Inferior in I.Q," in the *Washington Post* (May 15, 1969), p. A5.
22. For a statement on the training of enslaved persons, see Kenneth M. Stampp. *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York: Vintage Books, 1956), Chapter IV.
23. "Excerpts from Paper on Which the 'Black Power' Philosophy Is Based," in *The New York Times* (August 5, 1966).
24. James Boggs, "The Myth and Irrationality of Black Capitalism" (New York: Interreligious Foundation for Community Organization, April 28, 1969), p. 3. Mimeographed.
25. Forman, *op cit.*, p. 10.
26. *Report to the NAAAE* (St. Louis) (New York: NAAAE, September 23, 1968), p. 31.

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27. Preston Wilcox, *Progress Report* (New York: NAAAE, May 12, 1969), p. 3.
28. M. Lee Montgomery, *Draft: Black University* (New York: NAAAE, June 1969), p. 2.
29. Preston Wilcox, "The Rationale, The Setting, The Theme" (New York: NAAAE, June 15, 1969), p. 2. Mimeographed.
30. Paul Henry, *Memo to Walter Palmer: The Massive Decline Curve* (May 13, 1969), p. 2.
31. Frantz Fanon, *Black Skins, White Masks* (New York: Grove Press, 1967), p. 13.
32. Forman, *op. cit.*
33. Joseph Pentecoste, "Black Psychology," in *The Black Liberator* (vol. 5, June 1969), pp. 6, 4.
34. Preston Wilcox, *The School and Community with Special Concern for Higher Education: The Black and Human Position* (New York: Conference on Science, Philosophy and Religion, 1968), pp. 14–15.

SOURCE MATERIALS

Catherine Havrilesky, *Bibliography; White Institutional Racism* (New York: Afram Associates, Inc., 1969).
Toye Brown Lewis, *Black Agency Control: An Action Manual* (New York: Afram Associates, Inc. 1969).
Charles Tilly, Wagner D. Jackson, and Barry Kay, *Race and Residence in Wilmington, Delaware* (New York: Columbia University Teachers College, 1965).

SOCIAL SCIENCE AND EDUCATION FOR A BLACK IDENTITY

By Barbara A. Sizemore

Like other excluded groups, black people in the United States of America struggle for political, economic and cultural equality. This struggle has not yet delivered the desired fruits because blacks have internalized the dysfunctional white value system. Additionally, the set of knowledge necessary for the construction of a new value system is absent. The producers of new sets of knowledge are the scientists. The purveyors of those sets are the teachers who use the schools for dissemination and distribution. Teachers, then become the prime agents for training blacks to have the same prejudices and negative attitudes toward blacks that whites have,[1] and, teachers learn their content and methods from the social scientists who create the educational models used to develop self-concept, identity and self-image.

Recently, a great awakening occurred. It has been described as a new-found pride in blackness and the African heritage. This awakening has spurred a search for a new set of values and a lost identity,[2] and has produced drives for enculturation instead of acculturation, for liberation rather than integration and for ethnic preservation not ethnic assimilation. The problem is how to be black in a universe which denies blacks humanity. What is the black identity in such a hostile environment?

These questions indicate a need for scientific research on the hostility of the environment. Yet, social science has dealt inadequately with this enigma. This paper will attempt to discuss the problems of social science research and a new theoretical framework; to define value; to review several studies which promote error; to define the concepts necessary for educating black and minority group people; and, finally, to make some observations concerning that education.

Social Science Research—Problems and Theory

Social scientists are frequently accused of a collective bias toward western European civilization and the white race, thereby invalidating the so-called objectivity of social science research. Blacks show an unwillingness to accept

[1] Henry A. Banks, "Black Consciousness: A Student Survey," The Black Scholar, September 1970, p. 44.
[2] Imamu Ameer Baraka, "A Black Value System," The Black Scholar, November 1969, pp. 54–60.

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the findings of these scholars and the solution emanating therefrom.[3] Why does the black man feel that social science has failed him?

First science has two main jobs according to Homans: discovery and explanation. Discovery is the job of stating and testing more or less general relationships between properties of nature, and explanation is the process of showing that the finding follows as a logical conclusion, as a deduction, from one or more general propositions under specified given conditions. This relationship, then, provides a theory. Repeatedly, Homans argues that social science is in trouble where explanations are concerned.[4]

Commenting that nonoperating definitions and orienting statements add to the confusion, he describes the former as nontestable variables and the latter as statements which fail to predict and explain, specifying only that something will occur but not what.[5] Value, culture and identity are nonoperating definitions which figure largely in orienting statements. Their necessity is one of the great problems of social science. But, as Merton and Homans both indicate, such statements are necessary "approaches" even though they are not "arrivals." Homans' plea is to deliver:

> * * * but sooner or later a science must actually stick its neck out and say something definite. If there is a change in x, what sort of change will occur in y? Don't just tell me there will be some change. Tell me what change. Stand and deliver![6]

Homans' advice is to reduce the study of man to the individual through the adoption of psychological propositions in a single science utilizing the determinist philosophy. Deploring the lack of honesty in social science, he begs for the admission that "our actual explanations are our actual theories."[7]

While discouraging an adoption of determinism, Yankelovich and Barrett tend to agree with the single science of human nature idea.[8] Specifically interested in psychoanalysis, their criticism of research is threefold. First, the methodology and philosophy of the physical sciences are not appropriate for the study of human nature; second, further pursuit of the nature-nuture controversy in its present form is useless; and third, the metatheory is not broad enough to encompass a study of man.

Pointing out the debate between Sartre and Levi-Strauss, Yankelovich and Barrett discuss the futility of continuing this controvery as long as the premises on which it is based are invalid. Those premises are: (a) a conception of freedom which does not take human limits into account, and (b) a conception of nature which reduces its richness and complexity to a mere energy-dissipating mechanism.[9]

They propose a man-in-his-enviroment approach based on the doctrine of synergism, which takes epigenesis into account. They describe synergism as the process whereby every trait of personality, every meaningful human relationship, every lasting social innovation, introduce a structure that has never existed before. Through synergism, new structures appear and all "explanations" of such structures must describe this new element.[10] Epigenesis is the process of the development of structures which grow when phylogenetic factors interact with critical individual experience at specific stages in the life cycle. They use Erikson's definition of the concept.[11]

Erik H. Erikson is well-known for his concept of the epigenetic development of each individual in eight stages: (1) basic trust versus mistrust; (2) autonomy versus shame; (3) initiative versus guilt; (4) industry versus inferiority; (5) identity versus identity confusion; (6) intimacy versus isolation; (7) generativity versus stagnation; and (8) integrity versus despair. Erikson's epigenetic principle is derived from the growth of organisms and states that any-

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[3] This statement refers to the resistance against the research of Banfield, Jensen, Moynihan discussed later in this chapter.
[4] George C. Homans, The Nature of Social Science (N.Y.: Harbinger Books, Harcourt, Brace & World, Inc., 1967), pp. 3–23.
[5] Homans, op. cit., pp. 10–18.
[6] Ibid., p. 18.
[7] Ibid., pp. 106–107.
[8] Daniel Yankelovich and William Barrett, Ego and Instinct (N.Y.: Random House, 1970), pp. 177–448.
[9] Yankelovich and Barrett, op. cit., p. 307.
[10] Ibid., p. 329.
[11] Ibid., pp. 434–435. See also Erik H. Erikson, Identity Youth and Crisis (N.Y.: W. Norton Co., 1968) p. 92.

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thing that grows has a ground plan, and that out of this ground plan the parts arise, each part having its time of special ascendancy, until all parts have arisen to form a functioning whole.[12]

Accordingly, Yankelovich and Barrett describe explanation as a special kind of description showing a tightly disciplined selectivity, presenting a case or a theory at several levels of generality at the same time, and including purpose as well as process. It would no longer be causal explanation, mimicking the physical sciences. In fact, there may be even an element of indeterminacy in human experience, and "predicting the path of a bullet in space is not the same as predicting the aftermath of a human tragedy that the bullet brings about." Also, objects, defined narrowly, have only a mechanical aspect while human experience has both a mechanical and a synergistic aspect; and, human experience requires another kind of explanation. Yankelovich and Barrett hold that "psychology as a science should be based on a theory that will not be undermined if some margin of indeterminism figures in the picture." [13]

They freely admit "that the precise details of change over a long period of time in an individual or group grow ever more difficult to predict as synergistic possibilities increase." Furthermore, the development of new structures is greatly affected by the presence or absence of specific individual experiences at the appropriate time in a given environment.[14] This frame of reference, synergism combined with epigenesis, may afford more opportunities to study the human condition of western civilization and its derivatives than present social science theories do.

Yet, there exists another problem to plague social science. The research done by Rosenthal and Jacobsen revealed the effect of the expectations of experimenters on their findings. Rosenthal and Jacobsen called this the self-fulfilling prophecy. In the reports of the experimenters, themselves, those who had been led to expect better performance from their rats viewed their animals as brighter, more pleasant, and more likeable. They reported more relaxation in their contacts with the animals and described their behavior toward them as more pleasant, friendly, enthusiastic, and less talkative. They also stated that they handled their rats more and also more gently than did the experimenters expecting poor performance.[15] Rosenthal and Jacobsen seem to show that the researcher himself is important to the outcome of the research.

Moreover, their findings seem to apply to Yankelovich and Barrett's scholarly activity; for, in spite of their new theory which provides them with a view of man-in-his-environment, takes into account evolution and culture, admits the incongruity of determinism versus freedom, aspires toward a theory of human nature, Yankelovich and Barrett both conclude that the values of the Protestant ethic are worthy because they have built a great civilization.[16] Excluded from this conclusion are the facts that the exalted virtues of the Protestant ethic, the primacy of impulse control over expressiveness, the virtue of husbanding one's resources prudently for the future, and the high value of work and calculation, produced a comeptitive economic model which necessitated the rape and murder of the Indian for his land and the creation of the most brutal form of slavery known to man in order to capitalize it. So the experimenter's value system determines his findings, and social science must design a control for this effect.

The Problem of Values

Wheelis suggests a conceptualization of value which offers the opportunity to examine alternate sets of values at the same time. He explains that there are institutional values and instrumental values. Institutional values are generally regarded as more important than instrumental values. He says:

> The distinction is invidious if it is taken to mean that institutional values, are, by their nature, higher. Nothing of this sort is here implied, and the distinction is empirical: any value which organizes, directs, and integrates other values is, in respect to those other values, higher.[17]

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[12] Erikson, op. cit., p. 93.
[13] Yankelovich and Barrett, op. cit., p. 334.
[14] Yankelovich and Barrett, op. cit., p. 394–413.
[15] Robert Rosenthal and Lenore Jacobsen, Pygmalion in the Classroom (N.Y.: Holt, Rinehart and Winston, Inc., 1968), p. 38.
[16] Yankelovich and Barrett, op. cit., p. 461.
[17] Allen Wheelis. The Quest for Identity (N.Y.: W. W. Norton & Co., 1958), p. 182.

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Looking at American values as such may extend a way to reconciliate the black observations with the white. Whites feel that the American Creed and the ideals therein, the Protestant ethic and the Judeo-Christian ethos are highly valued and that the race problem in this country is caused by the moral conflict engendered by their violation. Blacks feel that white supremacy, European superiority, male superiority, and the superiority of people with money are highly valued and the race problem in this country is caused by the white rage incited by their rejection. It would seem, then, that there are two sets of values. Could one be institutional and the other instrumental? If so, which one organizes, directs, and integrates the other?

Instrumental values, are derived from tool-using, observation, and experimentation. They are temporal, matter-of-fact, and secular. According to this definition, equality, liberty, fraternity, and justice would be instrumental values. White supremacy, European superiority, male superiority, and the superiority of people with money would be the institutional values. Every institution supports these values in practice and they are defended by force. Wheelis observes the following:

> Institutional values derive from the activities associated with myth, mores, and status. The choice involved purports to be final. Such values do not refer to, but transcend, the evidence at hand. They claim absolute status and immunity to change, but are, in fact, relative to the culture that supports them: Christian sacraments are without validity in India, and suttee has achieved no validity in the Western World. The final authority of such values is force.[18]

On the other hand, instrumental values do not transcend the evidence at hand, but derive from progressively refined attention to such evidence. They possess transcultural validity.

> They are, however, relative to the state of empirical knowledge at any given time, and change as that knowledge is enlarged. The final authority of such values is reason.[19]

The confusion in interpretation is derived from observations.

It would appear that equality would be as good for a black man as it is for a white man, and it is. Yet, the concept of white superiority organizes this value so that the former transcends the reality of the latter. Consequently, there is a white view and a black view of the bridge. Berger and Luckmann call this a clash of symbolic universes. They say:

> The intrinsic problem becomes accentuated if deviant versions of the symbolic universe come to be shared by groups of "inhabitants." In that case, for reasons evident in the nature of objectivation, the deviant version congeals into a reality in its own right, which, by its existence within the society, challenges the reality status of the symbolic universe as originally constituted. The group that has objectivated this deviant reality becomes the carrier of an alternative definition of reality.[20]

The black alternative definition is more ascriptive than achievement oriented. In fact, human beings could be arranged on a continuum and each be given a place.

Those people possessing the institutional values would possess or strive for the instrumental values. Those not possessing the institutional values would not possess the instrumental values, and, possibly, not strive for them. Arranged on a continuum, the highest order human being would be the white man of European descent with money. See figure 1. The lowest order human being in the male universe is the black man with no money. The highest order human being in the female universe is the white woman with money, and the lowest order human being in the social order is the black woman with no money.

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[18] Wheelis, op. cit., p. 179.
[19] Wheelis, op. cit., p. 179.
[20] Peter L. Berger and Thomas Luckmann, The Social Construction of Reality (Garden City, N.Y.: Doubleday & Co., 1966), p. 98.

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FIGURE 1.—ASCRIBED POSITIONS ACCORDING TO VALUE OF HUMANS

Male superiority	White European superiority	Money	Points
+	+	+	3
+	+	−	2
+	−	+	2
+	−	−	1
−	+	+	2
−	+	−	1
−	−	+	1
−	−	−	0

Such information raises many questions. Which value is prime? What about age and religion? Will sex guarantee more participation, equality, liberty, or fraternity than race? Do the two points of the black man with money really equal the two points of the white man without money? Do black men marry white women because the black woman is despised by all other humans in the universe, him included? Why do people say the white man and the black woman are the two free people in the universe, when he is the most preferred and she is the most despised? All such questions could lead to hypotheses for future research.

The Social Science of Error

One function of social science has been to legitimate the values of the white European culture by producing for distribution and dissemination a body of knowledge supportive of a model which guarantees success to white male Europeans.[21] Although social science's goal is truth, it has largely contributed to error. Yankelovich and Barrett describe the dilemma in this way:

"If a scientific theory is a scheme of abstractions analogous in function to a map, then its truth (independently of its utility) lies in how well it depicts certain features of reality when reality's full concreteness and density can never be wholly captured by means of concepts, since abstractions, by definition exclude full concreteness." [22]

While western modes of knowing present clear and distinct abstractions, they obscure some aspects of reality.

Insight, understanding, empathy, intuition, prehension, and common sense are neglected.

"The main reason for their neglect is the difficulty of verifying intuitive knowledge by those "objective" methods which are the cornerstones of modern science. Forms of knowledge which do not lend themselves to verification by such methods are minimized or overlooked entirely." [23]

Glaser and Strauss press for theory which emerges from the data instead of wasting time and good men in attempts to fit a theory based on reified ideas of culture and social studies. This is one of few attempts at the invention and codification of new methods for verifying insights.[24]

Such pursuits, hopefully, will lead to the search for truth. Knowledge, so produced, would be the power to set men free from oppression. The power of knowledge to do so may be investigated with an anthropological formula introduced by Sol Tax.* According to this formula, the groups supported by the value system (men, white Europeans and the moneyed) are A groups (groups with power) and the groups deprived by the values (women, blacks, and nonwhites, non-Europeans and the poor) are B groups (groups without power). A has power over B.

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[21] Barbara A. Sizemore and Kymara S. Chase, "I Dig Your Thing, But It Ain't in My Bag," Notre Dame Journal of Education, vol. 1, No. 3, fall 1970.

[22] Yankelovich and Barrett, op. cit., p. 339.

[23] Ibid., p. 341.

[24] Barney G. Glaser and Anselm L. Strauss, "The Discovery of Grounded Theory" (Chicago: Aldine Publishing Co., 1968), pp. 45–77.

*This formula was introduced by Sol Tax in exhibit 44, "The Freedom To Make Mistakes," in "Documentary History of the Fox Project," edited by Fred Gearing, Robert McNetting, and Lisa R. Peattie (Chicago: University of Chicago Press, 1960), pp. 245–250.

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Power derives from control of the land and its resources. It, then, is the ability to influence the behavior of others and to make them do what they may not want to do. A universe-maintenance system must preserve the status quo to keep these groups in power. Berger and Luckmann argue that this is done through the control of knowledge. They explain it in this manner:

"Knowledge in this sense, is at the heart of the fundamental dialectic of society. It 'programs' the channels in which externalization produces an objective world. It objectifies this world through language and the cognitive apparatus based on language, that is, it orders it into objects to be apprehended as reality. It is internalized again as objectively valid truth in the course of socialization."[25]

If power groups decide what can be revealed and what can be hidden, A groups create reality for B groups and B groups hold inaccurate conceptual maps of reality.

Yankelovich and Barrett, once more comparing maps and theories say that both may be (*a*) useless and false, (*b*) useless and true, (*c*) useful and false, and (*d*) useful and true.[26] Blacks feel that social science research about blacks has more often than not been useful and false for whites and useless and false for blacks. A short review of several studies will illustrate the use of conceptual truths or truths of abstraction as vehicles for the creation of inaccurate conceptual maps.

One well-known study which centers around the truth of abstractions and the method of vertification is Daniel P. Moynihan's study of "The Negro Family."[27] The abstraction, pathology, pervaded the report. Moynihan, influenced by Catholic welfare philosophy, the failure of the war on poverty community action programs, and his work with Nathan Glazer on the black family, assumed that the black society was in the process of deterioration at the heart of which was the black family. Furthermore, he assumed that that family was caught up in a tangle of pathology which perpetuated itself through a vicious cycle which could be broken when the distortions in the black family life were corrected.[28]

As evidence in his vertification process Moynihan presents the following data: (*a*) nearly a quarter of urban black marriages are dissolved; (*b*) nearly a quarter of black births are illegitimate; (*c*) nearly a quarter of black families are headed by females; and (*d*) the breakdown of the black family has led to a startling increase in welfare dependency. He buttresses these data with several observations which develop his argument. He says that the roots of the problems are to be found in slavery, the position of the black man, urbanization, poverty, unemployment, and inadequate wages. Moynihan sees the problems increasing because of the increase in the black population.

He also suggests that the structure of the black family life is weakened by the pathology of the matriarchy, the failure cycle of youth, crime rates, and youth delinquency, the low position of the black wage earner in the job market, and the effects of drug addiction. He concludes that "a national effort toward the problem of black Americans must be directed toward the question of family structure." The object should be to strengthen the black family so as to enable it to raise and support its members as do other families.

Moynihan could have as well reported the facts in a more positive light to demonstrate that black families have maintained a remarkable measure of stability despite the discrimination against blacks and females. It is significant, furthermore, that today black people can point to records which show that a majority of their marriages are stable, that three-fourths of their births are legitimate, and that males do head three-fourths of their families.[29] He could have mentioned that forced marriages and abortions in the black community are rare because of the economic instability and this fact might affect the disparity between legitimate and illegitimate births among blacks and whites.

The astonishing result is that Moynihan clearly assigns the responsibility for the existing problems in the black community to the deteriorating black family

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[25] Berger and Luckmann, op. cit., p. 62.
[26] Yankelovich and Barrett, op. cit., p. 338.
[27] Daniel P. Moynihan, "The Negro Family: A Case for National Action" (U.S. Department of Labor, 1965).
[28] This review of Moynihan's report was taken from a paper by Barbara J. Neverdon submitted in partial fulfillment of a course at Northeastern Illinois State College Center for Inner City Studies.
[29] For further emphasis of this point see "Black Families in White America," by Andrew Billingsley (Englewood Cliffs, N.J.: Spectrum Book, Prentice-Hall Inc., 1968).

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when the major factors he, himself, uncovers occur outside of the family structure. It is not within the power of the black community to combat on a significant scale the mass discrimination practiced against it in the areas of salary, occupation, and general employment. In order to insure fair and equal job opportunities for black Americans, discrimination in employment must be attacked on a national level with vigor. Consequently, Moynihan's report to blacks is useless and false.

Another study conducted by Gunnar Myrdal used the abstraction, guilt. Myrdal, a Swedish social economist, imbued with the ideas of the Swedish welfare state which is noted for its socialistic liberality and where there is no noted race problem, used the Americans' Creed as an example of American ideals. He called the disparity between these ideals and American behavior the American dilemma.[30] A dilemma is a situation requiring a choice between equally undesirable alternatives or it is a difficult situation or perplexing problem. Myrdal does not make it clear which one of these definitions he uses. His central thesis is that a moral conflict exists in the hearts of Americans because the treatment of the Negro violates the Americans' Creed. He assumes that Americans accept blacks as human beings therefore worthy of equality, liberty, fraternity, justice, and the pursuit of happiness. This is his major problem.

Myrdal studies the victim but not the bullet which killed him, nor does he attend adequately to the value system of the culture which produced the murderer. The value of white superiority and the greatness of Western European civilization is buried in the doctrine of antiamalgamation wherein the primary valuation is racial purity.[31] But there is no entry in the index for European superiority.

Most seriously, Myrdal establishes no scale to measure his bias; friendliness to European civilization and white superiority. Nor does he provide a scale for his bias toward assimilation as a solution to the problems of black people who are oppressed. Additionally, he presents the principle of cumulation as caused which it is not.

Myrdal's principle of cumulation says: (a) as discrimination eases, things for blacks will get better; and (b) as discrimination elevates, things will get worse. Using cumulation Myrdal is free to postulate that blacks can do little to help themselves unless whites approve. In fact, he discourages the black initiative as do present day black integrationists[32] who infer that the moral conflict in the hearts of whites must effect change, and that blacks should wait for this alteration. In fact, Myrdal argues against protest and black nationalism.[33]

The principle of cumulation used in this study excludes synergism and epigenesis. It is not highly selective because Myrdal failed to reinforce his own criteria. His criteria are explicit and he says:

"The value premises should be selected by the criterion of relevance and significance to the culture under study. Alternative sets of value premises would be most appropriate. If for reasons of practicability only one set of values is utilized, it is the more important that the reservation is always kept conscious; that the practical conclusion—and, to an extent, the direction of research—have only hypothetical validity and that the selection of another set of value premises might change both." [34]

Obviously, Myrdal is operating on a hidden set of values which lead him to observe that accommodation is undoubtedly stronger than protest, "although drives for assimilation will generate protest, particularly in the South where the structure of caste is pervasive and unyielding," another myth. Today it is known that all America is the South. As Preston Wilcox puts it, there is "up South" and "down South." [35] Myrdal's study is in trouble where explanation is concerned, making it useless and false.

The study probably best known for its notoriety is the work of Arthur Jensen. His study is based on a nonoperating definition which he insists is testable. Quoted in Life he says:

"Intelligence, like electricity, is easier to measure than to define." [36]

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[30] Gunnar Myrdal, "An American Dilemma" (New York: Harper & Row, publishers, 1962).
[31] Ibid., pp. 53–57.
[32] See Ebony magazine, special issue, August 1970, "Which Way Black America?" for comments by leading blacks.
[33] Myrdal, op. cit., p. 749.
[34] Ibid., p. 1045.
[35] Preston Wilcox, "The Kids Will Decide," Ebony, August 1970, pp. 134–137.
[36] John Neary, "A Scientist's Variations on a Disturbing Racial Theme," Life, June 12, 1970, p. 580.

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Jensen simply defines intelligence as whatever the I.Q. tests measure. Armed with data therefrom he sets out to show that blacks, as a population, score significantly lower on I.Q. tests than the white population and attributes these lower I.Q.'s to genetic heritage, not to discrimination, poor diet, bad living conditions or inferior schools. His study, published in the prestigious Harvard Educational Review, February, 1969, raised a furor in the black community because of its dehumanizing and derogatory implications. Some scientists indicated that Jensen had not proved his proposition in a scientifically acceptable way. Others defended the assertion that science could not begin to differentiate hereditary variations in intelligence from environmental until social conditions had been equal for both races for several generations.[37] Jensen deals with the old nature-nuture argument but without redefining the problem or developing a broad metatheory. Jensen's work is useless and false.

Edward C. Banfield, high priest of political science, reigning as the Henry Lee Shattuck professor of Urban Government at Harvard University and head of President Nixon's task force on Model Cities, has produced another book. The author does not claim this study as a work of social science. He describes it this way:

"Although I draw on work in economics, sociology, political science, psychology, history, planning, and other fields, this book is not really a work of social science. Rather, it is an attempt by a social scientist to think about the problems of the cities in the light of scholarly findings." [38]

In view of the problems of social science discussed above, and the review of works contributing to error, one would expect to have problems with Banfield's explanations and solutions.

His abstraction is the normal culture which, of course, is white Anglo-Saxon protestant with the prime acculturating variable, the postponement of gratification or future orientation. Banfield's central thesis is false when applied to blacks because the lower class black culture is future oriented. If one is good on earth and adheres to the rule of God, one will surely go to Glory! If this is not a manifestation of the postponement of gratification, what is?

Banfield has definite biases toward upper-middle class and middle class people. He states that they plan ahead for their children. He attributes this to their "future-orientation" not to their possession of resources. They are "self-respecting" he says, "self-confident, and self-sufficient." [39] The final affront is the assertion that upper class people abhor violence.[40] The fact that police are subsidized by the rich as are armies and wars in order that they may make money and keep it is certainly contradictory. The solutions emanating from Banfield's unscholarly analysis are disastrous. Some of them are incorporated in the new unconstitutional crime legislation for Washington, D.C.[41]

The full meaning of these solutions are not readily understood because Americans receive little instruction on capitalism; consequently, it is often misinterpreted. Based on a competitive model of contrient interdependence, capitalism will always have losers, Deutsch explains this situation:

". . . Contrient interdependence" is the condition in which individuals are so linked together that there is a negative correlation between their goal attainments. The degree of contrient interdependence between two individuals refers to the amount of negative correlation; it can vary in value from 0 to —1. In the limiting case, under complete contrient interdependence an individual can attain his goal if and only if the others with whom he is linked cannot attain their goals." [42]

Said another way, when A wins, B loses, and when B wins, A loses. Then a group which is winning strives to keep that position by excluding another group.

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[37] Walter F. Bodmer and Luigi Luca Cavalli-Sforza, "Intelligence and Race," Scientific American, vol. 223, No. 4, October 1970, pp. 19–29.
[38] Edward C. Banfield, The Unheavenly City. (Boston: Little Brown & Co., 1970), p. v.
[39] Banfield, op. cit., p. 49.
[40] Ibid.
[41] For information on Washington, D.C. crime legislation see Chicago Sun-Times, July 30, 1970, for full discussion.
[42] Morton Deutsch, "Cooperation and Trust: Some Theoretical Notes in Interpersonal Dynamics by Warren G. Bennis, Edgar H. Schein, David E. Berlew and Fred I. Steele (Homewood, Ill.: The Dorsey Press, 1964), p. 566.

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Additionally, the economic paradigm of supply and demand operates in exactly this way. Parsons describes this adequately in his discussion of inclusion in the economy:

"There are demands for inclusion—both from the excluded group and from certain elements who are already "in" and there is a supply, which also operates on both sides of the exclusion line. Supply here refers, for the excluded groups, to their qualifications for a membership, a matter of their cultural and social structures." [43]

He makes it clear that the group already "in" determines the qualifications thereby controlling the supply. The qualifications demand acculturation and accommodation.

Parsons further describes the process in this matter to clarify the losers:

". . . On the side of the reciving community, supply consists in structural conditions which create institutionalized slots into which the newly received elements can fit, slots structured in accordance with the basic citizenship patterns of the developing community, not opportunities for crude exploitation by its members. Supply in this sense refers to a set of structural conditions on both sides of the "equation." [44]

Here Parsons' biases obstruct a clear description. His comments about "exploitations" are not compatible with "slots structured in accordance with the basic citizenship patterns of the developing community" nor are these comments congruent with contrient interdependence as discussed by Deutsch. For, the group already "in" determines not only the supply but the demand. It decides who will work, when and where.

The economic institutions provide the mechanism for confining blacks to the kind of participation in the competitive model wherein A can continue to win and B can continue to lose. With money the prime determinant of life and happiness, it is highly unlikely that A groups will willingly, without bloodshed, relinquish their rights to certain jobs, career opportunities, resources and capital.

Lastly, the philosophical premises of historians and anthropologists preserve the universe-maintenance system of the white European culture and its values. In history a temporalspatial arrangement of facts occurs on a white European time line into which all other facts must be squeezed. For example, a fact is that Columbus discovered America. The question asked is how could this be a fact since people were already here and occupying the country. Obviously, someone else discovered America. Who were they? White European values preclude a vigorous search for this answer.

In anthropology, the hard work L. S. B. Leakey has failed to receive the accolades that have been the rewards of other anthropologists. His diggings in Olduvai Gorge, Kenya, in East Africa have been largely self-financed and the academic community has begrudgingly acknowledged these findings. Should he prove that man began in Africa would white European values be diminished?" [45]

Social science serves to legitimate sets of knowledge for maintaining the status quo. The social scientists then design models for achieving conformity to the rules, regulations, laws, and standards which are necessary for that maintenance.

Social Science and Education

Conformity is attained through institutionalization, legitimation, socialization, internalization, and identity. These processes occur through institutions. Most social scientists study institutions. A defining characteristic of an institution is a set of rules or norms. In fact, an institution can exist only when its rules are obeyed.[46] For black folk the school is the prime vehicle for institutionalization and socialization. Education is firmly entrenched in the social sciences.

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[43] Talcott Parsons, "Full Citizenship Rights for the Negro American," in The Negro American edited by Talcott Parsons and Kenneth B. Clark (Boston: Houghton Mifflin Co., 1965), pp. 721–722.

[44] Parsons, op. cit., pp. 721–722.

[45] L. S. B. Leakey, "White African" (Cambridge, Mass.: Schenkman Publishers, 1966), pp. 207–316.

[46] Homans, op. cit., p. 50.

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and the question of conformity is central. Jules Henry deplores this preoccupation here:

"All educational systems aim at a steady state—a condition in which, on the one hand, the system tirelessly corrects deviations from the prescriptions of the culture, while on the other hand, the corrections become part of the psychoneurological equipment of the child and ultimately of the adult." [47]

Henry defines present education as socialization. It is used in the broadest sense meaning "the whole process by which a newborn infant becomes a member of society, a member of his particular society and an individual in his own right." [48] The concept of culture as a determinant of this process and of the norms and values to be perpetrated led to the "cultural deprivation" theories which were to account for the "deviants from the cultural prescriptions."

There is still controversy over the definition of culture. Valentine gives two definitions, the classical and the modern:

". . . that complex whole which includes knowledge, belief, art, morals, laws, customs, and any other capabilities and habits acquired by man as a member of society.

. . . the organization of experience shared by members of a community, including their standards for perceiving, predicting, judging, and acting." [49]

Valentine argues that social anthropologists treat the culture concept in ways that are different from the cultural method. They are generally more interested in social relations and social institutions rather than culture and use culture as a synonym for society.[50]

Education is the process which achieves conformity to the cultural values. Through it, explanations are developed about the social life of humans. Kluckholm describes the process:

"Social life among humans never occurs without a system of 'conventional understandings' that are transmitted more or less intact from generation to generation. Any individual is familiar with some of these, and they constitute a set of standards against which he judges himself. To the extent that he fails to conform he experiences discomfort, because the intimate conditioning of infancy and childhood put great pressure on him to internalize these norms and his unconscious tendency is to associate withdrawal of love and protection or active punishment with deviation." [51]

The school, then, becomes another place for the inculcation of the values or the large ended goal statements of the society.

These are derived from the culture which develops from the relationship of the people to the land and the knowledge they accrue about that relationship. Norms are the conventional standards, the rules, regulations, and the laws which a person must judge himself against, comply with and obey in order to uphold these values and maintain his group's relationship to the land. There is a system for internalizing the objective world for individual motivation to comply and obey and there is a system for objectifying reality for this internalization. Identity is the ultimate product of these processes. This is depicted in figure 2.

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[47] Jules Henry, "Is Education Possible? Are We Qualified to Enlighten Dissenters?" in "Public Controls for Non-Public Schools," edited by Donald A. Erickson (Chicago: University of Chicago Press, 1969), pp. 100–102.

[48] John A. Clausen, "A Historical and Comparative View of Socialization Theory and Research," in "Socialization and Society," edited by John A. Clausen (Boston: Little, Brown & Co., 1968), p. 41.

[49] Charles A. Valentine, "Culture and Poverty" (Chicago: University of Chicago Press, 1968), p. 3.

[50] Ibid., p. 4.

[51] Clyde Kluckhohn, "The Concept of Culture," in Culture and Behavior, edited by Richard Kluckhohn (New York: the Free Press, 1962, p. 67.)

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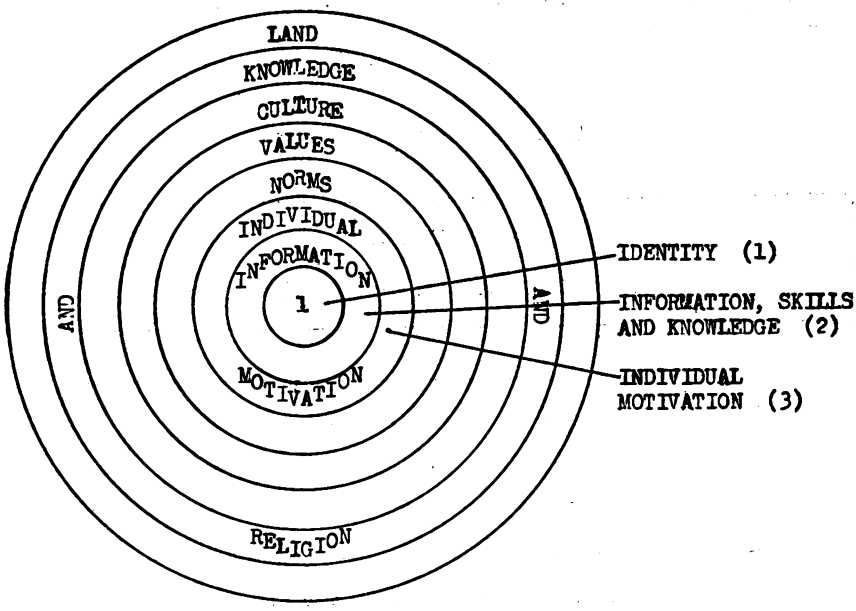
FIGURE 2



SYSTEM OF UNIVERSE MAINTENANCE

Wheelis posits that identity is based on values especially those which are at the top of the hierarchy of beliefs, faiths, and ideals which integrate and determine subordinate values.[52] He defines identity further as a coherent sense of self, elaborating in this manner:

"It depends upon the awareness that one's endeavors and one's life make sense, that they are meaningful in the context in which life is lived. It depends upon stable values, and upon the conviction that one's actions and values are harmoniously related. It is a sense of wholeness, of integration, of knowing what is right and what is wrong and of being able to choose." [53]

Erikson contributes more to the definition of identity.

The term is probably more closely associated with him than with any other social scientist. He discusses identity in terms of three definitions: (*a*) group identity which is the group's basic ways of organizing experience which is transmitted to the infant's early bodily experiences and, through them, to the beginnings of his ego; (*b*) the personal identity which is the perception of the selfsameness and continuity of one's existence in time and space and the perception of the fact that others recognize one's selfsameness and continuity; and (*c*) ego identity which is the awareness of the fact that there is a selfsameness and continuity to the ego's synthesizing methods, the style of one's individuality, and that this style coincides with the sameness and continuity of one's meaning for significant others in the immediate community. The progress of growth from group identity to ego identity occurs through epigenesis discussed earlier.[54]

Expressed still another way, the self is the total potentiality of one's beingness. This potential is bombarded by the culture. The new structure which emerges from this bombardment results in the development of personal relationships and is often labeled the personality. When the person is able to identify other than self and what is personal for self within the cultural climate, the self-concept is born. The self-concept is an aggregate of roles which gives power for the attainment of identity. During the selection of roles, the person defines his limits of freedom and uses the personality to express the self fully. The

[52] Wheelis, op. cit., p. 200.
[53] Ibid., p. 19.
[54] Erikson, op. cit.

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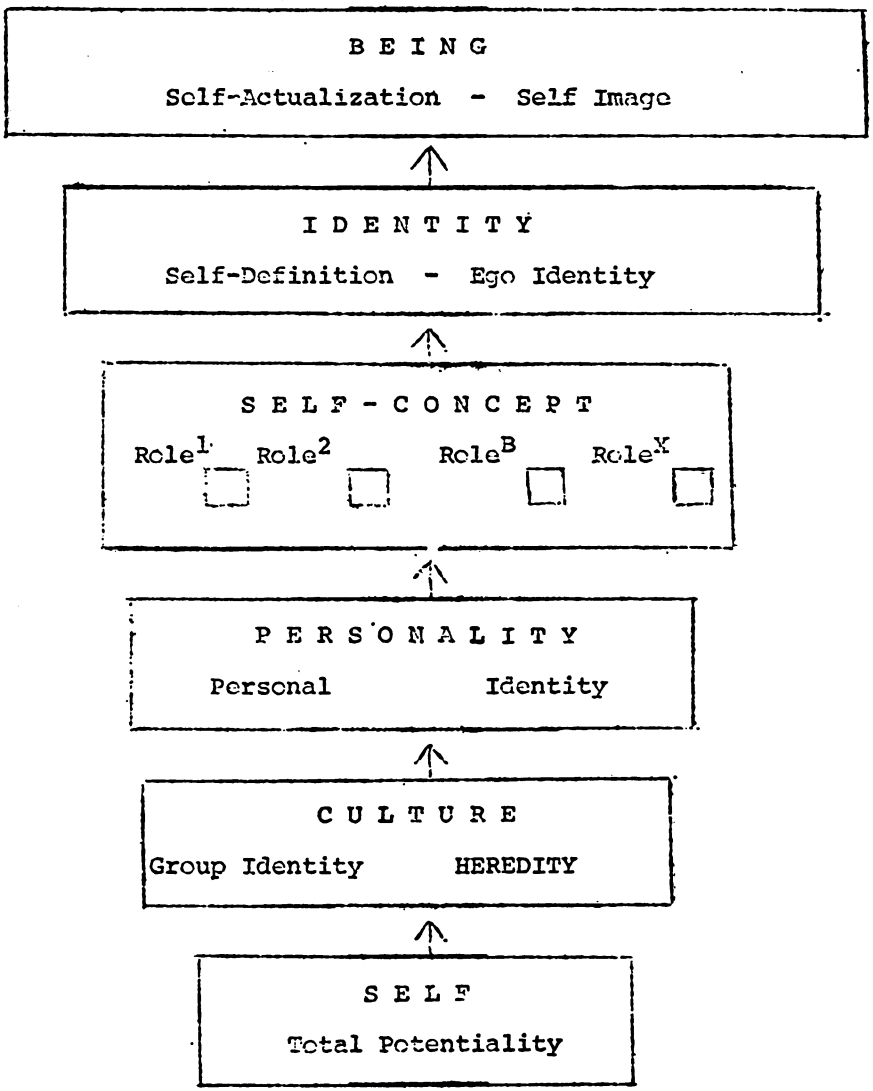
successful achievement of self-definition and ego-definition permits the actualization of the self (one's potential). The actualization of this potential is the self-image which encompasses everything of value to the individual. See figure 3.[54a]

Figure 3

The Process of Being



[54a] This theoretical framework and conceptual map are developed by Edythe Stanford Williams, Director of Follow-Through Ethno-Linguistic Cultural Model, Center for Inner City Studies, NISC.
This conceptual map was developed by Edythe Stanford Williams, Director of Follow-Through Ethno-Linguistic Cultural Model. Center for Inner City Studies, Northeastern Illinois State College.

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Society's role is to provide institutionalized settings for the experiences vital to the achievement of self-definition. Erikson argues that the adolescent needs support to help him to maintain powerful ego defenses against a growing intensity of impulse; to aline his most important conflict-free achievements with work opportunities; and to resynthesize childhood development in a way that accords with roles offered by the society.[55] Yankelovich and Barrett agree and argue persuasively that the self is a whole and must not be defined by reductionism, that that consciousness has to be restored to a more central role and that the individual does have some degree of control over his life although harshly limited.[56]

Education and a black identity

Today black people are defining themselves. Having discarded the meaningless name, Negro, they are crying, "I'm black and I'm proud." The demands for black literature and black history are attempts at restructuring the temporal-spatial arrangements of history to accommodate the presence and past of other pseudospecies, to remove the constraints on the dissemination and distribution of knowledge, and to permit the installation of the worth of blackness as a value in the black community.

Natural Afro hair styles, dashikis, "uhuru" and "umoja" are symbols of this value building effort. The idiom has been dignified by the new poets who are nation-building. Brother and sister are common terms of address after the Community of Islam. A new goal, liberation, has been substituted for integration or racial balance. The new black is saying he will be included, liberated, with full preservation of his ethnic and racial differences, and he will not hate himself or turn white to do so.

Blacks, now, are electing to reject the norms, one of the three routes prescribed by Goffman for stigmatized groups.[57] The three routes are: (*a*) To accept the norm of black inferiority which upholds the value of white superiority, but to refuse to be defined by it as an individual. Such a person would say that blacks are inferior, dirty, lazy—"But not me, I obey the rules, regulations and laws. I am properly motivated to conform and I have internalized all the information, skills and knowledge. I made mine." This person is acculturated and accommodates to the alien cultural values. Accumulation is the process of adopting the cultural traits or social patterns of a group other than one's own. (*b*) To reject the norm of black inferiority. Such a person would say, "black is beautiful. Black people have a proud and distinguished African heritage. I will not meet standards, norms, obey laws, rules and regulations which dehumanize my people. I will not internalize information, skills and knowledge which deprive me of my humanity, identity, and culture." Such a person is enculturated. He protests the culture from which alien values emanate. Enculturation is the process by which a person adapts to his own culture and assimilates its values.[58] (*c*) To pass and to cover. Such a person gives up or surrenders his right to be black and becomes white. This is assimilation. Education for the black identity must deal with enculturation processes.

Allison Davis and the Gardners looked at these processes in their study, "Deep South."[59] They revealed that the worthlessness of blackness and the fear of white reprisal were the cornerstones of the caste system. Black children imbued with these ideas are docile and submissive. They grow up to hate themselves and others like them. The models they imitate are white. Those who refuse to do so are punished by the larger society. Consequently, most blacks opt for acculturation and accommodation. It has always been harder to be black and proud and unafraid of white retaliation. Education for a black identity must face the caste cornerstones and find an answer to this problem: How does one struggle hard enough to attain liberation but cautious enough to avoid extermination?

The environment is so oppressive that it is impossible for the black identity to flourish. This oppression prevents the provision of experiences necessary for the inborn structures of young blacks to develop according to their maturational schedules. Education for a black identity must make these provisions. Carter Woodson argues that the program for the uplift of the Negro must be based upon

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[55] Yankelovich and Barrett, op. cit., p. 131.
[56] Ibid., pp. 323–324.
[57] Erving Goffman, "Stigma" (Englewood Cliffs, N.J.: Prentice-Hall, 1963).
[58] Clausen, op. cit., p. 41.
[59] Allison Davis, Burleigh and Mary Gardner, "Deep South" (Chicago: University of Chicago Press, Phoenix Books, 1941, 1965).

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a scientific study from within "to develop him the power to do for himself what his oppressors will never do to elevate him to the level of others." [60] He urges the Negro teachers to treat the disease rather than the symptoms.

The disease is the value system. It must be replaced. Civilizations and cultures can persist only if the values are upheld. A truly revolutionary movement undermines the values. If the drive toward black pride continues and gains strength, the erosion of the cornerstone, worthlessness of blackness, may lend great impetus to liberation.

Power is needed to disobey the white cultural imperatives without severe punishment. Since blacks have no land, the only power is people. Previously excluded groups consolidated their people from a separatist vantage point with an ideology composed of (*a*) a pseudospecies declaration which said "we are the chosen people of God"; (*b*) a territorial imperative which was a native land or point of origin; and (*c*) an identity specification, i.e., Irish-Catholic, Jewish, Muslim).

Separatism intensified the "we groupness" until a strong nationalism was developed. Then myths, rites, rituals were created to sustain it. Associations and organizations were developed to perpetuate it. This nationalism projected a negative identity which rejected all others as aliens and forced the people into a kind of "promotively interdependent" situation which Deutsch calls cooperation.[61] Trust then built an economic niche and a work bloc which the group dominated and thereby controlled an access to the economy. Once the capitalistic base was established, the group then vaulted into the political arena, effected coalitions and worked for power. This process has been called a power-inclusion model.[62]

Except for the community of Islam, blacks do not have the ideology necessary for a separatist vantage point. Education for a black identity must be concerned with the development of such an ideology. Berger and Luckmann describe ideology as a particular definition of reality which comes to be attached to a concrete power interest. They explain as follows:

> Every group engaged in social conflict requires solidarity. Ideologies generate solidarity. The choice of a particular ideology is not necessarily based on its intrinsic theoretical elements, but may stem from a chance encounter.[63]

Although unity has been the goal of black people, an ideology has failed to emerge to achieve it.

The processes of enculturation and acculturation led to the development of two ideologies: integration and nationalism. Integration movements, generally speaking, are acculturated movements, and usually need white support. Nationalist movements, generally speaking, are enculturated movements, and are black supported. The ideology of the struggle for liberation has vacillated between nationalism and integration. Nationalism is the strong feeling of attachment to a nation. In the case of black folk, this nation is Africa.[64] Integration refers to the openness of society, to a condition in which every individual can make the maximum number of voluntary contacts with others without regard to qualifications of ancestry.[65] The strategies of these ideologies depicted in Figure 4 are violence, nonviolence, accommodation, and protest.

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[60] Carter G. Woodson, "The Miseducation of the Negro" (Washington, D.C.: The Associated Publishers, 1933), pp. 144–156.

[61] Deutsch, op. cit., pp. 565–566.

[62] For a complete discussion of this model see: Barbara A. Sizemore, "Separatism: A Reality Approach to Inclusion?" in "Racial Crisis in American Education" edited by Robert L. Green (Chicago: Follett Educational Corp., 1969), pp. 249–276.

[63] Berger and Luckmann, op. cit., p. 114.

[64] For an in-depth discussion of nationalism, see Parsons, op. cit., pp. 710–716, and Harold Cruse, "The Crisis of the Negro Intellectual" New York: William Morrow & Co., 1967), pp. 329–332.

[65] Oscar Handlin, "The Goals of Integration" in "The Negro American" edited by Talcott Parsons and Kenneth B. Clark (Boston: Houghton Mifflin Co., 1965), p. 661.

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FIGURE 4.—IDEOLOGIES AND DERIVATIVE STRATEGIES

	Nationalism				Integration			
	Violent	Non-violent	Accommo-dating	Protest	Violent	Non-violent	Accommo-dating	Protest
Panthers					X			X
S.C.L.C.						X		X
Islam		X	X					
RNA	X			X				
NAACP						X	X	

All organizations use both accommodation and protest in some form. The chart points out the predominant alternative used by the organization.

Education for a black identity must provide a broader set of knowledge to provide the information and skills to construct alternative institutions for enculturation processes. The present emphasis on the African heritage and black culture will provide some experiences for the growth of this new black identity. But, the identity is never complete. It is open ended and thereby subject to threat. The new black must discover ways to preserve the black identity or he may be forced to surrender it again. Presently, the white is dominant and defines reality. But his limits, too, are set by nature and nature acts back.

New structures emerge as humans interact with nature and the socially constructed world. In this process change occurs. In order to inject new cultural ideas and new direction for the pursuit of truth into present attempts at expanding the frontiers of human knowledge, blacks must invade the sacred precincts of the physical sciences from which they are being systematically excluded as well as the social sciences. Scientific inquiry can provide approaches useful to black people, and education must be concerned with that search.

Teachers and educators must unearth and disseminate knowledge, skills, and information which construct more accurate conceptual maps of reality for: (1) Understanding the people blacks must unify; (2) Identifying those who might oppose this unification and neutralizing or destroying their effects; (3) Differentiating the real world from its illusion; and (4) Providing the insights needed to discover alternatives otherwise unavailable.

From these conceptual maps new synergistic structures will evolve: a strong cultural base for black people and enculturated black identity based on the new values emphasizing the superiority of God, the worth of humanity, the beauty of blackness, the African heritage and the power of truth, knowledge, love, and peace.

BIBLIOGRAPHY

1. Banfield, Edward C. "The Unheavenly City." (Boston: Little Brown & Co., 1970) page v.
2. Banks, Henry A. "A Black Consciousness: A Student Survey," "The Black Scholar," September 1970, page 44.
3. Baraka, Imamu Ameer. "A Black Value System," "The Black Scholar," November 1969, pages 54–60.
4. Berger, Peter L., and Thomas Luckmann, "The Social Construction of Reality" (Garden City, N.Y.: Doubleday & Co., 1966), page 98.
5. Billingsley, Andrew. "Black Families in White America" (Englewood Cliffs N.J.: Spectrum Book, Prentice-Hall Inc., 1968).
6. Bodmer, Walter F., and Luigi Luca Cavalli-Sforza, "Intelligence and Race," Scientific American, volume 223, No. 4, October 1970, pages 19–29.
7. Clausen, John A. "A Historical and Comparative View of Socialization Theory and Research," in "Socialization and Society," edited by John A. Clausen (Boston: Little, Brown & Co., 1968).
8. Cruse, Harold, "The Crisis of the Negro Intellectual" (New York: William Morrow & Co., 1967), pages 329–332.

Digitized by Google

9. Davis, Allison, Burleigh and Mary Gardner, "Deep South" (Chicago: University of Chicago Press, Phoenix Books, 1941, 1965).
10. Deutsch, Morton, "Cooperation and Trust: Some Theoretical Notes in Interpersonal Dynamics" by Warren G. Bennis, Edgar H. Schein, David E. Berley, and Fred I. Steele (Homewood, Ill.: The Dorsey Press, 1964), page 566.
11. Erickson, Erik H. "Identity Youth and Crisis" (New York: W. Norton Co., 1968), page 92.
12. Glaser, Barney G. and Anselm L. Strauss, "The Discovery of Grounded Theory" (Chicago: Aldine Publishing Co., 1968) pages 45–77.
13. Goffman, Erving. "Stigma" (Englewood Cliffs, New Jersey: Prentice-Hall, 1963).
14. Henry, Jules. "Is Education Possible? Are We Qualified to Enlighten Dissenters?" in "Public Controls for Non-Public Schools" edited by Donald A. Erickson (Chicago: University of Chicago Press, 1969), pages 100–102.
15. Homan, George C. "The Nature of Social Science" (New York: Harbinger Books, Harcourt, Brace & World, Inc., 1967) pages 3–23.
16. Parsons, Talcott. "Full Citizenship Rights for the Negro American," in "The Negro American" edited by Talcott Parsons and Kenneth B. Clark (Boston: Houghton Mifflin Co., 1965), pages 721–722.
17. Rosenthal, Robert and Lenore Jacobsen, "Pygmalion in the Classroom" (New York: Holt, Rinehart and Winston, Inc., 1968), page 38.
18. Sizemore, Barbara A. "Separatism: A reality Approach to Inclusion?" in "Racial Crisis in American Education" edited by Robert L. Green (Chicago: Follett Educational Corp., 1969), pages 249–276.
19. Sizemore, Barbara A. and Kymara S. Chase, "I Dig Your Thing, But It Ain't In My Bag," Notre Dame Journal of Education, volume 1 No. 3, fall, 1970.
20. Valentine, Charles A. "Culture and Poverty" (Chicago: University of Chicago Press, 1968), page 3.
21. Wheelis, Allen. "The Quest for Identity" (New York: W. W. Norton & Co., 1958), page 182.
22. Wilcox, Preston "The Kids Will Decide," Ebony, August, 1970, pages 134–137.
23. Woodson, Carter G. "The Miseducation of the Negro" (Washington, D.C.: The Associated Publishers, 1933), pages 144–156.
24. Yankelovich, Daniel and William Barrett. "Ego and Instinct" (New York: Random House, 1970), pages 177–448.

AN ALTERNATIVE TO MISEDUCATION FOR THE AFRO-AMERICAN PEOPLE*

(By Edwina C. Johnson)

Position Statement

The African decendants in America, having passed through three phases of education in America—de-Africanization, dehumanization, and, finally, an inferior caste status—through application of self-determination and the establishment of a voluntary self-separated school system, can educate themselves.

The country as a whole is unable to meet the challenge due to deep-seated racism which permeates the educational system as well as every other institution of the society.

As stated in 1964 by Brother Malcolm X, the case is clear for an alternative:

> When I was in the 8th grade, they asked me what I wanted to become. I told them I wanted to study Law. But they told me law was not a suitable profession for a Negro. They suggested I go into something else * * * like carpentry, maybe.* * *
>
> "Education is a dependent, interacting unit of the whole culture."—Doxey A. Wilkerson, associate professor of education, Yeshiva University.

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*Seminar for teachers, New York City Public Schools, Dec. 13 ,1968.

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As America developed throughout the centuries, first as small overseas colonies of Europe and eventually into an independent nation, the educational system developed and refined itself in order to meet the needs of the society. Education is, from the anthropological standpoint, one of the several major societal institutions. As Professor Wilkerson states (above), education interacts with the other institutions of a society. For purposes of clarity of focus, some historical setting is necessary at this juncture.

The American colonists copied European schools as much as possible. The schooling of the young was designed throughout the centuries to meet the changing needs of the whole society. The society as a whole changed from overseas colonies to a struggling, fledgling "democracy" and finally developed into a technological world power. The Afro-American was and is educated to serve that society (the colonies, the fledgling democracy, the technological world power) as a subordinate without human benefit or dignity.

Education as it Was Developed for Pupils

1600's—The colonial government had general authority over schools. The poor children were apprenticed to learn a trade. Latin grammar schools were offered as secondary education to wealthy boys. In 1636, Massachusetts founded Harvard College.

1700's—Practical education developed in the colonies for jobs in business, trade, navigation, et cetera. Benjamin Franklin helped found an academy in Philadelphia in 1749. By 1776, there were already nine colleges: Harvard, William and Mary, Yale, Princeton, Columbia, Pennsylvania, Brown, Rutgers, and Dartmouth.

1800's—Gradual establishment of State systems of public education. Separation of church and State became a reality. The elementary school curriculum was expanded to include (besides the "three r's") art, bookkeeping, drawing, geography, history, homemaking, science, et cetera. In the 1820's, teacher training institutions were founded, and later these became 4-year colleges and granted degrees. By 1875, free public education was established.

1900's—Technological developments. Thousands of advanced institutions of learning became a reality.

Education of the Afro-American People

1600's—Africans, indentured servants, then perpetual enslaved persons, then enslaved persons by law. The colonial government varied colony by colony as regards the eventual "slaves by law" status. The African was, however, set apart almost at once and excluded from the general population of persons to be admitted to the educational program for whites.

1640—Perpetual servitude defined in Virginia.

1662—System of enslavement established by law in Virginia.

1664—System of enslavement established by law in Maryland.

1673—System of enslavement established by law in Carolina.

1684—System of enslavement established by law in New York.

Strict separate social codes for the blacks were developed throughout the colonies to reinforce the subordinated status. The African was forbidden to speak his own language, to practice his own religion, he was, in effect, de-Africanized during the early colonial period.

Learning for the African, then, was to lose his identity as an African, give up his African institutions, even his name. Learning to memorize some Bible passages was permitted for the sake of "saving his soul." His education was in the field, in the enslaved persons quarter, where he adjusted or died in the state of servitude to whites.

1700's—Slave or black codes: an enslaved person for every white person.

1. No freedom of assembly—except at church or at Christmastime. This meant no more than four or five blacks could assemble normally.
2. Firearms forbidden.
3. No beating of drums or blowing of horns (to prevent signaling for insurrectionary actions).

There was some effort on the part of religious groups to establish "Negro Schools" during the 1700's.

1. A Negro school in New York, 1701.
2. A Negro school in Philadelphia, 1770.

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These were most often met with hostility from the white community due to the general feeling that an educated black was a dangerous one and would no longer be of service to a master.

1800's—Professor Benjamin Quarles describes the education of the Afro-American succinctly for this century:

> The lot of the typical slave, regardless of locale or occupation, was influenced in large measure by the psychological and legal controls brought to bear on him. All slaves were inculcated with the idea that whites ruled from God and that to question this white divine-right theory was to incur the wrath of heaven, if not to call for a more immediate sign of displeasure here below. A slave was told that his condition was the fulfillment of the will of the Master on high, catechisms for the religious instructions of slaves commonly bore such passages as:
>
> Q. Who gave you a master and a mistress?
> A. God gave them to me.
> Q. Who says that you must obey them?
> A. God says that I must. (1)

Freedmen were regularly ostracized, lynched, resold into a system of enslavement, and generally rejected. Attempts to educate themselves were discouraged with threats or acts of violence.

Free mulattoes occasionally were educated abroad. In Georgia and Florida, even when free, an Afro-American was forced to have a white guardian to whom he had to report regularly. Curfews were enforced, and except for churchgoing (which was considered good for the continuance of docility), the right of assembly was denied. Every Southern State had a law forbidding immigration—hence, the Afro-American was "boxed in" by law and denied entrance to schools where whites were enrolled.

Enslaved persons were taught trades as a means to better serving the white master. However, once a freedman, the same man was excluded from the trades.

The Afro-American child learned that his family members were scattered through the auction of enslaved persons, learned to loiter in the fields, to sabotage the progress of field work, to feign illness as a means of escaping a day in the fields, learned to pretend to be "happy" to prevent a whipping, learned to bend his inner pride in order to survive the severity of enslaved life, learned that any posture of dignity on his part could lead to a severe beating or an instant removal to a worse locale. The Afro-American child, enslaved or free, learned that he was not a human being. This was the dehumanization stage of the education of the Afro-American.

1900's—Outcast from participation in American life, relegated to peonage with practically no education in the South and segregated in the North. This is the inferior caste status of the 20th century. So-called Negro colleges, established with funds in the South by philanthropic whites, educated the Afro-American to accept his subordinated position in America, to be a "good Negro," that is.

The foregoing briefly describes the vast differences between the development of education for the white and for the black in the United States. The white was educated to become a community citizen, to be productive and to earn his living. The black was educated to serve the white community as an enslaved person or as a free man, to accept a role of a subordinate to the white in every facet of life. "The northern capitalists who were giving their support to Negro education in the South were not interested in making men. The southern whites were opposed for other reasons to the development of a truly educated leadership among Negroes." (2) Industrial education, as proposed by Booker T. Washington, became a tool of white supremacy. Industrial education schools were supposed to instill in their students a spirit of humility and an acceptance of their inferior status. Moreover, no teacher in a school of industrial education could mention the existence of labor unions. The emphasis on this education was supposed to be on the "heart and the hand" rather than the head because southern white people did not want the Negro's head to be educated. (3)

The unevenness of the pattern of informal (enslaved person-field) but rigid education given the Afro-American as well as the varied and irregularly attempted patterns to develop formal educational institutions for the Afro-Ameri-

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can sharpened the controversy within the country over whether or not the Afro-American was educable at all, was dangerous if educated formally, or even if he was to receive benefits from the public educational institutions founded by State laws and for which he paid taxes as a freedman. The following may assist in shedding light upon the genesis of the current conflict and the need for an alternative to mis-education for the Afro-American people.

Every early liberal tendency regarding the education of the African was discouraged and finally overwhelmed as the system of enslavement evolved. During the American Revolutionary era, a slight progressive trend developed because of a temporary decline in the economic value of the system of enslavement.

As enslaved persons' power expanded and resurged during the first half of the nineteenth century, negative attitudes toward educating the Afro-American reemerged. In this light, two periods are deemed important:

1. 1600–1835—Faint affirmation of the prudence in educating people of African descent.
2. 1835 on—As the Industrial Revolution altered the system of enslavement, a negative attitude developed: it was dangerous to educate a black, for he would then possibly no longer serve as an enslaved person.

Important, too, is a consideration of the types of persons who were interested in educating the Afro-Americans during the period of enslavement:

1. Masters who taught bookkeeping and clerical duties to their enslaved persons in order to increase the economic efficiency of the labor supply.
2. Persons who felt pity for the oppressed and wished earnestly to help them.
3. Missionaries who felt that Africans should learn the English language in order to understand the principles of religion as they espoused it.

The Revolutionary War increased educational opportunities for Afro-Americans slightly; however, these opportunities were overwhelmingly destroyed as the profits from the system of enslavement sharply increased some 50 years later. There were two reasons for the negation of education for Afro-Americans, enslaved or free:

1. the world-wide industrial revolution which gave rise to the establishment of the southern plantation system;
2. the efforts of educated Afro-Americans to publicize to the world the baseness and cruelty of the system of enslavement and the successful Haitian revolution executed by Toussaint L'Ouverture.

Thereafter, Southern statesmen wrote into the statute books laws which prohibited the education of the Afro-American. The laws as related to education were as follows:

1. An assemblage must be in the presence of particular white men.
2. Freedmen were made to leave the area, preventing any aid to education of the enslaved persons they might give.
3. Enslaved persons were no longer to be taught bookkeeping or any type of clerical skill.
4. Private and public teaching of any kind to Afro-Americans was prohibited.

It became clear to holders of enslaved persons that "as intellectual elevation unfits men for servitude and renders it impossible to retain them in this condition, it should be interdicted." (4) In order to keep the Afro-American in a complete service state, it was also necessary to keep him in the state of degradation and ignorance. So serious was the restriction of education for Afro-Americans, there were laws in many States making it a crime for an Afro-American to give instruction to his own child.

As time passed, enslaved persons who could read and write were considered as suspect and dangerous. The notions against educating the African traveled northward. Hence, fugitives and freedmen who went northward began to experience a severe rejection at every turn. Freedmen were not to be educated in the North either. Freedmen were subsequently forbidden to open schools in some areas of the North. Afro-American teachers were run out of town in other areas. In extreme situations, schools were burned to the ground if they serviced black students. Booksellers of African descent were tortured (an excellent example of this is the case of David Ruggles in New York City). (7)

Thomas Jefferson in 1781 described the Afro-American as being of a lower classification than the European, of having body odors, and of having sensu-

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ality as the center of his style of life, of being easily humored and having less brain capacity than the European. (6) This early writing by an American statesman has been repeated through the centuries and has found its way into the educational literature and been even proven in studies. So heavy is the weight of prejudice it has become a part of educational attitudes.

Although the system of enslavement, which dehumanized the African in America, failed finally, a malignant caste system developed which has mitigated against the progress in education for the Afro-American right up to and including the present time. As summarized in the U.S. Riot Commission Report:

> The Negro is in the United States by the very reverse of the democratic principle of free choice. He was seized in his native Africa by force, transported free of charge . . . and compelled to labor as a slave for white masters. He was denied the most basic kind of education, and was separated from his family throughout slavery. (He was denied the most basic kind of education, and was torn from his family throughout slavery.) The racism in the country against the Afro-American casts blame on him for those very characteristics the slave owners imposed by rule upon him during the 300 years of slavery. Any effort on his own part to better his condition educationally is cut down by the malignant racism which has developed over the centuries. The Dred Scott decision formalized his inferiority through the courts, the Supreme Court decision in the case of *Plessy* v. *Ferguson* established segregation by law and by custom. (7)

The report clearly states: "The events of the summer of 1967 are in large part the culmination of 300 years of racial prejudice. Most Americans know little of the origins of the racial schism separating our white and Negro citizens. Few appreciate how central the problem of the Negro has been to our social policy." (8)

The schisms in the country pervaded education to such a degree, it is considered futile by Afro-Americans to resolve conflicts with white participation. The Ocean Hill-Brownsville test case is a classic example of racism in high level operation. The determination for self education follows as a logical alternative. "In the context of professed ideals, Negroes would find more retrogression than progress, more rejection than acceptance." (9)

Dista H. Caldwell states the case for voluntary segregation this way: "At present the survival of the Negro depends upon greater racial solidarity." (10)

The problems of Afro-American education are unique, and they demand unique, distinct, and separate schools in order to be solved. In a real democratic society, separate schools would be unnecessary. However, in a "democratic in name only" society, and in practice, aristocratic, separate schools for the minority denied participation is a sound solution for that minority.

The Afro-American, in the 20th century, is in reality, struggling for the goals that the Europeans were struggling for in the 1770's.

NOTES

1. Benjamin Quarles, "The Negro in the Making of America." New York: The Macmillan Company, 1964.
2. E. Franklin Frazier, "Black Bourgeoisie." New York: Collier Books, 1964, page 62.
3. Ibid., page 63.
4. Carter G. Woodson, "The Education of the Negro Prior to 1861." New York, reprint by Arno Press, 1968, page 9.
5. The Schomburg Collection of the New York Public Library files on David Ruggles.
6. Thomas Jefferson, "The Inferiority of Negroes." Negro Heritage Library. Yonkers, New York: Educational Heritage, 1965, page 37.
7. "Report of the National Advisory Commission on Civil Disorders," U.S. Government, advance copy by the New York Times, 1968, page 214.
8. Ibid., page 206.
9. Ibid., page 235.
10. Dista Caldwell, "The Education of the Negro Child." New York: Carlton Press, 1961.

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THE FUTURE OF ACCOUNTABILITY

By Edythe J. Gaines

A Way Out of the Tangled Web

Oh what a tangled web we weave when first we practice to—to change what educational consumers (pupils, parents, public) had in mind when they applied the term accountability to education into something professionals in education believe they can live with more comfortably. Rather simple-to-understand and straightforward notions have been all but buried in a mass of calculations, complications, protestations, and concatenations. Taking that route, our profession is in danger of missing a grand opportunity to save the profession, to raise it to new and higher levels of respectability and of status, to bridge the ever-widening gap between educators and their various publics, and to gain a much-needed measure of peace across the battle-scarred fields. These in recent times have tended to separate us from the newest claimants of our services, that is, the "new" minority groups in this country, one of which, Afro-Americans, is at least 478 years "new" inasmuch as they arrived with Columbus.

Let me remind you that the question of accountability was not raised, in the first instance, by the professionals. It was raised by the laity. It tended to be raised in three contexts.

First, in communities where citizens vote directly on education taxes, the question has been raised in the context of school bond issues. "Parents and taxpayers" groups, with very strong emphasis on "taxpayers," have rebelled against the rising costs of education without receiving an equivalent rise in client satisfaction with what the education dollar is buying.

Second, when legislators were persuaded to vote allocations of funds especially for programs designed to improve educational results for the "economically and educationally disadvantaged" student, they insisted upon proofs, to be provided by evaluation studies, that the money spent brought about the results intended.

Third, there were parents and students and members of the public who were the traditional supporters of education—usually supporting bond issues, higher education taxes, higher teacher salaries, and greater expenditures for education generally—who began to have serious doubts as to the ability of the public schools to educate their children effectively. The patently-easy-to-see, clearly evident massive failure of the schools to educate the children of the poor and of minority groups brought cries for accountability from these groups early on. Upon closer inspection, parents from other walks of life began to perceive that their children, too, were not getting the kind of education to which the parents aspired. Coalitions began to form—shaky but there, nonetheless—between and among a broad spectrum of parents, all demanding better performance on the part of the schools and couching their demands in terms of professional accountability. While this group traditionally has not begrudged education a full measure of financial support (quite the contrary), today it, too, is asking searching questions about the uses to which educational resources are being put, in terms of the results that are forthcoming.

It is with reference to this last-mentioned group that my remarks will deal. It is this group whose alienation should be of particular concern to public school people, for it constitutes our traditional base of support. Loss of this support base leaves us with no foundation at all on which to rest. The continued existence of public education hangs in the balance. Can anyone deny that?

Given the stakes, one must be appalled at the response our profession has made to calls for accountability on the part of this group of people. When parents asked why their children were not getting the kind of results from schooling they had hoped for and expected, the response has been one or more of the following.

One response: There is something wrong with your child.—The message is never given in so straightforward a manner as this. It is couched in such descriptive terms as culturally deprived, socially disoriented, linguistically handicapped, educationally disadvantaged, neurologically damaged, genetically weak, perceptually impaired, emotionally unstable. But these terms are almost never accompanied by unassailable evidence about the accuracy of the label as applied to that individual child. These terms tend, instead, to be group labels, and parents rightly are not about to accept such unproven labels as being applicable

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to their child. Moreover, parents know that something must be wrong with the diagnosis when too many children fall within the "problem" categories. Parents easily accept the thought that one or two percent of the children may fit one or more of these descriptions. When the figure gets to be more than 10 percent, parents begin to be concerned about the accuracy of the data. Although they may not complain, they become alert and watchful. But when the "problem" or failing children get to be 60 percent to 80 percent of the total pupil population, as is the case in several poorer neighborhoods in the city, then nothing is going to convince parents that the problem lies with the children and not with the schools—and they are right.

Another response: There is something wrong with the surrounding environment.—Again, other terms are used—such as social disorganization, societal factors, the poverty cycle. The problem with this is that parents know all about the surrounding environment (after all it is they, not the professionals, who live there). But they fail to see, and the professionals have failed to prove, a 1-to-1 relationship between a child's reading retardation and whom the child's parent is sleeping with. Indeed, if sleeping only with one's bona fide, certified husband or wife were a precondition for learning to read, then precious few children from the upper middle to upper upper social strata would learn to read. Parents are mindful of the fact that the public schools in the case of the earlier minorities, the European immigrants, specifically accepted the responsibility of bringing the children of the poor into the mainstream of life in this country. They do not understand why the schools have lost that earlier sense of mission and the accompanying skills to carry it out.

Another response: The schools cannot be solely responsible for all of today's ills, including pupil failure; the schools cannot be held accountable for everything.—But, dear colleagues, don't you know that parents already know that; that parents are fully aware that schools cannot be expected to do everything. However, the distance between not being held accountable for everything and not being held accountable for anything is quite a distance indeed—one that parents and students simply cannot be expected to accept. We can't have it both ways, you know. We can't say to the public on the one hand that the schools are institutions vital to the general health and welfare of this Nation, thus deserving strong and expensive support, while saying on the other hand that the schools cannot assure the Nation that they can bring about any of the outcomes expected of institutions which are vital to the general health and welfare of the Nation.

Another response: Standardized test scores cannot appropriately be used to judge the effectiveness of individual teachers nor of school units.—But think a bit. Why do parents place such confidence in the value of standardized test scores as measures of success and effectiveness? The answer is that we, the professionals, have taught them to so regard these scores. Look at how we have used them. We have deemed them to be so accurate a measure that we use them to group children; to select those who are going to get "enriched" curriculums and those who are going to get educational pablum; to determine who will go into the "academic" track and who will go into "commercial" or "general" tracks in high school; to determine who will go to college and who will not. Indeed, we have used them to determine the life chances of our youth.

Given this example on the part of professionals, is it any wonder that parents have logically concluded that standardized test scores are quite accurate and quite legitimate measures of success and effectiveness? Why not, then, apply these miraculous measuring tools to a determination of the success and effectiveness of individual educators and of school units?

No, it is we educators, not the laity, who are dealing in non sequitors and logical inconsistencies when we say (through our behavior if not our words) that these test scores can make clear determinations about the performance of pupils but not about educators and schools.

Again, we cannot have it both ways. Parents undoubtedly will give up the idea of rating educators in terms of test results when educators give up rating children by these measures. Only when poor scores do not automatically denote a poor student (and vice vesa) will parents concede that poor results do not automatically denote poor educators.

Another response: The concept of accountability leads to the measurement of the narrowest aspects of education, those aspects that can be quantified and measured. Yet, the most important outcomes of education are human and humane, and these will not yield to an accountability scheme. Therefore let us not have

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one.—Methinks thou dost protest too much. Parents and students have never advocated accountability measures limited to numerically quantifiable characteristics. Quite the contrary. They are very much concerned with organizational climate, with attitudes and nonverbal communication, with the quality of the human transactions that occur in schools. Clearly, too, they want much more from schools than whatever skills are measured by standardized tests and other such tools. I repeat that such tools are much more the darlings of the professionals than they are of the laity. We created them; we gave them status; we use them pervasively.

No, parents are not satisfied merely with accountability with respect to the "3 R's." Parents simply say that schools ought at the very least be able to teach the "3 R's" after centuries of continuous experience. It is precisely for this reason that parents are appalled to see that schools cannot even succeed in teaching some of their pupils mastery of these ancient and basic tools for further learning.

Another response: Since certain children are doing poorly on standardized tests, let's not administer these tests to them at all. Constant failure on these tests is destructive of the children's confidence and sense of self-worth. Let us not subject them to this unproductive pain. Indeed, let us choose to teach other things at which these children can be more successful.—I must confess that the first time I heard this argument I couldn't believe my ears. Yet, I've heard this argument advanced again and again and by people who consider themselves to be "on the side of these children." (Please note the expression, "*these* children.")

Parents hardly know what to say to this argument. It is so chock full of patronizing insult to their children. It is a clear call for goal displacement.

This is not to say that standardized tests are good or valid or well constructed or anything else. It is to say that parents reject a double standard in education. They also suspect that behind this "kind" argument lies a desire on the part of educators to hide the evidence of their failure to effectively educate "these children."

Another response: Accountability is an extremely complex notion. It requires knowledges and tools not presently available to us. We do not have adequate measuring tools. In fact we don't even have an accurate and agreed-upon definition of that which is to be measured; therefore, we cannot really have an accountability system at this point in time.—Hence we get a circular argument. When all the limitations and restraints and complications are explained to them, parents say that they were never asking for an accountability system measured with the accuracy of calipers. They say that they'd be content to have effectiveness bear some relationship to results as seen in pupil performance. But when parents say that, educators immediately warn that student performance is a function of "countless other variables which are often uncontrollable and too multi-dimensional to analyze effectively." The author of that statement (Allan C. Ornstein in a paper called "Methods for Conducting Teacher Behavior Research: With Implications for Educating the Disadvantaged," based on his unpublished doctoral dissertation, N.Y.U.) went on to argue that there is no agreement as to what constitutes desirable student behavior; therefore, there is no way to tell whether or not a teacher is or is not getting the desired results. In other words, you can't get there from here.

Parents rejoin, "Fellows, stop making it so complicated. We didn't ask you to calibrate every aspect of our child's functioning. We just asked you to stop producing functional illiterates who not only hate school but also are frequently totally turned off to learning by the time school is finished with them. We ask you to stop changing bright-eyed, alert, ready-and-eager-to-learn kindergarteners into glassy-eyed, surly, and turned-off secondary youth who think of school mostly as a place to 'get in, get through, and get out.'"

Parents know that it is absurd to suggest that we can measure with absolute precision and exactitude the degree to which an individual professional's input results in a specific and identifiable outcome in terms of individual pupil performance, and they know that it is absurd to suggest that we can get such exact measures with respect to the effectiveness of school units. To use this as an argument, however, to suggest that nothing can be learned about the impact of educators and schools on the performance of individual pupils and groups of pupils is to carry the argument far too far. It flies in the face of common sense and of one's sense of truth.

Every parent knows a teacher who seems always to be successful with whatever children are assigned to him. Every parent has a fair notion of which schools

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are more effective than others. You ask parents to deny their sense of truth when you ask them to deny that such differences exist, can be identified, and probably can be explained in terms of differentiated human input.

Another response (This is what I call the throw-yourself-on-the-mercy-of-the-court-with-a-plea-for-clemency response.) *Yes, you're right. We educators really don't know much about why certain pupils are failing or about what to do about it. We are failing with "these children," but there is no malice there. We are doing the best we can. We just don't know any better. So, let's devise an accountability system that will not hold us responsible for present performance, but which will show us the way to become better performers in the future.*—There is something about this "we don't know" thing that bothers me as a professional. I am reminded of a scene in the motion picture "Gone with the Wind" in which Butterfly McQueen, playing the role of a house slave who got her "privileged position" in the household of the pregnant Scarlet O'Hara by claiming to be expert in delivering babies, cried out in panic, when the crucial moment came, "But Miss Scarlet, I don' know nuthun' 'bout no babies!" So with too many of today's educators. They hardly cross the threshold before they begin to tell you that they cannot do what they profess (by title and position) to be able to do. We have, for example, the spectacle of the English major licensed to teach English declaring unashamedly that he knows nothing about the teaching of reading—as if reading were not part of English.

Parents say, "You called yourselves educators, I didn't. I accepted you for what you said you are. You told me that yours is a profession; I didn't tell you that. I merely accepted what you said. You said that as a professional you are entitled to professional salaries, to professional autonomy, to the other rights and privileges of professionals. I did not argue with that. I merely ask that you do what you profess to be able to do. This is no time to tell me that you don't know how!"

It is for this reason that I do not believe that the accountability scheme being worked out in New York City will be at all acceptable to the groups of parents and community people who demanded it. In essence it is an educational accounting system, not an accountability system. Parents will not object to such an accounting system, but I doubt that they will accept it as a substitute for the accountability system for which they asked. They are likely to consider it to be a giant copout, a betrayal of their trust. It is my fervent hope that Educational Testing Service, the chief consultant for the project, will radically restructure its design so that it does indeed at least attempt to meet the people's aspirations for professional accountability—a concept that rests upon the notion of responsibility that can be fixed for the results of the educational enterprise.

The design for New York City speaks of collective responsibility of the staff for knowing as much as it can about the pupils, and of collective responsibility of the staff to use this knowledge, as best it can, to maximize the development of pupils toward defined and agreed-upon pupil performance objectives.

How in heaven's name can a staff be "collectively responsible" for anything? How do you operationalize that concept? What if they "collectively fail"? Then what? Do you ultimately separate them from service "collectively"?

Really, the public is not a collection of fools. They know that such terms have no real meaning. They know that we know that, too. Therefore, they suspect us of acting in bad faith. That is no basis upon which to reestablish public trust in the public schools and in their educators.

A final response: Parents and public cannot be trusted with data on school performance. They would use such data as weapons, engaging in vigilante activities. Therefore, try to avoid giving them such data.—No doubt fear of reprisal is the reason behind many of the diversionary maneuvers in the accountability game. But what is the evidence on this matter? There have been so few cases of this kind of witch hunting that every case has been headline news. Why should an entire profession cower in unreasoning fear of unlikely consequences?

In a truly useful accountability system, practitioners would learn what they need to know in order to be successful in their work. First they would learn what is expected of them since parents and public would, at long last, have to combine their lengthy, overinclusive, often conflicting set of expectations into agreed upon goals. Next, practitioners would learn the extent to which they are or are not meeting those goals. Finally, they could use that information to help them to search out, in a clear and focused way, those practices and programs which hold promise of helping them learn to behave in such a way as to more nearly successfully meet those goals.

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In such a setting practitioners could reach a new level of freedom from stress. Make no mistake about it: with or without an accountability system, the educator who is failing in his work knows it and is shattered by that knowledge. Nothing equals the private anguish experienced by such a person. However, since he perceives it to be to his advantage not to admit to his problem, he tends to take on adaptive modes of behavior that are not merely destructive to the ends of education for children, but are also destructive to the practitioner himself—both personally and professionally.

These, then, are the most typical responses of professionals to the concept of professional accountability. They are very much out-of-phase with parent and public perceptions, aspirations, and expectations.

What, if anything, could get us professionals to change our stance? I believe that a change will come only when we perceive that there is something vital to us in the concept. We cannot be motivated by fear. No one can be. We can be motivated by hope and by the promise of saving solutions to our own pressing problems.

A good accountability system would free us from the stresses and strains inherent in trying to meet myriad, unspecified, often conflicting expectations. It would recognize not only that pupils are uniquely individual human beings but also that educators are, too. Thus, it would free us to find our own personal paths to glory, if such can be found. It would not subject us, therefore, to the anti-human individuality and uniqueness that inheres in the "collective responsibility" notion. Such a notion leads to collective anonymity and conjures up an image of a long, grey line of faceless, nondescript beings, each indistinguishable from the other—all working, but none knowing the worth of his work, the relevance of his work to the growth and development of other individual human beings.

A good accountability system would, indeed, help to increase our professionalism, raise our profession to higher status, heal the wounds we've suffered in battles with those who should be and traditionally have been our allies, and bring us all enormous personal satisfaction and peace of mind. Then, and only then, would we be out of the tangled web we have woven.

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