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Senator Stennis Civil Rights Correspondence B03F17L01

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6/8/70

TO: SENATOR STENNIS

From: Lester G. Fant

re: Operations of Education Branch, Office of Civil Rights, Department of Health, Education and Welfare

The Education Branch of the Office of Civil Rights is charged with enforcement of school desegregation policies throughout the country. Its operations are conducted, generally speaking, through its regional offices.

The Education Branch proceeds by two distinctly different methods. In "Districts that have a history of dual systems" the Education Branch requires the filing of a desegregation plan, and reviews it and proceeds to defer, and later cutoff ~~plan~~ funds if it does not find that the plan submitted is in conformity with its guidelines. The operation of this system, which is limited to the South, is well known.

In areas outside the South, areas that the Education Branch describes as "having no history of a dual system" all the school districts are required to do is to file an "assurance" that they are complying with Title VI, and not discriminating. The District Office then reviews the assurance, and, has the ^d buren of proving discrimination before it can require a school district to submit a plan for abolishing the discriminating. To date, 10 school districts ~~in~~ outside the South have been required to submit plans. The plans are then reviewed, and then if disapproved, the procedure becomes the same as it is in the South: First the funds are "deferred" pending a hearing, and at the recommendation of the hearing examiner, and approval of the reviewing authority, the funds are cutoff.

To date there have been two "deferrals":

1. Ferndale, Michigan, where the hearing has been completed; and
2. Wichita, Kansas, where the hearing begins today (June 8, 1970)

Additionally, six districts have had their plans accepted:

- 1) De La Warr, Delaware; 2) New Madrid, Missouri; 3) Union Township, New Jersey;
- 4) Middletown, Ohio; 5) Penn Hills, Pennsylvania; 6) McKeesport, Pennsylvania.

Two other districts have been told that they are in non compliance and required to submit plans: 1) Redwood City, Cal.; 2) Bakersfield, Cal.

To date there have been no fund cutoffs outside the South.

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