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**IDENTIFIERS** Massachusetts; New Hampshire; New York

**ABSTRACT**

During the New York hearings, testimony pertinent to the bills was presented by such speakers as Hon. Herman Badillo, Representative in Congress from New York State, and Dr. Ewald Nyquist, New York State Commissioner of Education. Such documents as "An abstract of a three-year longitudinal study to assess the fifteenth point plan," "An article entitled Education Revenue Sharing," and "A statement of policy and recommendations on Integration and the Schools, January 1968," were submitted by Dr. Nyquist. Statements by Mrs. Blanche Lewis, President, United Parents Association, New York City, Dr. Felton Lewis, Deputy Superintendent, School District 12, Bronx, N.Y., Alfredo Mathew, Jr., Community Superintendent, School District No. 3, New York City, and others were also heard. During the Boston hearings, testimony was made by Dr. Neil Sullivan, Commissioner of Education, State of Massachusetts, Charles Glenn, Director of the Equal Educational Auxiliary Division, State Department of Education, Massachusetts, on a plan for the complete desegregation of the Boston secondary schools, William Ohrenberger, Boston Superintendent of Schools, and others. Andrew Neal, Chief of Division of Vocational-Technical Education, New Hampshire presented testimony and such documents as New Hampshire high school enrollments in vocational education 1945-70, New Hampshire investment in vocational education, 1945-70, and other reports. (JM)

NEEDS OF ELEMENTARY AND SECONDARY EDUCATION  
FOR THE SEVENTIES—1971

ED057149

HEARINGS  
BEFORE THE  
GENERAL SUBCOMMITTEE ON EDUCATION  
OF THE  
COMMITTEE ON EDUCATION AND LABOR  
HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS  
FIRST SESSION

ON

H.R. 2266, H.R. 4847, H.R. 6179, H.R. 6247,  
H.R. 7212, H.R. 7429, and S. 1557

BILLS TO PROVIDE FOR THE NEEDS OF ELEMENTARY AND  
SECONDARY EDUCATION FOR THE SEVENTIES

HEARINGS HELD IN NEW YORK, N.Y., MAY 21, 1971, AND  
BOSTON, MASS., JUNE 4, 1971

Printed for the use of the Committee on Education and Labor  
CARL D. PERKINS, *Chairman*

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# NEEDS OF ELEMENTARY AND SECONDARY EDUCATION FOR THE SEVENTIES—1971

FRIDAY, MAY 21, 1971

HOUSE OF REPRESENTATIVES,  
GENERAL SUBCOMMITTEE ON EDUCATION  
OF THE COMMITTEE ON EDUCATION AND LABOR,  
*New York, N.Y.*

The General Subcommittee on Education convened at 9:25 a.m., pursuant to notice in room 2705, 26 Federal Plaza, New York City, Hon. Roman C. Pucinski (chairman of the subcommittee) presiding.

Present: Representatives Pucinski, Chisholm, Veysey, Badillo, Biaggi and Hicks.

Staff members present: John Jennings, counsel; Charles Radcliffe, minority counsel for education; Alexandra J. Kisla, clerk, and Thomas J. Gerber, assistant clerk.

Mr. PUCINSKI. The committee will come to order.

The General Subcommittee on Education is beginning today a series of broad hearings on elementary and secondary education. These hearings will take us into many areas of the country and will focus primarily on four major challenges confronting our elementary and secondary schools: school integration, juvenile delinquency, career education, and general school financing.

The subcommittee has long felt a need to hold general hearings throughout the country in order to receive directly the counsel of the people who are most intimately involved in education: the administrators, the teachers, the parents, and the students.

We are starting these hearings in New York City because in its diversity and immensity it probably best exemplifies most of the major problems confronting education today. We especially wanted to start in New York because the good part of our focus of our first hearing will be on school integration, which means mostly the integration of blacks and Spanish-surnamed Americans.

And since New York City has the greatest number of Blacks of any city in the United States (1,700,000 which make up 21 percent of the city's population) and since almost two-thirds of the Puerto Rican families in the United States make New York City their home, it is only proper to begin our consideration there.

The school integration bills which the subcommittee will be receiving testimony on today are the following: H.R. 2266, the administration's version of the Emergency School Aid Act; H.R. 4847, Con-

gressman Augustus Hawkins' version of the same Act; H.R. 4847, Con-  
Senate passed Emergency School Aid and Quality Integrated Edu-  
cation Act; and finally H.R. 7212, Congressman Herman Badillo's  
Urban Education Improvement Act.  
(The documents referred to follow :)





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2

1 (a) to meet the special needs incident to the elimi-  
2 nation of racial segregation and discrimination among  
3 students and faculty in elementary and secondary  
4 schools, and

5 (b) to encourage the voluntary elimination, reduc-  
6 tion, or prevention of racial isolation in elementary and  
7 secondary schools with substantial proportions of minor-  
8 ity group students.

9 APPROPRIATIONS

10 SEC. 3. (a) There are authorized to be appropriated for  
11 carrying out this Act not in excess of \$500,000,000 for the  
12 fiscal year ending June 30, 1971, and not in excess of  
13 \$1,000,000,000 for the succeeding fiscal year.

14 (b) Funds so appropriated shall remain available for  
15 obligation for one fiscal year beyond that for which they are  
16 appropriated.

17 ALLOTMENTS AMONG STATES

18 SEC. 4. (a) From the sums appropriated pursuant to  
19 section 3 for carrying out this Act for any fiscal year, the  
20 Secretary shall allot an amount equal to 80 per centum  
21 among the States by allotting to each State \$100,000 plus  
22 an amount which bears the same ratio to the balance of  
23 such 80 per centum of such sums as the aggregate number  
24 of children enrolled in schools in the State who are Negroes,  
25 American Indians, Spanish-surnamed Americans, or mem-

1 bers of other racial minority groups as determined by the  
2 Secretary, bears to the number of such children in all of  
3 the States. The remainder of such sums may be expended  
4 by the Secretary as he may find necessary or appropriate  
5 (but only for activities described in section 6 and in accord-  
6 ance with the other provisions of this Act) for grants or  
7 contracts to carry out the purpose of this Act. The number  
8 of such children in each State and in all of the States shall  
9 be determined by the Secretary on the basis of the most  
10 recent available data satisfactory to him.

11 (b) (1) The amount by which any allotment to a State  
12 for a fiscal year under subsection (a) exceeds the amount  
13 which the Secretary determines will be required for such  
14 fiscal year for programs or projects within such State shall  
15 be available for reallocation to other States in proportion to  
16 the original allotments to such States under subsection (a)  
17 for that year but with such proportionate amount for any  
18 such other States being reduced to the extent it exceeds  
19 the sum the Secretary estimates such State needs and will  
20 be able to use for such year; and the total of such reductions  
21 shall be similarly reallocated among the States whose pro-  
22 portionate amounts were not so reduced. Any amounts re-  
23 allotted to a State under this subsection during a fiscal year  
24 shall be deemed part of its allotment under subsection (a)  
25 or such year.

1           (2) In order to afford ample opportunity for all eligible  
2 applicants in a State to submit applications for assistance  
3 under this Act, the Secretary shall not fix a date for reallocot-  
4 ment, pursuant to this subsection, of any portion of any  
5 allotment to a State for a fiscal year which date is earlier  
6 than sixty days prior to the end of such fiscal year.

7           (3) Notwithstanding the provisions of paragraph (1)  
8 of this subsection, no portion of any allotment to a State for  
9 a fiscal year shall be available for reallocotment pursuant to  
10 this subsection unless the Secretary determines that the appli-  
11 cations for assistance under this Act which have been filed  
12 by eligible applicants in that State for which a portion of  
13 such allotment has not been reserved (but which would  
14 necessitate use of that portion) are applications which do  
15 not meet the requirements of this Act, as set forth in sections  
16 6, 7, and 8, or which set forth programs or projects of such  
17 insufficient promise for achieving the purpose of this Act  
18 that their approval is not warranted.

19                   **ELIGIBILITY FOR FINANCIAL ASSISTANCE**

20           **SEC. 5. (a)** The Secretary shall provide financial assist-  
21 ance by grant upon application therefor approved in accord-  
22 ance with section 7 to a local educational agency—

23                   (1) which is implementing a plan—

24                           (A) which has been undertaken pursuant to a  
25 final order issued by a court of the United States,

1 or a court of any State, and which requires the  
2 desegregation of racially segregated students or  
3 faculty in the elementary and secondary schools of  
4 such agency, or otherwise requires the elimination  
5 or reduction of racial isolation in such schools; or

6 (B) which has been approved by the Secretary  
7 as adequate under title VI of the Civil Rights Act  
8 of 1964 for the desegregation of racially segregated  
9 students or faculty in such schools;

10 (2) which, without having been required to do so,  
11 has adopted and is implementing, or will, if assistance  
12 is made available to it under this Act, adopt and imple-  
13 ment, a plan for the complete elimination of racial isola-  
14 tion in all the racially isolated schools in the school  
15 district of such agency; or

16 (3) which has adopted and is implementing, or  
17 will, if assistance is made available to it under this Act,  
18 adopt and implement, a plan—

19 (A) to eliminate or reduce racial isolation in  
20 one or more of the racially isolated schools in the  
21 school district of such agency,

22 (B) to reduce the total number of Negro,  
23 American Indian, of Spanish-surnamed American  
24 children, or children of other racial minority groups

1 as determined by the Secretary, who are in racially  
2 isolated schools in such district,

3 (C) to prevent racial isolation reasonably likely  
4 to occur (in the absence of assistance under this  
5 Act) in any school in such district in which school  
6 at least 10 per centum, but not more than 50 per  
7 centum, of the enrollment consists of such children,  
8 or

9 (D) to enroll and educate in schools which are  
10 not racially isolated, Negro, American Indian, or  
11 Spanish-surnamed American children, or children of  
12 other racial minority groups as determined by the  
13 Secretary, who would not otherwise be eligible for  
14 enrollment because of nonresidence in the school dis-  
15 trict of such agency, where such enrollment would  
16 make a significant contribution toward reducing  
17 racial isolation.

18 (b) In cases in which the Secretary finds that it would  
19 effectively carry out the purpose of this Act, he may assist  
20 by grant or contract any public or private nonprofit agency,  
21 institution, or organization (other than a local educational  
22 agency) to carry out programs or projects designed to sup-  
23 port the development or implementation of a plan described  
24 in subsection (a).

## 1 AUTHORIZED ACTIVITIES

2 SEC. 6. Financial assistance under this Act shall be  
3 available for programs or projects which would not other-  
4 wise be funded and which involve activities designed to  
5 carry out the purpose of this Act, including—

6 (1) remedial and other services to meet the special  
7 needs of children (including gifted and talented chil-  
8 dren) in schools which are affected by a plan described  
9 in section 5 or a program described in section 9 (b),  
10 when such services are deemed necessary to the success  
11 of such plan or program;

12 (2) the provision of additional professional or other  
13 staff members (including staff members specially trained  
14 in problems incident to desegregation or the elimination,  
15 reduction, or prevention of racial isolation) and the  
16 training and retraining of staff for such schools;

17 (3) comprehensive guidance, counseling, and other  
18 personal services for such children;

19 (4) development and employment of new instruc-  
20 tional techniques and materials designed to meet the  
21 needs of such children;

22 (5) innovative interracial educational programs or  
23 projects involving the joint participation of Negro,  
24 American Indian, or Spanish-surnamed American chil-

1        dren, or children of other racial minority groups as  
2        determined by the Secretary, and other children attend-  
3        ing different schools, including extracurricular activities  
4        and cooperative exchanges or other arrangements be-  
5        tween schools within the same or different school  
6        districts;

7            (6) repair or minor remodeling or alteration of  
8        existing school facilities (including the acquisition, in-  
9        stallation, modernization, or replacement of equipment)  
10       and the lease or purchase of mobile classroom units or  
11       other mobile educational facilities;

12           (7) the provision of transportation services for  
13        students, except that, funds appropriated under the  
14        authority of this Act shall not be used to establish or  
15        maintain the transportation of students to achieve racial  
16        balance, unless funds are voluntarily requested for that  
17        purpose by the local educational agency;

18           (8) community activities, including public educa-  
19        tion efforts, in support of a plan described in section 5  
20        or a program described in section 9 (b) ;

21           (9) special administrative activities, such as the  
22        rescheduling of students or teachers, or the provision  
23        of information to parents and other members of the  
24        general public, incident to the implementation of a plan

1 described in section 5 or a program described in sec-  
2 tion 9 (b) ;

3 (10) planning and evaluation activities; and

4 (11) other specially designed programs or projects  
5 which meet the purpose of this Act.

6 CRITERIA FOR APPROVAL

7 SEC. 7. (a) In approving applications submitted under  
8 this Act (except for those submitted under section 9 (b) ),  
9 the Secretary shall only apply the following criteria:

10 (1) the need for assistance, taking into account  
11 such factors as—

12 (A) the extent of racial isolation (including  
13 the number of racially isolated children and the  
14 relative concentration of such children) in the  
15 school district to be served as compared to other  
16 school districts in the State,

17 (B) the financial need of such school district  
18 as compared to other school districts in the State,

19 (C) the expense and difficulty of effectively  
20 carrying out a plan described in section 5 in such  
21 school district as compared to other school districts  
22 in the State, and

23 (D) the degree to which measurable deficien-  
24 cies in the quality of public education afforded in



1 such school district exceed those of other school  
2 districts within the State;

3 (2) the degree to which the plan described in  
4 section 5, and the program or project to be assisted, are  
5 likely to effect a decrease in racial isolation in racially  
6 isolated schools, or in the case of applications submitted  
7 under section 5 (a) (3) (C), the degree to which the  
8 plan described in section 5, and the program or project,  
9 are likely to prevent racial isolation from occurring or  
10 increasing (in the absence of assistance under this  
11 Act) ;

12 (3) the degree to which the plan described in  
13 section 5 is sufficiently comprehensive to offer reason-  
14 able assurance that it will achieve the purpose of this  
15 Act;

16 (4) the degree to which the program or project  
17 to be assisted affords promise of achieving the purpose  
18 of this Act;

19 (5) that (except in the case of an application sub-  
20 mitted under section 9 (a) ) the amount necessary to  
21 carry out effectively the program or project does not ex-  
22 ceed the amount available for assistance in the State  
23 under this Act in relation to the other applications from  
24 the State pending before him; and

1 (6) the degree to which the plan described in sec-  
2 tion 5 involves to the fullest extent practicable the total  
3 educational resources, both public and private, of the  
4 community to be served.

5 (b) The Secretary shall not give less favorable consid-  
6 eration to the application of a local educational agency which  
7 has voluntarily adopted a plan qualified for assistance under  
8 this Act (due only to the voluntary nature of the action)  
9 than to the application of a local educational agency which  
10 has been legally required to adopt such a plan.

11 **ASSURANCES**

12 **SEC. 8. (a)** An application submitted for approval  
13 under section 7 shall contain such information as the Secre-  
14 tary may prescribe and shall contain assurances that—

15 (1) the appropriate State educational agency has  
16 been given reasonable opportunity to offer recommenda-  
17 tions to the applicant and to submit comments to the  
18 Secretary;

19 (2) in the case of an application by a local educa-  
20 tional agency, to the extent consistent with the number  
21 of children, teachers, and other educational staffs in the  
22 school district of such agency enrolled or employed in  
23 private nonprofit elementary and secondary schools  
24 whose participation would assist in achieving the pur-

1       pose of this Act, such agency (after consultation with  
2       the appropriate private school officials) has made pro-  
3       visions for their participation on an equitable basis;

4               (3) the applicant has adopted effective procedures,  
5       including provisions for such objective measurements  
6       of educational and other change to be effected by this  
7       Act as the Secretary may require, for the continuing  
8       evaluation of programs or projects under this Act,  
9       including their effectiveness in achieving clearly stated  
10      program goals, their impact on related programs or  
11      projects and upon the community served, and their struc-  
12      ture and mechanisms for the delivery of services, and  
13      including, where appropriate, comparisons with proper  
14      control groups composed of persons who have not par-  
15      ticipated in such programs or projects;

16              (4) in the case of an application by a local educa-  
17      tional agency, the applicant (A) has not, subsequent  
18      to the commencement of its 1969-1970 school year,  
19      unlawfully donated, leased, sold, or otherwise disposed  
20      of real or personal property or services to a nonpublic  
21      elementary or secondary school or school system prac-  
22      ticing discrimination on the basis of race, color, or  
23      national origin, or has rescinded such transaction (or  
24      received consideration in lieu thereof) in accordance  
25      with regulations of the Secretary; (B) has not unlaw-

1 fully donated, leased, sold, or otherwise disposed of real  
2 or personal property or services to such a nonpublic  
3 school or school system where such transaction has pro-  
4 duced a substantial decrease in the assets available for  
5 public education in the school district of such agency,  
6 or has rescinded such transaction (or received consid-  
7 eration in lieu thereof) in accordance with regulations  
8 of the Secretary; and (C) will not donate, lease, sell,  
9 or otherwise dispose of real or personal property or  
10 services to any such nonpublic school or school system;

11 (5) in the case of an application by a local educa-  
12 tional agency, the applicant has not reduced its fiscal  
13 effort for the provision of free public education for chil-  
14 dren in attendance at the schools of such agency for the  
15 fiscal year for which assistance is sought under this Act  
16 to less than that of the second preceding fiscal year;

17 (6) the applicant is not reasonably able to provide,  
18 out of non-Federal sources, the assistance for which the  
19 application is made;

20 (7) the applicant will provide such other informa-  
21 tion as the Secretary may require to carry out the pur-  
22 pose of this Act;

23 (8) in the case of an application by a local educa-  
24 tional agency, the plan with respect to which such  
25 agency is seeking assistance (as specified in section

1       5 (a) (1) ) does not involve freedom of choice as a  
2       means of desegregation, unless the Secretary determines  
3       that freedom of choice has achieved, or will achieve, the  
4       complete elimination of a dual school system in the  
5       school district of such agency;

6               (9) the current expenditure per pupil (as defined  
7       in section 11 (a) ) which such agency makes from  
8       revenues derived from its local sources for the academic  
9       year for which assistance under this Act will be made  
10      available to such agency is not less than the current  
11      expenditure per pupil which such agency made from  
12      such revenues for (A) the academic year preceding  
13      the academic year during which the implementation of  
14      a plan described in section 5 was commenced, or (B)  
15      the third academic year preceding the academic year  
16      for which such assistance will be made available, which-  
17      ever is later;

18              (10) staff members of the applicant who work di-  
19      rectly with children, and professional staff of such appli-  
20      cant who are employed on the administrative level, will  
21      be hired, assigned, promoted, paid, demoted, dismissed  
22      or otherwise treated without regard to their membership  
23      in a minority group, except that no assignment pursuant  
24      to a court order or a plan approved under title VI of the

1 Civil Rights Act of 1964 will be considered as being in  
2 violation of this subsection;

3 (11) for each academic year for which assistance is  
4 made available to the applicant under this Act, it has  
5 taken or is in the process of taking all practicable steps  
6 to avail itself of all assistance for which it is determined  
7 to be eligible under any program administered by the  
8 Commissioner of Education; and

9 (12) no practices or procedures, including testing,  
10 will be employed by the applicant in the assignment of  
11 children to classes, or otherwise in carrying out curricular  
12 or extracurricular activities, within the schools of such  
13 applicant in such a manner as (A) to result in the  
14 discriminatory isolation of Negro, American Indian,  
15 Spanish-surnamed American children, or children who  
16 are members of other racial minority groups as deter-  
17 mined by the Secretary, in such classes or with respect  
18 to such activities, or (B) to discriminate against such  
19 children on the basis of their being members of any  
20 such minority group.

21 (b) The Secretary shall not finally disapprove in whole  
22 or in part any application for funds submitted by a local edu-  
23 cational agency eligible under section 5 without first noti-  
24 fying the local educational agency of the specific reasons for

1 his disapproval as contained in section 7 and subsection (a)  
2 above and without affording the agency a reasonable time to  
3 modify its application.

4 (c) The Secretary may, from time to time, set dates  
5 by which applications shall be filed.

6 (d) In the case of an application by a combination of  
7 local educational agencies for jointly carrying out a program  
8 or project under this Act, at least one such agency shall  
9 be an agency described in section 5 (a) or section 9 and  
10 any one or more such agencies joining in such application  
11 may be authorized to administer such program or project.

#### 12 SPECIAL PROGRAMS

13 SEC. 9. (a) From the funds available to him under  
14 the second sentence of section 4 (a) the Secretary is author-  
15 ized to make grants to eligible local educational agencies to  
16 carry out model or demonstration programs related to the  
17 purpose of this Act if in the Secretary's judgment these  
18 programs make a special contribution to the development of  
19 methods, techniques, or programs designed to eliminate  
20 racial segregation or to eliminate, reduce, or prevent racial  
21 isolation in elementary and secondary schools.

22 (b) From the funds available to him under the second  
23 sentence of section 4 (a) the Secretary is also authorized  
24 to make grants to local educational agencies to carry out  
25 programs for children who are from environments where

1 the dominant language is other than English (such as  
2 French-speaking and Oriental children) and who, (1) as  
3 a result of limited English-speaking ability, are educationally  
4 deprived, (2) have needs similar to other children par-  
5 ticipating in programs or projects assisted under this Act,  
6 and (3) attend a school in which they constitute more than  
7 50 per centum of the enrollment.

8

#### PAYMENTS

9 SEC. 10. (a) Upon his approval of an application for  
10 assistance under this Act, the Secretary shall reserve from  
11 the applicable allotment (including any applicable reallocot-  
12 ment) available therefor the amount fixed for such  
13 application.

14 (b) The Secretary shall pay to the applicant such  
15 reserved amount, in advance or by way of reimbursement,  
16 and in such installments consistent with established prac-  
17 tice, as he may determine.

18 (c) (1) In the case of an application to be funded  
19 under the first sentence of section 4 (a) which is submitted  
20 by a local educational agency which is located in a State  
21 in which no State agency is authorized by law to provide,  
22 or in the case in which there is a substantial failure by a  
23 local educational agency approved for a program or project  
24 under this Act to provide, for effective participation on an  
25 equitable basis in programs or projects authorized under this



1 Act by children enrolled in, or by teachers or other educa-  
2 tional staff of, any one or more private nonprofit elementary  
3 or secondary schools located in the school district of such  
4 agency, the Secretary shall arrange for the provision, on  
5 an equitable basis, of such programs or projects and shall  
6 pay the costs thereof for any fiscal year out of that State's  
7 allotment. The Secretary may arrange for such programs  
8 through contracts with institutions of higher education, or  
9 other competent nonprofit institutions or organizations.

10 (2) In determining the amount to be withheld from any  
11 State's allotment for the provision of such programs or  
12 projects, the Secretary shall take into account the number  
13 of children and teachers and other educational staff who  
14 are excluded from participation therein, and who, except  
15 for such exclusion, might reasonably have been expected  
16 to participate.

17 (d) After making a grant or contract under this Act,  
18 the Secretary shall notify the appropriate State educational  
19 agency of the name of the approved applicant and of the  
20 amount approved.

21 (e) The amount of financial assistance to a local edu-  
22 cational agency under this Act may not exceed those net  
23 additional costs which are determined by the Secretary, in  
24 accordance with regulations prescribed by him, to be the  
25 result of the implementation of a plan under section 5 (a).

1

## DEFINITIONS

2

SEC. 11. As used in this Act, except when otherwise  
3 specified—

4

(a) The term "current expenditure per pupil" for a  
5 local educational agency means (1) the expenditures for  
6 free public education, including expenditures for administra-  
7 tion, instruction, attendance and health services, pupil trans-  
8 portation services, operation and maintenance of plant, fixed  
9 charges, and net expenditures to cover deficits for food serv-  
10 ices and student body activities, but not including expendi-  
11 tures for community services, capital outlay, and debt service,  
12 or any expenditures made from funds granted under such  
13 Federal program of assistance as the Secretary may prescribe,  
14 divided by (2) the number of children in average daily  
15 attendance to whom such agency provided free public educa-  
16 tion during the year for which the computation is made.

17

(b) The term "equipment" includes machinery, utilities,  
18 and built-in equipment and any necessary enclosures or struc-  
19 tures to house them, and includes all other items necessary  
20 for the provision of education services, such as instructional  
21 equipment and necessary furniture, printed, published,  
22 and audiovisual instructional materials, and other related  
23 material.

24

(c) The term "gifted and talented children" means, in  
25 accordance with objective criteria prescribed by the Secre-

1 tary, children who have outstanding intellectual ability or  
2 creative talent.

3 (d) The term "local educational agency" means a pub-  
4 lic board of education or other public authority legally  
5 constituted within a State for either administrative control,  
6 or direction, of public elementary or secondary schools in  
7 a city, county, township, school district, or other political  
8 subdivision of a State, or such combination of school districts  
9 or counties as are recognized in a State as an administrative  
10 agency for its public elementary or secondary schools, or a  
11 combination of local educational agencies; and includes any  
12 other public institution or agency having administrative con-  
13 trol and direction of a public elementary or secondary school;  
14 and where responsibility for the control and direction of the  
15 activities in such schools which are to be assisted under  
16 this Act is vested in an agency subordinate to such a board  
17 or other authority, the Secretary may consider such subordi-  
18 nate agency as a local educational agency for purpose of this  
19 Act.

20 (e) The term "nonprofit" as applied to an agency,  
21 organization, or institution means an agency, organization,  
22 or institution owned or operated by one or more nonprofit  
23 corporations or associations no part of the net earnings of  
24 which inures, or may lawfully inure, to the benefit of any  
25 private shareholder or individual.

1 (f) The terms "racially isolated school" and "racial  
2 isolation" in reference to a school mean a school and condi-  
3 tion, respectively, in which Negro, American Indian, or  
4 Spanish-surnamed American children, or children who are  
5 members of other racial minority groups as determined by  
6 the Secretary, constitute more than 50 per centum of the  
7 enrollment of a school.

8 (g) The terms "elementary and secondary school" and  
9 "school" mean a school which provides elementary or sec-  
10 ondary education, as determined under State law, except  
11 that it does not include any education provided beyond  
12 grade 12.

13 (h) The term "Secretary" means the Secretary of  
14 Health, Education, and Welfare.

15 (j) The term "State educational agency" means the  
16 the District of Columbia.

17 (j) The term "State" means one of the fifty States or  
18 State board of education or other agency or officer pri-  
19 marily responsible for the State supervision of public ele-  
20 mentary and secondary schools, or, if there is no such  
21 officer or agency, an officer or agency designated by the  
22 Governor or by State law for this purpose.

23

#### EVALUATION

24 SEC. 12. Such portion as the Secretary may determine,  
25 but not more than 1 per centum, of any appropriation

1 under this Act for any fiscal year shall be available to  
2 him for evaluation (directly or by grants or contracts) of  
3 the programs and projects authorized by this Act, and in  
4 the case of allotments from any such appropriation, the  
5 amount available for allotment shall be reduced accordingly.

#### 6 JOINT FUNDING

7 SEC. 13. Pursuant to regulations prescribed by the Pres-  
8 ident, where funds are advanced by the Department of  
9 Health, Education, and Welfare and one or more other  
10 Federal agencies for any project or activity funded in  
11 whole or in part under this Act, any one Federal agency  
12 may be designated to act for all in administering the funds  
13 advanced. In such cases, any such agency may waive any  
14 technical grant or contract requirement (as defined by  
15 regulations) which is inconsistent with the similar require-  
16 ments of the administering agency or which the administer-  
17 ing agency does not impose.

#### 18 NATIONAL ADVISORY COUNCIL

19 SEC. 14. The President shall appoint a National Ad-  
20 visory Council on the Education of Racially Isolated Children,  
21 consisting of twelve members, for the purpose of reviewing  
22 the administration and operation of this Act and making  
23 recommendations for the improvement of this Act and its  
24 administration and operation and for increasing the effective-  
25 ness of programs or projects carried out pursuant to this Act.

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**REPORTS**

**SEC. 15.** The Secretary shall include in his annual report to the Congress a full report as to the administration of this Act and the effectiveness of programs or projects thereunder.

**GENERAL PROVISIONS**

**SEC. 16. (a)** The provision of parts B and C of the General Education Provisions Act (title IV of Public Law 247 (Ninetieth Congress) as amended by title IV of Public Law 230 (Ninety-first Congress) ) shall apply to the program of Federal assistance authorized under this Act as if such program were an applicable program under such General Education Provisions Act, and the Secretary shall have the authority vested in the Commissioner of Education by such parts with respect to such program.

**(b)** Section 422 of such General Education Provisions Act is amended by inserting "the Emergency School Aid Act of 1971;" after "the International Education Act of 1966;".



1 and deprives them of equality of educational opportunity;  
2 that conditions of such segregation exist throughout the  
3 Nation, and, as a result, substantial numbers of children are  
4 suffering educational deprivation; and that the process of  
5 establishing and maintaining stable, quality, integrated  
6 schools improves the quality of education for all children  
7 and often involves the expenditure of additional funds to  
8 which local educational agencies do not have access.

9 (b) It is the purpose of this Act (1) to provide finan-  
10 cial assistance to encourage the establishment and mainte-  
11 nance of stable, quality, integrated schools throughout the  
12 Nation, serving students from all backgrounds, which derive  
13 full advantage from the enriched educational opportunities  
14 provided by the education of children from diverse back-  
15 grounds in an environment sensitive to the potential contribu-  
16 tion of each child to the education of all, through the utiliza-  
17 tion of modern educational methods, practices, and tech-  
18 niques, including, where appropriate, programs of integrated  
19 bilingual, bicultural education, and (2) to aid schoolchildren  
20 to overcome the educational disadvantages of minority group  
21 isolation.

#### 22 APPROPRIATIONS

23 SEC. 3. (a) The Commissioner, shall, in accordance with  
24 the provisions of this Act, carry out a program designed to  
25 achieve the purposes set forth in section 2 (b). There are au-



1 thORIZED to be appropriated to the Commissioner, for the  
2 purpose of carrying out this Act, \$500,000,000 for the period  
3 beginning with the enactment of this Act and ending  
4 June 30, 1972, and \$1,000,000,000 for the fiscal year ending  
5 June 30, 1973. Funds so appropriated shall remain avail-  
6 able for obligation and expenditure during the fiscal year  
7 succeeding the fiscal year for which they are appropriated,  
8 except that funds reserved under paragraph (1) of subsection  
9 (b) shall remain available until expended. Funds so appro-  
10 priated shall be available for grants and contracts under this  
11 Act only to the extent that the sums appropriated to the  
12 Office of Education for any fiscal year exceed the sums  
13 appropriated to the Office of Education for the next preceding  
14 fiscal year, except that sums appropriated pursuant to this  
15 Act shall not be considered in determining the sums appro-  
16 priated to the Office of Education for any such next preceding  
17 fiscal year.

18 (b) (1) From the sums appropriated pursuant to sub-  
19 section (a), the Commissioner shall reserve—

20 (A) not less than 10 per centum of each of the  
21 amounts authorized to be appropriated pursuant to such  
22 subsection for the purposes of section 8;

23 (B) not less than 5 per centum of each of the  
24 amounts authorized to be appropriated pursuant to such  
25 subsection for the purposes of section 10;

1 (C) not less than 3 per centum of each of the  
2 amounts authorized to be appropriated pursuant to such  
3 subsection for the purposes of section 11.

4 (2) If the total amount of the sums appropriated pur-  
5 suant to subsection (a) for any fiscal year does not constitute  
6 at least four times the aggregate of the amounts specified  
7 for reservation pursuant to paragraph (1) for that fiscal  
8 year, each of the amounts so specified for that fiscal year  
9 shall be ratably reduced until the aggregate of the amounts  
10 reserved under paragraph (1) does not exceed one-fourth  
11 of an amount equal to the sums so appropriated.

12 (3) Of the sums appropriated pursuant to subsection  
13 (a), the Commissioner is authorized to reserve an amount,  
14 not in excess of an amount equal to 10 per centum of such  
15 sums, for the purposes of section 7 (a).

16 (4) Of the sums appropriated pursuant to subsection  
17 (a), the Commissioner shall reserve 10 per centum for  
18 grants by him to local educational agencies making appli-  
19 cations under section 5 (a) (2).

#### 20 APPOBTIONMENT AMONG STATES

21 SEC. 4. (a) (1) From the sums appropriated pursuant  
22 to section 3 (a) which are not reserved under section 3 (b)  
23 for any fiscal year, the Commissioner shall apportion to each  
24 State for grants within that State an amount which bears  
25 the same ratio to such sums as the number of minority group

1 children enrolled in public schools in that State bears to the  
2 number of such children in all the States, except that the  
3 amount apportioned to any State shall not be less than  
4 \$100,000.

5 (2) Of the amount apportioned to each State under  
6 paragraph (1), the Commissioner shall reserve not less than  
7 one-sixth but not more than one-fourth for grants to local  
8 educational agencies in that State pursuant to section 5 (b).

9 (3) Of the amount apportioned to each State under  
10 paragraph (1) the Commissioner shall reserve not less than  
11 10 per centum for grants in that State pursuant to section  
12 7 (b).

13 (b) The amount of any State's apportionment under  
14 subsection (a) which exceeds the amount which the Com-  
15 missioner determines, in accordance with criteria established  
16 by regulation, will be required during the period for which  
17 the apportionment is available for programs and projects  
18 within such State, shall be available for reapportionment  
19 from time to time, on such dates during such period as the  
20 Commissioner shall fix by regulation, to other States in  
21 proportion to the original apportionments to such States  
22 under subsection (a). If the Commissioner determines, in  
23 accordance with criteria established by regulation, that the  
24 amount which would be reapportioned to a State under the  
25 first sentence of this subsection exceeds the amount which

1 will be required during the period of the apportionment for  
2 programs and projects within such State, the amount of such  
3 State's reapportionment shall be reduced to the extent of  
4 such excess, and the total amount of any reductions pursuant  
5 to this sentence shall be available for reapportionment under  
6 the first sentence of this subsection. Any amount reappor-  
7 tioned to a State under this subsection during the period of  
8 any apportionment shall be deemed a part of its apportion-  
9 ment for that period; and any amount reserved pursuant  
10 to paragraph (2) of subsection (a) and reapportioned under  
11 this subsection shall be used solely for the purposes for which  
12 it was originally reserved.

13 **ELIGIBILITY FOR ASSISTANCE**

14 **SEC. 5. (a) (1)** The Commissioner is authorized to  
15 make a grant to, or a contract with, a local educational  
16 agency only if, in accordance with criteria established by  
17 regulation, he determines—

18 (A) that the local educational agency has adopted  
19 a plan for the establishment or maintenance of one or  
20 more stable, quality, integrated schools; and

21 (B) that the number of minority group children in  
22 attendance at the schools of such agency is (i) at least  
23 one thousand and at least 20 per centum of the number  
24 of all children in attendance at such schools, or (ii) at

1       least three thousand and at least 10 per centum of the  
2       number of all children in attendance at such schools  
3       (2) Notwithstanding the provisions of clause (B) of  
4 paragraph (1), the Commissioner is authorized to make  
5 grants, in accordance with special eligibility criteria estab-  
6 lished by regulation for the purposes of this paragraph, to a  
7 local educational agency which does not meet the require-  
8 ments of such clause (B), where such local educational  
9 agency is located within, or adjacent to, a Standard Metropol-  
10 itan Statistical Area and makes joint arrangements with an  
11 additional local educational agency, located within the Stand-  
12 ard Metropolitan Statistical Area and containing a substantial  
13 proportion of minority group students, for the establishment  
14 and maintenance of one or more stable, quality integrated  
15 schools. For the purposes of this subsection, an integrated  
16 school shall be a school with a student body containing a  
17 substantial proportion of children from educationally advan-  
18 taged backgrounds in which the proportions of minority  
19 group students are at least 50 per centum of the proportions  
20 of minority group students enrolled in all schools of the local  
21 educational agencies within the Standard Metropolitan Sta-  
22 tistical Area, and a faculty and administrative staff with sub-  
23 stantial representation of minority group persons.  
24       (b) The Commissioner is authorized to make grants to,

1 or contracts with, local educational agencies for unusually  
2 promising pilot programs or projects designed to overcome  
3 the adverse effects of minority group isolation by improving  
4 the academic achievement of children in one or more minor-  
5 ity group isolated schools, if he determines that the local  
6 educational agency had a number of minority group children  
7 in average daily membership in the public schools, for the  
8 fiscal year preceding the fiscal year for which assistance is  
9 to be provided, (1) of at least 15,000, or (2) constituting  
10 more than 50 per centum of such average daily membership  
11 of all children in such schools.

12 (c) No local educational agency making application  
13 under this section shall be eligible to receive a grant or con-  
14 tract in an amount in excess of the amount determined by the  
15 Commissioner, in accordance with regulations setting forth  
16 criteria established for such purpose, to be the additional  
17 cost to the applicant arising out of activities authorized under  
18 this Act, above that of the activities normally carried out by  
19 the local educational agency.

20 (d) (1) No local educational agency shall be eligible  
21 for assistance under this Act if it has, after August 18,  
22 1970—

23 (A) transferred (directly or indirectly by gift,  
24 lease, loan, sale, or other means) real or personal prop-  
25 erty to, or made any services available to any nonpublic

1 school or school system (or any organization controlling,  
2 or intending to establish, such a school or school system)  
3 without prior determination that such nonpublic school  
4 or school system (i) is not operated on a racially segre-  
5 gated basis as an alternative for children seeking to  
6 avoid attendance in desegregated public schools, and (ii)  
7 does not otherwise practice, or permit to be practiced,  
8 discrimination on the basis of race, color, or national  
9 origin in the operation of any school activity;

10 (B) had in effect any practice, policy, or procedure  
11 which results (or has resulted) in the disproportionate  
12 demotion or dismissal of instructional or other personnel  
13 from minority groups in conjunction with desegregation  
14 or the establishment of an integrated school, or otherwise  
15 engaged in discrimination based upon race, color, or na-  
16 tional origin in the hiring, promotion, or assignment of  
17 employees of the agency (or other personnel for whom  
18 the agency has any administrative responsibility) ;

19 (C) in conjunction with desegregation or the estab-  
20 lishment of an integrated school, adopted any proce-  
21 dure for the assignment of students to or within classes  
22 which results in segregation of children for a substantial  
23 portion of the school day; or

24 (D) had in effect any other practice, policy, or

1 procedure, such as limiting curricular or extracurricular  
2 activities (or participation therein by children) in order  
3 to avoid the participation of minority group students in  
4 such activities, which discriminates among children on  
5 the basis of race, color, or national origin;

6 except that, in the case of any local educational agency  
7 which is ineligible for assistance by reason of clause (A),  
8 (B), (C), or (D), such agency may make application for  
9 a waiver of ineligibility, which application shall specify the  
10 reason for its ineligibility, contain such information and as-  
11 surances as the Secretary shall require by regulation in order  
12 to insure that any practice, policy, or procedure, or other  
13 activity resulting in the ineligibility has ceased to exist or  
14 occur and include such provisions as are necessary to insure  
15 that such activities do not reoccur after the submission of the  
16 application.

17 (2) (A) No local educational agency shall be eligible  
18 for a waiver under paragraph (1) if—

19 (i) it is ineligible by reason of clause (A), (B),  
20 (C), or (D) of paragraph (1) because of transactions,  
21 practices, policies, or procedures which existed or oc-  
22 curred after August 18, 1970; and

23 (ii) it has received assistance under the appropri-  
24 ation in the paragraph headed "Emergency School



1 Assistance" in the Office of Education Appropriations  
2 Act, 1971 (Public Law 91-380).

3 (B) (i) In the case of any local educational agency  
4 which is ineligible for assistance under this Act by reason of  
5 subparagraph (A), such agency may make a special appli-  
6 cation for a waiver of its ineligibility, which application  
7 shall include (I) all the specifications, procedures, assur-  
8 ances, and other information required for a waiver under  
9 the exception set forth in paragraph (1), and (II) in addi-  
10 tion, such other data, plans, assurances, and information as  
11 the Secretary shall require in order to insure compliance  
12 with this subparagraph (B).

13 (ii) The additional matters required by the Secretary  
14 under clause (II) of subparagraph (B) (i) shall at least  
15 include sufficient information as to enable the Commissioner  
16 to properly evaluate the application submitted under section  
17 9 by the applicant for a special waiver under this subpara-  
18 graph (B) and advise the Secretary with respect to the  
19 merit of the program for which assistance is sought.

20 (3) Applications for waivers under paragraphs (1)  
21 and (2) may be approved only by the Secretary. The Sec-  
22 retary's functions under this paragraph shall, notwithstand-  
23 ing any other provision of law, not be delegated.

24 (4) No application for assistance under this Act shall

1 be approved prior to a determination by the Commissioner  
2 that the applicant is not ineligible by reason of this subsec-  
3 tion. No waiver under paragraph (2) shall be granted until the  
4 Commissioner has determined that the special applicant has  
5 submitted an application under section 9 of extraordinary  
6 merit.

7 (5) All determinations pursuant to this subsection shall  
8 be carried out in accordance with criteria and investigative  
9 procedures established by regulations of the Secretary for the  
10 purpose of compliance with this subsection.

11 (6) All determinations and waivers pursuant to this  
12 subsection shall be in writing. The Committee on Labor and  
13 Public Welfare of the Senate and the Committee on Educa-  
14 tion and Labor of the House of Representatives shall each be  
15 given notice of an intention to grant any waiver under this  
16 subsection, which notice shall be accompanied by a copy of  
17 the proposed waiver for which notice is given and copies of  
18 all determinations relating to such waiver. The Commissioner  
19 shall not approve an application by a local educational agency  
20 which requires a waiver under this subsection prior to thirty  
21 days after receipt of the notice required by the preceding  
22 sentence by the chairman of the Committee on Labor and  
23 Public Welfare of the Senate and the chairman of the Com-  
24 mittee on Education and Labor of the House of Representa-  
25 tives.



1 mutual understanding among minority group and non-  
2 minority group parents, students, and teachers;

3 (4) administrative and auxiliary services to facili-  
4 tate the success of the project;

5 (5) community activities, including public informa-  
6 tion efforts, in support of a plan, program, project, or  
7 other activities described in this section;

8 (6) recruiting, hiring, and training of teacher aides:  
9 *Provided, That in recruiting teacher aides, preference*  
10 *shall be given to parents of children attending schools*  
11 *assisted under section 5 (a) ;*

12 (7) inservice teacher training designed to enhance  
13 the success of schools assisted under section 5 (a)  
14 through contracts with institutions of higher education,  
15 or other institutions, agencies, and organizations individ-  
16 ually determined by the Commissioner to have special  
17 competence for such purpose;

18 (8, planning programs and projects under this sec-  
19 tion, the evaluation of such programs and projects, and  
20 dissemination of information with respect to such pro-  
21 grams and projects; and

22 (9) repair of minor remodeling or alteration of  
23 existing school facilities (including the acquisition, in-  
24 stallation, modernization, or replacement of equipment)  
25 and the lease or purchase of mobile classroom units or  
26 other mobile educational facilities.

1 In the case of programs and projects involving activities  
2 described in clause (9), the inclusion of such activities must  
3 be found to be a necessary component of, or necessary to  
4 facilitate, a program or project involving other activities  
5 described in this section or subsection (b), and in no case  
6 involve an expenditure in excess of 10 per centum of the  
7 amount made available to the applicant to carry out the pro-  
8 gram or project. The Commissioner shall promulgate regula-  
9 tions defining the term "repair or minor remodeling or  
10 alteration".

11 (b) Sums reserved under section 4 (a) (2) shall be  
12 available for grants to, and contracts with, local educational  
13 agencies eligible for assistance under section 5 (b) to carry  
14 out innovative pilot programs and projects which are specifi-  
15 cally designed to assist in overcoming the adverse effects of  
16 minority group isolation, by improving the educational  
17 achievement of children in minority group isolated schools,  
18 including the activities described in clauses (1) through (9)  
19 of subsection (a), as they may be used to accomplish such  
20 purpose.

21 **SPECIAL PROGRAMS AND PROJECTS**

22 **SEC. 7. (a) (1)** Amounts reserved by the Commissioner  
23 pursuant to section 3 (b) (3) shall be available to him for  
24 grants and contracts under this subsection.

25 (2) The Commissioner is authorized to make grants to,  
26 and contracts with, State and local educational agencies, and

1 other public and private nonprofit agencies and organiza-  
2 tions (or a combination of such agencies and organiza-  
3 tions) for the purpose of supporting special programs and  
4 projects carrying out activities described in section 6, which  
5 the Commissioner determines will make substantial progress  
6 toward achieving the purposes of this Act.

7 (b) From the amounts reserved pursuant to section  
8 4 (a) (3), the Commissioner is authorized to make grants to,  
9 and contracts with, public and private nonprofit agencies, in-  
10 stitutions, and organizations (other than local educational  
11 agencies and nonpublic elementary and secondary schools)  
12 for programs and projects to promote equality of educational  
13 opportunity, through facilitating the participation of parents,  
14 students, and teachers in the design and implementation of  
15 comprehensive educational planning; the provision of services  
16 which will enable parents to become effective participants in  
17 the educational process; the conduct of activities which foster  
18 understanding among minority group and nonminority group  
19 parents, students, teachers, and school officials, including  
20 public information and school-community relations activities;  
21 and the conduct of school-related activities to reinforce stu-  
22 dent growth and achievement.

23

#### EDUCATION PARKS

24

SEC. 8. From the sums reserved pursuant to section  
25 3 (b) (1) (A), the Commissioner is authorized to make

1 grants to State and local educational agencies to assist in the  
2 construction of education parks in Standard Metropolitan  
3 Statistical Areas. For the purposes of this section, the term  
4 "education park" means an integrated school or cluster of  
5 such schools located on a common site, within a Standard  
6 Metropolitan Statistical Area, of sufficient size to achieve  
7 maximum economy of scale consistent with sound educational  
8 practice, providing the full range of preschool, elementary,  
9 and secondary education, with a student body containing a  
10 substantial proportion of children from educationally advan-  
11 taged backgrounds, which is representative of the minority  
12 group and nonminority group student population of the  
13 Standard Metropolitan Statistical Area, and a faculty and  
14 administrative staff with substantial representation of mi-  
15 nority group persons.

#### 16 APPLICATIONS

17 SEC. 9. (a) Any local educational agency desiring to  
18 receive assistance under this Act shall submit to the Com-  
19 missioner an application therefor at such time, in such form,  
20 and containing such information as the Commissioner shall  
21 require by regulation. Such application, together with all  
22 correspondence and other written materials relating thereto,  
23 shall be made readily available to the public by the applicant  
24 and by the Commissioner. The Commissioner may approve  
25 an application if he determines that such application—

1           (1) sets forth a plan, and such policies and proce-  
2           dures, as will assure that (A) in the case of an applica-  
3           tion under section 5 (a), the applicant will initiate or  
4           continue a program specifically designed to establish or  
5           maintain at least one or more stable, quality, integrated  
6           schools, or (B) in the case of an application under  
7           section 5 (b), the applicant will initiate or expand an  
8           innovative program specifically designed to meet the  
9           educational needs of children attending one or more  
10          minority group isolated schools;

11           (2) has been developed—

12           (A) in open consultation with parents, teachers,  
13           and, where applicable, secondary school students,  
14           including public hearings at which such persons  
15           have had a full opportunity to understand the pro-  
16           gram for which assistance is being sought and to  
17           offer recommendations thereon, and

18           (B) with the participation and, subject to  
19           subsection (b), approval of a committee composed  
20           of parents of children participating in the program  
21           for which assistance is sought, teachers, and, where  
22           applicable, secondary school students, of which at  
23           least half the members shall be such parents, and  
24           at least half shall be persons from minority groups:

25           (3) sets forth such policies and procedures as will



1 insure that the program for which assistance is sought  
2 will be operated in consultation with, and the involve-  
3 ment of, parents of the children and representatives of  
4 the area to be served, including the committee estab-  
5 lished for the purposes of clause (2) (B) ;

6 (4) sets forth such policies and procedures, and  
7 contains such information, as will insure that funds paid  
8 to the applicant under the application be used solely to  
9 pay the additional cost to the applicant in carrying out  
10 the plan and program described in the application ;

11 (5) contains such assurances and other information  
12 as will insure that the program for which assistance is  
13 sought will be administered by the applicant, and that  
14 any funds received by the applicant, and any property  
15 derived therefrom, will remain under the administration  
16 and control of the applicant ;

17 (6) sets forth such policies and procedures, and  
18 contains such information, as will insure that funds made  
19 available to the applicant (A) under this Act will be so  
20 used (i) as to supplement and, to the extent practicable,  
21 increase the level of funds that would, in the absence of  
22 such funds, be made available from non-Federal sources  
23 for the purposes of the program for which assistance is  
24 sought, and for promoting the integration of the schools  
25 of the applicant, and for the education of children par-

1        participating in such program, and (ii) in no case, as to  
2        supplant such funds from non-Federal sources, and (B)  
3        under any other law of the United States will, in accord-  
4        ance with standards established by regulation, be used  
5        in coordination with such programs to the extent con-  
6        sistent with such other law;

7                (7) in the case of an application for assistance un-  
8        der section 5 (b), that the program or project to be  
9        assisted will involve an additional expenditure per  
10       pupil to be served, determined in accordance with  
11       regulations prescribed by the Commissioner, of sufficient  
12       magnitude to provide reasonable assurance that the de-  
13       sired educational impact will be achieved and that funds  
14       under this Act will not be dispersed in such a way as  
15       to undermine their effectiveness;

16                (8) in the case of an application by a local educa-  
17       tional agency, that the State educational agency govern-  
18       ing the school district or school districts in which the ap-  
19       proved program or project will be carried out has been  
20       given reasonable opportunity to offer recommendations  
21       to the applicant and to submit comments to the  
22       Commissioner;

23                (9) sets forth effective procedures, including pro-  
24       visions for objective measurement of change in educa-  
25       tional achievement and other change to be effected by

1 programs conducted under this Act, for the continuing  
2 evaluation of programs or projects under this Act, in-  
3 cluding their effectiveness in achieving clearly stated  
4 program goals, their impact on related programs and  
5 upon the community served, and their structure and  
6 mechanisms for the delivery of services; and

7 (10) provides (A) that the applicant will make  
8 periodic reports at such time, in such form, and con-  
9 taining such information as the Commissioner shall  
10 require by regulation, which regulation shall require at  
11 least—

12 (i) in the case of reports relating to perform-  
13 ance, that the reports be consistent with specific  
14 criteria related to the program objectives, and

15 (ii) that the reports include information re-  
16 lating to educational achievement of children in the  
17 schools of the applicant,

18 and (B) that the applicant will keep such records and  
19 afford such access thereto as—

20 (i) will be necessary to assure the correctness  
21 of such reports and to verify them, and

22 (ii) will be necessary to assure the public ade-  
23 quate access to such reports and other written ma-  
24 terials.

25 (b) In the event the committee established pursuant

1 to clause (2) (B) of subsection (a) does not, after a reason-  
2 able opportunity to do so, approve an application under this  
3 section, the local educational agency may submit the appli-  
4 cation for approval by the Commissioner. The committee  
5 may, upon written notification to the local educational agency  
6 and the Commissioner, seek a review of the reasons for fail-  
7 ure to obtain approval. Upon receipt of any such notice, a  
8 local educational agency shall promptly file with the Com-  
9 missioner a statement of the issues in question, the reason  
10 for submission of the application without such approval, and  
11 its grounds for desiring approval of the application by the  
12 Commissioner as submitted, and shall attach thereto a state-  
13 ment of the reasons of the committee respecting its failure  
14 to approve the application. Upon receipt of a notice filed  
15 under the second sentence of this subsection, the Commis-  
16 sioner shall take no action with respect to approval of the  
17 application in question until he has reviewed the matters  
18 submitted to him by the local educational agency and any  
19 matters submitted to him by the committee and, when he  
20 determines it to be appropriate, has granted an opportunity  
21 for an informal hearing. Within thirty days after the Com-  
22 missioner has received the matters required to be submitted  
23 under the third sentence of this subsection, he shall make a  
24 finding as to whether the local educational agency was justi-  
25 fied in submitting the application without approval, as re-

1 required under clause (2) (B) of subsection (a). Upon his  
2 finding of justification, the Commissioner may proceed with  
3 respect to the approval of the application. Such finding, and  
4 the reasons therefor, shall be in writing and shall be made  
5 available to the local educational agency and the committee.

6 (c) (1) The Commissioner shall, from time to time, set  
7 dates by which applications for grants under this Act shall  
8 be filed and may prescribe an order of priority to be fol-  
9 lowed in approving such applications.

10 ) In determining whether to make a grant or contract  
11 under section 5 or in fixing the amount thereof, the Commis-  
12 sioner shall give priority to—

13 (A) in case applications submitted under section  
14 5(a), applications from local educational agencies  
15 which place the largest numbers and proportions of  
16 minority group students in stable, quality, integrated  
17 schools; and

18 (B) applications which offer the greatest promise  
19 of providing quality education for all participating  
20 children.

#### 21 EDUCATIONAL TELEVISION

22 Sec. 10. (a) The sums reserved pursuant to section 3  
23 (b) (1) (B) for the purpose of carrying out this section shall  
24 be available for grants and contracts in accordance with sub-  
25 section (b).

1 (b) (1) The Commissioner shall carry out a program of  
2 making grants to, or contracts with, not more than ten pub-  
3 lic or private nonprofit agencies, inscstitutions, or organizations  
4 with the capability of providing expertise in the development  
5 of television programing, in suffeient number to assure di-  
6 versity, to pay the cost of development and production of  
7 integrated children's television programs of cognitive and  
8 affective educational value.

9 (2) Television programs developed in whole or in part  
10 with assistance provided under this Act shall be made reason-  
11 ably available for transmission, free of charge, and shall not  
12 be transmitted under commercial sponsorship.

13 (3) The Commissioner may approve an application  
14 under this section only if he determines that the applicant—

15 (A) will employ members of minority groups in  
16 responsible positions in development, production, and  
17 administrative staffs;

18 (B) will utilize modern television techniques of re-  
19 search and production; and

20 (C) has adopted effective procedures for evaluating  
21 education and other change achieved by children view-  
22 ing the program.

23 ATTORNEYS' FEES

24 SEC. 11. (a) Upon the entry of a final order by a court  
25 of the United States against a local educational agency, a

1 State (or any agency thereof), or the Department of Health,  
2 Education, and Welfare for failure to comply with any pro-  
3 vision of this Act, title I of the Elementary and Secondary  
4 Education Act of 1965 or discrimination on the basis of  
5 race, color, or national origin in violation of title VI of the  
6 Civil Rights Act of 1964, or of the fourteenth article of  
7 amendment to the Constitution of the United States as they  
8 pertain to elementary and secondary education, such court  
9 shall award, from funds reserved pursuant to section 3 (b)  
10 (1) (C), reasonable counsel fee, and costs not otherwise  
11 reimbursed, for services rendered, and costs incurred, after  
12 the date of enactment of this Act to the party obtaining  
13 such order.

14 (b) The Commissioner shall transfer all funds reserved  
15 pursuant to section 3 (b) (1) (C) to the Administrative  
16 Office of the United States Courts for the purpose of making  
17 payments of fees awarded pursuant to subsection (a).

18 **DEFINITIONS**

19 **SEC. 12.** Except as otherwise specified, the following  
20 definitions shall apply to the terms used in this Act:

21 (1) The term "Commissioner" means the Commis-  
22 sioner of Education; and the term "Secretary" means the  
23 Secretary of Health, Education, and Welfare.

24 (2) The term "elementary school" means a day or

1 residential school which provides elementary education, as  
2 determined under State law.

3 (3) The term "equipment" includes machinery,  
4 utilities, and built-in equipment and any necessary enclo-  
5 sures or structures to house them, and includes all other items  
6 necessary for the provision of educational services, such as  
7 instructional equipment and necessary furniture, printed,  
8 published, and audiovisual instructional materials, and other  
9 related material.

10 (4) The term "institution of higher education" means  
11 an educational institution in any State which—

12 (A) admits as regular students only individuals  
13 having a certificate of graduation from a high school, or  
14 the recognized equivalent of such a certificate;

15 (B) is legally authorized within such State to pro-  
16 vide a program of education beyond high school;

17 (C) provides an educational program for which it  
18 awards a bachelor's degree; or provides not less than a  
19 two-year program which is acceptable for full credit to-  
20 ward such a degree, or offers a two-year program in  
21 engineering, mathematics, or the physical or biological  
22 sciences which is designed to prepare the student to  
23 work as a technician and at a semiprofessional level in  
24 engineering, scientific, or other technological fields which  
25 require the understanding and application of basic en-



1       gineering, scientific, or mathematical principles or  
2       knowledge;

3               (D) is a public or other nonprofit institution; and

4               (E) is accredited by a nationally recognized ac-  
5       crediting agency or association listed by the Commis-  
6       sioner for the purposes of this paragraph.

7       (5) The term "integrated school" means a school with a  
8       student body, containing a substantial proportion of children  
9       from educationally advantaged backgrounds, which is sub-  
10      stantially representative of the minority group and non-  
11      minority group students population of the local educational  
12      agency in which it is located, and a faculty which is repre-  
13      sentative of the minority group and nonminority group popu-  
14      lation of the larger community in which it is located, or  
15      where the Commissioner determines that the local educational  
16      agency concerned is attempting to increase the proportions  
17      of minority group teachers, supervisors, and administrators in  
18      its employ, a faculty which is representative of the minority  
19      group and nonminority group faculty employed by the local  
20      educational agency.

21       (6) The term "local educational agency" means a public  
22      board of education or other public authority legally consti-  
23      tuted within a State for either administrative control or di-  
24      rection of, public elementary or secondary schools in a city,  
25      county, township, school district, or other political subdivi-

1 sion of a State, or such combination of school districts, or  
2 counties as are recognized in a State as an administrative  
3 agency for its public elementary or secondary schools, or a  
4 combination of local educational agencies; and includes any  
5 other public institution or agency having administrative con-  
6 trol and direction of a public elementary or secondary  
7 school.

8 (7) (A) The term "minority group" refers to (i)  
9 persons who are Negro, American Indian, Spanish-surnamed  
10 American, Portuguese, or Oriental; and (ii) (except for the  
11 purposes of section 4), as determined by the Secretary, chil-  
12 dren who are from environments where the dominant lan-  
13 guage is other than English and who, as a result of limited  
14 English-speaking ability, are educationally deprived, and  
15 (B) the term "Spanish-surnamed American" includes per-  
16 sons of Mexican, Puerto Rican, Cuban, or Spanish origin or  
17 ancestry.

18 (8) The terms "minority group isolated school" and  
19 "minority group isolation" in reference to a school mean a  
20 school and condition, respectively, in which minority group  
21 children constitute more than 66 $\frac{2}{3}$  per centum of the aver-  
22 age daily membership of a school.

23 (9) The term "nonprofit" as applied to a school,  
24 agency, organization, or institution means a school, agency,  
25 organization, or institution owned and operated by one or

1 more nonprofit corporations or associations no part of the  
2 net earnings of which inures, or may lawfully inure, to the  
3 benefit of any private shareholder or individual.

4 (10) The term "secondary school" means a day or  
5 residential school which provides secondary education, as  
6 determined under State law, except that it does not include  
7 any education provided beyond grade 12.

8 (11) The term "Standard Metropolitan Statistical  
9 Area" means the area in and around a city of fifty thousand  
10 inhabitants or more as defined by the Office of Management  
11 and Budget.

12 (12) The term "State" means one of the fifty States or  
13 the District of Columbia.

14 (13) The term "State educational agency" means the  
15 State board of education or other agency or officer primarily  
16 responsible for the State supervision of public elementary  
17 and secondary schools, or, if there is no such officer or  
18 agency, an officer or agency designated by the Governor or  
19 by State law for this purpose.

#### 20 EVALUATIONS

21 SEC. 13. The Commissioner is authorized to reserve not  
22 in excess of 1 per centum of the sums appropriated under  
23 this Act for any fiscal year for the purposes of this section.  
24 From such reservation, the Commissioner is authorized to  
25 make grants to, and contracts with, institutions of higher

1 education and private organizations, institutions, and agen-  
2 cies, including councils established pursuant to section 9 (a)  
3 (2), for the purpose of evaluating specific programs and  
4 projects assisted under this Act.

#### 5 REPORTS

6 SEC. 14. The Commissioner shall make periodic detailed  
7 reports concerning his activities in connection with the pro-  
8 gram authorized by this Act and the program carried out  
9 with appropriations under the paragraph headed "Emergency  
10 School Assistance" in the Office of Education Appropriations  
11 Act, 1971 (Public Law 91-380), and the effectiveness of  
12 programs and projects assisted under this Act in achieving  
13 the purposes of this Act. Such reports shall contain such  
14 information as may be necessary to permit adequate evalua-  
15 tion of the programs authorized by this Act, and shall be  
16 submitted to the President and to the Committee on Labor  
17 and Public Welfare of the Senate and the Committee on  
18 Education and Labor of the House of Representatives. The  
19 first report submitted pursuant to this section shall be sub-  
20 mitted no later than ninety days after the enactment of this  
21 Act. Subsequent reports shall be submitted no less often than  
22 four times annually.

#### 23 JOINT FUNDING

24 SEC. 15. Pursuant to regulations prescribed by the  
25 President, where funds are advanced by the Office of Educa-

1 tion, and one or more other Federal agencies for any project  
2 or activity funded in whole or in part under this Act, any one  
3 of such Federal agencies may be designated to act for all in  
4 administering the funds advanced. In such cases, any such  
5 agency may waive any technical grant or contract require-  
6 ment (as defined by regulations) which is inconsistent with  
7 the similar requirements of the administering agency or  
8 which the administering agency does not impose. Nothing in  
9 this section shall be construed to authorize (1) the use of  
10 any funds appropriated under this Act for any purpose not  
11 authorized herein, (2) a variance of any reservation or ap-  
12 portionment under section 3 or 4, or (3) waiver of any  
13 requirement set forth in sections 5, 6, 9, and 12 (5).

14 **NATIONAL ADVISORY COUNCIL**

15 **SEC. 16. (a)** There is hereby established a National  
16 Advisory Council on Equality of Educational Opportunity,  
17 consisting of fifteen members, at least one-half of whom shall  
18 be representatives of minority groups, appointed by the  
19 President, which shall—

20 (1) advise the Secretary with respect to the opera-  
21 tion of the program authorized by this Act, including the  
22 preparation of regulations and the development of  
23 criteria for the approval of applications;

24 (2) review the operation of the program (A) with  
25 respect to its effectiveness in achieving its purposes as

1 stated in section 2, and (B) with respect to the Com-  
2 missioner's conduct in the administration of the program;

3 (3) meet not less than four times in the period  
4 during which the program is authorized, and submit,  
5 through the Secretary, to the Congress at least two  
6 interim reports, which reports shall include a statement  
7 of its activities and of any recommendations it may have  
8 with respect to the operation of the program; and

9 (4) not later than December 1, 1973, submit to  
10 the Congress a final report on the operation of the  
11 program.

12 (b) The Commissioner shall submit an estimate under  
13 the authority of section 401 (c) and part C of the General  
14 Education Provisions Act to the Congress for the appropri-  
15 ations necessary for the Council created by subsection (a)  
16 to carry out its functions.

92D CONGRESS  
1ST SESSION

# H. R. 6179

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1971

Mr. PUCINSKI introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To authorize assistance to local educational agencies for the financial support of elementary and secondary education, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That this Act may be cited as the "National Partnership in  
4 Education Act of 1971".

5                                   **DECLARATION OF POLICY**

6       SEC. 2. The Congress finds that, despite the great efforts  
7 of States and of local educational agencies, the opportunity  
8 for an education of high quality is being denied to many  
9 children. The Congress further finds that such denial results

1 both from the widely varying financial abilities of States  
2 and local education agencies and from an unequal distribution  
3 of resources, both within and between States. It is therefore  
4 the policy of the United States that the Federal Government  
5 shall provide each local educational agency with resources  
6 which, when supplemented by State and local funds, will be  
7 adequate to provide an excellent elementary and secondary  
8 education for all children.

9                   AUTHORIZATION OF APPROPRIATIONS

10       SEC. 3. (a) For the fiscal years 1972, 1973, and 1974,  
11 there are hereby authorized to be appropriated such sums  
12 as may be necessary to pay the amounts authorized under  
13 sections 4 and 7 (b).

14       (b) For the same fiscal years there is also authorized  
15 to be appropriated an amount equal to not more than 2 per  
16 centum of the amount appropriated for each such year under  
17 (a) above. The Commissioner shall allot this amount to  
18 Puerto Rico, Guam, American Samoa, the Virgin Islands,  
19 and the Trust Territory of the Pacific Islands according to  
20 their respective needs for such grants, and shall set the max-  
21 imum amount which their local educational agencies shall be  
22 eligible to receive.

23                   GRANTS TO LOCAL EDUCATIONAL AGENCIES

24       SEC. 4. (a) In any case in which the Commissioner  
25 determines that satisfactory data for that purpose are avail-



1 able, the maximum grant which a local educational agency  
2 in a State shall be eligible to receive under this Act for any  
3 fiscal year shall be an amount equal to the Federal grant  
4 per pupil multiplied by the adjusted number of children  
5 in the school district of such agency.

6 (b) In any other case the maximum grant for any  
7 local educational agency in a State shall be determined on  
8 the basis of the aggregate maximum amount of such grants  
9 for all such agencies in the county or counties in which the  
10 school district of the particular agency is located, which  
11 aggregate maximum amount shall be equal to the Federal  
12 grant per pupil multiplied by the adjusted number of chil-  
13 dren in such county or counties, and shall be allocated  
14 among these agencies upon such equitable basis as may be  
15 determined by the State educational agency in accordance  
16 with basic criteria prescribed by the Commissioner.

17 (c) In the case of local educational agencies which  
18 serve in whole or in part the same geographical area, and  
19 in the case of a local educational agency which provides  
20 free public education for a substantial number of children  
21 who reside in the school district of another local educa-  
22 tional agency, the State educational agency may allocate  
23 the amount of the maximum grants for those agencies among  
24 them in such manner as it determines will best carry out the  
25 purposes of this Act.

1 (d) For purposes of this section, the term "State" does  
2 not include Puerto Rico, Guam, American Samoa, the Vir-  
3 gin Islands, or the Trust Territory of the Pacific Islands.

4 APPLICATIONS FROM LOCAL EDUCATIONAL AGENCIES

5 SEC. 5. (a) Any local educational agency which desires  
6 to receive for any fiscal year the grant to which it is entitled  
7 under section 4 must submit to the appropriate State educa-  
8 tional agency an application which contains—

9 (1) an assessment of the educational needs of the  
10 children enrolled in the schools of such agency and its  
11 plans for meeting those needs with funds provided un-  
12 der this Act;

13 (2) an evaluation of the effectiveness, including  
14 objective measurements of educational achievement, of  
15 programs and projects funded in the preceding fiscal  
16 year from funds provided under this Act;

17 (3) such other information as the State educational  
18 agency may reasonably need to enable it to perform its  
19 duties under this Act; and

20 (4) assurances that—

21 (A) to the extent consistent with the number  
22 of children in the school district of such agency  
23 who are enrolled in private nonprofit elementary  
24 and secondary schools, such agency has made  
25 provision (after consultation with the appropriate

1 private school officials) for a purchase of services  
2 program or, if such a program is not feasible in one  
3 or more of the private schools (as jointly determined  
4 by the public and appropriate private school offi-  
5 cials), such other arrangements as dual enrollments  
6 which will assure adequate participation of such  
7 children;

8 (B) (i) the control of funds provided under  
9 this Act and title to property acquired therewith  
10 shall be in a public agency for the uses and purposes  
11 provided in this Act, and that a public agency will  
12 administer such funds and property; (ii) the funds  
13 provided under this Act shall not be commingled  
14 with State or local funds; and (iii) Federal funds  
15 made available under this Act will be so used as to  
16 supplement and, to the extent possible, increase the  
17 level of funds that would, in the absence of such Fed-  
18 eral funds, be made available from non-Federal  
19 sources for the education of pupils participating in  
20 programs and projects assisted under this Act;

21 (C) it will keep such records and afford such  
22 access thereto as the State educational agency may  
23 find necessary to assure the correctness and verifica-  
24 tion of such applications; and

25 (D) no more than 25 per centum of the funds

1 received under this Act in any fiscal year will be  
2 used for capital outlay and debt service.

3 (b) The State educational agency shall not finally  
4 disapprove in whole or in part any application for funds  
5 under this Act without first affording the local educational  
6 agency submitting the application reasonable notice and  
7 opportunity for a hearing.

8 ASSURANCES FROM STATES

9 SEC. 6. (a) Any State which desires to participate  
10 under this Act shall submit through its State educational  
11 agency to the Commissioner an application, in such detail  
12 as the Commissioner deems necessary, which provides sat-  
13 isfactory assurances that—

14 (1) except as provided in section 7 (b), payments  
15 under this Act will be used only for programs and  
16 projects which have been approved by the State edu-  
17 cational agency pursuant to section 5 (a) and which  
18 meet the applicable requirements of that section, and  
19 that such agency will in all other respects comply with  
20 the provisions of this Act, including the enforcement of  
21 any obligations imposed upon a local educational agency  
22 under section 5 (a) ; and

23 (2) the State educational agency will make to  
24 the Commissioner (A) periodic reports ,including the  
25 results of objective measurements required by section

1 5 (a) ) evaluating the effectiveness of programs and  
2 projects assisted under this Act in improving educa-  
3 tional attainment, and (B) such other reports as may  
4 be reasonably necessary to enable the Commissioner  
5 to perform his duties under this Act (including such  
6 reports as he may require to determine the amounts  
7 which the local educational agencies of that State are  
8 eligible to receive for any fiscal year) .

9 (b) The Commissioner shall approve an application  
10 which meets the requirements specified in subsection (a) ,  
11 and he shall not finally disapprove an application except after  
12 reasonable notice and opportunity for a hearing to the State  
13 educational agency.

14 **PAYMENTS**

15 **SEC. 7. (a) (1)** The Commissioner shall, subject to the  
16 provisions of section 8, from time to time pay to each State  
17 the amount which the local educational agencies of that State  
18 are eligible to receive under this Act.

19 (2) From the funds paid to it pursuant to paragraph  
20 (1) each State educational agency shall distribute to each  
21 local educational agency of the State which has submitted an  
22 application approved pursuant to section 5 (a) the amount  
23 for which such application has been approved, except that  
24 this amount shall not exceed the maximum amount deter-  
25 mined for that agency pursuant to section 4.

1 (b) The Commissioner is authorized to pay to each  
2 State amounts equal to the amounts expended by it for the  
3 proper and efficient performance of its duties under this Act  
4 (including technical assistance for the measurements and  
5 evaluations required by section 5), except that the total of  
6 such payments in any fiscal year shall not exceed—

7 (1) 1 per centum of the total grants made to local  
8 educational agencies of such State within that fiscal  
9 year; or

10 (2) \$150,000, or \$25,000 in the case of Puerto  
11 Rico, Guam, American Samoa, the Virgin Islands, or  
12 the Trust Territory of the Pacific Islands, whichever is  
13 greater.

14 (c) No payments shall be made under this Act for any  
15 fiscal year to a State which has taken into consideration pay-  
16 ments under this Act in determining the eligibility of any  
17 local educational agency in that State for State aid, or the  
18 amount of that aid, with respect to the free public education  
19 of children during that year or the preceding fiscal year.

#### 20 ADJUSTMENTS

21 SEC. 8. (a) If the sums appropriated for any fiscal year  
22 for making the payments provided in this Act are not suffi-  
23 cient to pay in full the total amounts which all local educa-  
24 tional agencies are eligible to receive under section 4 for  
25 such year, allocations shall be made to local educational

1 agencies on the basis of computations, in accordance with  
2 that section, as reduced ratably. In case additional funds  
3 become available for making payments under this Act for  
4 that year, such reduced amounts shall be increased on the  
5 same basis that they were reduced.

6 (b) In order to permit the most effective use of all  
7 appropriations made to carry out this Act, the Commissioner  
8 may set dates by which State educational agencies must cer-  
9 tify to him the amounts for which the applications of educa-  
10 tional agencies have been or will be approved by the State.

11 **WITHHOLDINGS**

12 **SEC. 9.** Whenever the Commissioner, after reasonable  
13 notice and opportunity for hearing to any State educa-  
14 tional agency, finds that there has been a failure to comply  
15 substantially with any assurance set forth in the applica-  
16 tion of that State approved under section 6, the Commis-  
17 sioner shall notify the agency that further payments will  
18 not be made to the State under this Act (or, in his dis-  
19 cretion, that the State educational agency shall not make  
20 further payments under this Act to specified local educa-  
21 tional agencies affected by the failure) until he is satisfied  
22 that there is no longer any such failure to comply. Until  
23 he is so satisfied, no further payments shall be made to  
24 the State under this Act, or payments by the State educa-  
25 tional agency under this Act shall be limited to local edu-

1 cational agencies not affected by the failure, as the case  
2 may be.

3 **JUDICIAL REVIEW**

4 **SEC. 10. (a)** If any State is dissatisfied with the Com-  
5 missioner's final action with respect to the approval of its  
6 application submitted under section 6 or with his final  
7 action under section 9, such State may, within sixty days  
8 after notice of such action, file with the United States court  
9 of appeals for the circuit in which such State is located a  
10 petition for review of that action. A copy of the petition  
11 shall be forthwith transmitted by the clerk of the court  
12 to the Commissioner. The Commissioner thereupon shall  
13 file in the court the record of the proceedings on which he  
14 based his action, as provided in section 2112 of title 28,  
15 United States Code.

16 (b) The findings of fact by the Commissioner, if sup-  
17 ported by substantial evidence, shall be conclusive; but the  
18 court, for good cause shown, may remand the case to the  
19 Commissioner to take further evidence, and the Commis-  
20 sioner may thereupon make new or modified findings of fact  
21 and may modify his previous action, and shall file in the  
22 court the record of the further proceedings. Such new or  
23 modified findings of fact shall likewise be conclusive if sup-  
24 ported by substantial evidence.

25 (c) Upon the filing of such petition, the court shall have



1 jurisdiction to affirm the action of the Commissioner to set it  
2 aside, in whole or in part. The judgment of the court shall be  
3 subject to review by the Supreme Court of the United States  
4 upon certiorari or certification as provided in section 1254 of  
5 title 28, United States Code.

6 **DEFINITIONS**

7 **SEC. 11.** For purposes of this Act—

8 (a) (1) The term “adjusted number of children” for  
9 any local educational agency or county for a fiscal year  
10 means a number equal to the sum of (i) the number of chil-  
11 dren who are aged five to seventeen, inclusive, in the school  
12 district of the agency or in the county, as the case may be,  
13 (based on the latest available data from the Department of  
14 Commerce) and (ii) the number of children who are counted  
15 for that fiscal year for purposes of section 103 (a) (2) of title  
16 I of the Elementary and Secondary Education Act for which  
17 such agency is responsible for providing free public education;

18 (2) The term “Federal grant per pupil” for any particu-  
19 lar State means the product obtained by multiplying the  
20 State and local current expenditure per public school pupil  
21 by the product obtained by multiplying the national re-  
22 imbursement rate by the quotient obtained by dividing the  
23 national per capita income by the State per capita income;

24 (3) The “national reimbursement rate” shall be 10  
25 per centum for the fiscal year ending June 30, 1972, 20 per

1 centum for the fiscal year ending June 30, 1973, and 33 $\frac{1}{3}$   
2 per centum for the fiscal year ending June 30, 1974.

3 (b) (1) The term "Commissioner" means the Com-  
4 missioner of Education;

5 (2) The term "current expenditures" means expendi-  
6 tures for free public education, including expenditures for  
7 administration, instruction, attendance and health services,  
8 pupil transportation services, operation and maintenance of  
9 plant, fixed charges, and net expenditures to cover deficits for  
10 food services and student body activities, but not including  
11 expenditures for community services, capital outlay and debt  
12 service, or any expenditures made from funds granted under  
13 title I, II, or III of the Elementary and Secondary Educa-  
14 tion Act of 1965;

15 (3) The term "elementary school" means a day or res-  
16 idential school which provides elementary education, as  
17 determined under State law; and the term "secondary school"  
18 means a day or residential school which provides secondary  
19 education, as determined under State law, except that it does  
20 not include any education provided beyond grade 12;

21 (4) The term "local educational agency" means a pub-  
22 lic board of education or other public authority legally con-  
23 stituted within a State for either administrative control or  
24 direction of, or to perform a service function for, public ele-  
25 mentary or secondary schools in a city, county, township,

1 school district, or other political subdivision of a State, or  
2 such combination of school districts or counties as are rec-  
3 ognized in a State as an administrative agency for its public  
4 elementary or secondary schools. Such term also includes any  
5 other public institution or agency having administrative con-  
6 trol and direction of public elementary or secondary schools;

7 (5) The term "nonprofit" as applied to a school means  
8 a school owned and operated by one or more nonprofit  
9 corporations or associations no part of the net earnings of  
10 which inures, or may lawfully inure, to the benefit of any  
11 private shareholder or individual;

12 (6) The term "per capita income" means the per  
13 capita personal income of a State and the United States  
14 determined by the Commissioner on the basis of data for  
15 the fiscal year preceding the year for which the  
16 computation is made available from the Department of  
17 Commerce;

18 (7) The term "State" means the fifty States, the Dis-  
19 trict of Columbia, Puerto Rico, Guam, American Samoa,  
20 the Virgin Islands, and the Trust Territory of the Pacific  
21 Islands; and

22 (8) The term "State educational agency" means the  
23 State board of education or other agency or officer pri-  
24 marily responsible for the State supervision of public ele-  
25 mentary and secondary schools.



92<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 6247

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1971

Mr. PUCINSKI introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968 for five years.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 462 of the Juvenile Delinquency Prevention
- 4 and Control Act of 1968 (Public Law 90-445) is amended
- 5 by striking everything after "Welfare," and by inserting in
- 6 lieu thereof "\$75,000,000 for each fiscal year ending prior
- 7 to July 1, 1976."

92D CONGRESS  
1ST SESSION

# H. R. 7212

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1971

Mr. BADILLO introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

Urban Education Improvement Act of 1971.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 PURPOSES AND FINDINGS

4 SEC. 201. The Congress finds that—

5 (a) minority group isolation in our public schools,  
6 regardless of the origin of such isolation, causes irrepa-  
7 rable harm to the children of this Nation;

8 (b) minority group isolation in the public schools  
9 of our Nation's metropolitan areas, where the major-  
10 ity of our children live, is increasing and intensifying;

11 (c) minority group isolation in large part results

1 from housing, zoning, education, and other economic,  
2 social, and political policies and decisions of government  
3 at all levels;

4 (d) the general welfare of this Nation requires the  
5 elimination of minority group isolation in public schools  
6 wherever and how it occurs; and

7 (e) this Nation must therefore commit its moral  
8 strength and financial resources to the achievement of  
9 this goal.

10 SEC. 202. It is the purpose of this Act—

11 (a) to require State and local educational agencies  
12 in metropolitan areas throughout this country to develop  
13 and implement plans which will reduce and eliminate  
14 minority group isolation in our public schools, whatever  
15 the cause of such isolation; and

16 (b) to provide financial assistance to assist State  
17 and local educational agencies to develop and implement  
18 such plans.

19 DEFINITIONS

20 SEC. 301. As used in this Act, except when otherwise  
21 specified—

22 (a) (1) The term “minority group children” means:

23 (A) children, aged five to nineteen, inclusive, who  
24 are Negro, American Indian, or Spanish-surnamed  
Americans; and

1 (B) as determined by the Secretary, children of  
2 such ages from environments where the dominant lan-  
3 guage is other than English and who, as a result of lim-  
4 ited English-speaking ability, are educationally deprived.

5 (2) The term "Spanish-surnamed American" includes  
6 persons of Mexican, Puerto Rican, Cuban, or other Latin  
7 American or Spanish origin or ancestry.

8 (b) The term "minority group isolation" means a con-  
9 dition in which minority group children in a school consti-  
10 tute more than 50 per centum of the average daily enroll-  
11 ment of that school. The term "minority group isolated"  
12 refers to a school in which such condition of minority group  
13 isolation exists.

14 (c) The term "school" means those elementary and  
15 secondary public schools of a State which are located within  
16 a standard metropolitan statistical area (SMSA).

17 (d) The term "State educational agency" means the  
18 State board of education or other agency or officer primarily  
19 responsible for the State supervision of public elementary  
20 and secondary schools, or, if there is no such officer or  
21 agency, an officer or agency designated by the Governor or  
22 by State law for this purpose.

23 (e) The term "local educational agency" means a public  
24 board of education or other public authority legally consti-  
25 ed within a State for either administrative control, or



1 direction of, public elementary or secondary schools in a  
2 district or other unit of the State, or a combination of such  
3 districts or other units and includes any other public insti-  
4 tution or agency having administrative control and direction  
5 of a public elementary or secondary school: *Provided*, That  
6 the term shall not refer to any such agency located outside  
7 an SMSA.

8 (f) The term "noncooperating local educational agency"  
9 means any local educational agency which refuses or has  
10 refused to participate in the preparation, submission, revi-  
11 sion, or implementaton of an acceptable plan as required  
12 by this Act.

13 (g) The term "cooperating local educational agency"  
14 means any local educational agency that has participated  
15 in the preparation, submission, revision, and implementation  
16 of an acceptable plan as required by this Act.

17 (h) The term "State" means any State in which there  
18 is an area defined as a standard metropolitan statistical area,  
19 and the District of Columbia.

20 (i) The term "Standard Metropolitan Statistical Area"  
21 or "SMSA" means the area in and around cities of fifty  
22 thousand inhabitants or more as defined by the Office of  
23 Management and Budget: *Provided*, That the term shall  
24 mean only that portion of any standard metropolitan statisti-  
25 cal area which lies wholly within the boundaries of one

1 State. Each portion of an SMSA in a different State shall  
2 be considered an independent SMSA for purposes of this Act.

3 (j) The term "Secretary" means the Secretary of  
4 Health, Education, and Welfare or his designee.

5 (k) The term "Federal educational funds" means Fed-  
6 eral funds appropriated for grants, loans, contracts, or other  
7 financial assistance to a State educational agency, a local  
8 educational agency, an individual school, or to an individual  
9 in compensation for services rendered such organizations.  
10 This term shall not mean funds which go to individuals  
11 in the form of scholarships, fellowships, loans, cost-of-  
12 education payments, or other such assistance which is de-  
13 signed to further that individual's education, nor shall it mean  
14 funds which are to assist private, nonprofit organizations in  
15 the provision of education in preelementary and elementary  
16 situations.

17 **THE PLAN**

18 **SEC. 401.** Each State shall prepare and file with the  
19 Secretary for his approval, in accordance with regulations  
20 issued by him, a plan under which it will establish and  
21 supervise the operation in each SMSA of an SMSA agency  
22 to develop with the local educational agencies within the  
23 SMSA a plan to reduce minority group isolation in their  
24 schools: *Provided*, That, should any State refuse to comply

1 with the provisions of this Act, the local educational agencies  
2 within an SMSA may then independently create or assume  
3 control of such an SMSA agency.

4 SEC. 402. The plan developed by each such SMSA  
5 agency shall—

6 (a) contain the proposals by which the local edu-  
7 cational agencies within an SMSA agree to reduce minor-  
8 ity group isolation in their schools;

9 (b) provide that by a date approved by the Secre-  
10 tary, but in no event later than July 1, 1983, the  
11 percentage of minority group children enrolled in each  
12 school of the SMSA shall be at least 50 per centum of  
13 the percentage of minority group children enrolled in all  
14 the schools of that SMSA;

15 (c) include the use of techniques, as appropriate in  
16 local circumstances, such as redrawing school bounda-  
17 ries, creating unified school districts, pairing schools or  
18 school districts, establishing educational parks and mag-  
19 net schools as well as other techniques designed to end  
20 as soon as possible minority group isolation in all  
21 schools within the SMSA;

22 (d) provide for the establishment of committees  
23 composed of local parents, teachers, and students, the  
24 members of such committees to be representative of the  
25 minority and majority population groups of the SMSA

1 as a whole and the geographical areas within the  
2 SMSA, to advise the local education agencies and the  
3 SMSA agency, in open consultation including public  
4 hearings at which such persons have had a full opportu-  
5 nity to explore and discuss the program for which assist-  
6 ance is being sought and to offer recommendations  
7 thereon, regarding the development of the plan required  
8 by this Act and to report periodically to the Secretary on  
9 the extent of compliance with the requirements of this  
10 Act;

11 (e) set forth such policies and procedures as will  
12 insure that the program for which assistance is sought  
13 will be operated in consultation with, and the involve-  
14 ment of, parents of the children and representatives of  
15 the area to be served, including the committees estab-  
16 lished for the purposes of section 402 (d) ;

17 (f) provide that in each year of operation of the  
18 plan, substantial progress toward fulfilling the require-  
19 ments of this Act shall be made; and

20 (g) provide that State financial assistance to local  
21 educational agencies within each SMSA shall not be so  
22 calculated, based, rated, or fixed in any manner as to  
23 result in the condition that the per pupil contribution of  
24 the State to any minority group isolated school within  
25 the SMSA shall be less than per pupil contribution of the

1 State to any nonminority group isolated school within the  
2 SMSA.

3 SEC. 403. (a) The plan required by section 402 must  
4 be submitted to and approved by the Secretary no later than  
5 July 1, 1973.

6 (b) The Secretary is authorized to promulgate and issue  
7 regulations regarding the time and manner of submission of  
8 such plans for his approval.

9 SEC. 404. In extreme and unusual cases should the  
10 Secretary determine that the size, shape, or population  
11 distribution of an SMSA would make inclusion of some parts  
12 of that SMSA in a plan unnecessary for fulfillment of the  
13 purposes of this Act or excessively disruptive of the educa-  
14 tional process, he may exempt such parts from participation  
15 in the plan. Such exemptions shall be in writing, fully  
16 explained and justified, and freely available to the public  
17 and the committees established for the purposes of section  
18 402 (d).

19 SEC. 405. Each SMSA agency shall annually prepare  
20 and file in accordance with regulations issued by the Secre-  
21 tary a report setting forth the results achieved under the plan  
22 and any necessary amendments to the plan to correct any  
23 deficiency of the plan. The Secretary shall assure that the  
24 plan and any reports filed with the Secretary in accordance  
25 with this section shall be made readily available to the

1 public and to the committees established for the purposes of  
2 section 402 (d) .

3       SEC. 406. The Secretary is directed to review annually  
4 the plan and the reports of each SMSA agency. If the Sec-  
5 retary finds that for any reason the purposes of this Act are  
6 not being effectuated by the plan and any amendments  
7 thereto he shall, after giving appropriate notice to all con-  
8 cerned parties, withdraw his approval of the plan and each  
9 local educational agency in question will be treated as a non-  
10 cooperating local educational agency: *Provided*, That if with-  
11 in a period prescribed by the Secretary, but in no event  
12 exceeding one hundred and eighty days following the Sec-  
13 retary's withdrawal of approval, the local educational agen-  
14 cies through their SMSA agency submit a revised plan  
15 approved by the Secretary, the local educational agencies  
16 within the SMSA shall be entitled to receive all funds with-  
17 held during the period.

18       SEC. 407. (a) Because of its unique circumstances, the  
19 SMSA for the District of Columbia shall include for pur-  
20 poses of this Act Montgomery and Prince Georges Counties  
21 in Maryland, Arlington, Fairfax, and Prince William Coun-  
22 ties in Virginia, and the cities of Falls Church and Alexan-  
23 dria in Virginia, notwithstanding the provisions of section  
24 301 (i) of this Act.

1 (b) A single plan shall be designed and submitted  
2 by all local educational agencies included in the District of  
3 Columbia SMSA: *Provided*, That the existence of nonco-  
4 operating local educational agencies within this SMSA shall  
5 not affect the status of cooperating local educational agencies.

6 SEC. 408. No State or local educational agency shall  
7 formulate or administer its plan in a manner that will result  
8 in the separation of minority group children within a school  
9 or classroom.

10 FINANCIAL ASSISTANCE

11 SEC. 501. PLANNING FUNDS.—

12 (a) Within six months of the date of enactment of this  
13 Act, the Secretary shall notify each State and local educa-  
14 tional agency within an SMSA of the requirements of this  
15 Act.

16 (b) The Secretary shall issue regulations establishing  
17 procedures and a timetable according to which SMSA agen-  
18 cies required to file a plan under this Act may apply for  
19 funds authorized to be appropriated by this Act.

20 (c) Upon application meeting the standards established  
21 by the Secretary, the Secretary shall grant to each SMSA  
22 agency funds for the development of a plan to reduce minor-  
23 ity group isolation pursuant to the requirements of this Act,  
24 the amount of such funds being determined by the number

1 of minority group students and the number of all students  
2 enrolled in schools in the SMSA.

3 SEC. 502. (a) Each year following the implementation  
4 of an approved plan, cooperating local educational agencies,  
5 through their SMSA agency, may submit to the Secretary  
6 applications for financial assistance.

7 (b) An application for assistance under this Act may  
8 be approved by the Secretary only if he determines that—

9 (1) such application—

10 (A) sets forth a plan which is sufficiently  
11 comprehensive to offer reasonable assurance that it  
12 will achieve one or more purposes for which grants  
13 may be made under this Act; and

14 (B) contains such other information, terms,  
15 conditions, and assurances as the Secretary may  
16 require to carry out the purposes of this Act;

17 (2) the applicant has adopted effective procedures  
18 for the continuing evaluation of programs or projects  
19 under this Act;

20 (3) the programs or projects for which assistance  
21 is sought will not result, and in the case of an ongoing  
22 program or project has not resulted, in an increase in  
23 the percentage of racial separation in any school.

24 (4) no part of the assistance provided under this



1 Act shall be used to supplant funds, equipment, or serv-  
2 ices which are used to assist any private school. Should  
3 any funds provided under this Act be used for this pur-  
4 pose, or for any other purpose that the Secretary finds  
5 to be inconsistent with the purposes of this Act, the  
6 Secretary shall file suit in the United States District  
7 Court for the District of Columbia against either the  
8 school which received such funds or the State educa-  
9 tional agency, or both, for restitution of the funds.

10 (c) Upon the submission and approval of such an appli-  
11 cation, the Secretary is authorized to provide a cooperating  
12 local educational agency with sufficient funds to meet its  
13 obligations under its approved plan.

14 (d) Funds provided under this section may be used for  
15 the following purposes or any other purposes the Secretary  
16 finds will promote an end to minority group isolation:

17 (1) establishing and constructing magnet schools  
18 or educational parks in locations chosen to reduce the  
19 degree of minority group isolation in the schools of the  
20 SMSA;

21 (2) providing additional staff members including  
22 paraprofessionals to provide guidance, counseling, and  
23 training to assist minority group children in adjusting  
24 to a nonminority group isolated school environment;

25 (3) providing counseling, retraining, and guidance

1 for professional and other staff members who will be  
2 working with minority group children;

3 (4) developing and implementing interracial edu-  
4 cational programs and projects involving the joint par-  
5 ticipation of minority group and nonminority group  
6 children attending different schools, including extra-  
7 curricular activities and cooperative exchanges or other  
8 arrangements between schools within the same or dif-  
9 ferent school districts;

10 (5) providing such additional transportation for  
11 children as may be necessitated by the plan developed  
12 pursuant to this Act: *Provided*, That in the review and  
13 approval of SMSA plans under this Act, the Secretary  
14 shall assure that any burden of transportation shall fall  
15 equitably on both minority and majority children;

16 (6) expanding or altering facilities to accommodate  
17 students transferred under the plan;

18 (7) community activities, including public educa-  
19 tion efforts, in support of the plans, programs, projects,  
20 or other activities developed pursuant to this Act;

21 (8) planning and evaluation activities and expenses  
22 of administration;

23 (9) work study programs to provide the financial  
24 assistance necessary for minority group children to com-  
25 plete their education; and

1 (10) other specially designed programs or projects  
2 which meet the purposes of this Act.

3 (e) No funds granted under this Act may be used to  
4 supplant State or local educational funds presently being  
5 expended by State and local educational agencies.

6 (f) The Secretary shall issue regulations establishing  
7 procedures and a timetable according to which State and  
8 local educational agencies entitled to apply for financial  
9 assistance under this Act may apply to the Secretary for  
10 funds authorized to be appropriated by this section.

11 RESTRICTIONS ON FEDERAL FINANCIAL ASSISTANCE

12 SEC. 601. (a) No noncooperating local educational  
13 agency shall be entitled to receive any Federal educational  
14 funds: *Provided*, That the presence within an SMSA of a  
15 noncooperating local educational agency shall not affect the  
16 eligibility of cooperating local educational agencies in the  
17 SMSA to receive Federal educational funds.

18 (b) No State that fails to participate in the preparation,  
19 submission, revision, and implementation of any plan or plans  
20 required by this Act, and no State that continues to provide  
21 State funds or assistance after July 1, 1973, to any non-  
22 cooperating local educational agency under section 401 (a)  
23 shall be entitled to received any Federal educational funds.

24 APPROPRIATIONS

25 SEC. 701. (a) For the fiscal years beginning July 1,  
1971, and July 1, 1972, respectively, there is authorized

1 to be appropriated \$25,000,000 each year to be used by  
2 SMSA agencies to develop and promulgate the plan herein  
3 required to be filed.

4 SEC. 702. For the fiscal years beginning July 1, 1973,  
5 and for each of the nine fiscal years following, there is au-  
6 thorized to be appropriated \$2,000,000,000 each year for  
7 purposes of carrying out this Act.

8 SEC. 703. Funds so appropriated shall remain avail-  
9 able for obligation for one fiscal year beyond that for which  
10 they are appropriated.

#### 11 JUDICIAL REVIEW

12 SEC. 801. (a) Any person affected by the enforcement  
13 or nonenforcement in the SMSA in which he resides of any  
14 provision of this Act may petition the Secretary for an ex-  
15 pedited hearing of his complaint.

16 (b) Within sixty days of receiving such petition the  
17 Secretary shall hold a formal hearing to determine whether  
18 the provisions and purposes of this Act are being carried out  
19 in the cause raised by the petitioner. A transcript shall be  
20 kept of the proceedings of the hearing.

21 (c) Within thirty days after the date of the hearing,  
22 the Secretary shall issue a decision in writing which sets  
23 forth his findings and appropriate orders.

24 (d) The Secretary's decision shall be reviewable, upon  
25 petition, by the United States Court of Appeals for the  
26 District of Columbia Circuit. The findings of fact by the Sec-



92<sup>d</sup> CONGRESS  
1<sup>st</sup> Session

# H. R. 7429

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 1971

Mr. QUIE (for himself, Mrs. GREEN of Oregon, Mr. REID of New York, Mr. PUCINSKI, Mr. DELLENBACK, Mr. BRADEMAS, Mr. ESCH, Mr. ESILEMAN, Mr. STEIGER of Wisconsin, Mr. HANSEN of Idaho, Mr. DENT, Mr. MAZZOLI, Mr. FORSYTHE, Mr. BADILLO, Mr. KEMP, Mr. PEYSER, and Mr. BUCHANAN) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To assure an opportunity for occupational education (other than that resulting in a baccalaureate or advanced degree) to every American who needs and desires such education by providing financial assistance for postsecondary occupational education programs, and to strengthen the concept of occupational preparation, counseling, and placement in elementary and secondary schools, and for other purposes.

- 1       *Be it enacted by the Senate and House of Representa-*
- 2       *tives of the United States of America in Congress assembled,*
- 3       That this Act may be cited as "The Occupational Educa-
- 4       tion Act of 1971".

1                    **FINDINGS AND STATEMENT OF PURPOSES**

2            **SEC. 2. The Congress finds and declares that—**

3                    (a) our educational system should be responsible  
4 for assuring that every young person leaving secondary  
5 school is prepared for and assisted in placement either in  
6 productive employment or in further education at the  
7 postsecondary level;

8                    (b) the opportunity for postsecondary occupa-  
9 tional education in programs which do not directly lead  
10 to a baccalaureate or advanced academic degree is se-  
11 verely limited in many parts of the Nation and is every-  
12 where inadequate to meet existing needs, and that this  
13 situation adversely affects vital national economic and  
14 social goals;

15                    (c) high-quality programs of postsecondary occu-  
16 pational education can be found in a wide variety of  
17 institutions, including public and private junior and com-  
18 munity colleges, area vocational schools, technical insti-  
19 tutes, private proprietary schools, college and university  
20 branches, and colleges and universities, and Federal sup-  
21 port should encourage the utilization of all such facilities  
22 to meet the enormous needs in this field;

23                    (d) the goals and purposes of the Congress in en-  
24 acting the Vocational Education Act of 1963 and the  
25 amendments to that Act of 1968 cannot be realized until

1       there is a widespread understanding of and support for  
2       occupational preparation in the general academic com-  
3       munity which in turn is reflected in changed attitudes,  
4       curriculums, and practices in elementary and secondary  
5       schools; and

6               (e) the foregoing purposes and those of the Voca-  
7       tional Education Act Amendments of 1968 and related  
8       Acts cannot be realized without strong leadership and  
9       exemplary administration at the Federal level.

10                               AUTHORIZATION OF APPROPRIATIONS

11       SEC. 3. For the purpose of carrying out title I of this  
12       Act, there are hereby authorized to be appropriated \$100,-  
13       000,000 for the fiscal year ending June 30, 1972, \$250,-  
14       000,000 for the year ending June 30, 1973, \$500,000,000  
15       for the year ending June 30, 1974, and for each fiscal year  
16       thereafter such sums as may be necessary to assure that the  
17       purposes of this Act are realized. From the sums appropri-  
18       ated for the fiscal year ending June 30, 1972, 80 per centum  
19       shall be available for the purposes of establishing a plan for  
20       administration under section 110, making planning grants  
21       under section 122, and for initiating programs under title I  
22       in those States which have complied with the planning re-  
23       quirements of section 122, and 20 per centum shall be avail-  
24       able only for technical assistance under section 125 (a) . From  
25       the amount appropriated for each succeeding fiscal year 85



1 per centum shall be available for grants to the States for  
2 carrying out title I of this Act, and 15 per centum shall be  
3 reserved to the Commissioner for grants and contracts pur-  
4 suant to section 125.

5 ALLOTMENTS AND REALLOTMENTS AMONG STATES

6 SEC. 4. (a) From the sums available in the fiscal year  
7 ending June 30, 1972, for allotment to the States under  
8 section 3 the Commissioner shall first allot such sums as they  
9 may require (but not to exceed \$50,000 each) to Guam,  
10 American Samoa, and the Trust Territory of the Pacific Is-  
11 lands, and \$100,000 to each State. From the remainder of  
12 such sums he shall allot to each State an amount which bears  
13 the same ratio to such remainder as the number of persons  
14 sixteen years of age or older in such State bears to the num-  
15 ber of such persons in all States.

16 (b) From the sums available in any fiscal year begin-  
17 ning after June 30, 1972, for allotment to the States under  
18 section 3 the Commissioner shall first allot such sums as  
19 they may require (but not to exceed \$500,000 each) to  
20 Guam, American Samoa, and the Trust Territory of the  
21 Pacific Islands, and \$1,000,000 to each State. From the  
22 remainder of such sums he shall allot to each State an amount  
23 which bears the same ratio to such remainder as the number  
24 of persons sixteen years of age or older in such State bears  
25 to the number of such persons in all the States.

1 (c) The portion of any State's allotment under sub-  
2 section (a) or (b) for a fiscal year which the Commissioner  
3 determines will not be required, for the period such allot-  
4 ment is available, for carrying out the purposes of this Act  
5 shall be available for reallocation from time to time, on such  
6 dates during such periods as the Commissioner may fix. to  
7 other States in proportion to the original allotments to such  
8 States under subsection (a) or (b) for such year, but with  
9 such proportionate amount for any of such other States being  
10 reduced to the extent it exceeds the sum which the Commis-  
11 sioner estimates such State needs and will be able to use for  
12 such period, and the total of such reductions shall be similarly  
13 reallocated among the States whose proportionate amounts  
14 are not so reduced. Any amount reallocated to a State under  
15 this subsection during a year shall be deemed part of its  
16 allotment under subsection (a) or (b) for such year.

## 17 TITLE I—OCCUPATIONAL EDUCATION

### 18 PROGRAMS

#### 19 PART A—FEDERAL ADMINISTRATION

##### 20 GENERAL RESPONSIBILITIES OF THE SECRETARY

21 SEC. 101. (a) The Secretary of Health, Education, and  
22 Welfare (hereinafter referred to as the Secretary) shall  
23 develop and carry out a program designed to promote and  
24 encourage occupational education, which program shall—

25 (1) provide for the administration by the Com-

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1       missioner of Education of grants to the States author-  
2       ized by this title;

3               (2) assure that manpower needs in subprofessional  
4       occupations in education, health, rehabilitation, and  
5       community and welfare services are adequately consid-  
6       ered in the development of programs under this Act;

7               (3) promote and encourage the coordination of  
8       programs developed under this Act with those supported  
9       under the Vocational Education Act, the Manpower De-  
10      velopment and Training Act, title I of the Economic  
11      Opportunity Act, and related activities administered by  
12      various departments and agencies of the Federal Gov-  
13      ernment; and

14              (4) provide for the continuous assessment of needs  
15      in occupational education and for the continuous evalua-  
16      tion of programs supported under the authority of this  
17      Act and of related Acts.

18      (b) The Secretary shall establish (or designate) a  
19      special unit within the Office of the Secretary which—

20              (1) shall have the sole function of assisting the  
21      Secretary in the discharge of his responsibilities under  
22      this Act; and

23              (2) shall be headed by a person appointed or des-  
24      ignated by the Secretary who shall be paid at a rate not  
25      less than that for level 5 of the Executive Schedule (title  
26      V, section 5316, United States Code).

1 GENERAL RESPONSIBILITIES OF THE COMMISSIONER OF  
2 EDUCATION

3 SEC. 102. The Commissioner of Education (hereinafter  
4 referred to as the Commissioner) shall, in addition to the  
5 specific responsibilities imposed by this Act develop and  
6 carry out a program of occupational education that will—

7 (1) coordinate all programs administered by the  
8 Commissioner which relate to or have an effect upon  
9 occupational education so as to provide the maximum  
10 practicable support for the objectives of this Act;

11 (2) promote and encourage the infusion into our  
12 system of elementary and secondary education of occu-  
13 pational preparation, counseling and guidance, and job  
14 placement or placement in postsecondary-occupational  
15 education programs as a responsibility of the schools;

16 (3) utilize research and demonstration programs  
17 administered by him to assist in the development of new  
18 and improved instructional methods and technology for  
19 occupational education and in the design and testing of  
20 models of schools or school systems which place occupa-  
21 tional education on an equal footing with academic edu-  
22 cation;

23 (4) assure that the Education Professions Develop-  
24 ment Act and similar programs of general application  
25 will be so administered as to provide a degree of support

1 for vocational, technical, and occupational education.  
2 commensurate with national needs and more nearly rep-  
3 resentative of the relative size of the population to be  
4 served; and

5 (5) develop and disseminate accurate information  
6 on the status of occupational education in all parts of  
7 the Nation, at all levels of education, and in all types of  
8 institutions, together with information on occupational  
9 opportunities available to persons of all ages.

10 ESTABLISHMENT OF BUREAU OF OCCUPATIONAL  
11 EDUCATION

12 SEC. 103. (a) There is hereby established in the United  
13 States Office of Education a Bureau of Occupational Educa-  
14 tion which shall be the principal agency within the Office of  
15 Education for the administration of this Act, the Vocational  
16 Education Act of 1963, the Adult Education Act of 1966, and  
17 functions of the Office of Education relating to manpower  
18 training and development.

19 (b) (1) The Bureau shall be headed by a person (ap-  
20 pointed or designated by the Commissioner) who is highly  
21 qualified in the fields of vocational-technical and occupational  
22 education, who is accorded the rank of Deputy Commissioner,  
23 and who is compensated at the rate specified for GS-18 of  
24 the General Schedule (5 U.S.C. 5332).

1       (2) Additional positions shall be assigned to the Bureau  
2 as follows—

3           (A) not less than three positions compensated at  
4 the rate specified for GS-17 of the General Schedule (5  
5 U.S.C. 5332), one of which shall be filled by a person  
6 with broad experience in the field of junior and com-  
7 munity college education;

8           (B) not less than seven positions compensated at  
9 the rate specified for GS-16 of the General Schedule (5  
10 U.S.C. 5332), at least two of which shall be filled by  
11 persons with broad experience in the field of post-sec-  
12 ondary-occupational education in community and junior  
13 colleges, at least one of which shall be filled by a per-  
14 son with broad experience in education in private pro-  
15 prietary institutions, and at least one of which shall be  
16 filled by a person with professional experience in occu-  
17 pational guidance and counseling; and

18           (C) not less than three positions compensated at  
19 the rate specified for GS-15 of the General Schedule  
20 (5 U.S.C. 5332) which shall be filled by persons at  
21 least one of whom is a skilled worker in a recognized  
22 occupation, another is a subprofessional technician in one  
23 of the branches of engineering, and the other is a sub-  
24 professional worker in one of the branches of social or

1 medical services, who shall serve as senior advisers in the  
2 implementation of this Act.

3 **PART B—STATE ADMINISTRATION**

4 **DESIGNATION BY GOVERNOR**

5 **SEC. 110. (a)** The Governor of any State desiring to  
6 participate in the programs authorized by this Act shall in  
7 accordance with State law designate or establish a State  
8 agency which will have sole responsibility for fiscal manage-  
9 ment and administration of the program, and which will pro-  
10 vide assurances satisfactory to the Commissioner that—

11 (1) such State agency shall submit to the Commis-  
12 sioner a plan of administration which makes adequate  
13 provision for effective participation in the planning,  
14 design, administration, and evaluation of the programs  
15 authorized by this Act of persons with broad experience  
16 in the fields of—

17 (A) public and private junior and community  
18 college education,

19 (B) post-secondary vocational-technical educa-  
20 tion,

21 (C) occupational education in private, proprie-  
22 tary institutions,

23 (D) economic and industrial development,

24 (E) manpower development and training,

1 (F) academic education at the college and uni-  
2 versity level,

3 (G) secondary vocational-technical education,

4 (H) elementary and secondary education,

5 (I) elementary and secondary counseling and  
6 guidance, and

7 (J) industry, commerce, and labor.

8 (2) the State advisory council for vocational edu-  
9 cation will be charged with the same responsibilities with  
10 respect to programs authorized by this Act as it has  
11 with respect to programs authorized under the Voca-  
12 tional Education Act of 1963;

13 (3) there is an administrative device which provides  
14 reasonable promise for resolving differences between  
15 vocational educators, junior and community college edu-  
16 cators, college and university educators, elementary and  
17 secondary educators, and other interested groups with  
18 respect to the administration of programs authorized  
19 under this Act; and

20 (4) there is adequate provision for individual insti-  
21 tutions or groups of institutions to appeal and obtain a  
22 hearing from the State administrative agency with re-  
23 spect to policies, procedures, programs, or allocation of  
24 resources under this Act with which such institution  
25 or institutions disagree.



1 (b) The Commissioner shall approve any plan of admin-  
2 istration which meets the requirements of subsection (a),  
3 and shall not finally disapprove any plan without affording  
4 the State administrative agency a reasonable opportunity for  
5 a hearing. Upon the final disapproval of any plan, the provi-  
6 sions for judicial review set forth in section 124 (b) shall be  
7 applicable.

8 **PART C—STATE OCCUPATIONAL EDUCATION PROGRAMS**  
9 **AUTHORIZATION OF GRANTS**

10 **SEC. 121.** From the sums made available for grants  
11 under this part pursuant to sections 3 and 4, the Commis-  
12 sioner is authorized to make grants to the States to assist  
13 them in planning and administering high-quality programs  
14 of post-secondary-occupational education which will be avail-  
15 able to all persons in all parts of the State who desire and  
16 need such education, and to promote occupational orienta-  
17 tion and education in the regular elementary and secondary  
18 school programs.

19 **PLANNING GRANTS**

20 **SEC. 122. (a)** Upon the application of a State under  
21 section 110, the Commissioner shall make available to the  
22 State the amount of its allocation under section 4 for the  
23 following purposes—

24 (1) to assist the State administrative agency estab-

1 lished or designated by the Governor in meeting the  
2 requirements of section 110;

3 (2) to strengthen the State Advisory Council on  
4 Vocational Education in order that it may effectively  
5 carry out the additional functions imposed by this Act;  
6 and

7 (3) to enable the agency designated by the Gov-  
8 ernor under section 110 to initiate and conduct a com-  
9 prehensive program of planning for the establishment  
10 and carrying out of programs authorized by this Act.

11 (b) (1) Planning activities initiated under clause (3)  
12 of subsection (a) shall include—

13 (A) an assessment of the existing capabilities and  
14 facilities for the provision of post-secondary-occupational  
15 education, together with existing needs and projected  
16 needs for such education in all parts of the State;

17 (B) thorough consideration of the most effective  
18 means of utilizing all existing institutions within the  
19 State capable of providing the kinds of programs funded  
20 under this Act, including (but not limited to) both  
21 private and public junior and community colleges, area  
22 vocational schools, accredited private proprietary insti-  
23 tutions, technical institutes, manpower skill centers,  
24 branch institutions of State colleges or universities, and  
25 public and private colleges and universities;

1           (C) the design of high-quality instructional pro-  
2 grams to meet the needs for post-secondary-occupational  
3 education and the development of an order of priorities  
4 for placing these programs in operation:

5           (D) the development of a long-range strategy for  
6 infusing occupational education (including general ori-  
7 entation, counseling and guidance, and placement either  
8 in a job or in post-secondary-educational programs) into  
9 elementary and secondary schools on an equal footing  
10 with traditional academic education, to the end that  
11 every child who leaves secondary school is prepared  
12 either to enter productive employment or to undertake  
13 additional education at the postsecondary level, but  
14 without being forced prematurely to make an irrevoca-  
15 ble commitment to a particular educational or occupa-  
16 tional choice; and

17           (E) the development of procedures to insure con-  
18 tinuous planning and evaluation, including the regular  
19 collection of data which would be readily available to  
20 the State administrative agency, the State advisory  
21 council on vocational education, individual educational  
22 institutions, and other interested parties (including con-  
23 cerned private citizens).

24           (2) Planning activities carried out under this section  
25 shall involve the active participation of—

1 (A) the State board for vocational education;

2 (B) the State agency having responsibility for  
3 junior and community colleges;

4 (C) the State agency having responsibility for  
5 higher education institutions or programs;

6 (D) the State agency responsible for administering  
7 public elementary and secondary education;

8 (E) the State agency responsible for programs of  
9 adult basic education;

10 (F) representatives of all types of institutions in  
11 the State which are conducting or which have the capa-  
12 bility and desire to conduct programs of postsecondary  
13 occupational education;

14 (G) representatives of private, nonprofit elemen-  
15 tary and secondary schools;

16 (H) the State employment security agency, the  
17 State agency responsible for apprenticeship programs,  
18 and other agencies within the State having responsibility  
19 for administering manpower development and training  
20 programs;

21 (I) the State agency responsible for economic and  
22 industrial development; and

23 (J) representatives of business, industry, organized  
24 labor, and the general public.

25 (c) The Commissioner shall not approve any application

1 for a grant under section 123 of this Act unless he is reason-  
2 ably satisfied that the planning described in this section  
3 (whether or not assisted by a grant under this section) has  
4 been carried out.

5 **PROGRAM GRANTS**

6 **SEC. 123. (a)** From the allotments available to the  
7 States under section 4(b) (upon application by the State  
8 administrative agency designated under section 110), the  
9 Commissioner shall make grants to v State which has  
10 satisfied the requirements of section 124. Such grants may  
11 be used for the following purposes—

12 (1) the design, establishment, and conduct of pro-  
13 grams of post-secondary-occupational education (or the  
14 expansion and improvement of existing programs) as de-  
15 fined by section 127 of this Act;

16 (2) the design, establishment, and conduct of pro-  
17 grams to carry out the long-range strategy developed  
18 pursuant to section 122(b)(1)(D) for infusing into  
19 elementary and secondary education occupational prep-  
20 aration, which shall include methods of involving sec-  
21 ondary schools in occupational placement and methods of  
22 providing followup services and career counseling and  
23 guidance for persons of all ages as a regular function of  
24 the educational system;

25 (3) special training and preparation of persons to

1 equip them to teach, administer, or otherwise assist in  
 2 carrying out programs authorized under this Act (such  
 3 as programs to prepare journeymen in the skilled trades  
 4 or occupations for teaching positions) ;

5 (4) planning and evaluation activities designed  
 6 pursuant to section 122 (b) (1) (E) ; and

7 (5) the leasing, renting, or remodeling of facilities  
 8 required to carry out programs authorized by this Act.

9 (b) Programs authorized by this Act may be carried  
 10 out through contractual arrangements with private organiza-  
 11 tions and institutions organized for profit where such arrange-  
 12 ments can make a contribution to achieving the purposes of  
 13 this Act by providing substantially equivalent education,  
 14 training, or services more readily or more economically, or  
 15 by preventing needless duplication of expensive physical  
 16 plant and equipment, or by providing needed education or  
 17 training of the types authorized by this Act which would  
 18 not otherwise be available.

19 ASSURANCES FROM THE STATES; PROVISIONS FOR  
 20 JUDICIAL REVIEW

21 SEC. 124. (a) Before making any program grant under  
 22 this Act the Commissioner shall receive from the State  
 23 administrative agency assurances satisfactory to him that—

24 (1) the planning requirements of section 122 have  
 25 been met;

1 (2) the State advisory council on vocational edu-  
2 cation has had a reasonable opportunity to review and  
3 make recommendations concerning the design of the  
4 programs for which the grant is requested;

5 (3) Federal funds made available under this Act  
6 will result in improved postsecondary occupational edu-  
7 cation programs, and in no case supplant State, local, or  
8 private funds;

9 (4) provision has been made for such fiscal control  
10 and fund accounting procedures as may be necessary to  
11 assure proper disbursement of, and accounting for, Fed-  
12 eral funds paid to the State under this Act;

13 (5) to the extent consistent with the number of stu-  
14 dents enrolled in nonprofit private schools in the area to  
15 be served by an elementary or secondary school program  
16 funded under this Act, provision has been made for the  
17 effective participation of such students; and

18 (6) provides for making such reports in such form  
19 and containing such information as the Commissioner  
20 may reasonably require to carry out his functions under  
21 this Act.

22 (b) (1) Whenever the Commissioner, after reasonable  
23 notice and opportunity for a hearing to the State administra-  
24 tive agency, finds that any of the assurances required by sub-  
25 section (a) are unsatisfactory, or that in the administration

1 of the program there is a failure to comply with such assur-  
2 ances or with other requirements of the Act, the Commis-  
3 sioner shall notify the administrative agency that no further  
4 payments will be made to the State under this Act until he is  
5 satisfied that there has been or will be compliance with the  
6 requirements of the Act.

7 (2) A State administrative agency which is dissatisfied  
8 with a final action of the Commissioner under this section or  
9 under section 110 (respecting approval of a State plan for  
10 administration) may appeal to the United States court of  
11 appeals for the circuit in which the State is located, by filing  
12 a petition with such court within sixty days after such final  
13 action. A copy of the petition shall be forthwith transmitted  
14 by the clerk of the court to the Commissioner, or any officer  
15 designated by him for that purpose. The Commissioner there-  
16 upon shall file in the court the record of the proceedings on  
17 which he based his action, as provided in section 2112 of  
18 title 28, United States Code. Upon the filing of such petition,  
19 the court shall have jurisdiction to affirm the action of the  
20 Commissioner or to set it aside, in whole or in part, tem-  
21 porarily or permanently but until the filing of the record  
22 the Commissioner may modify or set aside his action. The  
23 findings of the Commissioner as to the facts, if supported  
24 by substantial evidence, shall be conclusive, but the court,  
25 for good cause shown, may remand the case to the Com-



1 commissioner to take further evidence, and the Commissioner  
2 may thereupon make new or modified findings of fact and  
3 may modify his previous action, and shall file in the court  
4 the record of the further proceedings. Such new or modified  
5 findings of fact shall likewise be conclusive if supported by  
6 substantial evidence. The judgment of the court affirming  
7 or setting aside, in whole or in part, any action of the Com-  
8 missioner shall be final, subject to review by the Supreme  
9 Court of the United States upon certiorari or certification  
10 as provided in section 1254 of title 28, United States Code.  
11 The commencement of proceedings under this subsection  
12 shall not, unless so specifically ordered by the court, operate  
13 as a stay of the Commissioner's action.

14 TECHNICAL ASSISTANCE AND MODEL PROGRAMS

15 SEC. 125. (a) The Commissioner shall make available  
16 (to the extent practicable) technical assistance to the States  
17 in planning, designing, and carrying out programs author-  
18 ized by this Act upon the request of any Governor or State  
19 administrative agency, and the Commissioner shall take af-  
20 firmative steps to acquaint all interested organizations, agen-  
21 cies, and institutions with the provisions of this Act and  
22 to enlist broad public understanding of its purposes.

23 (b) From the sums reserved to the Commissioner under  
24 section 3, he shall by grant or contract provide assistance—

25 (1) for the establishment and conduct of model or

1 demonstration programs which in his judgment will  
2 promote the achievement of one or more purposes of  
3 this Act and which might otherwise not be carried out  
4 (or be carried out soon enough or in such a way as to  
5 have the desirable impact upon the purposes of the  
6 Act) ;

7 (2) as an incentive or supplemental grant to any  
8 State administrative agency which makes a proposal for  
9 advancing the purposes of this Act which he feels holds  
10 special promise for meeting occupational education  
11 needs of particular groups or classes of persons who  
12 are disadvantaged or who have special needs, when such  
13 proposal could not reasonably be expected to be carried  
14 out under the regular State program; and

15 (3) for particular programs or projects eligible for  
16 support under this Act which he believes to have a spe-  
17 cial potential for helping to find solutions to problems  
18 on a regional or national basis.

19 (c) In providing support under subsection (b) the  
20 Commissioner may as appropriate make grants to or con-  
21 tracts with public or private agencies, organizations, and in-  
22 stitutions, but he shall give first preference to applications for  
23 projects or programs which are administered by or approved  
24 by State administrative agencies, and he shall in no case  
25 make a grant or contract within any State without first hav-

1 ing afforded the State administrative agency reasonable no-  
2 tice and opportunity for comment and for making recommen-  
3 dations.

4 **PAYMENTS**

5 **SEC. 126.** Payments under this Act may be made in in-  
6 stallments and in advance or by way of reimbursement, with  
7 necessary adjustments on account of overpayments or under-  
8 payments.

9 **DEFINITIONS**

10 **SEC. 127.** For the purpose of this Act—

11 (1) the term “State” includes the District of Co-  
12 lumbia, the Commonwealth of Puerto Rico, the Virgin  
13 Islands, and (except for the purposes of subsections (a)  
14 and (b) of section 4) Guam, American Samoa, and the  
15 Trust Territory of the Pacific Islands;

16 (2) the term “post-secondary-occupational educa-  
17 tion” means education, training, or retraining for persons  
18 sixteen years of age or older who have graduated from  
19 or left elementary or secondary school, conducted by an  
20 institution legally authorized to provide postsecondary  
21 education within a State, which is designed to prepare in-  
22 dividuals for gainful employment as semiskilled or skilled  
23 workers or technicians or subprofessionals in recognized  
24 occupations (including new and emerging occupations)  
25 or to prepare individuals for enrollment in advanced

1 technical education programs, but excluding any program  
 2 to prepare individuals for employment in occupations  
 3 which the Commissioner determines, and specifies by  
 4 regulation, to be generally considered professional or  
 5 which requires a baccalaureate or advanced degree;

6 (3) the term "Governor" means the Governor of a  
 7 State or the chief executive officer (however described)  
 8 or any jurisdiction treated as a State under this Act.

9 **TITLE II—CONFORMING AND SUPPORTING**  
 10 **AMENDMENTS TO OTHER ACTS**

11 **SEC. 201.** (a) Section 203 (a) (3) of the Elementary  
 12 and Secondary Education Act of 1965 is amended by striking  
 13 out "and" at the end of clause (B), striking out the semi-  
 14 colon at the end of clause (B) and inserting in lieu thereof "  
 15 and", and by inserting a new clause as follows:

16 " (D) provide assurance that equal consideration  
 17 shall be given to the needs of elementary and secondary  
 18 schools for library resources, textbooks, and other printed  
 19 and published materials utilized for instruction, orienta-  
 20 tion, or guidance and counseling in occupational educa-  
 21 tion."

22 (b) Section 303 (b) (3) of such Act is amended by re-  
 23 designating clauses (C), (D), (E), (F), (G), (H), (I),  
 24 and (J), respectively, as clauses (D), (E), (F), (G),

1 (H), (I), (J), and (K), and by inserting a new clause as  
2 follows:

3 " (C) programs designed to encourage the develop-  
4 ment in elementary and secondary schools of occupa-  
5 tional information and counseling and guidance, and in-  
6 struction in occupational education on an equal footing  
7 with traditional academic education;"

8 (c) Section 503 (4) of such Act is amended by re-  
9 designating clauses (A), (B), and (C), respectively, as  
10 clauses (B), (C), and (D), and by inserting a new clause  
11 as follows:

12 " (A) the development in elementary and secondary  
13 schools of programs of occupational information, counsel-  
14 ing and guidance, and instruction in occupational educa-  
15 tion on an equal footing with traditional academic edu-  
16 cation,"

17 Sec. 202. (a) (1) Section 104 (a) (2) of the Vocational  
18 Education Act of 1963 (relating to the duties of the  
19 National Advisory Council on Vocational Education) is  
20 amended by inserting after "under this title" each time it  
21 appears " , and under title I of the Occupational Education  
22 Act of 1971,"

23 (2) Section 104 of such Act is further amended by  
24 redesignating subsection (c) as subsection (d) and by in-  
25 serting a new subsection as follows:

1       “(c) State advisory councils also shall perform with  
2 respect to the programs carried out under title I of the  
3 Occupational Education Act of 1971 functions identical with  
4 or analogous to those assigned under this title, and the Com-  
5 missioner shall assure that adequate funds are made avail-  
6 able to such Councils from funds appropriated to carry out  
7 title I of that Act (without regard to whether such funds  
8 have been allotted to States) to enable them to perform such  
9 functions.”

92<sup>d</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1557

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IN THE HOUSE OF REPRESENTATIVES

April 28, 1971

Referred to the Committee on Education and Labor

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## AN ACT

To provide financial assistance to local educational agencies in order to establish equal educational opportunities for all children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled.*

3 That this Act may be cited as the "Emergency School Aid  
4 and Quality Integrated Education Act of 1971".

5 POLICY WITH RESPECT TO THE APPLICATION OF CERTAIN  
6 PROVISIONS OF FEDERAL LAW

7 SEC. 2. It is the policy of the United States that  
8 guidelines and criteria established pursuant to title VI of  
9 the Civil Rights Act of 1964, section 182 of the Elementary  
10 and Secondary Education Amendments of 1966, and this

1

1 Act, shall be applied uniformly in all regions of the United  
2 States in dealing with conditions of segregation by race  
3 whether de jure or de facto in the schools of the local edu-  
4 cational agencies of any State without regard to the origin  
5 or cause of such segregation.

6 **FINDINGS AND PURPOSE**

7 **SEC. 2A. (a)** The Congress hereby finds that the process  
8 of establishing and maintaining stable, quality, integrated  
9 schools and eliminating or preventing minority group iso-  
10 lation improves the quality of education for all children  
11 and often involves the expenditure of additional funds to  
12 which local educational agencies do not have access.

13 (b) It is the purpose of this Act (1) to encourage  
14 comprehensive planning for the elimination of minority  
15 group isolation in school systems throughout the Nation, (2)  
16 to provide financial assistance to encourage the establish-  
17 ment and maintenance of stable, quality integrated schools  
18 throughout the Nation, serving students from all back-  
19 grounds, which offer enriched educational oppo tunities de-  
20 rived from the presence of children from diverse backgrounds  
21 in an environment sensitive to the potential contribution of  
22 each child to the education of all, through the use of modern  
23 educational methods, practices, and techniques, including,  
24 where appropriate, programs of integrated bilingual, bicultural  
25 education, (3) to assist in eliminating minority group



1 isolation in public school systems throughout the Nation, and  
2 (4) to aid schoolchildren in overcoming the educational dis-  
3 advantages of minority group isolation.

#### 4 APPROPRIATIONS

5 SEC. 3. (a) The Commissioner, shall, in accordance with  
6 the provisions of this Act, carry out a program designed to  
7 achieve the purposes set forth in section 2A (b). There are  
8 authorized to be appropriated to the Commissioner, for the  
9 purpose of carrying out this Act, \$500,000,000 for the period  
10 beginning with the enactment of this Act and ending  
11 June 30, 1972, and \$1,000,000,000 for the fiscal year ending  
12 June 30, 1973. Funds so appropriated shall remain avail-  
13 able for obligation and expenditure during the fiscal year  
14 succeeding the fiscal year for which they are appropriated,  
15 except that funds reserved pursuant to subsection (b) shall  
16 remain available until expended.

17 (b) (1) From the sums appropriated pursuant to sub-  
18 section (a) for any fiscal year, the Commissioner shall re-  
19 serve an amount equal to 15 per centum thereof for the  
20 purposes of section 8.

21 (2) From the sums appropriated pursuant to subsection  
22 (a) for any fiscal year, the Commissioner shall reserve an  
23 amount equal to 1 per centum thereof for the purposes of  
24 sections 7 (a) and (c), and 10 of this Act.

25 (A) not less than an amount equal to 4 per centum

1 of such sum shall be for the purposes of section 7 (c) :  
2 **and**

3 (B) not less than an amount equal to 3 per centum  
4 of such sums shall be for the purposes of section 10.

5 APPORTIONMENT AMONG STATES

6 SEC. 4. (a) (1) From the sums appropriated pursuant  
7 to section 3 (a) which are not reserved under section 3 (b)  
8 or 12 for any fiscal year, the Commissioner shall apportion  
9 to each State for grants and contracts within that State an  
10 amount which bears the same ratio to such sums as the num-  
11 ber of minority group children enrolled in elementary and sec-  
12 ondary schools in that State bears to the number of such  
13 children in all the States, except that the amount appor-  
14 tioned to any State shall not be less than \$100,000.

15 (2) Of the amount apportioned to each State under  
16 paragraph (1), the Commissioner shall, in accordance with  
17 criteria established by regulation, reserve not in excess of  
18 22 per centum thereof for grants to, and contracts with,  
19 local educational agencies in that State pursuant to section  
20 5 (b) .

21 (3) Of the amount apportioned to each State under  
22 paragraph (1), the Commissioner shall reserve not less than  
23 15 per centum thereof for grants and contracts in that State  
24 pursuant to section 7 (b) .

25 (b) The amount of any State's apportionment under

1 subsection (a) which exceeds the amount which the Com-  
2 missioner determines, in accordance with criteria established  
3 by regulation, will be required during the period for which  
4 the apportionment is available for programs and projects  
5 within such State, shall be available for reapportionment  
6 from time to time, on such dates during such period as the  
7 Commissioner shall fix by regulation, to other States in  
8 proportion to the original apportionment's to such States  
9 under subsection (a). If the Commissioner determines, in  
10 accordance with criteria established by regulation, that the  
11 amount which would be reapportioned to a State under the  
12 first sentence of this subsection exceeds the amount which  
13 will be required during the period of the apportionment  
14 for programs and projects within such State, the amount  
15 of such State's reapportionment shall be reduced to the  
16 extent of such excess, and the total amount of any reduc-  
17 tions pursuant to this sentence shall be available for reap-  
18 portionment under the first sentence of this subsection. Any  
19 amount reapportioned to a State under this subsection dur-  
20 ing the period of any apportionment shall be deemed a part  
21 of its apportionment for that period. Any amount reserved  
22 pursuant to paragraph (3) of subsection (a) and reappor-  
23 tioned under this subsection shall be used solely for the pur-  
24 poses for which it was originally reserved.

## 1 ELIGIBILITY FOR ASSISTANCE

2 SEC. 5. (a) (1) (A) The Commissioner is authorized  
3 to make a grant to, or a contract with, a local educational  
4 agency—

5 (i) which is implementing a plan—

6 (I) which has been undertaken pursuant to  
7 a final order issued by a court of the United States,  
8 or a court of any State, which requires the desegre-  
9 gation of minority group segregated children or  
10 faculty in the elementary and secondary schools  
11 of such agency, or otherwise requires the elimina-  
12 tion or reduction of minority group isolation in such  
13 schools; or

14 (II) which has been approved by the Secre-  
15 tary as adequate under title VI of the Civil Rights  
16 Act of 1964 for the desegregation of minority group  
17 segregated children or faculty in such schools;

18 (ii) which, without having been required to do so,  
19 has adopted and is implementing, or will, if assistance  
20 is made available to it under this Act, adopt and imple-  
21 ment, a plan for the complete elimination of minority  
22 group isolation in all the minority group isolated schools  
23 of such agency; or

24 (iii) which has adopted and is implementing, or  
25 will, if assistance is made available to it under this Act,  
26 adopt and implement, a plan—

1 (I) to eliminate or reduce minority group iso-  
2 lation in one or more of the minority group isolated  
3 schools of such agency,

4 (II) to reduce the total number of minority  
5 group children who are in minority group isolated  
6 schools of such agency, or

7 (III) to prevent minority group isolation rea-  
8 sonably likely to occur (in the absence of assistance  
9 under this Act) in any school of such agency, in  
10 which school at least 20 per centum, but not more  
11 than 60 per centum, of the enrollment consists of  
12 such children.

13 (B) No local educational agency shall be eligible under  
14 subparagraph (A) unless the Commissioner determines, in  
15 accordance with regulations, that the local educational agency  
16 will establish or maintain or has established and will main-  
17 tain at least one stable, quality integrated school and that  
18 the agency has adopted a comprehensive districtwide plan  
19 for the elimination of minority group isolation, to the maxi-  
20 mum extent possible, in all schools of such agency.

21 (2) (A) The Commissioner is authorized, in accordance  
22 with special eligibility criteria established by regulation for  
23 the purposes of this paragraph, to make grants to, and con-  
24 tracts with, local educational agencies for the purposes of  
25 section 8 (a) (1).

1 (B) A local educational agency shall be eligible for  
2 assistance under this paragraph only if—

3 (i) such agency is located within, or adjacent to,  
4 a Standard Metropolitan Statistical Area;

5 (ii) the schools of such agency are not attended by  
6 minority group children in a significant number or  
7 proportion; and

8 (iii) such local educational agency has made joint  
9 arrangements with a local educational agency, located  
10 within that Standard Metropolitan Statistical Area, and  
11 the schools of which are attended by minority group  
12 children in a significant proportion, for the establish-  
13 ment or maintenance of one or more stable, quality  
14 integrated schools as provided in section 8 (1).

15 (3) (A) Upon a determination by the Commissioner—

16 (i) that more than 50 per centum of the number  
17 of children in attendance at the schools of a local edu-  
18 cational agency is minority group children;

19 (ii) that such local educational agency has adopted  
20 a comprehensive districtwide plan which meets the re-  
21 quirements of subparagraph (B) of paragraph (1) of  
22 this section; and

23 (iii) that such local educational agency has applied  
24 for and will receive at least an equal amount of assist-  
25 ance under subsection (b);

1 the Commissioner is authorized to make a grant to, or con-  
2 tract with, such local educational agency for the establish-  
3 ment or maintenance of one or more stable, quality integrated  
4 schools as defined in subparagraph (B).

5 (B) For the purposes of this paragraph (3), an inte-  
6 grated school shall be a school with (i) an enrollment in  
7 which a substantial proportion of the children is from educa-  
8 tionally advantaged backgrounds, and in which the Com-  
9 missioner determines that the number of nonminority group  
10 children constitutes that proportion of the enrollment which  
11 will achieve stability, in no event more than 60 per centum  
12 thereof, and (ii) a faculty which is representative of the  
13 minority group and nonminority group population of the  
14 larger community in which it is located, or, whenever the  
15 Commissioner determines that the local educational agency  
16 concerned is attempting to increase the proportions of mi-  
17 nority group teachers, supervisors, and administrators in its  
18 employ, a faculty which is representative of the minority  
19 group and nonminority group faculty employed by the local  
20 educational agency.

21 (b) The Commissioner is authorized to make grants to,  
22 or contracts with, local educational agencies, which are  
23 eligible under subsection (a), for unusually promising  
24 pilot programs or projects designed to overcome the

1 adverse effects of minority group isolation by improv-  
2 ing the academic achievement of children in one or more  
3 minority group isolated schools, if he determines that the  
4 local educational agency had a number of minority group  
5 children enrolled in its schools, for the fiscal year preceding  
6 the fiscal year for which assistance is to be provided, (1)  
7 is at least 15,000, or (2) constitutes more than 50 per  
8 centum of the total number of children enrolled in such  
9 schools.

10 (c) No local educational agency making application  
11 under this section shall be eligible to receive a grant or con-  
12 tract in an amount in excess of the amount determined by  
13 the Commissioner, in accordance with regulations setting  
14 forth criteria established for such purpose, to be the addi-  
15 tional cost to the applicant arising out of activities authorized  
16 under this Act, above that of the activities normally carried  
17 out by the local educational agency.

18 (d) (1) No local educational agency shall be eligible for  
19 assistance under this Act if it has, after the date of enactment  
20 of this Act—

(A) transferred (directly or indirectly by gift,  
22 lease, loan, sale, or other means) real or personal prop-  
23 erty to, or made any services available to, any nonpublic  
24 school or school system (or any organization controlling,  
25 or intending to establish, such a school or school system)



1 without prior determination that such nonpublic school  
2 or school system (i) is not operated on a racially seg-  
3 regated basis as an alternative for children seeking to  
4 avoid attendance in desegregated public schools, and (ii)  
5 does not otherwise practice, or permit to be practiced,  
6 discrimination on the basis of race, color, or national  
7 origin in the operation of any school activity;

8 (B) had in effect any practice, policy, or procedure  
9 which results (or has resulted) in the disproportionate  
10 demotion or dismissal of instructional or other personnel  
11 from minority groups in conjunction with desegregation  
12 or the conduct of an activity described in section 5, or  
13 otherwise engaged in discrimination based upon race,  
14 color, or national origin in the hiring, promotion, or  
15 assignment of employees of the agency (or other per-  
16 sonnel for whom the agency has any administrative  
17 responsibility) ;

18 (C) in conjunction with desegregation or the con-  
19 duct of an activity described in section 5, had in effect  
20 any procedure for the assignment of children to or within  
21 classes which results in the separation of minority group  
22 from nonminority group children for a substantial por-  
23 tion of the school day: *Provided, however,* That the  
24 foregoing does not prohibit the use of bona fide ability

1 grouping by a local education agency as a standard  
2 pedagogical practice; or

3 (D) had in effect any other practice, policy, or  
4 procedure, such as limiting curricular or extracurricular  
5 activities (or participation therein by children) in order  
6 to avoid the participation of minority group children in  
7 such activities, which discriminates among children on  
8 the basis of race, color, or national origin;

9 except that, in the case of any local educational agency  
10 which is ineligible for assistance by reason of clause (A),  
11 (B), (C), or (D), such agency may make application for  
12 a waiver of ineligibility, which application shall specify the  
13 reason for its ineligibility, contain such information and as-  
14 surances as the Secretary shall require by regulation in order  
15 to insure that any practice, policy, or procedure, or other  
16 activity resulting in the ineligibility has ceased to exist or  
17 occur and include such provisions as are necessary to insure  
18 that such activities do not reoccur after the submission of the  
19 application.

20 (2) (A) Except as is provided in subparagraph (B), no  
21 local educational agency shall be eligible for assistance un-  
22 der this Act or for a waiver under paragraph (1) if—

23 (i) after August 18, 1970, it has caused to exist or  
24 occur, or has permitted to exist or occur, any transaction,  
25 practice, policy, or procedure described in clause (A),

1 (B), (C), or (D) of paragraph (1) which would have  
2 rendered it ineligible if such transaction, practice, pol-  
3 icy, or procedure existed or occurred after the date of  
4 enactment of this Act; and

5 (ii) it has received assistance under the paragraph  
6 headed "Emergency School Assistance" in the Office  
7 of Education Appropriations Act, 1971 (Public Law  
8 91-380).

9 (B) (i) In the case of any local educational agency  
10 which is ineligible for assistance under this Act by reason of  
11 subparagraph (A), such agency may make a special appli-  
12 cation for a waiver of its ineligibility, which application  
13 shall include (I) all the specifications, procedures, assur-  
14 ances, and other information required for a waiver under  
15 the exception set forth in paragraph (1), and (II) in addi-  
16 tion, such other data, plans, assurances, and information as  
17 the Secretary shall require in order to insure compliance  
18 with this subparagraph (B).

19 (ii) The additional matters required by the Secretary  
20 under clause (II) of subparagraph (B) (i) shall at least  
21 include sufficient information as to enable the Commissioner  
22 to evaluate properly the application submitted under section  
23 9 by the applicant for a special waiver under this subpara-  
24 graph (B) and advise the Secretary with respect to the  
25 merit of the program for which assistance is sought.

1       (3) Applications for waivers under paragraphs (1)  
2 and (2) may be approved only by the Secretary. The Sec-  
3 retary's functions under this paragraph shall, notwithstand-  
4 ing any other provision of law, not be delegated.

5       (4) No application for assistance under this Act shall  
6 be approved prior to a determination by the Commissioner  
7 that the applicant is not ineligible by reason of this subsec-  
8 tion. No waiver under paragraph (2) shall be granted until  
9 the Commissioner has determined that the special applicant  
10 has submitted an application under section 9 proposing a  
11 program or project of extraordinary merit.

12       (5) All determinations pursuant to this subsection shall  
13 be carried out in accordance with criteria and investigative  
14 procedures established by regulations of the Secretary for the  
15 purpose of compliance with this subsection.

16       (6) All determinations and waivers pursuant to this  
17 subsection shall be in writing. The Committee on Labor and  
18 Public Welfare of the Senate and the Committee on Educa-  
19 tion and Labor of the House of Representatives shall each be  
20 given notice of an intention to grant any waiver under this  
21 subsection, which notice shall be accompanied by a copy of  
22 the proposed waiver for which notice is given and copies of  
23 all determinations relating to such waiver. The Commissioner  
24 shall not approve an application by a local educational agency  
25 which requires a waiver under this subsection prior to thirty

1 days after receipt of the notice required by the preceding  
2 sentence by the chairman of the Committee on Labor and  
3 Public Welfare of the Senate and the chairman of the  
4 Committee on Education and Labor of the House of  
5 Representatives.

6 AUTHORIZED ACTIVITIES

7 SEC. 6. (a) Sums appropriated pursuant to section 3 (a)  
8 and apportioned to a State pursuant to section 4 (which  
9 have not been reserved under paragraph (2) or (3) of sec-  
10 tion 4 (a) ) shall be available for grants to, and contracts  
11 with, local educational agencies in that State which have  
12 been established as eligible under section 5 (a) , to assist such  
13 agencies in carrying out the following programs and projects  
14 under the comprehensive district wide plan submitted pursu-  
15 ant to section 5 (a) as necessary and appropriate to carry out  
16 the purposes of this Act:

17 (1) The development and use of new curricula and  
18 instructional methods, practices, and techniques (and the  
19 acquisition of instructional materials relating thereto)  
20 to support a program of instruction for children from all  
21 racial, ethnic, and economic backgrounds, including in-  
22 struction in the language and cultural heritage of minor-  
23 ity groups.

24 (2) Remedial services, beyond those provided under

1 the regular school program conducted by the local educa-  
2 tional agency, including student-to-student tutoring.

3 (3) Guidance and counseling services, beyond those  
4 provided under the regular school program conducted  
5 by the local educational agency, designed to promote  
6 mutual understanding among minority group and non-  
7 minority group parents, children, and teachers.

8 (4) Administrative and auxiliary services to facili-  
9 tate the success of the project.

10 (5) Community activities, including public infor-  
11 mation efforts, in support of a plan, program, project,  
12 or other activities described in this section.

13 (6) Recruiting, hiring, and training of teacher  
14 aides: *Provided*, That in recruiting teacher aides, pref-  
15 erence shall be given to parents of children attending  
16 schools assisted under section 5 (a).

17 (7) Inservice teacher training designed to enhance  
18 the success of schools assisted under section 5 (a) through  
19 contracts with institutions of higher education, or other  
20 institutions, agencies, and organizations individually  
21 determined by the Commissioner to have special com-  
22 petence for such purpose.

23 (8) Planning programs and projects under this  
24 section, the evaluation of such programs and projects,  
25 and dissemination of information with respect to such  
26 programs and projects.

1           (9) Repair or minor remodeling or alteration of  
2 existing school facilities (including the acquisition, in-  
3 stallation, modernization, or replacement of instructional  
4 equipment) and the lease or purchase of mobile class-  
5 room units or other mobile educational facilities.

6 In the case of programs and projects involving activities  
7 described in paragraph (9), the inclusion of such activities  
8 must be found to be a necessary component of, or necessary  
9 to facilitate, a program or project involving other activities  
10 described in this section or subsection (b), and in no case  
11 involve an expenditure in excess of 10 per centum of the  
12 amount made available to the applicant to carry out the pro-  
13 gram or project. The Commissioner shall by regulation  
14 define the term "repair or minor remodeling or alteration".

15           (b) Sums reserved under section 4(a)(2) with  
16 respect to any State shall be available for grants to, and  
17 contracts with, local educational agencies in that State  
18 making application for assistance under section 5(b) to  
19 carry out innovative pilot programs and projects which are  
20 specifically designed to assist in overcoming the adverse  
21 effects of minority group isolation, by improving the educa-  
22 tional achievement of children in minority group isolated  
23 schools, including only the activities described in paragraphs  
24 (1) through (9) of subsection (a), as they may be used to  
25 accomplish such purpose.

1 (c) Sums appropriated as set forth in section 6 shall  
2 also be available for grants to, and contracts with, any local  
3 educational agencies in such State, to assist such agencies  
4 in carrying out programs as may be required or provided  
5 for in the court order applicable to such agency referred  
6 to in section 5 (a) (1) (A) (i) (I).

7 SPECIAL PROGRAMS AND PROJECTS

8 SEC. 7. (a) (1) Amounts reserved by the Commissioner  
9 pursuant to section 3 (b) (2), which are not designated for  
10 the purposes of clause (A) or (B) thereof, shall be avail-  
11 able to him for grants and contracts under this subsection.

12 (2) The Commissioner is authorized to make grants to,  
13 and contracts with, State and local educational agencies, and  
14 other public and private nonprofit agencies and organiza-  
15 tions (or a combination of such agencies and organiza-  
16 tions) for the purpose of conducting special programs and  
17 projects carrying out activities otherwise authorized by this  
18 Act, which the Commissioner determines will make substan-  
19 tial progress toward achieving the purposes of this Act.

20 (b) From the amounts reserved pursuant to section  
21 4 (a) (3), the Commissioner is authorized to make grants to,  
22 and contracts with, public and private nonprofit agencies, in-  
23 stitutions, and organizations (other than local educational  
24 agencies and nonpublic elementary and secondary schools)  
25 for programs and projects to promote equality of educational



1 opportunity, through facilitating the participation of parents,  
2 students, and teachers in the design and implementation of  
3 comprehensive educational planning; the provision of services  
4 which will enable parents to become effective participants in  
5 the educational process; the conduct of activities which foster  
6 understanding among minority group and nonminority group  
7 parents, children, teachers, and school officials, including  
8 public information and school-community relations activities;  
9 and the conduct of school-related activities to reinforce stu-  
10 dent growth and achievement.

11 (c) (1) The Commissioner shall carry out a program to  
12 meet the needs of minority group children who are from an  
13 environment in which a dominant language is other than  
14 English and who, because of language barriers and cultural  
15 differences do not have equality of educational opportunity.  
16 From the amount reserved pursuant to section 3 (b) (2) (B),  
17 the Commissioner is authorized to make grants to, and con-  
18 tracts with—

19 (A) private nonprofit agencies, institutions, and  
20 organizations to develop curricula, at the request of one  
21 or more educational agencies which are eligible for as-  
22 sistance under section 5, designed to meet the special  
23 educational needs of minority group children who are  
24 from environments in which a dominant language is other  
25 than English, for the development of reading, writing,

1 and speaking skills in the English language and in the  
2 language of their parents or grandparents, and to meet  
3 the educational needs of such children and their class-  
4 mates to understand the history and cultural background  
5 of the minority groups of which such children are  
6 members;

7 (B) local educational agencies eligible for assistance  
8 under section 5 for the purpose of engaging in such  
9 activities;

10 (C) local educational agencies which are eligible  
11 to receive assistance under section 5, for the purpose of  
12 carrying out activities authorized under section 6 (a) of  
13 this Act to implement curricula developed under clauses  
14 (A) and (B) or curricula otherwise developed which  
15 the Commissioner determines meets the purposes stated  
16 in clause (A).

17 In making grants and contracts under this paragraph, the  
18 Commissioner shall assure that sufficient funds from the  
19 amount reserved pursuant to section 3 (b) (2) (A) remain  
20 available to provide for grants and contracts under clause  
21 (C) of this paragraph for implementation of such curricula  
22 as the Commissioner determines meet the purposes stated  
23 in clause (A) of this paragraph. In making a grant or con-  
24 tract under clause (C) of this paragraph, the Commissioner  
25 shall take whatever action is necessary to assure that the

1 implementation plan includes provision adequate to insure  
2 training of teachers and other ancillary education personnel.

3 (2) (A) In order to be eligible for a grant or contract  
4 under this subsection—

5 (i) a local educational agency must establish a pro-  
6 gram or project committee meeting the requirements  
7 of subparagraph (B), which will fully participate in  
8 the preparation of the application under this subsection  
9 and in the implementation of the program or project and  
10 join in submitting such application; and

11 (ii) a private nonprofit agency, institution, or or-  
12 ganization must (I) establish a program or project  
13 board of not less than ten members which meets the re-  
14 quirements of subparagraph (B) and which shall exer-  
15 cise policymaking authority with respect to the program  
16 or project and (II) have demonstrated to the Commis-  
17 sioner that it has the capacity to obtain the services of  
18 adequately trained and qualified staff.

19 (B) A program or project committee or board, estab-  
20 lished pursuant to subparagraph (A) must be broadly rep-  
21 resentative of parents, school officials, teachers, and interested  
22 members of the community or communities to be served,  
23 not less than half of the members of which shall be parents  
24 and not less than half of the members of which shall be

1 members of the minority group, the educational needs of  
2 which the program or project is intended to meet.

3 (3) All programs or projects assisted under this sub-  
4 section shall be specifically designed to complement any pro-  
5 grams or projects carried out by the local educational agency  
6 under section 5. The Commissioner shall insure that pro-  
7 grams of Federal financial assistance related to the purposes  
8 of this subsection are coordinated and carried out in a man-  
9 ner consistent with the provisions of this subsection, to the  
10 extent consistent with other law.

11 **METROPOLITAN AREA PROJECTS**

**SEC. 8. (a) Funds reserved pursuant to section 3 (b) (1)**

**ll be available for the following purposes:**

14 (1) A program of grants to, and contracts with, local  
15 educational agencies which are eligible under section 5 (a)  
16 (2) in order to assist them in establishing and maintaining  
17 stable, quality integrated schools. For the purposes of this  
18 paragraph, an integrated school shall be a school with an  
19 enrollment in which a substantial proportion of the children  
20 is from educationally advantaged backgrounds, in which the  
21 proportions of minority group children are at least 50 per  
22 centum of the proportions of minority group children enrolled  
23 in all schools of the local educational agencies within the  
24 Standard Metropolitan Statistical Area, and which has a  
25 faculty and administrative staff with substantial representa-  
26 tion of minority group persons.

1           (2) A program of grants to groups of local educational  
2 agencies located in Standard Metropolitan Statistical Areas,  
3 for the joint development of plans to reduce and eliminate  
4 minority group isolation, to the maximum extent possible,  
5 in the public elementary and secondary schools in Standard  
6 Metropolitan Statistical Areas, which shall, as a minimum,  
7 provide that by a date certain, but in no event later than  
8 July 1, 1983, the percentage of minority group children  
9 enrolled in each school in the Standard Metropolitan Statis-  
10 tical Area shall be at least 50 per centum of the percentage  
11 of minority children enrolled in all the schools in the Stand-  
12 ard Metropolitan Statistical Area.

13           (3) A program of grants to local educational agencies  
14 to pay all or part of the cost of planning and constructing  
15 integrated education parks. For the purpose of this para-  
16 graph, the term "education park" means a school or cluster  
17 of such schools located on a common site, within a Standard  
18 Metropolitan Statistical Area, of sufficient size to achieve  
19 maximum economy of scale consistent with sound educational  
20 practice, providing the full range of pre-school, elementary,  
21 and secondary education, with an enrollment in which a  
22 substantial proportion of the children is from educationally  
23 advantaged backgrounds, and which is representative of the  
24 minority group and nonminority group children in attend-  
25 ance at the schools of the local educational agencies in

1 the Standard Metropolitan Statistical Area, or, if the appli-  
 2 cant is a single local educational agency, representative of  
 3 that of the local educational agency, and a faculty and ad-  
 4 ministrative staff with substantial representation of minority  
 5 group persons.

6 (b) In making grants and contracts under this section,  
 7 the Commissioner shall insure that—

8 (1) at least one grant shall be for the purposes of  
 9 paragraph (2) of subsection (a) ; and

10 (2) at least two grants shall be for the purposes of  
 11 paragraph (3) of subsection (a), of which at least one  
 12 shall be to assist an education park being planned,  
 13 established and operated as an interdistrict project in-  
 14 volving two or more local educational agencies.

#### 15 APPLICATIONS

16 Sec. 9. (a) Any local educational agency  
 17 receive assistance under this Act for any fiscal year shall  
 18 submit to the Commissioner an application therefor for that  
 19 fiscal year at such time, in such form, and containing such  
 20 information as the Commissioner shall require by regulation.  
 21 Such application, together with all correspondence and other  
 22 written materials relating thereto, shall be made readily  
 23 available to the public by the applicant and by the Commis-  
 24 sioner. The Commissioner may approve such an application  
 25 only if he determines that such application—

1 (1) in the case of applications under section 5,  
2 sets forth a program under which, and such policies and  
3 procedures as will assure that, (A) the applicant will  
4 use the funds received under this Act only for the activ-  
5 ities set forth in section 6 and that the applicant will  
6 use such funds for the implementation of a comprehen-  
7 sive districtwide plan for the elimination, to the extent  
8 possible, of minority group isolation, and that the use of  
9 such funds by the applicant will include the implemen-  
10 tation of a comprehensive program specifically designed  
11 to establish or maintain at least one, or more, stable,  
12 quality, integrated schools; and, (B) in the case of an  
13 application under section 5 (b), the applicant will  
14 initiate or expand an innovative program specifically  
15 designed to meet the educational needs of children  
16 attending one or more minority group isolated schools;

17 (2) has been developed—

18 (A) in open consultation with parents, teach-  
19 ers, and, where applicable, secondary school stu-  
20 dents, including public hearings at which such per-  
21 sons have had a full opportunity to understand the  
22 program for which assistance is being sought and  
23 to offer recommendations thereon, and

24 (B) except in the case of applications under  
25 section 7 (c), with the participation and, subject to

1 subsection (b), approval of a committee composed  
2 of parents of children participating in the program  
3 for which assistance is sought, teachers, and, where  
4 applicable, secondary school students, of which at  
5 least half the members shall be such parents, and  
6 at least half shall be persons from minority groups;

7 (3) sets forth such policies and procedures as will  
8 insure that the program for which assistance is sought  
9 will be operated in consultation with, and the involve-  
10 ment of, parents of the children and representatives of  
11 the area to be served, including the committee established  
12 for the purposes of clause (2) (B) ;

13 (4) sets forth such policies and procedures, and  
14 contains such information, as will insure that funds paid  
15 to the applicant under the application be used solely to  
16 pay the additional cost to the applicant in carrying out  
17 the plan and program described in the application;

18 (5) contains such assurances and other information  
19 as will insure that the program for which assistance is  
20 sought will be administered by the applicant, and that  
21 any funds received by the applicant, and any property  
22 derived therefrom, will remain under the administration  
23 and control of the applicant;

24 (6) sets forth such policies and procedures, and  
25 contains such information, as will insure that funds made



1 available to the applicant (A) under this Act will be so  
2 used (i) as to supplement and, to the extent practicable,  
3 increase the level of funds that would, in the absence of  
4 such funds, be made available from non-Federal sources  
5 for the purposes of the program for which assistance is  
6 sought, and for promoting the integration of the schools  
7 of the applicant, and for the education of children par-  
8 ticipating in such program, and (ii) in no case, as to  
9 supplant such funds from non-Federal sources, and (B)  
10 under any other law of the United States will, in ac-  
11 cordance with standards established by regulation, be  
12 used in coordination with such programs to the extent  
13 consistent with such other law;

14 (7) in the case of an application for assistance  
15 under section 5, provides that the program  
16 to be assisted will involve an additional expenditure per  
17 pupil to be served, determined in accordance with  
18 regulations prescribed by the Commissioner, of sufficient  
19 magnitude to provide reasonable assurance that the  
20 desired educational impact will be achieved and that  
21 funds under this Act will not be dispersed in such a way  
22 as to undermine their effectiveness;

23 (8) to the extent consistent with the number of  
24 minority group children in the area to be served who are  
25 enrolled in private nonprofit elementary and secondary

1 schools which are operated in a manner free from dis-  
2 crimination on the basis of race, color, or national origin,  
3 and which do not serve as alternatives for children seek-  
4 ing to avoid attendance in desegregated or integrated  
5 public schools, whose participation would assist in  
6 achieving the purpose of this Act, provides assurance  
7 that such agency (after consultation with the appropri-  
8 ate private school officials) has made provision for their  
9 participation on an equitable basis;

10 (9) provides that the applicant has not reduced its  
11 fiscal effort for the provision of free public education  
12 for children in attendance at the schools of such agency  
13 for the fiscal year for which assistance is made available under  
14 this Act to less than that of the second preceding fiscal  
15 year, and that the current expenditure per pupil which  
16 such agency makes from revenues derived from its local  
17 sources for the fiscal year for which assistance under this  
18 Act will be made available to such agency is not less  
19 than such expenditure per pupil which such agency made  
20 from such revenues for (A) the fiscal year preceding  
21 the fiscal year during which the implementation of a  
22 plan described in section 5 (a) (1) (A) was commenced,  
23 or (B) the third fiscal year preceding the fiscal year for  
24 which such assistance will be made available under this  
25 Act, whichever is later;

1           (10) that the State educational agency or agencies  
2 governing the school district or school districts in which  
3 the approved program or project will be carried out  
4 have been given reasonable opportunity to offer recom-  
5 mendations to the applicant and to submit comments to  
6 the Commissioner;

7           (11) sets forth effective procedures, including pro-  
8 visions for objective measurement of change in educa-  
9 tional achievement and other change to be effected by  
10 programs conducted under this Act, for the continuing  
11 evaluation of programs or projects under this Act, in-  
12 cluding their effectiveness in achieving clearly stated  
13 program goals, their impact on related programs and  
14 upon the community served, and their structure and  
15 mechanisms for the delivery of services; and

16           (12) provides (A) that the applicant will make  
17 periodic reports at such time, in such form, and con-  
18 taining such information as the Commissioner shall  
19 require by regulation, which regulation shall require at  
20 least—

21           (i) in the case of reports relating to perform-  
22 ance, that the reports be consistent with specific  
23 criteria related to the program objectives, and

24           (ii) that the reports include information re-

1           lating to educational achievement of children in the  
2           schools of the applicant,

3           and (B) that the applicant will keep such records and  
4           afford such access thereto as—

5                   (i) will be necessary to assure the correctness  
6                   of such reports and to verify them, and

7                   (ii) will be necessary to assure the public ade-  
8                   quate access to such reports and other written  
9                   materials.

10          (b) No application under this section shall be approved  
11          which is not accompanied by a detailed written statement of  
12          approval or disapproval by the committee established pur-  
13          suant to clause (2) (B) of subsection (a), which statement  
14          shall be considered by the Commissioner in making his deter-  
15          mination, after the committee has been given an appropriate  
16          opportunity for an informal hearing, that the local educa-  
17          tional agency had sufficient cause to proceed without com-  
18          mittee approval, and the Commissioner shall provide a writ-  
19          ten explanation to the local educational agency and the  
20          committee.

21          (c) The Commissioner shall not approve an application  
22          under this section unless he determines that—

23                   (1) the comprehensive districtwide plan submitted  
24                   pursuant to section 5 (a) (1) (B) or 5 (a) (3) can be

1 reasonably expected to eliminate minority group isola-  
2 tion, to the maximum extent possible, in all schools of  
3 the applicant; and

4 (2) the funding for establishment or maintenance  
5 of the stable, quality integrated schools operated by  
6 applicant will be at a sufficient level as to achieve the  
7 purpose set forth in section 2A (b) (2).

8 (d) In approving applications under section 5, the  
9 Commissioner shall take into consideration (1) the extent  
10 to which the applicant will decrease minority group isolation  
11 and will prevent minority group isolation, (2) the numbers  
12 and proportions of minority group children which the appli-  
13 cant will place in stable, quality integrated schools, and (3)  
14 applications which offer the greatest promise of providing  
15 quality education for all children participating in the pro-  
16 posed project; and he shall first approve those applica-  
17 tions from local educational agencies which place the largest  
18 numbers and proportions of minority group children in stable,  
19 quality integrated schools.

20 (e) No State shall reduce the amount of State aid with  
21 respect to the provision of free public education in any  
22 school district of any local educational agency within such  
23 State because of assistance made or to be made available  
24 to such agency under this Act.

## 1 EDUCATIONAL TELEVISION-----

2 SEC. 10. (a) The sums reserved pursuant to section 3  
3 (b) (2) (B) for the purpose of carrying out this section shall  
4 be available for grants and contracts in accordance with sub-  
5 section (b).

6 (b) (1) The Commissioner shall carry out a program of  
7 making grants to, or contracts with, not more than ten pub-  
8 lic or private nonprofit agencies, institutions, or organizations  
9 with the capability of providing expertise in the development  
10 of television programing, in sufficient number to assure  
11 diversity, to pay the cost of development and production of  
12 integrated children's television programs of cognitive and  
13 affective educational value.

14 (2) Television programs developed in whole or in part  
15 with assistance provided under this Act shall be made rea-  
16 sonably available for transmission, free of charge, and shall  
17 not be transmitted under commercial sponsorship.

18 (3) The Commissioner may approve an application  
19 under this section only if he determines that the applicant—

20 (A) will employ members of minority groups in  
21 responsible positions in development, production, and  
22 administrative staffs;

23 (B) will use modern television techniques of re-  
24 search and production; and

25 (C) has adopted effective procedures for evaluat-

1 ing education and other change achieved by children  
2 viewing the program.

3 DEFINITIONS

4 SEC. 11. Except as otherwise specified, the following  
5 definitions shall apply to the terms used in this Act:

6 (1) The term "Commissioner" means the Commis-  
7 sioner of Education; and the term "Secretary" means the  
8 Secretary of Health, Education, and Welfare.

9 (2) The term "current expenditure per pupil" for  
10 a local educational agency means (1) the expenditures  
11 for free public education, including expenditures for ad-  
12 ministration, instruction, attendance and health services,  
13 pupil transportation services, operation and maintenance  
14 of plant, fixed charges, and net expenditures to cover deficits  
15 for food services and student body activities, but not in-  
16 cluding expenditures for community services, capital out-  
17 lay, and debt service, or any expenditures made from any  
18 Federal funds paid to the agency, divided by (2) the  
19 number of children in average daily attendance to whom  
20 such agency provided free public education during the year  
21 for which the computation is made.

22 (3) The term "elementary school" means a day or  
23 residential school which provides elementary education, as  
24 determined under State law.

25 (4) The term "equipment" includes machinery, utilities,

1 and built-in equipment and any necessary enclosures or struc-  
2 tures to house them, and includes all other items necessary for  
3 the provision of educational services, such as instructional  
4 equipment and necessary furniture, printed, published, and  
5 audiovisual instructional materials, and other related material.

6 (5) The term "institution of higher education" means  
7 an educational institution in any State which—

8 (A) admits as regular students only individuals  
9 having a certificate of graduation from a high school, or  
10 the recognized equivalent of such a certificate;

11 (B) is legally authorized within such State to pro-  
12 vide a program of education beyond high school;

13 (C) provides an educational program for which it  
14 awards a bachelor's degree: or provides not less than a  
15 two-year program which is acceptable for full credit to-  
16 ward such a degree, or offers a two-year program in  
17 engineering, mathematics, or the physical or biological  
18 sciences which is designed to prepare the student to  
19 work as a technician and at a semiprofessional level  
20 in engineering, scientific, or other technological fields  
21 which require the understanding and application of basic  
22 engineering, scientific, or mathematical principles or  
23 knowledge;

24 (D) is a public or other nonprofit institution; and

25 (E) is accredited by a nationally recognized ac-



1 crediting agency or association listed by the Commis-  
2 sioner for the purposes of this paragraph.

3 (6) The term "integrated school" means a school with  
4 an enrollment in which a substantial proportion of the chil-  
5 dren are from educationally advantaged backgrounds, and  
6 which is substantially representative of the minority group  
7 and nonminority group enrollment of the local educational  
8 agency in which it is located, and a faculty which is repre-  
9 sentative of the minority group and nonminority group  
10 population of the larger community in which it is located, or  
11 whenever the Commissioner determines that the local edu-  
12 cational agency concerned is attempting to increase the pro-  
13 portions of minority group teachers, supervisors, and admin-  
14 istrators in its employ, a faculty which is representative of  
15 the minority group and nonminority group faculty employed  
16 by the local educational agency.

17 (7) The term "local educational agency" means a public  
18 board of education or other public authority legally consti-  
19 tuted within a State for either administrative control or direc-  
20 tion of, public elementary or secondary schools in a city,  
21 county, township, school district, or other political subdivi-  
22 sion of a State, or a federally recognized Indian reservation,  
23 or such combination of school districts, or counties as are rec-  
24 ognized in a State as an administrative agency for its public  
25 elementary or secondary schools, or a combination of local

1 educational agencies; and includes any other public institution  
2 or agency having administrative control and direction of a  
3 public elementary or secondary school.

4 (8) (A) The term "minority group" refers to (i)  
5 persons who are Negro, American Indian, Spanish-surnamed  
6 American, Portuguese, or Oriental; and (ii) (except for the  
7 purposes of section 4), as determined by the Secretary, per-  
8 sons who are from environments in which a dominant  
9 language is other than English and who, as a result of  
10 language barriers and cultural differences, do not have an  
11 equal educational opportunity, and (B) the term "Spanish-  
12 surnamed American" includes persons of Mexican, Puerto  
13 Rican, Cuban, or Spanish origin or ancestry.

14 (9) The terms "minority group isolated school" and  
15 "minority group isolation" in reference to a school mean a  
16 school and condition, respectively, in which minority group  
17 children constitute more than 50 per centum of the enroll-  
18 ment of a school.

19 (10) The term "nonprofit" as applied to a school,  
20 agency, organization, or institution means a school, agency,  
21 organization, or institution owned and operated by one or  
22 more nonprofit corporations or associations no part of the  
23 net earnings of which inures, or may lawfully inure, to the  
24 benefit of any private shareholder or individual.

25 (11) The term "secondary school" means a day or

1 residential school which provides secondary education, as  
2 determined under State law, except that it does not include  
3 any education provided beyond grade 12.

4 (12) The term "Standard Metropolitan Statistical  
5 Area" means the area in and around a city of fifty thousand  
6 inhabitants or more as defined by the Office of Management  
7 and Budget.

8 (13) The term "State" means one of the fifty States or  
9 the District of Columbia.

10 (14) The term "State educational agency" means the  
11 State board of education or other agency or officer primarily  
12 responsible for the State supervision of public elementary  
13 and secondary schools, or, if there is no such officer or  
14 agency, an officer or agency designated by the Governor or  
15 by State law for this purpose.

16 **EVALUATIONS**

17 **SEC. 12.** The Commissioner is authorized to reserve not  
18 in excess of 1 per centum of the sums appropriated under  
19 this Act for any fiscal year for the purposes of this section.  
20 From such reservation, the Commissioner is authorized to  
21 make grants to, and contracts with, State educational agen-  
22 cies, institutions of higher education and private organiza-  
23 tions, institutions, and agencies, including committees estab-  
24 lished pursuant to section 9(a) (2) for the purpose of

1 evaluating specific programs and projects assisted under this  
2 Act.

3 REPORTS

4 SEC. 13. The Commissioner shall make periodic detailed  
5 reports concerning his activities in connection with the pro-  
6 gram authorized by this Act and the program carried out  
7 with appropriations under the paragraph headed "Emer-  
8 gency School Assistance" in the Office of Education Appro-  
9 priations Act, 1971 (Public Law 91-380), and the effective-  
10 ness of programs and projects assisted under this Act in  
11 achieving the purposes of this Act. Such reports shall con-  
12 tain such information as may be necessary to permit adequate  
13 evaluation of the programs authorized by this Act, and shall  
14 be submitted to the President and to the Committee on  
15 Labor and Public Welfare of the Senate and the Committee  
16 on Education and Labor of the House of Representatives.  
17 The first report submitted pursuant to this section shall be  
18 submitted no later than ninety days after the enactment of  
19 this Act. Subsequent reports shall be submitted no less often  
20 than four times annually.

21 JOINT FUNDING

22 SEC. 14. Pursuant to regulations prescribed by the  
23 President, where funds are advanced by the Office of Educa-  
24 tion, and one or more other Federal agencies for any project  
25 or activity funded in whole or in part under this Act, any

1 one of such Federal agencies may be designated to act for  
2 all in administering the funds advanced. In such cases, any  
3 such agency may waive any technical grant or contract  
4 requirement (as defined by regulations) which is inconsis-  
5 tent with the similar requirements of the administering agency  
6 or which the administering agency does not impose. Nothing  
7 in this section shall be construed to authorize (1) the use of  
8 any funds appropriated under this Act for any purpose not  
9 authorized herein, (2) a variance of any reservation or ap-  
10 portionment under section 3 or 4, or (3) waiver of any  
11 requirement set forth in sections 5, 6, 7, 8, 9, and 11 (6).

12 NATIONAL ADVISORY COUNCIL

13 SEC. 15. (a) There is hereby established a National  
14 Advisory Council on Equality of Educational Opportunity,  
15 consisting of fifteen members, at least one-half of whom shall  
16 be representatives of minority groups, appointed by the  
17 President, which shall—

18 (1) advise the Secretary with respect to the opera-  
19 tion of the program authorized by this Act, including the  
20 preparation of regulations and the development of cri-  
21 teria for the approval of applications;

22 (2) review the operation of the program (A) with  
23 respect to its effectiveness in achieving its purposes as  
24 stated in section 2A, and (B) with respect to the Com-  
25 missioner's conduct in the administration of the program;

1 (3) meet not less than four times in the period  
2 during which the program is authorized, and submit  
3 through the Secretary, to the Congress at least two  
4 interim reports, which reports shall include a statement  
5 of its activities and of any recommendations it may have  
6 with respect to the operation of the program; and

7 (4) not later than December 1, 1973, submit to  
8 the Congress a final report on the operation of the  
9 program.

10 (b) The Commissioner shall submit an estimate under  
11 the authority of section 401 (c) and part C of the General  
12 Education Provisions Act to the Congress for the appropri-  
13 ations necessary for the Council created by subsection (a)  
14 to carry out its functions.

15 ATTORNEY FEES

16 SEC. 16. Upon the entry of a final order by a court of  
17 the United States against a local educational agency, a State  
18 (or any agency thereof), or the United States (or any  
19 agency thereof), for failure to comply with any provision  
20 of this Act or for discrimination on the basis of race, color,  
21 or national origin in violation of title VI of the Civil Rights  
22 Act of 1964, or the fourteenth amendment to the Constitu-  
23 tion of the United States as they pertain to elementary and  
24 secondary education, the court, in its discretion, upon a

1 finding that the proceedings were necessary to bring about  
2 compliance, may allow the prevailing party, other than the  
3 United States, a reasonable attorney's fee as part of the  
4 costs.

Passed the Senate April 26, 1971.

Attest:

FRANCIS R. VALEO,

*Secretary.*

Mr. PUCINSKI. We are most anxious to find out from the people at the local level precisely what they would want in the way of legislation to help them most.

So often, we in Washington legislate and then the people in the hustings tell us that the legislation is just not solving their problems.

So we are hoping through this series of hearings to get a better perspective of precisely what the school administrators at the local level need in the way of assistance. There is no question that America is suffering a crisis in education, and we want to see whether or not we can't make some contribution toward helping resolve this crisis.

I am pleased to have with us this morning our colleagues from New York, Mr. Badillo and Mr. Biaggi, and Mr. Veysey from California, and Mrs. Hicks from Massachusetts, who are with us this morning to begin these hearings.

Mr. Badillo, would you like to make a statement?

**STATEMENT OF HON. HERMAN BADILLO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. BADILLO. Thank you, Mr. Chairman.

I want to welcome you and Mrs. Hicks to New York City for these very important hearings. The action we take on the emergency school aid legislation before us will affect the course of American education if not the whole fabric of American society for decades to come.

Four years ago the Kerner Commission said this Nation was heading toward a division into two societies, one white and one black. The 1970 census provides dramatic evidence of this trend. Whites continue to flee the central cities for the suburbs; the black population of the central cities continues to grow. The result is a pattern of de facto segregation of the races in housing, in schools, in all aspects of American life, in all sections of the country.

Mr. Chairman, this subcommittee has an opportunity to take action that may halt our slide toward apartheid and instead fulfill the promise of *Brown v. The Board of Education*. However, we must give up the luxury of distinguishing between de facto and de jure segregation and move positively and swiftly to attack segregation in our schools wherever it is found and whatever its cause.

It is not enough to rely on voluntary desegregation plans stimulated by financial inducements. How many of my colleagues seriously believe any school district will voluntarily move to end racial isolation because of new Federal funds?

And how many of my colleagues seriously believe that attacking racial isolation in the schools on a district-by-district basis will have any significant effect, given the pattern of residential segregation now so evident in the North?

Yet with respect to the North, this is precisely the approach of the emergency school aid bills we are now considering. With respect to the South, on the other hand, funds go to districts desegregating involuntarily under court-ordered or HEW-approved plans. If the bills remain unchanged, then we will be perpetuating a double standard in the enforcement of desegregation and admitting defeat in our struggle against a dual society.



I am not prepared to give up the fight for quality integrated education in elementary and secondary schools—North and South, inner city and suburbs. That is why I am chief House sponsor of the Urban Education Improvement Act authored by a very able and courageous legislator, Senator Abraham Ribicoff of Connecticut.

I am very well aware of this problem, Mr. Chairman, as a former borough president of the Bronx, where we have had very serious problems just with the moving of 20 or 25 black and Puerto Rican children, in certain areas of Tremont, for example, a few years ago.

Now with the division of New York City into community school districts where each community superintendent and each school district tends to set up its own policy, it is most unlikely that there would be any voluntary agreement under which the different school superintendents, even in the Bronx, would try to get together to look upon the school picture as a total picture.

So I don't think that we can seriously pretend that school districts in New York City will move voluntarily to end racial isolation, even if there are Federal funds provided for this purpose.

We are not talking about what is going to be done immediately. We are talking about how we might begin to work toward insuring that the future generations do not become isolated as the present generation is tending to become. That is the choice we have to make, and that is why I think it is particularly important that these hearings be held in New York City, and I want to thank you for coming to New York City.

The Ribicoff-Badillo bill goes beyond the bill that was passed by the House last December and the vastly improved version that recently received bipartisan support in the Senate in several significant ways.

It establishes a uniform national school integration policy.

It defines in clear and unmistakable language minimum standards for the composition of school populations and specifies the maximum time for achieving these standards.

It requires a multidistrict or metropolitanwide approach to school integration; it assures compliance by cutting off all aid for education to noncooperating school districts and agencies; and it authorizes \$2 billion annually for 10 years to achieve integrated schools.

This bill is not a substitute for the Emergency School Aid Act or the Quality Integrated Education Act, but it is only the only vehicle that holds out any promise for meaningful integration of public schools in the North.

If this subcommittee is seriously committed to integration and to quality education, then it will incorporate the Ribicoff-Badillo proposal into any bill it writes or will report it as a separate measure. We must begin today to focus on the interrelationship among these bills.

Mr. Chairman, we can no longer duck this issue. Will we act to establish and implement a truly effective nationwide school integration program, or will we stand by while the prophecy of the Kerner Commission is fulfilled? That is the choice we face. We all know then what action we must take.

Mr. PUCINSKI. Thank you.

Mrs. Hicks?

Mrs. HICKS. I deem it a pleasure to be here in the city that belongs to Mrs. Chisholm, Mr. Biaggi, and Mr. Badillo, and to join with them to seek a solution to the educational problems.

It does not matter what city we are in. The problems are very much the same. They may be intensified because of the increased number of children in the school or because of the geographical layout of a particular city. But in the Congress when we are seeking to write new legislation, we must meet the demands of the children, and we certainly wish for the involvement of the parents in the particular areas where we are, because we feel that only by their involvement can we have a truly complete educational picture.

I join with Mr. Badillo in seeking solutions to these problems that are facing all our children in all of our cities.

Mr. PUCINSKI. Thank you.

Mr. Biaggi?

Mr. BIAGGI. I would like to commend the chairman, Mr. Pucinski, for first, having the hearing in our city, and for his work in the educational area, and welcome him and Mrs. Hicks to the city of New York. My view in connection with this hearing and the problem concerned is that resolution of the educational problem could well be the bedrock of resolution of all the difficulties we have had in our Nation.

There are a number of questions that will be raised, and if we can provide answers to them we will have made a substantial step forward in the affairs of the Nation.

In connection with integration, when we were on *Brown v. Board of Education*, it was important, it was a monumental step, and the question of integration became paramount.

We have had a number of other decisions dealing with governmental segregation.

The city of New York's problem is a little different. The question that is raised here is segregation involved with housing patterns. We don't have segregation by edict or fiat. In the process of integrating other problems have developed, what happens to the children who are not bused or assigned to white schools?

There is a psychological burden developed therein. Do we transfer a student to a white school simply because it is a white school, or because it is a quality school?

What are the feelings of the parents, whites and blacks, in connection with moving their children distances from their homes?

The overriding issue, I think, in the city of New York is to provide quality schools in every area, white, Puerto Rican, black, in every area of the city of New York.

At the time of *Brown v. Board of Education*, the integration was vital, was symbolic, and all the efforts in that area related to a feeling within the black community that was understandable and justified.

The symbolism has diminished. What the parents are now seeking as a prime objective is quality education. If this hearing can go forward and produce some of the answers to some of the questions I raised and ultimately produce quality education we will have made a meaningful contribution. I can't emphasize sufficiently that resolution of the education problem relates directly to resolution of most of the social and racial problems in our country.

Thank you, Mr. Chairman.

Mr. PUCINSKI. Thank you very much, Mr. Biaggi.

Mr. Veysey?

Mr. VEYSEY. No statement at this time, Mr. Chairman.

Mr. PUCINSKI. We are pleased to have with us as our first witness this morning Dr. Ewald Nyquist, who is the New York State Commissioner of Education. Would you join us here at the witness table?

We are particularly grateful to have you here with us this morning, because as the State commissioner of education, you probably have the most difficult problem in the country, realizing the cosmopolitan nature of the educational system that you have to deal with.

We are most pleased and privileged to have you with us. Why don't you proceed, Dr. Nyquist, in any manner you wish? Perhaps you have a prepared statement. It will go in the record in its entirety.

Perhaps you would like to briefly digest it for the committee so that we have more time for questions.

Proceed in any manner you wish.

### **STATEMENT OF DR. EWALD NYQUIST, NEW YORK STATE COMMISSIONER OF EDUCATION; ACCOMPANIED BY STAFF, MR. AL MAC KINNON**

Dr. NYQUIST. Thank you, Mr. Chairman and members of the committee. I have with me my assistant, Mr. Mac Kinnon. I have a prepared statement which I would like to read in part. I will skip through it, and if you follow me, I am sure we can conclude in 10 or 15 minutes.

(The document referred to follows:)

#### **STATEMENT OF DR. EWALD B. NYQUIST, PRESIDENT, THE UNIVERSITY OF THE STATE OF NEW YORK AND COMMISSIONER OF EDUCATION**

Mr. Chairman and members of the committee, may I express my appreciation for this opportunity to address the major educational concerns of the General Subcommittee on Education, Committee on Education and Labor, United States House of Representatives. Many important future Federal actions and policies in education will find their foundation in the fundamental issues before the Subcommittee.

I shall address these areas in the following order: school desegregation and integration, general aid to education, vocational education, and juvenile delinquency.

#### **SCHOOL DESEGREGATION AND INTEGRATION**

One of the most important items of legislation before your subcommittee is the set of proposals for an Emergency School Aid Act. We strongly support such legislation if it is shaped in the ways I will describe.

The suggestions offered are based upon the actual experience of our State in integrating the schools. Our recommendations concerning the three legislative measures under consideration by the sub-committee indicate the ways in which Federal action can most substantially support the integration efforts of our State and other states.

New York has a lengthy history of commitment to equal opportunity in education and to the achievement of quality in education. I would like to supplement my remarks by providing you with various documents on our work.

In the brief time we have this morning, I want to comment on some major provisions that should be included in the final version of the Emergency School Aid Program. I will speak to these points: delineation of national policy, the definition of integrated schools, provision of incentives for school desegregation, the role of the State in administering school desegregation and integration programs, and the evaluation criteria to assess and monitor the progress of this program.

#### **DELINEATION OF NATIONAL POLICY**

The spirit expressed in HR 2260, HR 4847 and S 1557 is that segregation or isolation by minority group, regardless of its origin or cause, should be ended and the effects of this isolation should be ameliorated. We support that objective

We make a clear distinction between desegregation and integration. Desegregation, in our view, is an administrative process. It results in the dissolution of concentrations of minority group members in the schools and classrooms. Integration, on the other hand, is an educational matter. It involves the changing of attitudes, behavior, and understanding of people of all kinds and age levels. For school children, it means an environment conducive to the positive interaction of children from diverse backgrounds in which they learn that differences among peoples are not as great as similarities and that difference is a source of richness and value rather than a thing to be feared and denied. An integrated environment is one that teaches the child to judge individuals for what they are rather than by what group they belong to.

The elimination of de facto segregation is a complex issue. Yet, there are steps which can and must be taken to reduce racial or social group isolation in the public schools. Where these steps can be taken, it would be in the national interest to take them. The elimination of de jure desegregation is only part of the problem. I can see no difference in the effects of either type of segregation. Therefore, the distinction between de jure and de facto segregation should be eliminated in the final emergency school assistance bill.

#### DEFINITION OF INTEGRATED SCHOOLS

Knowledge about the effects of various types and degrees of integration on student achievement and their attitudes towards school and attitude towards members of other groups is not adequately reflected in the definitions of desegregation and integration in the bills before you.

In the three bills, at least three definitions of integrated schools are offered. One problem in developing the final bill is to resolve the inconsistencies of these definitions. Of greater significance is the problem that all these definitions are limited to consider desegregation or integration for an entire school district or school building rather than in any given classroom. We have found that it is highly significant for the student and his educational development that integration be maintained at the classroom level.

The available evidence indicates that racial integration is more likely to produce sound educational results if it occurs continuously from the early grades, if the proportions of the minority students in the school do not exceed approximately 30 percent and if the integration occurs at the classroom level as well.

The automatic application of classroom racial balance criteria will not necessarily be advisable. Our research indicates that including fewer than 15 percent blacks in a classroom results in a sense of isolation or large social distance between black students and all others.

Our recommendation, therefore, is that the definition of integration or desegregation in the bill take into account classroom composition, particularly at the elementary school level, and that this definition not be simplistically applied in what is a very complex and important issue.

#### INCENTIVES FOR SCHOOL DESEGREGATION

The accomplishment of the goals of the Emergency School Aid Bill would be enhanced by defining the eligibility criteria to read as follows:

(1) permit financial assistance to a local educational agency when that agency has adopted a plan for the establishment or maintenance of only stable, quality, integrated schools throughout its jurisdiction;

(2) permit financial assistance to a local educational agency which is implementing a plan that has been undertaken pursuant to a final court order, or order issued by any other recognized judicial authority (in some states, the Commissioner of Education has judicial authority in these respects); and

(3) permit financial assistance to a state educational agency which will exercise its discretionary authority to establish integrated schools and otherwise produce equal education opportunity pursuant to plans approved by a state, which have been developed by one or more local educational agencies.

#### THE STATE ROLE

There has been a tendency for Federal legislative proposals, especially in the area of education, to provide for direct relationship between Washington

has been argued that "the states" have lagged behind in innovating and have been insensitive to national priorities.

There are differences among the states in their capacity to administer programs. The Emergency School Aid Program should recognize these differences by providing flexibility allowing the administration of the Federal program by the states in accordance with the state's capacity.

In New York, the Legislature and Governor, for a number of years, have funded projects in those school districts seeking to improve the quality of education through desegregation and integration. Approximately 40 districts, regions and individually paired suburban and urban city schools voluntarily have sought state technical assistance and finances from the State Education Department for those purposes. We cannot complete the task of providing quality integrated education without additional resources.

In New York State, furthermore, the Commissioner of Education has judicial authority in matters pertaining to education and he can order a school district to desegregate.

We have wide experience in providing desegregation and integration programs at the statewide level, judicial authority and a history of progress toward integrated education. Any Emergency School Aid Act should take advantage of this capability in our State or in other states.

Our specific recommendations with regard to this aspect of the Emergency School Aid Bill follow:

(1) The Emergency School Aid monies should be expended on the basis of state plans. These plans should present an effective method of accomplishing the national purpose within the state and should represent the coordination of the state resources with those in the Federal program towards this end. The state plan, of course, would reflect Federal priorities in metropolitan area projects, interdistrict cooperation, community relations, bilingual and bicultural education and other educational programs. In the absence of a substantial state effort and effective state plan the Federal agency could and should administer the funds directly to local school districts.

Furthermore, the 80-20 split of funds suggested in HR 2266 should be amended so that one-half of the funds reserved for the U.S. Office of Education should be earmarked for state agencies for state plan and operations purposes.

(2) In accordance with the above recommendation the Emergency School Aid Act should provide that the state may make a grant to the local agency which is implementing a plan pursuant to a final order of a court of the United States or court of the state or *any other duly authorized judicial authority* (such as a Commissioner of Education) for the purpose of desegregating schools.

#### REPORTS AND EVALUATION

To maximize the possible effects of the Act on the establishment of stable, quality, integrated schools, the Act should require that any applications submitted for approval should contain:

(1) for each grade, indicators acceptable to the Secretary or the State Educational Agency which summarize the extent of minority group isolation in each school, and, for elementary schools, in each classroom; and

(2) summary indicators acceptable to the Secretary or State Education Agency of the progress that the local education agency plans to make during the period for which funds are requested in reducing minority group isolation for each grade, and, in elementary schools, for each classroom; and

(3) the procedures that will be used to evaluate the effectiveness of programs supported under this Act.

The applicant should be required to submit a report at the end of the funding period which:

(1) reports on changes in the extent of minority group isolation in terms of the summary indicators; and,

(2) reports on the results of the program evaluation procedures which were described in the application.

#### EXPERIENCE WITH ESAP 1970

The current proposed bills for emergency school aid and quality integrated education provide administrative arrangements which would not take advantage of our State's capacity to administer this program. Our experience with the

USOE administration of ESAP, which was forerunner of this program, has not been satisfactory.

In January of this year we were notified by the U.S. Commissioner of Education that the New York State allotment under the Emergency School Assistance Program, or \$200,000, was to be reallocated. All school districts in New York State which applied for ESAP money were turned down by USOE. After these rejections, we submitted a proposal to further build our policy formulation capability in those directions indicated as profitable courses to take from our *Racial and Social Class Isolation Study*, and in order to emphasize the change from the process of desegregation to that of integration. Essentially the projected policy research is to discover the effects of desegregation and the attitudinal adjustments that occur and may need to be changed in order to assist the State and local schools to embark on and implement effective integration plans and activities. Our *Racial and Social Class Isolation Study* has gained national attention and, upon hearing of this projected policy research to complement and extend the earlier findings, the States of Pennsylvania and New Jersey asked to join in our first request for federal integration financial assistance. As yet we have no word of commitment from USOE. We understand that the state's original allotment has been reallocated by USOE.

With that kind of experience, I believe you can understand our concern that 32 percent of the monies under S. 1557 and 20 percent of the monies under H.R. 2266 will be administered directly by USOE.

#### BILINGUAL AND BICULTURAL EDUCATION

These bills also have provisions for bilingual education. I must comment on our concerns here. As many of you know, we have been disappointed in the amount of money that has been committed to bilingual education in New York. Title VII of ESEA (as is proposed under the desegregation bills we are discussing), of course, has no State allotment formula and the programs are handled directly from Washington to the local school district.

Senator Javits, in his testimony before the Senate Appropriations Committee on Tuesday of last week, pointed out that California with 750,000 school-age children had 49 Title VII projects funded to date. New York State with 500,000 school-age children had 13 projects funded. The dollar amounts are even more dramatic. For FY 1970, California received \$7.2 million, while New York received \$1.4 million. A very modest redress of the imbalance has been made in this fiscal year, and we hope that a fairer share for the bilingual children of our State will be achieved in the next year. We are convinced that if there had been a State role in this program, the imbalance in fund distribution would not have occurred.

We urge that any additional programs of bilingual education—in the Emergency School Assistance Act or the various Ethnic Studies Centers proposed—require a carefully developed State plan for the effective commitment of those funds together with other State funds for similar purposes.

#### SUMMARY

The adoption of the recommendations I have made concerning the delineation of national policy, definition of integration, alternation of eligibility, the role of the state education agencies, the evaluation criteria, proposal review, and final reports concerning specific implementations of desegregation plans will strengthen the Emergency School Aid Bill and will hasten the progress of the country toward providing quality education for all.

#### GENERAL AID TO EDUCATION

We applaud the National Partnership in Education Act, H.R. 6179, for its direction and strength. The purpose of the Bill—to have the Federal Government share one-third of the cost of education—is similar to the position taken by the New York State Board of Regents in the past two years. New York State is currently financing 47 percent of the cost of elementary and secondary education in the State. The Federal Government's support is about 3.5 percent. The balance is local support.

The National Partnership Bill builds on the strengths of the Elementary and Secondary Education Act. Title I. On initial analysis, this Bill appears to be

ing for education. It recognizes the current impact of federal funding on the states and its administrative provisions target the money to the accomplishment of specific educational objectives. The current proposed level of appropriations for education revenue sharing is \$3 billion. Under educational revenue sharing, an appropriation level of more than \$4 billion would be necessary in order for New York State to receive any more money than it is receiving from the United States Office of Education this year. Our detailed analysis of the education revenue sharing proposal is continued in a special statement that I ask be included in the record.

I would like to highlight these points of concern about the special revenue sharing proposal.

The bill would consolidate programs, and we favor that. It would require State plans for the administration of programs, and we favor that. We object, however, (1) to the fact that responsibility for administering programs is not assigned directly to state education agencies and (2) that the allotment formula for distribution of funds would be financially disastrous for New York. Our detailed statement provides a careful analysis of the financial aspects of the proposal. It is true that New York would be "saved harmless" from loss of funds under the proposal, *but* we would never begin to share in the growth of the program until there is a national increase of more than \$1 billion. That is not our idea of "shared" revenues.

I hope that the members of the subcommittee will have an opportunity to review our statement. I repeat our strong support of the National Partnership in Education Bill as an alternative to special revenue sharing for education.

#### VOCATIONAL EDUCATION

The third item on your agenda is comment on the Vocational Education Amendments of 1968. We find that overall the amendments contain clear purposes and permit states wide latitude and flexibility in determining the way in which the purposes are to be implemented in the states. The provision for long range and annual planning, as an example, has been of great value to our State. It has helped to set statewide priorities, make the most effective use of the funds available and has assisted local agencies in developing programs consistent with state priorities as well as local needs.

The inclusion in the 1968 Amendments of special categorical programs was of great assistance in setting new directions and permitting the states to test new programs in specific areas. We applaud as well the significant amounts of money now available for research which may be used at the discretion of the State.

Special targeting of Federal money has permitted new and expanded programs in the cities. Special efforts have been made to design and implement new programs directed at disadvantaged and handicapped students. Almost three-quarters of the Federal funds earmarked for program development are directed to the large urban centers.

The financial plight is the most significant problem we face. Constitutional tax limits in cities, overstrained taxpayers and a general tightening of the purse strings everywhere—represented by a new round of school budget defeats—make it difficult to generate new dollar support for change and expansion of vocational education. Only the infusion of new and massive amounts of Federal dollars will help at this point.

If the states are to do the job outlined by the Congress, then priorities must shift. If 80 percent of the students moving through our schools will not complete a college education, then far more than 4 percent of the Federal education dollars must be directed to preparation for employment.

We support the concept of advisory councils for occupational education and urge their continuance as well as adequate financial support.

I have these recommendations to improve the statute:

**Matching:** We believe there is no longer need to continue the matching provision, not only in the basic section, Part B, but in several of the categorical sections as well. The Vocational Education statute is one of a few which still requires 50-50 matching with State and local dollars. I know of no state which is making less effort than \$4 of State and local funds for every dollar of Federal money expended in the State. If this is the case, then there is little need to continue an old practice of requiring demonstrated matching.

**State plans:** With respect to State plans, I urge two considerations. First, the

of the statute and the regulations. Assurances can be handled more simply with a letter of agreement to comply with statute and regulations. Second, I would urge that the long-range and annual plan provision be maintained and that States continue to submit such material annually as a basis for their allotments. The planning requirement established by the amendments of 1968 is one of the strongest aspects of the statute. Without its continuance as a requirement, I believe that the intent of Congress could be too easily set aside in some quarters in favor of doing business in the old ways.

**Categorical Parts:** I urge that consideration be given, in any major overhaul of the 1968 Amendments, to the shifting of the categorical parts into the base Act, Part B, with appropriations now under categories added to the base grant to the State. This action would permit the continuance of special programs, but would also permit the State increased flexibility in setting priorities.

I have submitted as an attachment to my statement a copy of a position paper on occupational education, recently adopted by the Regents. This paper describes the goals for occupational education in New York State for the 1970's. We believe these goals clearly meet the intent of Congress spelled out in the Vocational Education Amendments of 1968.

#### JUVENILE DELINQUENCY

The most vexing problem which you have asked me to address is juvenile delinquency and violence in the schools. What has surfaced in a rash of violent actions against school personnel is a long-standing frustration with the schools and, on the part of many students, with the community from which they come.

The Juvenile Delinquency Prevention and Control Act, as we view it, has operated more in the social services area without any significant involvement of school districts. The Safe Schools Act recognizes that school districts have a role in this area. This Bill would appear to allow the flexibility a school district needs to meet the circumstances of its situation. I would suggest that state education agencies have a significant role in the implementation of the Act. Additionally, the allotments among the States should be stated such that no State would receive less than a basic amount of money as may be determined in the Appropriations Act, since there is no assurance as to the total amount of money that might be available for this program and the provision of first a lotting a certain number of dollars to all States deals inequitably with the larger States where the needs are greater.

While increased security forces and other security measures may be essential to deal with the immediate problems of protection of life and property, they deal only with symptoms. As long as we rely only on measures addressed to symptoms, the problem will persist. If we put enough guards in the schools to quell overt acts of violence, the frustrations will break out in other forms.

As educators, we are primarily concerned with getting at the underlying causes, the conditions in the schools that alienate and frustrate the child. In New York State, we have several programs underway that are aimed at changing the relations between school and community:

**Redesign:** This year in New York State we have launched a new approach to reform in education called Project Redesign. Its underlying premise is that any significant improvement in the condition of education must come about through new forms of collaboration between school and community. The Department is working with four prototype districts, including District 7 in New York City, to learn what is required to help communities redesign their own educational systems. We already see signs of a new growth of trust between schools and community, between students and teachers in the redesign districts.

**Community Education Centers:** A major component of our New York State Urban Education Program is the creation of Community Education Centers within urban school communities. These Centers are more closely under the direction of people from the community and are designed to attend to the special educational needs identified by the community. This program provides another bridge between school and community. A key element is the use of community advisory councils. These have proven very effective in holding down tensions and dealing with issues before they become crises.

**Paraprofessionals:** A study reported in Tuesday's New York Times reports on the encouraging results of the use of paraprofessionals in the schools of New York City. These people provide a bridge between the professional staff of the school and the local communities. The study indicates that where there are



This suggests that an increase in the numbers of paraprofessionals along the lines of the program in New York City would make an important contribution to the easing of the problem. This would be a solution far more consistent with sound education than the addition of security guards and similar measures.

Obviously, these approaches take time to make an impact in the schools in which they are in effect and they take even longer to spread to all schools.

Therefore, other short-term measures must be devised:

(1) Trained crisis teams of students and community representatives and teachers—that can move into a situation fast where trouble is brewing;

(2) Rumor control centers—places where students can get reliable information;

(3) Security guards—would include training in role and work with students and community to accept and understand role;

(4) Identification of the factors in a situation that indicate potential problems and training of school personnel in how to detect potential problems and deal with them before violence breaks out;

(5) We need to take a hard and careful look at the problem of the disruptive child. Everything in our educational credo says that we should do everything in our power to handle such children within the regular classroom procedures. We may have reached a point, however, when new approaches must be examined to enable teachers to cope with the numbers of children who do not respond to their usual methods. I urge, however, extreme caution in adopting proposals that make too easy the removal of difficult children from the regular class or school. Rather, I believe we must see to it that more support is provided to the classroom teacher by way of consultant help in dealing with classroom problems, additional personnel—such as paraprofessionals from the community—and classes small enough to deal with the students as individuals;

(6) Provide inservice training programs for teachers to develop positive attitudes in dealing with persons who are ethically or socially different from themselves.

#### CONCLUSION

Mr. Chairman, you have asked me to comment on a very large array of important legislation. I have tried to focus on specific changes to be recommended. I will be pleased to discuss my comments with you and provide any additional statements or documentation that you may request. Thank you.

Dr. NYQUIST. The statement covers school desegregation, and integration; general aid to education; vocational aid to education, or I guess the new label is "career education"; and juvenile delinquency. I will cover only the first two.

Under "school desegregation and integration," one of the most important items of legislation before your subcommittee is the set of proposals for an Emergency School Aid Act. We strongly support such legislation if it is shaped in the ways I will describe.

The suggestions offered are based upon the actual experience of our State in integrating the schools. Our recommendations concerning the three legislative measures under consideration by the subcommittee indicate the ways in which Federal action can most substantially support the integration efforts of our State and other States.

New York has a lengthy history of commitment to equal opportunity in education and to the achievement of quality in education. I would like to supplement my remarks by providing you with various documents on our work.

In the brief time that we have this morning, I want to comment on some major provisions that should be included in the final version of the emergency school aid program. I will speak to these points: Delimitation of national policy, the definition of integrated schools, provision of incentives for school desegregation, the role of the State in administering school desegregation and integration programs, and the

I am going to supplement my remarks by leaving with you various document on our work, papers by our board of regents on racial integration, and a few other things. I will comment on some major provisions that should be included in the final version of the emergency school aid program.

(The documents referred to follow :)



A Position Paper...  
...No. 3 of a series

# INTEGRATION *and the* SCHOOLS

*A Statement of Policy  
and Recommendations  
by the*

REGENTS OF THE  
UNIVERSITY OF THE  
STATE OF NEW YORK

Reprinted 1969

THE STATE EDUCATION DEPARTMENT  
Albany

January 1968

# THE UNIVERSITY OF THE STATE OF NEW YORK

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President of the University and Commissioner of Education  
EWALD B. NYQUIST

**FOREWORD**

A fundamental responsibility of government is to establish and maintain from generation to generation the broad conditions under which the education of free men may be carried on. State government which is legally responsible for the provision of educational opportunity has a special obligation in this regard.

Equality of educational opportunity is being denied to large numbers of boys and girls — white as well as Negro and other minority group children — because of racially segregated schools. This condition must not be tolerated in a democratic society. Effective solutions must be found even if they require major changes in the established assumptions, organizations and boundaries that are a part of our present educational system.

This statement of policy by the Regents, the third of a series, is a reaffirmation of their determination to see that segregation in education is eliminated, and that the conditions under which each individual may grow in self-respect, respect for others, and in the attainment of his full potential, shall exist everywhere in the State.

I join the Regents in calling upon school board members, administrators, teachers, and all other citizens to read this statement carefully, to be guided by the principles set forth, and to support its recommendations.

  
*James L. Allen, Jr.*  
Commissioner of Education

January 1968

## COMMITMENT

The elimination of racial prejudice, discrimination, and injustice is the great moral and social imperative of our time.

The most powerful and effective means of achieving this objective is education.

Convinced of the truth of these statements, and aware of the extent of *de facto* segregation in the State's school system and of the growing racial tensions in many communities, the Regents unanimously adopted, in 1960, a statement of policy which declared:

*Modern psychological knowledge indicates that schools enrolling students largely of homogenous ethnic origin may damage the personality of minority group children. Such schools decrease their motivation and thus impair the ability to learn. Public education in such a setting is socially unrealistic, blocks the attainment of the goals of democratic education and is wasteful of manpower and talent, whether this situation occurs by law or by fact . . . .*

*The State of New York has long held the principle that equal educational opportunity for all children, without regard to differences in economic, national, religious, or racial background, is a manifestation of the vitality of our American democratic society and is essential to its continuation.*

*All citizens (therefore) have the responsibility to reexamine the schools within their local systems in order to determine whether they conform to this standard so clearly seen to be the right of every child.*

*. . . we (also) call upon all our citizens and their agencies of government and their civic organizations to take concrete steps to provide the social climate which will make it possible for us to increase the effectiveness of education. Only with this cooperation will we be able to provide that type of democratic education which will enable all children to contribute their understanding, knowledge, and skills to increase the greatness of our State and our Nation.*

In the intervening years, the Regents have repeatedly reaffirmed this statement of policy and have supported the efforts of the Commissioner of Education and his staff in implementing it.

Now, in 1968, we not only again reaffirm our earlier policy, but reinforce our commitment with a call for more determined, more powerful, more energetic pursuit of the objectives set forth therein.

## THE NEED FOR STRONGER ACTION

Current conditions of unrest, frustration, and violence show all too clearly that not only is the struggle against racial prejudice and injustice far from over but that a perilous weakening has taken

place in the foundation of understanding and mutual respect upon which true social justice and human progress can be built.

These conditions also dramatically point up the importance of education as the strength of this foundation — education that brings children together to grow up in natural, genuine understanding, and mutual respect, that produces responsible citizenship, that fosters behavior based on moral and spiritual values, that prepares for jobs, that creates the competence and instills the confidence for managing one's own life — education that does not mirror society's ills but provides a demonstration of the practicality, the workability of the principles of democracy, thus leading the way and setting the pattern for society to follow.

Education should aim to free individuals and society from the burdens and impediments caused by ignorance and irrationality. Racism is a manifestation of such ignorance and irrationality, and is inimical to the welfare of individuals and society. The Regents and all others in positions of educational leadership cannot, therefore, be satisfied to wait for other social, business, and political forces to remedy social ills but must take the initiative in overcoming the ignorance which is at the root of those ills. If we do not, we fail in our most essential duty.

### **Progress made**

If education is considered the most effective means of overcoming prejudice and injustice, the question then becomes how successfully is it being used.

The answer to this question is not simple, because the success of education must be measured against the increasing magnitude and complexities of the task.

In implementation of the Regents policy, the State Education Department has been active in assessing the extent of racial imbalance and the progress in correcting it, providing special consultation and assistance on integration to the school districts, preparing curriculum materials and teaching guides for use in the schools, conducting seminars and workshops for teachers, administrators, and laymen, and in securing funds to aid communities in eliminating racial segregation and in preparing for integration.

School desegregation is an accomplished fact in a number of school systems in New York State. Moving quietly, several communities have integrated their schools. Others, with perhaps more difficult situations, have carefully formulated their long-range plans and are moving with determination to implement them. In most

cases, the problem has been approached calmly and dispassionately, with the emphasis on improving the quality of education for *all* pupils.

### **Problem grows**

Despite the determination and significant accomplishments of many in education, the growth of the problem has outstripped the efforts to deal with it:

- Racial imbalance *within* school districts is increasing in both suburban and urban communities: racial census reports show that between 1961 and 1966, in the 41 school districts with the highest percentage of Negro pupils (exclusive of New York City), the number of elementary schools with more than 50 percent Negro pupils increased from 60 to 72; the number with more than 90 percent Negro pupils increased from 25 to 33.
- Racial isolation *among* school districts is also increasing. In this same period, the percentage of Negro pupils in one suburban district rose to 82 and in another, to 71. In three other districts, the percentage surpassed 50.

### **Obstacles to progress**

Underlying all the difficulties which have hindered progress in school desegregation is the basic question of attitude. The attitude of resistance and misunderstanding which prevails among many is a strong factor which seriously affects attempts to achieve in all aspects of society the integration essential to justice for minority groups and equality of opportunity for all.

Experience of the past 7 years has shown that this negative attitude expresses itself in such ways as the persistent assumption that the elimination of segregation is dependent upon and must wait for the elimination of discriminatory conditions in housing, employment and social customs; a persistent, but mistaken, belief that our educational obligation can be met merely by equal or superior facilities and staff in segregated schools; an unwillingness to depart from traditional concepts of school structure and organization even when they are no longer appropriate for current needs and conditions; a growing distrust of the established order and institutions of education among minority-group "moderates" arising from disillusionment over the efforts and intent of the white majority; the endorsement of separatist solutions by militant advocates of segregation — both black and white.

While the public educational authorities at all levels bear direct responsibility for leadership and action in the elimination of segre-



gation, the problem is also the responsibility of every citizen — of government officials, civic leaders, leaders of ethnic and racial groups. The existence of segregation not only creates individual and group injustice, abhorrent to all who believe in the dignity of man and the equality of opportunity implicit in a democracy, but it also poses a threat to the economic, social, and cultural health of the community, State, and Nation. It is, therefore, of utmost importance that a positive attitude shall prevail and that, both as a practical matter and as a moral obligation, prompt action be taken to correct the situation wherever it exists.

### **GUIDING PRINCIPLES**

The basic precept of all educational endeavor is that equality of educational opportunity to develop the full potential of his capabilities is the right of every individual, and that it is the responsibility of the State to see that this equality of opportunity is provided for all. With this as an overriding objective, we believe the following principles should guide the development of policies and plans for eliminating racial segregation in education and for achieving an integrated school system:

1. Segregation of children on the basis of race is harmful. This fact is well stated in the 1967 report of a nationwide investigation by the United States Commission on Civil Rights, *Racial Isolation in the Public Schools* (p. 193, vol. 1):

*The central truth which emerges from this report and from all of the Commission's investigations is simply this: Negro children suffer serious harm when their education takes place in public schools which are racially segregated, whatever the source of such segregation may be.*

*Negro children who attend predominantly Negro schools do not achieve as well as other children, Negro and white. Their aspirations are more restricted than those of other children and they do not have as much confidence that they can influence their own futures. When they become adults, they are less likely to participate in the mainstream of American society, and more likely to fear, dislike, and avoid white Americans. The conclusion drawn by the U.S. Supreme Court about the impact upon children of segregation compelled by law — that it "affects their hearts and minds in ways unlikely ever to be undone" — applies to segregation not compelled by law.*

*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. And their belief is founded in fact. [Emphasis supplied]*

*Isolation of Negroes in the schools has a significance different from the meaning that religious or ethnic separation may have had for other minority groups because the history of Negroes in the United States has been different from the history of all other minority groups. Negroes in this country were first enslaved, later segregated by law, and now are segregated and discriminated against by a combination of governmental and private action. They do not reside today in ghettos as the result of an exercise of free choice and the attendance of their children in racially isolated schools is not an accident of fate wholly unconnected with deliberate segregation and other forms of discrimination. In the light of this history, the feelings of stigma generated in Negro children by attendance at racially isolated schools are realistic and cannot easily be overcome.*

This last point was also emphasized in the report of the Commissioner's Advisory Committee on Human Relations and Community Tensions which made a study of school segregation in New York City. (*Desegregating the Public Schools of New York City, May 12, 1964*):

*Two reasons compel us to do our best to achieve well integrated schools. One is the moral imperative to assure all children true equality of opportunity. The other is the educational necessity to prepare every child to take his place in a world where no race may any longer live alone. The desegregation of the public schools . . . , therefore, means more than a better education for minority children. It means also a significant addition to the educative power of the schools for all children.*

*To argue that no classroom can be good without a white child in it is inaccurate and cruel. But, it cannot be denied that a child who has learned from experience to understand and appreciate people of races other than his own has a sounder basis for both his education and his life.*

In forming their self-concepts, children are influenced by their experience of society's regard for the group with which they are identified. Thus, Negro children are likely to form lower opinions of themselves than their innate qualities warrant, and white children are likely to ascribe to themselves attributes that reflect more their favored position in our society than their own innate qualities. Only as the "rules of the game" become the same for all children can self-image be soundly formed. Children brought up in an all-white suburban community isolated from the realities of mixed racial, social, and economic situations can be disadvantaged children. Lacking experience with these very real problems they will

be ill-equipped to deal with them when they leave school to enter a world of increasing diversity.

2. Educational considerations are primary in eliminating school segregation. The elimination of racial imbalance is not to be sought as an end in itself but because it stands as a deterrent and handicap to the improvement of education for all. The corollary of the recognition of educational improvement for all children as the reason for integration is the necessity for quality in all schools everywhere. Desegregation and the prevention of further school segregation alike hinge on the creation everywhere of public schools so excellent that parents of all ethnic groups will enroll their children with confidence and pride. It is of utmost importance to find ways of correcting the deficiencies of schools not now producing the results they should.

3. The organizational and administrative arrangements of the school system exist for the purpose of facilitating the achievement of educational objectives. This is the criterion for the necessary continuing evaluation of existing arrangements in terms of their appropriateness for changing needs.

4. The "neighborhood" school offers important values, particularly in early education, but, when it becomes improperly exclusive in fact or in spirit, when it is viewed as being reserved for certain community groups, or when its effect is to create or continue a ghetto-type situation, it does not serve the purpose of democratic education, and corrective action is called for.

5. Decisions as to the particular means of eliminating racial segregation in education should, insofar as possible, be left to local action. There are many ways of dealing with the problem, and the local school officials, with their intimate knowledge of all factors of the local situation, are in a strategic position to devise solutions best suited to local needs. It is the State, however, that bears the ultimate responsibility for equalizing educational opportunities, and it is the obligation of the local school authorities to develop and implement plans in harmony with State policy. Where the solution to the problem is beyond the capability of the local school districts, or where a district fails or refuses to act, then the responsibility for corrective action is clearly and inescapably that of the State.

## **RECOMMENDATIONS**

To apply the foregoing principles, the Regents recommend:

1. The establishment of school attendance areas that make possible, wherever feasible, a student body that represents a cross-section of the population of the entire school district.

2. Action by school boards to develop and keep up to date a district plan for achieving and maintaining racially integrated schools. This plan should be developed with the assistance of a citizens' advisory committee broadly representative of the community. Appropriate and effective participation in the formation of educational policies is the right of every parent, and special effort should be made to provide opportunity for the involvement of minority-group parents in school affairs that affect their children.

3. A continuing emphasis upon racially comprehensive enrollment policies in nonpublic schools and an active effort on the part of public school authorities to bring nonpublic schools into the total community effort to eliminate racial segregation in education.

4. Initiative by school boards in seeking cooperation and assistance of other local agencies, public and private, in the development of plans and programs for integration. Although the schools bear the major responsibility for the provision of quality integrated education for all, other community agencies dealing with welfare, housing, transportation, health, and community development or planning also have vital responsibilities which are an essential part of the effort to achieve the ultimate goal.

5. The exploration by school boards of the possibilities of improving racial balance in their schools through cooperative action with neighboring districts.

6. The establishment and modification of school district boundaries so as to eliminate and avoid those which result in racial segregation.

7. The revision and simplification of legislation authorizing school district reorganization and the substantial increase of existing financial incentives for reorganization.

8. The modification of constitutional tax and debt limits on real property affecting city school districts in order to permit greater flexibility for the organization, administration, and financing of school systems which involve the city and its neighboring districts.

9. Increased State appropriations to stimulate school desegregation and to help school districts finance the additional costs incurred in carrying out programs for achieving integration.

10. An accelerated effort to have, in all our classrooms, textbooks and other teaching materials that reflect in their content and presentation the ethnic and cultural diversity of our world, and in particular, of American life. The curriculum should provide for all children an understanding of the contribution of the Negro, Puerto Rican,

and other minority groups, and the background and nature of the present struggle for justice and equality of opportunity.

11. A broader and more intensive program of workshops for school board members and administrators, sponsored by the State Education Department, designed to promote a fuller understanding of both their local and statewide responsibilities for integration.

12. The provision throughout the State of more extensive and stronger inservice programs for teachers and administrators to increase their understanding and competence in dealing with new situations and requirements of integrated schools.

13. The broadening of the programs in our colleges and universities for the training of teachers and administrators to include preparation for the special requirements of integration. This preparation should include such experiences as student teaching, internships, seminars, and workshops involving minority-group children and adults.

## **CONCLUSION**

Fundamental in all efforts to achieve the objective of an integrated society is the principle of equality of educational opportunity. A manifestation of the vitality of our American democratic society and essential to its continuation, this basic principle, deeply embedded in education law and policy, has been continually reaffirmed in both its practical advantages and its moral justice by new developments and needs of changing times.

The Regents reaffirm their dedication to this principle and reemphasize the obligation of the entire educational system to maintain those policies and practices that will make equality of educational opportunity a reality for all our children and youth.



# INTEGRATION *and the* SCHOOLS

*A Restatement of Policy  
by the*  
REGENTS OF THE  
UNIVERSITY OF THE  
STATE OF NEW YORK

THE STATE EDUCATION DEPARTMENT  
Albany

December 1969

## THE UNIVERSITY OF THE STATE OF NEW YORK

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- 1981 THEODORE M. BLACK, A.B. . . . . Sands Point

President of the University and Commissioner of Education

EWALD B. NYQUIST

## INTEGRATION AND THE SCHOOLS A RESTATEMENT OF REGENTS POLICY

### POLICY

Events and trends since January 1968, when our statement entitled *Integration and the Schools* was released, lead us to believe that we should again address ourselves to this critical issue. We have carefully reviewed experience in the last year and a half, and at this time comment on this experience and restate our beliefs.

We are convinced that the elimination of racial segregation in the schools can enhance the academic achievement of non-white children while maintaining achievement of white children and can effect positive changes in interracial understanding for all children. The latter consideration is paramount. If children of different races and economic and social groups have no opportunity to know each other and to live together in school, they cannot be expected to gain the understanding and mutual respect necessary for the cohesion of our society. The stability of our social order depends, in large measure, on the understanding and respect which is derived from a common educational experience among diverse racial, social, and economic groups — integrated education. The attainment of integrated education is dependent upon the elimination of racial segregation in the schools.

The elimination of racially segregated education is also national policy. The Supreme Court of the United States recently has ruled, in the case of *Alexander vs. Holmes County Board of Education*, that the segregated schools in Mississippi must be eliminated at once, and that there must be a “totally unitary school system for all eligible pupils without regard to race or color.” While the decision relates to *de jure* segregation, it affirms the basic philosophy of the Court on the elimination of segregation.

The efforts of the State of New York to eliminate segregation and to speed integration must be increased. We pledge our efforts and those of the State Education Department to greater vigilance in this area.

### COMMENT ON CHAPTER 342, LAWS OF 1969

We are concerned that implementation of State policy to provide equal educational opportunity for all, and, as a means to that end, to eliminate racial segregation is impeded by legislation enacted in



1969. This legislation prohibits appointed school boards and the New York State Commissioner of Education from directing assignment of pupils and altering school boundaries or attendance zones for the purpose of eliminating racial segregation in the public schools.

We believe that Chapter 342 is an unsound measure for the following reasons:

- The Act denies to appointed boards of education powers held by elected boards. No compelling basis for such a distinction is apparent; and
- The Act denies the State the power, through the State Commissioner of Education, to execute the State's ultimate responsibility for providing equal educational opportunity through the elimination of racial segregation where a school district fails or refuses to act. Issues of racial segregation in the schools should not be separated from other educational issues which may be brought before the Commissioner for determination. In hearing and determining appeals on educational issues, the Commissioner is acting in a judicial capacity assigned to him by the Legislature. This is predicated upon the belief that controversies involving the educational system of the State can best be resolved by the State's chief school officer. The removal of the Commissioner's jurisdiction in the area of desegregation is unsound because it forces any person who seeks redress against violation of his rights in this area to institute action in the courts which have expressly stated their belief that such educational issues may better be resolved by the Commissioner of Education. As in the case of the Commissioner's decisions in other areas, judicial review is available to a party who claims the determination is arbitrary or capricious.

In the light of the reasons just stated, we urge that restoration of the powers of appointed boards of education and the Commissioner to eliminate racial segregation in the schools be given serious consideration.

## **REVIEW OF RESEARCH**

The State Education Department is today releasing a report summarizing research and action related to desegregation and integration. We initiated this review in order to test whether our policy was right and to be assured that we were fulfilling our obligation to provide equality of educational opportunity throughout the State. We reviewed the results of actions taken by the Commissioner of Education and by boards of education in the State, the history of national and State desegregation efforts, trends in the racial composition of the schools in the State, nationally representative studies and more than

50 local studies bearing upon racial integration in the schools, and the effects that schools have had in mitigating the consequences of social class and ethnic differences. The principal findings are summarized below:

1. The results of current research clearly indicate that schools isolated on the basis of race may be decidedly harmful to the academic achievement of their students. The evidence indicates that the negative effects of segregated schooling are not a result of racial isolation alone but are a consequence of the dominant social and economic environment of the school and classroom. The problem of racial isolation is a part of the broader problem of social class isolation. Negroes and certain other minority group members are proportionately more disadvantaged because of the close correlation between race and economic status and the continuing and exacerbating influence of residential and school segregation. However, any student — whether he be Negro, Puerto Rican, white, or a member of any other identifiable group — is likely to suffer some degree of underachievement as a result of attendance in schools and classrooms with predominantly lower social and economic status children. (“Social and economic status” is hereafter referred to as “status.” Lower or upper “status” is measured by relative levels of occupation, income, and education.)

2. The studies of more than 50 school integration programs generally substantiate the positive effects of integration reported in the more representative national or regional studies of the issue. Furthermore, these studies show that a wide variety of integration efforts involving transfer programs within the urban setting or busing from urban to suburban areas generally facilitated the educational development of Negro students while white students continued to make the usual achievement gains. The evidence further indicates that integration is more effective in promoting educational development among Negro students than is compensatory education in segregated school settings.

3. The transfer of lower-status students to schools with predominantly upper-status students is most likely to help their education if: (a) transfer occurs continuously beginning in the earliest elementary grades, (b) the proportion of lower-status students in the school is below 30 percent, and (c) the association of lower- and upper-status students occurs within classrooms as well as in the entire school.

4. When lower-status students are transferred to schools with predominantly upper-status students, the evidence suggests that continued residence in a lower-status neighborhood will not interfere

with the achievement gain that is to be expected as a result of attendance in the school with predominantly upper-status students.

5. The findings of national and local studies generally indicate that the integrated school setting has substantial potential for improving interracial understanding among Negro and white students. The development of interracial friendships (made more possible in the integrated school setting) appears to be an important condition in facilitating educational and psychological development among disadvantaged minority group students.

The review of the research fortifies our conviction that racial segregation in education must be eliminated in order to achieve equality of educational opportunity. The review of other events and trends indicates that the efforts of our State in eliminating racial segregation must be increased. Two items illustrate the point:

- Racial and social class isolation in the public schools has increased substantially during the past two years despite efforts to eliminate it;
- Although most persons of minority groups favor integration, frustration with the lack of progress in integration and distrust of the intent and efforts of the white majority have brought increasing prominence to the voices of racial separatists and have led even some minority group moderates to endorse separatist solutions.

## **ACTION**

The Regents are pledged to the elimination of racial segregation in the schools as stated in our document of 1968, *Integration and the Schools*. We seek increased State funds for projects to correct racial imbalance, to increase compensatory education programs, and to promote the excellence of teaching necessary to realize integrated education; for services to school districts in planning and implementing desegregation projects; for the development of curricula that will enhance interracial understanding and respect; and for effecting school district reorganization to overcome segregation.

We call on those having powers to eliminate discrimination and segregation in areas related to education — housing and employment, in particular — to use their powers, but we note that those in positions of educational leadership must not wait for other social, business, and political forces to remedy the ills. We must take initiative to overcome the lack of understanding and respect which is at the root of those ills.

Since the stability of our social order depends on the understanding and respect which derive from a common educational experience among diverse racial, social, and economic groups, that is, integrated education, we are concerned that all means be used effectively to realize integrated education. We call upon the Legislature, the Governor, and all the people of the State to make the commitments necessary to attain this goal.

A Position Paper . . .  
. . . No. 11 of a Series



# OCCUPATIONAL EDUCATION

*A Statement of Policy  
and Proposed Action  
by the*

REGENTS OF THE  
UNIVERSITY OF THE  
STATE OF NEW YORK

THE STATE EDUCATION DEPARTMENT  
ALBANY  
MAY 1971

## THE UNIVERSITY OF THE STATE OF NEW YORK

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### President of the University and Commissioner of Education

EWALD B. NYQUIST

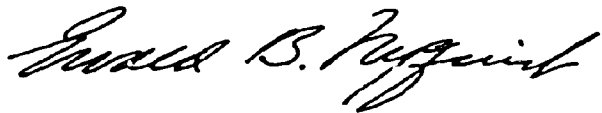
### Executive Deputy Commissioner of Education

GORDON M. AMBACH

**FOREWORD**

An educational system that is comprehensive and provides full opportunity must assist each individual to sustain himself through productive employment consistent with his abilities and interests. For nearly every person, work, or the inability or failure to work, is a prime determinant of standard of living, family relationships, friendships, life style, community service, citizenship, and leisure time. Each individual's occupation is a major factor in his sense of control over his own destiny. In our complex, technological, affluent society, this sense of control is remote if not unattainable without economic well-being, and without the knowledge that one is using his own powers to accomplish something of value to himself and others. For these reasons, the education we are developing in New York State must include a strong system of occupational education.

In this paper the Regents state their position on occupational education. The statement includes both short- and long-range guides for the development of occupational education. We urge support of the plan by legislators, the Governor, and all persons in the State concerned for our future environment.



EWALD B. NYQUIST

*President of the University and  
Commissioner of Education*

## INTRODUCTION

Occupational education has been a national, State, and local need and concern throughout this century. In recent years, however, various forces in our society have focused public attention on the need for vastly enlarged and improved systems of occupational education.

The expanding economy and increasingly complex technology on which so much of our social order depends have forged a common concern on the part of business, industry, labor, government, and the general public for the creation and maintenance of a competent work force. As society becomes more complex, so does the problem of creating and maintaining a work force adequate to meet its needs. Industrial change creates demands for new types of occupational skills, while diminishing or eliminating the demand for other types of skills. The uneducated and unskilled find themselves increasingly disadvantaged in the labor market, even as demand grows for higher levels of skill, resulting in the "manpower paradox" of workers without jobs at a time when jobs are unfilled because of shortages of qualified workers. Programs are needed to prepare workers for jobs which exist and are emerging, and to enable those already in the labor force to maintain job security even as occupational requirements change. The fundamental need is for an occupational education system as comprehensive and flexible as the society it serves is complex and changing.

Accelerating social change has created new awareness of the need to ensure equal opportunity for productive employment and career advancement for all Americans. In New York State the incidence of chronic poverty, unemployment, and welfare remains significant among all population groups, white and nonwhite, urban and rural, and is epidemic among minority groups, particularly blacks and Puerto Ricans in inner-city areas, where these problems are intensified by continued racial, ethnic, and social class segregation. Barriers continue to exist to equal opportunity for career advancement and development of maximum educational potential. Our objective is to place our educational institutions in the vanguard of developing and sustaining equal opportunity for all in a racially and socially integrated society. We believe that implementation of the recommendations developed in this paper will contribute substantially to ensuring equal educational opportunity. Equal opportunity in the labor market, while it is a concern of the Regents, is rooted in circumstances not always related to education, and will require action beyond the scope of this paper or the educational system.



An occupational education system capable of serving all students will need to be broadly conceived as part of a redesigned total educational system which has as one of its major purposes preparation for earning a living. Since students will not only be preparing for jobs which exist or are emerging, but for jobs of the future, whose nature cannot always be foreseen, occupational education will need to place increased emphasis on developing general learning ability as well as specific skills. More than ever before it will function as a means for learning to use the arts and sciences in real life situations, and as a source of and motivation for other forms of learning, rather than a substitute for them.

To serve all people, occupational education must be part of a macroeducational system which recognizes the career implications of all education and the educational nature of all experience, and which therefore minimizes "credentialism," or the idea that the only true path to success and happiness is an education leading to a traditional 4-year degree or beyond. The need is evident for an educational system containing multiple avenues to success and happiness. Students themselves view with increasing skepticism the idea that 4 years of a traditional college education is necessary for everyone. It was recently estimated that one out of every six students is on campus against his will — under pressure from his parents, his peers, or the prospect of being drafted. Recent estimates indicate that in the next 5 years New York State will have 350,000 more jobs requiring 2 to 4 years of technical education. Society at large is recognizing with new clarity that a tolerable future depends on skilled workers as well as professionals. Accordingly, Regents are concerned that young people who want and will benefit most from occupational preparation receive as much attention from the State as students in the academic curriculum.

### **Definition**

For programing purposes, we define occupational education as that part of the educational process which prepares people for employment in occupations requiring less than the baccalaureate degree. However, occupational education in its broadest sense should be seen as an aspect of the total educational process. While it can be distinguished from other components of the educational process by its emphasis on developing job skills, occupational education functions as part of the total process in developing the many characteristics needed for personal, social, and occupational success. Besides developing specific job skills, occupational education provides orienta-

tion to work, and guidance in the selection of educational and occupational objectives. It is therefore a program for all students, not only for those who desire training in specific job skills.

Occupational education begins in the earliest grades and extends through all instructional levels, serving all people, regardless of age. In the elementary grades, occupational education develops understanding of the concept of work, positive attitudes toward work and the worker, and familiarity with the various kinds and fields of work. At the early secondary level, it provides exploratory and prevocational experiences leading to understanding of careers and the consequences of educational and occupational choices. In the later secondary grades, it provides skill training in clusters of occupations for job entry and/or continuation of occupational education at the post-secondary level. Post-secondary occupational education provides further opportunities to prepare for employment and directs a major portion of its attention to preparation for occupations requiring high degrees of skill and specialization. For adults and out-of-school youth, occupational education provides remedial and preparatory training for employability, job security, mobility, and advancement.

Occupational education therefore comprises all programs which provide training for employment, whatever the agency, public or private, which operates the program, and wherever the program may be housed: within the established public educational system, including public schools, area occupational education centers, manpower skill centers, public 2-year colleges, and urban centers; in private occupational schools; in specialized institutions such as hospital schools and rehabilitation centers; or within business and industry.

### **Current Status**

Through State, local, and regional cooperation, and with Federal assistance, New York State has responded to the need for expansion and new directions in occupational education by developing a system of occupational programs serving persons of all ages in all communities of the State. Enactment of the Vocational Education Act of 1963 and the 1968 amendments to that act provided Federal funds to supplement State and local support of programs for secondary and post-secondary students, disadvantaged and handicapped persons of all ages, and adults and out-of-school youth. These funds represent approximately 10 percent of the combined Federal, State, and local expenditures for occupational education in New York State's public schools, area occupational centers, and public 2-year colleges.

The State's occupational education system includes a network of 67 area occupational education centers, administered by boards of cooperative educational services. The area occupational education centers provide access to comprehensive occupational education programs for students from school districts whose size and finances prevent them from offering a broad enough selection of occupational programs. The system contains a network of 44 public 2-year colleges, including six agricultural and technical colleges and 38 community colleges. Several of the public 2-year colleges also administer urban centers, which provide easier access to post-secondary occupational education for inner-city residents. Nearly every secondary school in the State offers some occupational education program, and each of the major cities conducts a comprehensive program. Federal manpower legislation has assisted the State and localities in developing an extensive network of manpower skill centers providing training and retraining as well as remedial basic education for adults. Altogether, these occupational education programs within the established public educational system currently serve more than 667,000 youth and adults.

Residents of New York State also have access to a broad selection of occupational programs outside the public educational system, the most important of which are various State and federally assisted remedial manpower training programs; programs offered by private educational institutions, such as trade and business schools; and specialized programs offered by labor unions and by employers, including government agencies, businesses and industries, and hospitals.

These existing programs could constitute most of the necessary elements in an occupational education system comprehensive and flexible enough to serve the needs of all the people of New York State.

## POSITION OF THE REGENTS

To guarantee an adequately prepared work force, and productive employment for all who are able and willing to work, New York State will need to fashion a *comprehensive system* of occupational education programs and services. Such a system will be *comprehensive* in that it will serve the occupational education needs of all persons in the State, including persons attending nonpublic schools, and in that it will utilize all available resources for occupational education, in a coordinated, nonduplicative, and cost-effective manner.

### **A Continuing Program**

The system will provide a continuum of occupational education programs and services, beginning in early childhood and extending through all instructional levels, including adult and continuing education. Components of this continuum will be designed to ensure development of student characteristics at approximate key ages; for example:

- By age 9, the student understands the concept of work, appreciates the value of work and the worker, and is familiar with a wide variety of kinds and fields of work.
- By age 12, the student is familiar with the broad families of occupations, is aware of the prerequisites for employment in the various kinds and fields of work, and understands the ways of progressing from one occupational level to another. He is developing awareness of his own abilities, interests, and aptitudes in relation to various occupations.
- By age 15, the student is able to assess his own potential and to participate in making informed decisions regarding his immediate educational and occupational goals. His options include access to occupational programs which prepare him for immediate employment upon graduation, for continued occupational education at the post-secondary level, or for exit to the labor market prior to graduation.
- By age 18, every student is able to choose and plan the next step in his occupational and educational career. The occupational education student is able to obtain entry-level employment in occupations for which he is trained, and/or to enroll in post-secondary occupational education.
- By age 21, and for as long as he is able and willing to work, every individual is employed in a position commensurate with his skill development, and is able to select from continuously accessible preparatory and remedial programs which provide training and retraining for employability, advancement, job security, and mobility, appropriate to his talents, interests, and needs.

For these objectives to be realized, there will need to be greater career consciousness throughout the educational system. Career education is an idea whose time has come, not in the sense that preparation for work should become the sole or even major focus of the educational process, but in the sense that student exploration of career interests, aptitudes, and abilities is a powerful means of effecting a much-needed infusion of reality into the curriculum.

### **Early Exposure**

If the objectives for ages 9 and 12 are to be realized, all students in the elementary and middle grades must receive continuous, exten-

sive, and direct exposure to the concept of work and to a wide variety of occupations. A number of brief and scattered experiences will not suffice as introduction to the modern occupational world. Rather, the introduction to work and jobs must be a significant and integral part of the total process through which students become familiar with their environment.

### **The Right To Choose**

During the secondary years most students are faced with educational decisions of potential lifelong significance. In a humanistic educational system, students making such decisions have certain *rights*, which include:

- the right to choose on the basis of adequate self-knowledge and adequate information and exploration related to alternative educational programs and career opportunities;
- the right to choose between educational programs which are true alternatives, in the sense that all are of equal quality, and all open rather than limit future possibilities;
- the right to modify such decisions in the light of changes in occupational and educational directions, as the maturing individual develops new motivations, needs, interests, and abilities.

This statement of student rights is based on certain important assumptions concerning directions in which public education is moving or must move.

The most important of these assumptions is that every student, at every educational level, will be assisted in developing his full educational potential. Under any other conditions, the right to choose is an illusion, since failure to develop maximum potential places unnecessary restrictions on the student's options. In short, it is intolerable that any student should have to choose a given program or career because of the educational system's failure.

The right of informed choice implies that in addition to early exposure in the elementary and middle grades, all students will receive appropriate guidance and counseling in the early secondary years, and will have opportunities for prevocational exploratory experiences. Actual work experience and community service related to career interests ought to be part of the curriculum for all secondary students. No other single change in public education could do more to answer the demand for relevance, to break down the walls between the school and the community, and to bridge the gap between generations.

A major constraint on student choice is the belief that occupational education at the secondary level is a terminal program, restricting rather than broadening the student's future options. The time is past when any secondary educational program could be regarded

or designed as terminal. Already, increasing numbers of workers are facing the need to retrain several times in a lifetime, and this trend can be expected to accelerate along with industrial change. Many new and emerging technical and service occupations require preparation beyond the secondary level. Accordingly, underlying this paper is the assumption that in addition to preparing students for immediate employment, all secondary occupational education programs will provide the basis for continuation of education and training, either immediately after graduation, or as the desire or need arises.

Any student will be able to choose an occupational education program with assurance that he is increasing his future options, if:

- there is a strong bond between occupational and academic education, so that students completing occupational programs have sound backgrounds in both occupational and basic educational skills.
- the trend continues toward preparation of secondary students for work in families or broad clusters of occupations, rather than for specific jobs alone.
- the scope of occupational education at the secondary level continues to broaden, so that students with a wide range of interests and abilities are able to obtain preparation for occupations of their choice.
- more programs are specifically designed to prepare secondary occupational education students for continued study at the post-secondary level, and articulation between programs at the two levels increases.
- occupational programs are relevant, in the sense that they prepare students for occupations in which employment opportunities exist or are emerging, and reflect the actual requirements for entering and succeeding in these occupations.
- all students electing occupational programs have reasonable assurance of employment upon completion. This assumption implies that every occupational education agency, including secondary schools, will either act as an employment service in placing its own graduates, or facilitate placement through effective relationships with existing employment services.
- all barriers are eliminated which prevent any persons, such as members of racial minority groups, from enjoying equal opportunity for employment and career advancement.

Since maturing students must have the right to modify educational and occupational decisions, both the occupational education system and the larger educational system of which it is a part must be sufficiently open and flexible to allow changes in direction with a minimum of frustration and penalty. The system must facilitate movement across occupational curriculums, and movement in both directions between occupational and nonoccupational curriculums.

The right to modify decisions must include the opportunity for honorable exit from and reentry to the formal educational system without penalty. The system needs to give as much attention to the "dropout," or "pushout," as to the student who completes his education in the traditionally prescribed fashion. While improved educational programs promise to decrease the alarmingly high attrition rates in our secondary and post-secondary schools, alternative educational experiences and services are needed by the student who cannot benefit from continued formal schooling at a particular time in his life. It is the system's responsibility to assist such a student in obtaining employment and/or further training outside the regular school curriculum, and to encourage and facilitate his reentry whenever he is prepared to return.

### **Further Education**

For occupational education to be a continuum, completely free of built-in limitations on student aspirations, every qualified student must be guaranteed the opportunity to enroll in a post-secondary educational program consistent with his talents and interests. Such a guarantee will require that every community college recognize and fulfill its responsibility of preparing students for occupations requiring post-secondary occupational education, and preparing students, including occupational students, for continued study at 4-year institutions. It will also require that full use be made of the private institutions offering post-secondary occupational preparation. The open admissions policy of The City University of New York and the full opportunity program of the State University of New York should help to guarantee access to post-secondary occupational education.

### **Lifelong Opportunity**

Lifelong access to occupational education requires that programs for adults and out-of-school youth be planned as part of a system which continuously anticipates, perceives, and responds to employment problems, rather than improvised as reactions to crises. Nothing short of a coordinated system will suffice, since no one agency has or could conceivably develop the capacity to provide for the varied needs of all adults. Every educational resource which currently exists must be utilized, including the extensive programs conducted by various industries, and new resources must be developed, to ensure that every adult has full opportunity for employment and career advancement. The assumption of adequate services for adults underlies the entire concept of occupational education as a continuum or lifelong

process, since unforeseeable changes in occupational requirements could otherwise nullify the value of previous education and training.

### **The Planning Process**

While national, local, and regional governmental units will continue to have concern and responsibility for the planning, financing, and operation of occupational programs, the State Education Department will have primary responsibility for leadership in a comprehensive occupational education system. State leadership is essential, not only because education is a State function, but because a unifying force is necessary to ensure that resources for occupational education are utilized efficiently and effectively to provide for the needs of all people.

Local and area programs will be planned and operated within the framework of a regional planning process, with participation by all agencies operating or closely concerned with occupational programs and services. The central, stabilizing elements in the regional planning process will be secondary occupational education agencies and public 2-year colleges. These will also serve as the links between the regional planning process and planning at the State level.

Widespread public understanding and support of occupational education will require that the planning process at all levels actively involve all community groups which are affected by occupational education, including business and industry, labor, government, teachers, parents, and students. Full use must be made of the advisory councils which exist at all levels, and other channels of communication with the community must be open as well.

An occupational education system which is continuously responsive to the needs of people and the labor market must be firmly based on a systematic planning, budgeting, and evaluation process. State, regional, and local administrators will have access to standardized management information systems which provide all data needed to target, manage, and evaluate occupational education efforts; e.g., data concerning target groups, enrollments, program effectiveness, costs, and manpower needs. Such management information systems will ensure accountability and constant feedback for program redesign.

### **SHORT-RANGE PROGRAM**

The existing network of occupational education programs described earlier in this paper contains most of the pieces of a comprehensive



system of occupational education for New York State. Implementation of the Regents position, therefore, depends less upon initiation of costly new programs than upon continuation and acceleration of existing trends in program redesign, more efficient and effective use of available resources, and greater understanding and support of occupational education among students, parents, educators, and the general public. The Regents do, however, recommend immediate action to close gaps at the elementary, secondary, and adult levels which inhibit development of and access to an occupational education continuum.

Adequate provisions do not exist widely enough to ensure that by age 15 each student has received sufficient occupational orientation in the elementary, middle, and early secondary grades to enable him to make informed decisions regarding his plans for the immediate future. Students need adequate information on which to base such decisions, and the Regents direct appropriate units of the State Education Department to take immediate action to guarantee that right. Immediate action will include identification of current provisions for occupational orientation at these levels, and exploration and implementation of more effective approaches. Since occupational orientation at these levels is a responsibility of every classroom teacher and every guidance counselor, preservice and inservice education programs will be needed to increase teachers' and counselors' occupational awareness and their ability to help others develop such awareness.

Full access to the comprehensive system of occupational education will require that the legislature enact the Regents proposal concerning dual enrollment, which authorizes school districts to provide instruction in occupational education and other subjects for pupils enrolled in nonpublic schools.

In the absence of coordinated planning and operation of occupational programs for adults and out-of-school youth, the numerous and varied programs continue to duplicate efforts in wasteful competition for scarce resources. Despite the proliferation of such programs, in most regions of the State there is no central arrangement to ensure that every adult and out-of-school youth in need of training or retraining receives either direct assistance or referral to the kind of program which best suits his needs. The Regents recommend that a central arrangement for services to adults and out-of-school youth be developed in every region of the State, as part of the region's educational system, to enable community representatives to coordinate the wide range of local, State, and Federal Government programs and private programs in the best interests of the people served by these programs. It is essential that in each region the planning

for a central focus involve all groups or agencies concerned with occupational education, so that all available resources are brought to bear on the needs of adults and out-of-school youth. In the major cities of the State such arrangements can utilize the Community Education Centers proposed in the Regents Position Paper on Urban Education. In areas outside the major cities, the central focus should be developed as part of the regional planning activity.

### **LONG-RANGE PROGRAM**

Leadership in the full implementation of a comprehensive system of occupational education will be provided by the long-range and continuing objectives of the New York State Plan for Occupational Education. These objectives are based on analysis of the occupational education needs of various population groups, projected over a 5-year period and continuously updated. The State Plan includes the following long-range and continuing objectives which have particular bearing on the Regents position stated in this paper:

- Continue to expand and diversify programs at the secondary, post-secondary, and adult levels which prepare occupational education students for existing and emerging employment opportunities.
- Expand occupational education programs and services for disadvantaged and handicapped persons at all educational levels.
- Increase the capacity of area occupational education centers to serve all students who desire occupational programs not provided by their local districts. The State will continue to improve the quality and reduce the operating costs of occupational programs through construction of permanent area center facilities where they do not currently exist.
- Provide secondary occupational education students with the basis for continuing their occupational education at post-secondary institutions. Emphasis will increase on pretechnical programs which include special preparation for continued study, and on articulation of secondary and post-secondary programs to ease student transition between the two levels and eliminate duplication of student effort.
- Increase emphasis on occupational education programs which include cooperative work experience and work-study opportunities.
- Continue to diversify opportunities through program design which permits greater individualization of instruction and fuller utilization of educational resources; e.g., modular scheduling and year-round instruction.
- Encourage occupational education students to use their skills in activities which foster leadership abilities and serve the com-

- munity. This objective implies increased emphasis on the occupational education youth organizations.
- Increase the number of students who begin and successfully complete post-secondary occupational education programs. Workshops and seminars will be conducted for 2-year college students, teachers, administrators, and counselors, to develop skills and techniques in achievement motivation and humanistic education.
  - Strengthen guidance, placement, and followup services for students in occupational education programs at all instructional levels. Every student will have access to occupational information systems, and will leave school with knowledge of the occupations most appropriate to his needs, interests, and abilities. Every student will be assisted in making the transition from school to work and/or further education. The educational system will have continued responsibility for the student's occupational success after he leaves school, or each time he leaves school.
  - Strengthen the preparation of occupational education teachers at all instructional levels through improved preservice teacher education programs and increased participation of occupational education teachers in inservice programs.
  - Continuously reexamine and strengthen the relationship between occupational education programs and current and anticipated employment opportunities.
  - Continue the regional planning activity in all regions of the State, encouraging involvement and cooperation of all agencies and groups which have a concern for occupational education.
  - Conduct research, evaluation, exemplary, and innovative activities designed to enhance the quality of the State's total occupational education program. Currently being developed are: improved instruments for collection of enrollment and followup data; guidelines for local and regional evaluation of occupational education programs; a design for cost control of occupational programs; and a demonstration planning model for use in developing comprehensive occupational education programs within the structure of total educational redesign.
  - Assist in diminishing the barriers to employment which may be encountered by various segments of society, including racial minority groups, the handicapped, the aged, and women. Occupational education followup studies will be examined for evidence of such barriers, and utilized to recommend, initiate, and support changes that will help to eliminate job discrimination.
  - Promote greater understanding of occupational education among parents, students, educators, and the community. Information will be developed and disseminated concerning the availability and value of occupational education programs, and all of these groups will be more actively involved in the planning, implementation, and evaluation of occupational programs.

## CONCLUSION

The major concepts in the Regents policy concerning occupational education are:

- that New York State needs to develop a comprehensive system of occupational education serving all persons in need of occupational preparation through utilization of all available resources, public and private, which offer such preparation;
- that a comprehensive occupational education system will make available to every person a continuum of educational opportunities beginning in early childhood and extending beyond high school for as long as that person needs or desires such opportunities;
- that occupational orientation in the elementary, middle, and early secondary years will provide all students with the basis for informed decisions regarding their occupational and educational plans for the immediate future;
- that occupational education services for adults and out-of-school youth will be expanded and improved through more orderly arrangements which eliminate wasteful competition and duplication of efforts;
- that all occupational education programs will be conducted within the framework of a State and regional planning process, coordinated by the State as part of its overall responsibility for education, and involving all levels of government and all agencies or groups which operate or are affected by occupational programs.

Dr. NYQUIST. The spirit expressed in H.R. 2266, H.R. 4847, and S. 1557 is that segregation or isolation by minority groups, regardless of its origin or cause, should be ended and the effects of this isolation should be ameliorated. We support that objective and desire to see an effective national program accomplish it.

We make a clear distinction between desegregation and integration. Desegregation, in our view, is an administrative process. It results in the dissolution of concentrations of minority group members in the schools and classrooms. Integration, on the other hand, is an educational matter. It involves the changing of attitudes, behavior, and understanding of people of all kinds and age levels. For schoolchildren, it means an environment conducive to the positive interaction of children from diverse backgrounds in which they learn that differences among people are not as great as similarities, that difference is a source of richness and value rather than a thing to be feared and denied. An integrated environment is one that teaches the child to judge individuals for what they are rather than by what group they belong to.

The elimination of de facto segregation is a complex issue. Yet, there are steps which can and must be taken to reduce racial or social group isolation in the public schools. Where these steps can be taken, it would be in the national interest to take them. The elimination of de jure desegregation is only part of the problem. I can see no difference in the effects of either type of segregation. Therefore, the distinction between de jure and de facto segregation should be eliminated in the final emergency school assistance bill.

Knowledge about the effects of various types and degrees of integration on student achievement and their attitudes toward school and attitudes toward members of other groups is not adequately reflected in the definitions of desegregation and integration in the bills before you.

In the three bills, at least three definitions of integrated schools are offered. One problem in developing the final bill is to resolve the inconsistencies of these definitions. Of greater significance is the problem that all these definitions are limited to consider desegregation or integration for an entire school district or school building rather than in any given classroom. We have found that it is highly significant for the student and his educational development, and that integration be maintained at the classroom level.

The available evidence indicates that racial integration is more likely to produce sound educational results if it occurs continuously from the early grades, if the proportions of the minority students in the school do not exceed approximately 30 percent, and if the integration occurs at the classroom level as well.

The automatic application of classroom racial balance criteria will not necessarily be advisable. Our research indicates that including fewer than 15 percent blacks, or only one or two black boys, in a classroom results in a sense of isolation or large social distance between black students and all others.

Our recommendations, therefore, are that the definition of integration or desegregation in the bill take into account classroom composition, particularly at the elementary school level, and that this

definition not be simplistically applied in what is a very complex and important issue.

The accomplishment of the goals of the emergency school aid bill would be enhanced by defining the eligibility criteria to read as follows:

(1) Permit financial assistance to a local educational agency when that agency has adopted a plan for the establishment of or maintenance of only stable, quality, integrated schools throughout its jurisdiction;

(2) permit financial assistance to a local educational agency which is implementing a plan that has been undertaken pursuant to a final court order, or order issued by any other recognized judicial authority (in some States, like my own, and in New Jersey, the commissioner of education has judicial authority in these respects); and

(3) permit financial assistance to a State educational agency which will exercise its discretionary authority to establish integrated schools and otherwise produce equal education opportunity pursuant to plans approved by the State, which have been adopted by one or more local educational agencies.

Under the State role, there has been a tendency for Federal legislative proposals, especially in the area of education, to provide for direct relationship between Washington and local educational agencies, thus bypassing State educational agencies. It has been argued that the States have lagged behind in innovating and have been insensitive to national priorities.

There are differences among the States in their capacity to administer programs. The emergency school aid program should recognize these differences by providing flexibility allowing the administration of the Federal program by the State in accordance with the State's capacity.

In New York, the legislature and Governor, for a number of years, have funded projects in those school districts seeking to improve the quality of education through desegregation and integration. Approximately 40 districts, regions, and individually paired suburban and urban city schools voluntarily have sought State technical assistance and finances from the State education department for those purposes. We cannot complete the task of providing quality integrated education without additional resources.

In New York State, furthermore, the commissioner of education has judicial authority in matters pertaining to education and he can order a school district to desegregate.

We have wide experience in providing desegregation and integration programs at the statewide level, judicial authority, and a history of progress toward integrated education. Any Emergency School Aid Act should take advantage of this capability in our State or in other States.

Our specific recommendations with regard to this aspect of the emergency school aid bill follows:

(1) The emergency school aid moneys should be expended on the basis of State plans. These plans should present an effective method of accomplishing the national purpose within the State and should represent the coordination of the State resources with those in the Federal

program toward this end. The State plan, of course, would reflect Federal priorities in metropolitan area projects, interdistrict cooperation, community relations, bilingual and bicultural education, and other educational programs. In the absence of a substantial State effort and effective State plan the Federal agency could and should administer the funds directly to local school districts.

Furthermore, the 80-20 split of funds suggested in H.R. 2266 should be amended so that one-half of the funds reserved for the U.S. Office of Education should be earmarked for State agencies for State plan and operation purposes.

(2) In accordance with the above recommendation the Emergency School Aid Act should provide that the State may make a grant to the local agency which is implementing a plan pursuant to a final order of a court of the United States or a court of the State or any other duly authorized judicial authority—such as a commissioner of education—for purposes of desegregating schools.

Under reports and evaluations, to maximize the possible effects of the act on the establishment of stable, quality, integrated schools, the act should require that any applications submitted for approval should contain:

(1) For each grade, indicators acceptable to the Secretary or the State educational agency which summarize the extent of minority group isolation in each school, and, for elementary schools, in each classroom; and

(2) Summary indicators acceptable to the Secretary or the State education agency of the progress that the local education agency plans to make during the period for which funds are requested in reducing minority group isolation for each grade, and, in elementary schools, for each classroom; and

(3) The procedures that will be used to evaluate the effectiveness of programs supported under this act.

The applicant should be required to submit a report at the end of the funding period which:

(1) Reports on changes in the extent of minority group isolation in terms of the summary indicators; and

(2) Reports on the results of the program evaluation procedures which were described in the application.

Under General Aid to Education, we applaud the National Partnership in Education Act, H.R. 6179, for its direction and strength. The purpose of the bill—to have the Federal Government share one-third of the cost of education—is similar to the position taken by the New York State Board of Regents in the past 2 years. New York State is currently financing 47 percent of the cost of elementary and secondary education in the State. The Federal Government's support is about 3.5 percent. The balance is local support.

The national partnership bill builds on the strengths of the Elementary and Secondary Education Act, title I. On initial analysis, this bill appears to be much more equitable and realistic than is the President's proposed revenue-sharing for education.

It recognizes the current impact of Federal funding on the States and its administrative provisions target the money to the accomplishment of specific educational objectives. The current proposed level of appropriations for education revenue-sharing is \$3 billion.

Under educational revenue-sharing, an appropriation level of more than \$4 billion would be necessary in order for New York State to receive any more money than it is receiving from the U.S. Office of Education this year.

Our detailed analysis of the education revenue-sharing proposal is continued in a special statement that I ask be included in the record.  
(The document referred to follows:)



**"Education Revenue Sharing"  
(Program Consolidation)**

Description

It is proposed to be a program with an appropriation of \$3 billion, with 10 percent set aside for the Secretary to further achieve national policy objectives in education. The monies available to each State are based upon a weighted count of children in the categories of those whose parents reside on federal property, those whose parents are employed on federal property or on active duty in the uniform services, those from low income families and all children from the ages 5 to 17. The money attributed to children whose parents live on federal property or from low income families flows through the State to local educational agencies. The balance of the funds are divided in different proportions to three programs: handicapped, vocational education, and supporting materials and services.

Transfers of money may be made between programs, except from monies attributed to children of parents who live on federal property and those from low income families. The money attributed to children whose parents are employed on federal property or on active duty in the uniform services may be available for any educational activity.

The governor of each State designates a State agency to administer the program and appoints a State Advisory Council to work with the State agency in the development of a State Plan. The State Plan may not be finally adopted until all interested persons have made comment on the Plan and the comments shall also be available to the Secretary of HEW.

Appropriations are authorized for a planning-transition period from January to June 30, 1972. No State will receive less in total for the programs consolidated than it received during the current fiscal year as a matter of policy, i. e., "Hold Harmless." A number of current programs are repealed.

A more detailed summary follows.

Analysis

It will probably take an appropriation level of \$4 billion under education revenue sharing before New York State will receive one dollar more than it is receiving this year. The current proposed level of appropriations for education revenue sharing is \$3 billion. Thus, the appropriations will have to increase by at least one-third for New York State to receive additional money. This, compounded with the increasing costs of education, means it will take a number of years before New York

The computation of New York's share of revenue sharing before hold harmless (\$215.5 million, page 4) has to be increased by approximately 50 percent for New York State to be held harmless (\$305.9 million, page 4). Until this difference can be made up by increased appropriations, additional money will not be available to New York State. The leveling effect of the proposed program is what causes New York State to lose so much money. The assumption of the current formula is that what a dollar will buy in Mississippi it will also buy in New York. In an alternative, if the revenue sharing proposal has added a weighting factor of National or State average per pupil expenditure, whichever is higher, New York's share returns to the current level of program funding, plus approximately a two-percent increase (\$312.2 million, page 4). This alternative to the President's proposal distributes available money such that New York State does not lose, but it does not provide enough for increasing costs. Increased appropriations are needed to take care of increasing costs. The alternative to the President's Program of Weighted Revenue Sharing establishes a floor of the National average per pupil expenditure and provides for higher cost factor states.

The realignment of money between programs shows the current disparagement between what New York State is currently getting and what they probably should be receiving. For example, under Vocational Education, we currently receive approximately 6.6 percent of the program money available for vocational education, while under the President's Revenue Sharing, we receive 8.2 percent and under our Alternative, Weighted Revenue Sharing, we would receive 11.7 percent (see page 5). Vocational Education is among those programs in which New York State does not receive a fair share. Under the Disadvantaged program, principally Disadvantaged, we currently receive 13.5 percent of the monies. Under the President's Revenue Sharing, we would be reduced to 9 percent and under our Alternative, Weighted Revenue Sharing, we would once again approximate our current share of those funds. Thus, from a financial point of view, New York has nothing to gain and everything to lose under the President's Revenue Sharing Program.

In our Hold Harmless Baseline, we are still in disagreement with the U. S. Office of Education. Our computation of a Hold Harmless Baseline is \$305.9 million. The U. S. Office of Education's computation is \$289.3 million (see pages 6-7). The areas of disagreement are principally in Vocational Education and Support Services, particularly in the School Lunch/School Milk Program. The Office of Education can be expected to be very quick in discharging the school milk reduction as not a part of this program. We do not believe that this dismissal is valid since on page 145 of the Budget of the United States Government Appendix, FY 1972, it states, "The need for a separate Special Milk Program has been eliminated by the serving of complete lunches, including milk, under the School Lunch Program." It should be argued that if the School Milk Program is to be included in the

It is our understanding that the current bill is one of two proposals in the reorganization of federal programs. Without the details of the second bill, presumed to be submitted to Congress during this session of Congress, it is not possible to give a thorough analysis of the total impact of the reorganization. The concept of program consolidation is certainly to be applauded. The specifics of the consolidation appear to fall short in certain areas, such as the disadvantaged. It would seem logical this area should include additional programs, such as ESEA, Title VIII, dropout prevention. The consolidation of the disadvantaged programs should allow for an overall planning of an effort for the disadvantaged.

The consolidation appears to make some substantive changes in the intent of the current legislation. Most significant in this area appears to be the separation of postsecondary vocational education programs from that of elementary and secondary vocational education. While there is a possibility of implying that postsecondary vocational education is to be included, since it is not excluded, the constructing of the intent is provided very little basis from either the formula or other provisions of the bill concerning vocational education. Additionally, the "public housing" impact would appear to be lost in both the formula and the repealing of amended sections under P. L. 874. The lack of inclusion of learning disabilities within the definition of handicapped children appears to be a serious omission from the definition of handicapped children.

The concept of state plans is a highly desirable provision in the educational revenue sharing bill. The lack of specifying that the state agency to administer this program should be an educational agency in the state is a serious omission. The administration of the program as specified in the proposed bill does not take cognizance of the differing organizational structure of education among the states. This federal legislation would appear to be taking on a federal role of unifying the structure of education in our country without taking into consideration state custom and constitutional or other legal forms currently existing.

In sum, New York State--a high education effort and expenditure state-- is being leveled in terms of its share of federal funds under the current bill. Additionally, the impact of reduced funds will serve a severe impact on current educational programs in the state. The concept of program consolidation is one that has been put forth by the State Education Department for a number of years. The current proposed program consolidation would appear to have a number of deficiencies, particularly in the narrowing of the concepts and impact of the current legislation that is to be repealed. The movement to a strong state plan program is desirable for more effective planning and allocation of both federal and state resources. The restructuring and standardizing of individual state's functions concerning education by federal law is not

**"Education Revenue Sharing"**  
**Comparison of Allocations of Federal Programs Consolidated**  
**New York State**  
**(Summary)**  
**(Millions)**

Program	Fiscal Year 1971 Appropriations /1	President's Program		Alternative, Weighted Revenue Sharing Before Hold Harmless /4
		Revenue Sharing Before Hold Harmless /2	Revenue Sharing Hold Harmless /3	
Directly Affected Areas	\$ 16.8	\$ 8.7	\$ 10.6	\$ 11.2
Unaffected	203.5	128.2	172.8	185.3
Unaffected	12.6	13.1	17.7	18.9
Elementary and Secondary Education	23.0	26.2	35.3	37.8
Other Services	50.0	39.3	52.9	56.0
<b>TOTAL</b>	<b>\$305.9</b>	<b>\$215.5</b>	<b>\$289.3</b>	<b>\$312.2</b>

/1 State Tables of 1972 Budget Estimates, D/HEW, February 1971

/2 U. S. Office of Education, Estimation of \$2.7 billion (\$3.0 billion less 10% setaside for Secretary)

/3 HEW Memorandum to Members of Congress, April 5, 1971

/4 U. S. Office of Education, Estimation of \$2.7 billion (\$3.0 billion less 10% setaside for Secretary), weighting factor National or State average per pupil expenditure, whichever is higher (similar to ESEA, Title I, formula)

**"Education Revenue Sharing"  
Comparison of Allocations of Federal Programs Consolidated  
Percentage of Share Under Each Program to New York State  
(Summary)**

Program	Fiscal Year 1971 Appropriations	President's Revenue Sharing	Alternative Weighted Revenue Sharing /1
Tools-- Federally Affected Areas	3.5%	2.1%	3.0%
Disadvantaged	13.5	9.0	13.0
Handicapped	9.6	8.2	11.7
National Education	6.6	8.2	11.7
Support Services	7.2	8.2	11.7

Source: U. S. Office of Education

Weighting factor National or State average per pupil expenditure, whichever is higher (similar to ESEA, Title I formula)

NOTE: Columns will not total. Percentage total of 100% would be the total of each State's share of a particular program, e. g., Handicapped.

1/19/71

"Education Revenue Sharing"  
Computation of Hold Harmless for Federal Programs Consolidated  
New York State

Program	FY 1971 /1 Appropriations (Millions)	President's Program Estimation Difference With USOE Difference + (-) (Millions)
<u>Schools--Federally Affected Areas</u>		
SAFA (P. L. 81-874, less Sec. 6)	\$ 16.8	\$ _____
Subtotal	16.8	0
<u>Disadvantaged</u>		
ESEA I--Educationally Deprived		
A--Local Assistance (less Sec 103 (a) (5) --Handicapped)	195.1	
Administration	2.0	
B--Incentive	.9	
C--Urban and Rural Schools	2.0	
VEA B--Socially Disadvantaged (Sec. 122 (a) (4) (A))	3.5	
Subtotal	203.5	( .8)
<u>Handicapped</u>		
EHA B--(ESEA VI)--State Grants	2.6	
ESEA I Sec. 103 (a) (5)	5.8	
ESEA III Sec. 305 (B) (8)	1.9	
VEA B--Sec. 122 (c) (3) or Sec. 122 (a) (4) (B)	2.3	
Subtotal	12.6	0
<u>Vocational Education</u>		
VEA--B--State Grants (less Sec. 122 (a) (4) (A) and (B)--Disadvantaged and Handicapped)	17.4	
C--Research	2.4	
D--Innovation	.6	
E--Residential	--	
F--Consumer and Homemaking	1.4	
G--Cooperative Education	.8	
H--Work Study	.4	
I--Curriculum Development	--	
Subtotal	23.0	( 3.1)

Program	FY 1971 /1 Appropriations (Millions)	Estimation Difference With USOE Difference + (-) (Millions)
<u>Support Services</u>		
Office of Education		
ESEA II - Library	\$ 6.5	\$
ESEA III - Supplementary Services (less Sec. 305 (B) (8)--Handicapped)	9.3	
ESEA V - State Agencies	1.5	
NDEA III - Equipment	2.8	
EPDA B-2- Critical Teachers (TC)	.9	
Adult Education	3.8	
	<hr/>	<hr/>
Subtotal (OE)	24.8	0
Department of Agriculture		
School Lunch --Sec. 4	14.5 /2	
School Milk	9.3 /3	
Child Nutrition--Sec. 5--Equipment	1.2 /2	
Sec. 7--Administration	.2 /2	
	<hr/>	<hr/>
Subtotal (A)	25.2	(12.7)
Subtotal-- <u>Support Services</u>	50.0	(12.7)
	<hr/>	<hr/>
<u>TOTAL</u>	\$305.9	\$ (16.6)
USOE Hold Harmless Baseline		\$ 289.3

- Source: /1 State Tables of 1972 Budget Estimates, D/HEW, F
- /2 Notice of Revised Program Limitations for New York State,  
U. S. Department of Agriculture, January 29, 1971
- /3 Letter of Credit Authorization--New York State, U. S. Department of  
Agriculture, January 29, 1971

Revised  
1/19/71

## EDUCATION REVENUE SHARING /1

Funding Level

First full year of operation: \$3 billion

From existing programs: 2.8 billion

Additional funds: 200 million

Areas of Assistance

Education of the Disadvantaged: Programs and projects designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families, of migrant children, and of neglected and delinquent children for whose education the State is responsible.

Education of the Handicapped: Programs and projects at the preschool or any other educational level designed to meet the special educational needs of handicapped children.

Assistance to Schools in Areas Affected by Federal Activities: Provision of financial assistance for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that (a) such agencies provide education for children residing on Federal property, or (b) such agencies provide education for children whose parents are employed on Federal property.

Vocational Education: Assistance to States for vocational education activities.

Supporting Materials and Services: Such materials and services as the purchase of school textbooks, library resources, educational equipment; the provision of supplementary educational centers and services, of school pupil personnel services, of adult education, and of school meals; the training or retraining of teachers, teacher aides, or other school personnel; the strengthening of State or local educational agency capabilities and of educational planning at the State or local level; the support of the State advisory council; and the administration at the State or local level of the program carried out under the act.

Allotment and Use of Shared Revenue

Each State would be eligible to receive a grant equal to:

1. 60% of the average per pupil expenditure in the United States multiplied by the number of pupils in average daily attendance residing with a parent on Federal property in such State; and

2. Its relative share of the total amount appropriated (after deduction of the "a" category SAFA entitlements as noted above), based on:



Allotment and Use of Shared Revenues (continued)

That portion of a State's allotment attributable to the presence of low-income children shall be available only for programs and projects designed to meet the special educational needs of educationally disadvantaged children who reside in school attendance areas having high concentrations of low-income families, who are migratory children of migratory agricultural workers, or who are neglected or delinquent children for whose education the State is directly responsible.

That portion of a State's allotment attributable to the presence of Federally connected children shall be available for any educational activity.

One-sixth of that portion of a State's allotment based on children 5-17 in the State shall be available for education of the handicapped; one-third shall be available for vocational education; and one-half shall be available for supporting materials and services.

Distribution of Shared Revenues within Each State

Each State would pass through to local educational agencies (1) the funds attributable to the presence of pupils residing with a parent on Federal property and (2) the funds attributable to the presence of children from low-income families in such agencies (less any amount determined by the State to be necessary for programs for neglected or delinquent children for whose education the State is responsible), but only if:

- (a) such amount is at least \$10,000, and
- (b) the services provided in each of the schools of such agency with funds other than funds received under this Act have been determined to be comparable, by the State administering agency, with the services so provided in all of the other schools of such local educational agency.

The remainder of the State's funds would--

- (1) be retained at the State level for operation of State-wide programs, and
- (2) be distributed among local educational agencies according to relative needs for the types of assistance available.

Transfers among Areas of Assistance

The State would be permitted to transfer up to 30% of the funds attributable to any one area of use to any other such area, except that no transfers of funds from the area of the disadvantaged would be allowed.

Additional transfers above the statutory limit would be permitted if the State demonstrates to the satisfaction of the Secretary that such action will achieve more effectively the purposes of the Act.

Operation of the Program

The chief executive officer of each State which desires to participate under the Act shall designate a State agency to administer the program.

The designated agency shall, for each fiscal year, develop and publish a plan for the distribution and expenditure of funds under the Act. Such plan shall be developed in consultation with the State advisory council, shall not be finally adopted until a reasonable opportunity has been given to interested persons for comment thereon, and shall be made available to the Secretary.

The chief executive officer of each State would also appoint a State advisory committee in the State and of the

Participation of Nonpublic School Children

Except where prohibited by State law, equitable participation of children enrolled in nonpublic elementary and secondary schools would be provided in the disadvantaged, handicapped, vocational, and support services areas. Where State law prevents such participation, the Secretary may permit the State to participate, but he shall arrange for such children to receive similar services on an equitable basis and shall pay the cost thereof out of the State's allotment.

In addition, a State would provide that title to and control of funds received under this Act and other property derived therefrom will remain in one or more public agencies.

Civil Rights

Revenues shared under this Act shall be considered as Federal financial assistance within the meaning of Title VI of the Civil Rights Act of 1964.

Transition from Existing Programs

The Act authorizes the appropriation of such sums as may be necessary to enable the Secretary to make, for the period January 1 -- June 30, 1972, payments to States to assist them in planning for the transition from the system of categorical grants authorized by statutes repealed by this Act to the system of revenue sharing for education authorized by this Act.

Effect on Existing Programs

Repealed (effective with respect to appropriations for FY beginning after 6/30/72)

Elementary and Secondary Education Act of 1965

- Title I -- Education of the Disadvantaged
- Title II -- School Library Resources, Textbooks, and other Instructional Materials
- Title III -- Supplementary Educational Centers and Services; Guidance, Counseling, and Testing
- Title V -- Strengthening State and Local Educational Agencies

Education of the Handicapped Act

- Part B -- Assistance to States for Education of Handicapped Children

The Smith Hughes Act (Vocational Education Act of 1917)Public Law 81-874

- Section 3(a) -- Children of persons who reside and work on Federal property
- Section 3(b) -- Children of persons who reside or work on Federal property
- Section 4 -- Sudden and substantial increases in attendance

National Defense Education Act of 1958

- Title III -- Financial Assistance for Strengthening Instruction in Science, Mathematics, Modern Foreign Languages, and other Critical Subjects

Education Professions Development Act

- Part B-2 -- Attracting and Qualifying Teachers to Meet Critical Teacher Shortages

Effect on Existing Programs -- Repealed (continued)

Adult Education Act (except for Sec. 309: Special Experimental Demonstration Projects and Teacher Training)

Public Law 81-815 (except for sections 9, 10, 14, and 16)

Child Nutrition Act of 1966

Section 5 -- Nonfood Assistance Program  
Section 7 -- State Administrative Expenses

National School Lunch Act

Section 4 -- Apportionments to States  
Section 5 -- Nonfood Assistance  
Section 7 -- Payments to States  
Section 8 -- State Disbursement to Schools  
Section 10 -- Nonprofit Private Schools

Not Affected

Elementary and Secondary Education Act

Title VII -- Bilingual Education Programs  
Title VIII -- General Provisions (including the dropout prevention program)

Education of the Handicapped Act

Part C -- Centers and Services to Meet Special Needs of the Handicapped  
Part D -- Training Personnel for the Education of the Handicapped  
Part E -- Research in the Education of the Handicapped  
Part F -- Instructional Media for the Handicapped  
Part G -- Special Programs for Children with Specific Learning Disabilities

Head Start and Follow Through

Emergency School Aid Act (proposed)

National Institute of Education (proposed)

Cooperative Research Act

all higher education legislation (except part B-2 of title V of the Higher Education Act of 1955)

all library and educational communications legislation

Dr. NYQUIST. I would like to highlight these points of concern about the special revenue-sharing proposal.

The bill would consolidate programs, and we favor that. It would require State plans for the administration of programs, and we favor that. We object, however, (1) to the fact that responsibility for administering programs is not assigned directedly to State education agencies and (2) that the allotment formula for distribution of funds would be financially disastrous for New York. Our detailed statement provides a careful analysis of the financial aspects of the proposal. It is true that New York would be "saved harmless" from loss of funds under the proposal, but we would never begin to share in the growth of the program until there is a national increase of more than \$1 billion. That is not our idea of "shared" revenues.

I hope that the members of the subcommittee will have an opportunity to review our statement. I repeat our strong support of the national partnership in education bill as an alternative to special revenue-sharing for education.

Mr. PUCINSKI. Thank you, Dr. Nyquist. I appreciate your frank analysis of the differences between the administration's revenue-sharing and the substitute that we have introduced in the National Partnership in Education Act.

This is precisely what we are hoping to find out from people like yourself. What's the best way that the Federal Government can help, if indeed the Federal Government is going to help, in education?

We have a tendency to proliferate educational legislation in the Congress. In each instance, this legislation is on top of the local effort. I seem to get the impression that the problem local education agencies are faced with is to keep the system operating. It was for that reason we introduced the Partnership in Education Act, to give you some unfettered money, keep the system going, and then to build on that system.

Now, in your statement about the segregation aspect of this whole problem, you said that de jure and de facto segregation should be eliminated. I imagine New York, like every other community in this country, has a problem of a large concentration of minority youngsters in the city, black or brown, and then a large concentration of white youngsters in the suburbs.

In your statement you talked about a definition of a plan within the jurisdiction of the school system. Can we really achieve any meaningful desegregation if we are going to limit ourselves to the jurisdiction of a school system, or do you feel that we have to go on a metropolitan basis?

How are you going to desegregate New York when you have in New York City a majority of your school population either brown or

You have something to work with in terms of desegregation.

Dr. NYQUIST. I agree. In some areas, especially in the big cities, it is going to require some form of metropolitan cooperation.

Mr. PUCINSKI. What do you think would be the reaction of parents of children if we were to propose, as the Senate bill does propose, sort of a massive program of busing children on a metropolitan basis?

What do you suppose would be the reaction of the parents in the suburbs to having their children bused into the city for the school period in order to achieve integration and overcome de facto segregation?

Dr. NYQUIST. I think there is going to be some question about the emotional reaction, not so much on the basis of busing but because of the nature of the problem. We do an enormous amount of busing for children to have access to educational opportunity throughout the State.

This would be an added amount.

Mr. PUCINSKI. Then are we saying, Dr. Nyquist, that the answer to the educational problems of America is a massive nationwide busing program?

Dr. NYQUIST. We always seem to zero in on busing. That has become the emotional term here. That is not the only thing that is required here. I have just had a chance to look a few minutes at H.R. 7212, Mr. Badillo's bill.

Mr. BADILLO. It is the same thing as the Ribicoff bill.

Dr. NYQUIST. Yes, I know. As I turn the pages here, I see there are many things authorized by this bill which would help to achieve desegregation and integration on a metropolitan basis.

Mr. PUCINSKI. You say that we are hung up on the busing. I get the feeling that we are hung up on the whole question of desegregation. Now—

Dr. NYQUIST. I agree.

Mr. PUCINSKI. Is racial integration really the biggest single problem confronting the American educational system?

Is integration really the thing that is going to make or break the quality of the kind of education that we give children?

I get the feeling that we are hung up on the whole question of integration, and for 10 years now, or at least since the—well, more than that—since the 1954 decision. You get the feeling that in many communities of this country education has come to a standstill while we go through this huge social experiment of bringing children together in different races, and education itself, the whole thrust of education has become of secondary importance to the educators.

The educators are being pummeled by court decisions and prosecutors and civil rights groups and local courts and Federal courts and HEW and the Justice Department, and I am just wondering, is this really the problem, the most important single problem confronting the country today?

Dr. NYQUIST. It is to me.

Mr. PUCINSKI. Would you elaborate on that, Doctor?

Dr. NYQUIST. Well, integration and desegregation is much more than just an educational matter. It is a social and economic matter.

If we are going to achieve the ideals we have, and there is a big disparity between our noble ideas and our behavior, I think the schools have a tremendous role to play in making America work, creating racial and cultural understanding, besides achieving better education.

Mr. PUCINSKI. Does the New York Department of Education have any studies, any statistics, to indicate that there is an increase in the learning ability of children who are attending integrated schools as contrasted to quality education in schools which for various reasons have a large concentration of minority groups?

Dr. NYQUIST. Yes.

Mr. PUCINSKI. Not necessarily because of any de jure segregation, but because of de facto. Do you have any studies that indicate that minority children do learn better in an integrated environment than they do in an environment which by the very nature of the circumstances creates a segregated environment?

Dr. NYQUIST. Yes. I am leaving the research report "Racial and Social Class Isolation in the Schools" with you.

Mr. PUCINSKI. What does that report show, Dr. Nyquist?

Dr. NYQUIST. A positive response to the question that you raised, Mr. Chairman.

Mr. PUCINSKI. I would like to put this report in the record.

Would you call the committee's attention to that portion of the report which contrasts learning patterns of minority group students who are in a quality school, albeit segregated, and a quality school that is integrated?

Dr. NYQUIST. I can't for the moment point that out to you.

Mr. PUCINSKI. Is there anything in this report that compares—first of all, let me rephrase the question.

Were there any schools considered in this report which are totally segregated, but are quality education schools, or do you have such a thing?

You see, the reason I ask this question, Dr. Nyquist, is that it stands to reason that if you have a very bad school in a ghetto and you have a good school in the suburb, and you transfer a child, white or black, to a good school environment, obviously this child is going to show an improvement in his learning pattern; but I want to know what would be the results of the learning pattern of that same minority child if you gave him good quality education in the ghetto, and would he show a substantially better improvement in his learning pattern simply by being integrated, or would he show the same pattern assuming that the quality of education was the same in the ghetto?

What I am trying to find out is if there is any evidence that integration in itself—in itself—improves the learning pattern.

Dr. NYQUIST. There is no question but what integration does. The evidence is in here.

Mr. PUCINSKI. Would you point out to where that evidence is, Dr. Nyquist?

We are going to place in the record the Report by the University of the State of New York and the State Education Department, Bureau of School and Cultural Research, called Division of Research Report on Racial and Class Isolation in the Schools: A Summary Report.

# **RACIAL AND SOCIAL CLASS ISOLATION IN THE SCHOOLS: SUMMARY REPORT**

**A Report to the  
Board of Regents of  
The University of the State of New York**

**The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Division of Research  
Albany, New York 12224  
February 1970**

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## PREFACE

The original report on racial and social class isolation in the schools was prepared at the request of the Regents of The University of the State of New York, and Commissioner of Education, Ewald B. Nyquist, who in July 1969 asked the Division of Research, New York State Education Department, to gather and interpret the available facts relating to the topic of racial isolation in the schools, particularly as they might clarify and define the problem in New York State. The result of this request went through many stages, beginning in July 1969, with two brief and successive reports which summarized the findings of major and minor studies of the educational and psychological consequences of segregation in the schools. In August, we began preparation of a detailed technical review, finishing a preliminary draft some 7 weeks later. Following presentation of the preliminary draft to the Board of Regents, we added to and further refined the report to its present stage of completion. This technical report comprised 620 pages and was published in December 1969.

The present report summarizes the detailed findings of the seven chapters included in the complete technical report. Chapter I presents a brief review of the legal background of racial isolation in the schools, and further reviews official policy and programmatic efforts relating to the elimination of *de facto* segregation in the schools in New York State.

The second chapter is an analysis of growth trends in the white majority population and among the Negro and Puerto Rican minority populations in the State and Nation. The extent to which Negro and Puerto Rican student populations are isolated in the public schools of the State is analyzed, together with analyses of the extent to which such isolation has increased or decreased in recent years. The results of these analyses define the current extent of the problem of ethnic isolation in the schools of the State, as well as provide some indications of whether racial isolation in the schools may be expected to increase in the near future. In the final section in chapter II, the correspondence between racial and social class isolation in the schools is examined.

The third chapter is a review of selected studies relating to differences in intellectual, educational and psychological development associated with social class and ethnic group membership. The purpose of this chapter is to define certain educational and psychological deficits which have a number of implications for the design of educational environments for different groups of socially and economically disadvantaged children. The findings reviewed in this section also provide a background through which the findings of subsequent chapters may be appropriately viewed.

Chapter IV is a critical examination of major studies of the relationship between racial and social class isolation in the schools and intellectual, educational, and attitudinal development in advantaged white and disadvantaged minority student populations. The reports examined in this section are broadly based studies of probable causes of educational development in students in schools and classrooms with different levels of racial and social class isolation. This research further examined the contributions of school and nonschool factors to educational development in majority and minority student populations. The findings reviewed in this section have a number of implications concerning the conditions which may be manipulated in the schools to increase the likelihood of equal educational opportunity for socially and economically disadvantaged children. The final section of chapter IV briefly examines the implications of survey research on racial and social class isolation in the schools for the development of positive interracial attitudes and contact.

Chapter V presents a critical review of studies of integration initiated at the local level in response to the national and State commitment to school integration. These studies comprise a variety of integration techniques initiated primarily in urban and metropolitan areas where *de facto* segregation was in existence. The analysis in this section attempts to determine whether the relationship between integration and educational development varies as a function of such factors as length of time integrated, social class composition of the school, type of transfer program, elementary or secondary levels, proportion white in the classroom, and whether students transferred to integrated schools compare favorably in educational development with students who remain in segregated schools. The final section of chapter V examines the potential of the integrated school setting for promoting interracial acceptance and positive interracial attitudes.

Chapter VI is a selective review of studies of compensatory education programs, from preschool through the college level. Through

a critical examination of research on the effectiveness of such programs as Head Start, Title I, and a number of small scale efforts, an attempt is made to evaluate the validity of different approaches to compensatory education. The final section of chapter VI summarizes studies of the relative effectiveness of compensatory education and school integration programs in affecting the educational development of disadvantaged children.

Chapter VII, the final section of the report, explores in further detail certain implications for research and practice suggested by the findings reviewed in the main body of the report. Generally, the nature of the evidence precludes making highly definitive recommendations. However, certain stable findings do suggest a number of new guidelines for school desegregation, as well as other ways in which the instructional and community context might be manipulated to enhance the chances that Negro and other disadvantaged children may experience improved educational opportunity. Chapter VII also includes a brief summary of recent evidence of increasing racial cleavage in the schools, as shown by surveys of the incidence of inter-racial conflict occurring at the secondary level in 1968-69. For obvious reasons this last topic has considerable consequence for planning school integration programs, and we have therefore endeavored to place it within the context of other recommendations made on the basis of the chapter findings.

## ACKNOWLEDGMENTS

This report was prepared by the staff of the Bureau of School and Cultural Research; Carl E. Wedekind, Director, Division of Research, and Robert P. O'Reilly, Chief, Bureau of School and Cultural Research. The major contributor to the study was Robert P. O'Reilly (editor, and author of the summary chapter, chapters III, IV, VII, and other sections). Principal authors of other chapters include Ruth Salter (chapters II and VI), Howard Berkun (chapter V and other sections), Esther S. Patti (chapter I), Katherine Blueglass (chapter VI), and Peter E. Schriber, whose organizational abilities were a major factor in putting this report together. Gregory Illenberg, William Kavanagh, Zelda Holcomb, and Arreed F. Barabasz also assisted in preparation of parts of this report. Much of the data for chapter II were obtained from the Information Center on Education under the direction of John J. Stiglmeier, Director of the Center, with the assistance of Lee R. Wolfe, Chief, Bureau of Statistical Services, and Joan Peak, Senior Statistician. The section on recent legal history in chapter I was written by William A. Shapiro, Attorney, Office of Counsel. Assistance in evaluating the report and developing implications and recommendations for inclusion in chapter VII was obtained from the following individuals in selected fields outside the Department: John Ether, specialist in teacher training (urban education), State University of New York at Albany; Vernon Hall, psychologist, Syracuse University; John Harding, psychologist, Cornell University; Mauritz Johnson, curriculum specialist, State University of New York at Albany, and Robin Williams, sociologist, Cornell University. A special note of thanks is also extended to our clerical staff and the staff of the Bureau of Publications.

## A NOTE ON LIMITATIONS

While the scope of this report has been fairly extensive, there are a number of important omissions which deserve recognition. First, we have not explored in sufficient detail the *sources* of educational failure of disadvantaged minority groups in other than the educational context. Secondly, we have not touched on the issue of racial separatism, which is now relevant to the considerations of those involved in the planning and conduct of school integration programs (Size-more, 1969). Thirdly, the interdependent issues of *interracial conflict in the schools* and *community factors which impinge upon the process of integration* are discussed only briefly in chapter VII. These factors deserve more detailed treatment since both issues appear to be highly important in planning school integration programs (Sullivan, 1969). A fourth limitation is reflected in chapter II which lacks information on the ethnic composition of private schools in New York State (20.4 percent of the school-age population in 1968-69), and contains no breakdown of the public school population into elementary and secondary levels (the elementary level would undoubtedly show a more severe degree of racial isolation). A fifth limitation of the report stems from its focus on racial isolation in New York. Whenever possible, we have attempted to relate our conclusions, based on restricted information, to the broadly based conclusions found in more representative reports. Still, the report generally focuses on research findings which at best may only apply to the North, or possibly only to the Northeast.

The reader is encouraged to keep two additional considerations in mind in examining the conclusions of the report. The first of these is recognition of the fact that contemporary knowledge of the process of school integration and knowledge in supporting areas is incomplete, and what is known is subject to change with more sophisticated research. Secondly, it should be realized that the national commitment to eliminate segregation in the schools is eminently based on broad goals and values of American society. The stance of the social sciences is essentially neutral in relation to societal values, although

it may draw much of its direction and support from value considerations, and at times is even used in the hope of defeating or supporting realization of them. We have endeavored to remain neutral in analyzing and evaluating the research findings reviewed in this report, and in stating their implications for contemporary educational policy and practice. We were not neutral, however, in attempting to derive from our study those implications, directions, criticisms, and other bits of advice which appeared to offer a more systematic basis for the planning of school integration programs, or for the development of new and more effective programs for the child in the disadvantaged school.

As a final note, we solicit your reactions to the content of the present report, and hope that you will take the time to put them into writing. Pressed with deadlines we were unable to give certain sections of the report, such as the chapter on implications and recommendations, the care and time that might have made them more comprehensive and useful. We are continuing the process of revision and refinement in the expectation that a more complete document will be made available in the near future.

ROBERT P. O'REILLY,  
*Chief, Bureau of School and  
Cultural Research*

## INTRODUCTION

Whites, particularly those who have only recently attained a modest measure of affluence, have great difficulty in understanding the meaning behind the symptoms of Negro frustration as evidenced in the recent wave of racial riots (U.S. National Advisory Commission on Civil Disorders, 1968) and the more recent instances of active protest in the schools and in other areas of American life (Kruger, 1969; *Urban Crisis Monitor*, 1969). It is generally believed that the economic, educational, and social status of the Negro has been advancing steadily (Kruger, 1969), and that legal efforts in the cause of integration have had a substantial positive effect upon the extent of racial isolation in the schools. However, a recent analysis of the employment status of Negroes in the United States (Kruger, 1969) indicates that, at the present rate of improvement of income, parity with white incomes can be expected in 805 years. Turning to progress in school integration, Sullivan and Stewart's (1969) analysis of the impact of Federal and State laws and policy relating to school desegregation indicates only minor progress over the past 15 years. The results of the analyses in chapter II of the present report show a substantial and continuing increase in racial isolation in the schools in New York State, and this is a pattern which exists in other industrialized states in the North, the border states, and certain cities in the South (U.S. Commission on Civil Rights, 1967). One may go on to list scores of inequities relating to the economic, social, and educational positions of Negroes and other minority group members, but the main point seems clear: Negroes are at the bottom of American society, educationally and economically — with essentially no improvement in their relative status since the 1940's (West, 1968; Kruger, 1969).

The persistence, and in some respects, worsening of the gap between Negroes and whites has no doubt contributed greatly to social unrest in the United States. It is not generally our nature to continually

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endure frustration as the U.S. National Advisory Commission on Civil Disorders (1968) states:

... for many minorities, and particularly for the children of the ghetto, the schools have failed to provide the educational experience which could overcome the effects of discrimination and deprivation.

This failure is one of the persistent sources of grievance and resentment within the Negro community. The hostility of Negro parents and students toward the school system is generating increasing conflict and causing disruption within many school districts (p. 25).

The Commission went on to describe the dangers to American society resulting from the failure to integrate the schools:

We support integration as the priority education strategy; it is essential to the future of American society. In this last summer's disorders we have seen the consequences of racial isolation at all levels, and of attitudes toward race, on both sides, produced by three centuries of myth, ignorance and bias. It is indispensable that opportunities for interaction between the races be expanded (p. 25).

Since the Commission's report in 1968, there has been growing

factors contributing to the high rate of delinquency among lower-status adolescents, whether Negro or white.

It is evident from the findings of this report that, the enormous waste of human resources resulting partially from racial isolation in the schools, can in part be reversed through quality education in the integrated school setting. The findings of this report focus attention on the disadvantaged Negro child, the equally disadvantaged Puerto Rican child, and other children — who generally experience frustration and failure in the school setting. However, it is not only these disadvantaged groups who will benefit from the educational and social changes which will result from the achievement of quality and equality in education. White and other advantaged children will thereby obtain a greatly expanded opportunity to experience the diversity in behavior and custom that has always been part of the American cultural scene. Sullivan and Stewart (1969), in reporting on the process of integration at Berkeley, described numerous instances of interracial interaction among children, parents, and teachers which represent social experiences that cannot be gained firsthand in the isolated white middle-class school. For example, some 500 adult volunteers are currently participating in the educational process in Berkeley. White parents who formerly feared the effect of integra-

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(1967) certainly would not support this notion. Rather, the general body of evidence relating to school integration indicates that improvement in the educational development of Negro students can be expected within a relatively short time following the placement of the child in an integrated school setting. There appears to be no other educational treatment which comes as close to the demand for *improvement now* as the proposal for a solution through effective integration.

The overall findings of this report also generally bear out the contentions of the New York State Board of Regents and other policy-making boards, that schools isolated on the basis of race may be decidedly harmful to the educational development of their students. A careful examination of the evidence, however, fails to show that the potentially negative effects of segregated schooling are a function of racial isolation by itself. Rather, it appears that we face a much broader issue emanating from widespread establishment of certain types of educational practices and social and economic segregation of large groups of students in schools in the State and Nation. That is, the *predominant socioeconomic context* of the schools appears to exert an important influence on the educational, intellectual, and psychological development of students. Negroes and certain other

enhance the potentially facilitating effects of desegregation. Such conditions may include arranging appropriate social class balance in the school and classroom, making selective changes in the instructional process, involving students in new kinds of intergroup activities, and others. The findings of other studies reviewed provide a source for additional recommendations concerning some types of qualitative changes which may assist in facilitating the educational development of minority group students during the interim of extensive racial and social class isolation in the schools.

The findings of the review further show that school desegregation is no panacea leading to the sudden disappearance of the intellectual and educational gaps existing between members of the advantaged majority student population and those regarded as disadvantaged minority students. The evidence on this question does indeed indicate that, under certain conditions, school desegregation may result in worthwhile benefits for disadvantaged students. However, knowledge of the process of desegregation is not yet so complete, nor is what is now known of the process so systematically applied that any startling changes in educational development should generally become evident in desegregated minority group students.

## CHAPTER I

**School Desegregation in New York State: A Review of Policy, Programs, and Decisions**

In the early history of the United States there were no formal provisions for educating the Negro, and in fact, many states passed laws prohibiting their education. Following the Civil War, efforts were made to make education available to the Negro in both the North and South. By 1900, the South was providing limited financial support for Negro education mainly in the areas of elementary and vocational education. While the North generally provided greater support for Negro education, like the South, most of its facilities were segregated. New York State, however, recognized the inherent inequity of separate educational facilities and in 1900 passed Section 3201 of the Education Law which prohibited discrimination in education because of race, color, or creed. New York thus anticipated the results of many court battles that would find their climax in the 1954 *Brown vs. the Topeka Board of Education* decision.

While New York had moved relatively early to eliminate *de jure*

3. The creation of a Division of Intercultural Relations in Education in 1957 which administers funds provided by the State Legislature to assist school districts in solving problems of racial imbalance, assists in the development of programs designed to achieve integration, provides consultative services to local school officials, and administers antidiscrimination legislation;
4. The creation of the State Education Commissioner's Advisory Committee on Human Relations and Community Tensions in 1962 to advise and assist the Commissioner and local school officials in dealing with the growing problem of *de facto* segregated schools;
5. A statement of *Guiding Principles for Dealing with De Facto Segregation in Public Schools* in 1963;
6. The establishment of a Center on Innovation in 1964 to encourage and guide constructive change in the educational system;
7. The creation of the Office of Urban Education in 1968 to administer funds and carry out the Regents directive of developing a strategy to revitalize urban school systems;
8. The conduct of an ethnic census to indicate how the Department could be better prepared to attack the problem of racial imbalance; and

discrimination on account of race, creed, color, or national origin in connection with the education of the children of the State. This legislation effectively prohibits appointed school boards and the Commissioner of Education from directing assignment of pupils and altering school boundaries or attendance zones for the purpose of reducing racial imbalance in the schools. At the same time, the Legislature appropriated \$3 million to the State Education Department for assisting school districts in paying the excess costs involved in solving problems of racial imbalance in the schools.

This inconsistency noted in recent legislative action relating to school desegregation in New York State reflects the influences of a number of factors, including the current politically conservative climate of the State and Nation, continuing irrational fears among large segments of the population, and a splintering of the Negro movement into a variety of separatist groups. The situation is now indeed complicated, with some Negro groups demanding the continuation of segregated schooling, with control in the hands of the Negro community (Sizemore, 1969; Wilcox, 1969). The majority of whites and Negroes, however, still favor school integration as the primary solution to the problems resulting from separation of the races in most

## CHAPTER II

### Population Patterns and Segregation in the Schools

This section of the report examined national and State trends in the growth of Negro and Puerto Rican populations relative to the growth of the white majority, with the intent of determining their implications for ethnic isolation in the schools. Based on data from the Information Center on Education, the extent of ethnic isolation in the schools was analyzed over a 2-year period to determine where ethnic isolation in the schools was relatively severe, and whether such isolation was on the increase.

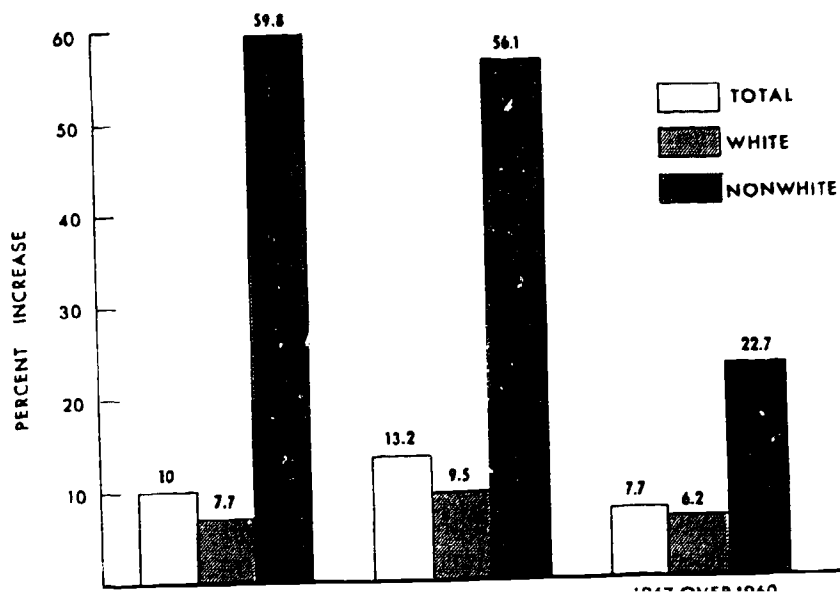
#### *Overall Population Trends by Ethnic Group*

Examination of population growth trends showed that New York State reflects the national trend of increases in the number and proportion of nonwhites in a generally expanding population. Figure 1 shows the relative increases (in percents) of white and nonwhite populations



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FIGURE 1  
Increases in Total White and Nonwhite Populations  
in New York State 1940-1967<sup>1</sup>



### *Growth of Minority Student Populations in New York State*

Since the 1966-67 school year, the collection of racial and ethnic data for both elementary and secondary schools has been a part of the Education Department's annual Basic Educational Data System Programs (BEDS). Schools are currently asked to report enrollments by five ethnic groups: American Indian, Negro, Oriental, Spanish-Surnamed-American, and Other. Spanish-Surnamed-Americans are predominantly Puerto Rican in New York State, and the latter designation will be used in this report. The category "Other" is comparable to the white category of the general census except that it does not include Spanish-Surnamed-Americans.

The BEDS data, covering the school years 1966-67, 1967-68, and 1968-69, reveal the same upward trends in the number of Negroes and Puerto Ricans and in the total school population that are shown by the long-range general census data. As shown in table 1, the increases in the nonwhite and Puerto Rican student populations have been proportionately greater than the white student population increase across the 3 school years examined. Between 1966 and 1968, Negro and Puerto Rican pupils combined accounted for nearly two-thirds

1

the School Population  
68<sup>1</sup>

		1968-69		1966-68	
% Increase	Number	% Increase	Number	% Increase	Number
2.61	3,406,658	100	2.10	4.77	
5.56	494,919	14.5	6.90	12.84	
7.64	280,275	8.2	9.44	17.80	
1.65	2,631,464	77.3	.53	2.19	

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either Negro, Spanish-Surnamed-American (Puerto Rican),  
ntals, about .7 percent of the total, are included in "Other."

Rican pupils in most of the 42 school districts selected for analysis. In both urban and suburban districts with high proportions of minority pupils, there was a concomitant loss of white pupils and in some cases a decrease in total enrollment. High proportions of Negro pupils were generally associated with white losses. Given the higher birth rates of the minority groups, and the residential patterns of Negroes, whites, and Puerto Ricans, the trend toward higher proportions of minority pupils in some districts can be expected to continue.

3. Table 2 shows in more detail the extent to which the public schools experienced increased racial isolation between 1967 and 1968. For this analysis, all elementary and secondary schools in the 42 districts were placed in 10 categories according to the percentage of "Other" pupils enrolled, i.e., Category I, 0 to 10.9 percent "Others"; Category II, 11 to 20.9 percent "Others"; and so forth through Category X, 91 to 100 percent "Others". Category I schools, with 0-10.9 percent "Others," are those with the highest proportion of minority pupils, at least 89 percent; Category X

TABLE 2

schools are those with the fewest, 9 percent or less. A low proportion of "Others" is indicative of racial or ethnic isolation; higher proportions of "Others" indicate that some measure of ethnic balance has been achieved. Table 2 shows that, in just the year between 1967 and 1968, the increase in the number and proportion of minority pupils in nearly totally segregated schools (less than 11 percent white) amounted to nearly 24 percent or 70,000 pupils. The numbers and proportions of Negro and Puerto Rican pupils in schools with less than 51 percent white students showed increases, respectively, of 3.7 percent or more than 64,000 pupils; the corresponding figures for minority pupils in 51 percent or more white schools showed a proportional decrease of 3.7 percent or over 14,000 pupils between 1967 and 1968. These facts, taken together, indicate that *ethnic isolation in the schools of New York State has increased and has been most severely intensified in those schools that already had large proportions of Negro and Puerto Rican students.*

4. The problem of ethnic isolation is of the greatest magnitude in New York City where over half a million Negro and Puerto Rican pupils were in schools having more than 49 percent minority pupils (in 1968) and 338,000 of these were in schools having more than 89 percent minority pupils. Growth trends in the New York City schools, with increases in Negroes and Puerto Ricans and attendant white losses, leave no doubt that ethnic isolation in the city will intensify.
5. There are districts outside New York City with equally high or higher proportions of minority pupils in schools with at least 89 percent Negroes and Puerto Ricans or with at least 49 percent minority pupils. Some of these districts have over 50 percent minority pupils, and the achievement of an equitable ethnic balance by redistribution of pupils within the schools of the district is impossible. While pupil ratios within schools might be adjusted to conform with overall minority proportions in these districts, accommodation with neighboring districts would be necessary to bring about an educationally desirable balance.

*Other districts with ethnic isolation, notably city districts*

concentrations in individual schools and a relatively low proportion of Negroes and Puerto Ricans in their total enrollments. Where the proportion of minority pupils in a district is high, any lessening of ethnic isolation that occurs is apt to be undone as a result of the tendency for minority proportions to increase.

*The Correspondence Between Racial and Social Class Isolation in the Schools*

The socioeconomic implications of the foregoing analysis of racial isolation in the schools may be judged through brief consideration of relevant data available on nonpublic school enrollments and on the economic status of Negroes and Puerto Ricans. Findings from surveys (U. S. Commission on Civil Rights, 1967) show that, nationwide, about one-sixth of the 1960 school enrollment was in private schools, with the proportion being even higher in the central cities. Furthermore, the nonpublic school enrollment is nearly all white (94 percent white in the cities; 97 percent white in the suburbs). Analysis of the school enrollment figures for New York State for the 1968-69 school year shows that nonpublic school enrollment (elementary and secondary) constituted 20.4 percent or about one-fifth of total school enrollment [New York State Education Department (NYSED), 1969]. In the seven largest city school districts of the State (1966-67) nonpublic enrollments generally constituted larger proportions, ranging from 21.0 percent in Niagara Falls to 50.1 percent in Albany (27.9 percent in New York City).<sup>3</sup> An ethnic breakdown of nonpublic enrollment figures for the State is not yet available for publication, but it is assumed on the basis of the U. S. Commission on Civil Rights (1967) report that the enrollment situation in New York State is basically comparable.

Negroes and Puerto Ricans have traditionally been disproportionately represented among lower-economic status groups although in

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of all Negro families still earned less than \$3,000 in 1966 as compared to 13 percent of all white families.

Other data indicate that the economic status of Negroes and other minority groups is more aggravated in the urban areas of the Nation. In 1966, the proportion of nonwhites below the poverty level was about four times as great in the central cities as in the regions outside the central cities (42 percent versus 11 percent). New York City, with the largest number of minority pupils in the State public school system and the most extensive ethnic isolation, has a wide range of family incomes. A recent study of economic conditions in New York City (Gordon, 1969) estimated that 28.4 percent of Negro and Puerto Rican families and 3.7 percent of white families had incomes below the poverty level of \$3,500 for a family of four. Another 31.1 percent of Negro and Puerto Rican families earned between \$3,500 and \$6,000 versus 13.6 percent of white families. At the other end of the scale, 4.2 percent of the Negro families could be considered affluent (income in excess of \$14,500) versus 26 percent of the white families. Altogether 36.5 of the New York City population of whites, Negroes, and Puerto Ricans were in "poverty" or "low income" families; and 17 percent were in affluent families. Data on family size and income further indicate that low income families have greater numbers of children.

Figures on "poverty eligible" children used in determining district aid under Title ESEA for 1968 showed over 257,000 New York City children aged 5 to 17, were receiving Aid for Dependent Children (AFDC) support, and another 10,000 were being supported in foster homes. These numbers were equivalent to nearly 24 percent of the New York City school enrollment. Assuming that the great majority of AFDC children attend public schools, and recognizing that there are other assistance programs, it can be inferred that at least one-fourth of the New York City public school pupils are welfare recipients.

AFDC figures reviewed for other districts in the State generally

2. The extent to which racially isolated schools contain predominantly lower-status children is likely to be greater in the larger cities of the State.
3. Schools with substantial numbers of white pupils in the larger cities may also tend toward a lower-status composition due to the tendency for upper-income whites to attend private schools and the greater proportions of minority pupils in lower-status families.

The correspondence between racial and social class isolation in the schools of the State indicates that substantial numbers of children are deprived of one of the more important elements of quality education: the opportunity to interact socially and cognitively with children from upper-status backgrounds.



## CHAPTER III

### **Social Class and Ethnicity: Relationship to Intellectual and Educational Development and Related Factors**

The review of research in this section emphasized a number of potentially important sociocultural differences, some of which represent rather firmly established facts and others of which yet require considerable elaboration through research. The review focused on selected studies relating to the following factors: intelligence, academic achievement, language development, special abilities, basic learning abilities, physical health, anxiety, academic motivation, temporal orientation, self-esteem, and level of educational and occupational aspiration. The conclusions of the research reviewed in each of these areas may be summarized briefly as follows:

#### *Intelligence*

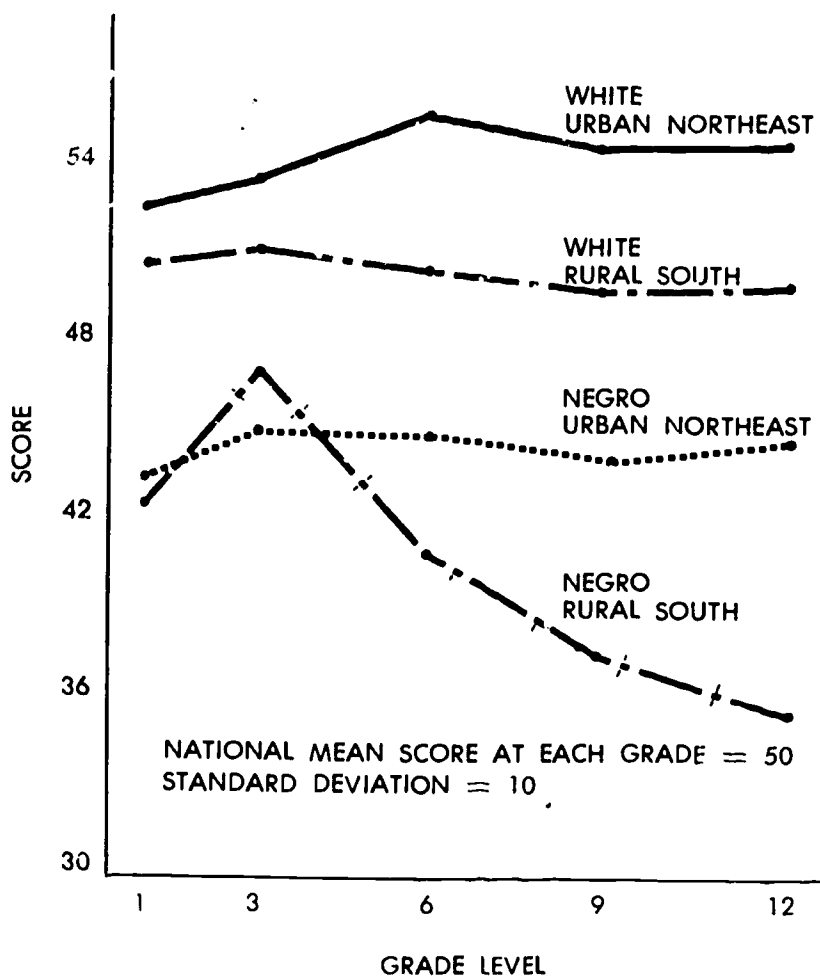
Intelligence level, as measured through a wide range of group and individual intelligence tests, generally shows a less than moderate but positive relationship with indexes of social class level. Further than this, there are ethnic differences in intelligence scores which are only partly explained by typical indexes of social class level. The picture is further complicated (or illuminated) by recent evidence of a differential impact of social class level within ethnic groups, such that the lower-status Negro may suffer more debilitating effects on intellectual development than other lower-status ethnic groups.

#### *Academic Achievement*

The evidence relating social status to academic achievement generally indicates that socioeconomic status and intelligence level con-

FIGURE 3

Achievement Levels in Verbal Skills by Grade Levels,  
Race and Region<sup>4</sup>



rural South shows the two groups beginning close together at first grade and then diverging over the years of school. The urban Negroes in the

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rural South and urban Northeast begin first grade at about the same point below urban whites in the Northeast. Thereafter, the Negro in the rural South increasingly diverges from both groups, ending up approximately two standard deviations below the average for whites in the urban Northeast at grade 12.

The regional comparisons shown in figure 3 are among the more dramatic illustrations of the results of cultural and educational deprivation on certain ethnic minorities. The differences between Negroes and whites in the urban Northeast indicate that approximately 85 percent of Northern Negroes achieve below the average score for Northern whites at all grade levels. The effect of educational and cultural disadvantage on Southern Negroes, however, is rather staggering — placing *nearly all* such students below the average ability score for whites in the urban Northeast.

Other data presented in the Coleman *et al.* study show that the achievement levels of Puerto Rican students are roughly comparable to those of Northern Negroes. These regional comparisons appear to represent different forms of inequality of educational opportunity. It appears that, across the years of school, education has virtually no effect on the relative level of educational disadvantage of Negroes in the urban Northeast. Relatively speaking, the Southern Negro obviously suffers further educational disadvantage the longer he stays in school.

### *Special Abilities*

Scores on tests of special abilities and aptitudes are generally related to social class status in the same manner as scores on traditional intelligence tests. However, recent findings suggest that the effect of social class level on abilities is pervasive but undifferentiating, whereas ethnic group membership results in a patterning of special abilities in important educationally relevant areas. The results of research in this area are in need of extensive replication with additional samples

syntax, relatively lacking in vocabulary, and may employ fewer descriptive terms and modifiers than the language of the middle-class child. Lower-class communication patterns tend to emphasize commands, short sentences, and a heavier reliance on gestural responses. Although the educational significance of social class and ethnic differences in language patterns is far from clear, it does seem evident that language development plays an important role in certain kinds of problem solving, learning to read, and performance on tests of achievement and ability. The findings thus provide an important and provocative area for experimentation in the educational program of disadvantaged children.

### *Basic Learning Abilities*

Research on basic learning abilities reported by Jensen (1966) has begun to illuminate some fundamental processes underlying the ability to learn in different social class and ethnic groups. Using tests which are largely independent of verbal mediational processes and specific transfer from previous learning, and thus largely independent of the cultural bias of traditional intelligence and achievement tests, Jensen found that basic learning abilities were markedly less affected by class and ethnic differences than were intelligence test scores. A partial explanation for the occurrence of large social class differences in school achievement has been the failure to recognize the basic learning abilities measured in the tests used by Jensen and others, and a corresponding failure of the school in adapting instructional procedures to capitalize on social class differences in ability patterns. Although more definitive research is required, the findings relating to basic learning abilities suggest entirely new approaches to the teaching of socially disadvantaged children.

### *Anxiety*

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as well as in those schools which may be considered disadvantaged as a function of social class composition.

### *Physical Health*

The greater predominance of malnutrition and premature births in the lower social strata and among Negro families probably contributes to a greater predominance of neurological abnormalities among these groups, thus affecting later intellectual development.

### *Academic Motivation*

The development of achievement motivation is dependent upon the modeling of observed adult behaviors and attitudes and other special learning conditions. For the disadvantaged child and especially the disadvantaged Negro child, the available adult models in the home environment, while stressing an inordinately high achievement aspiration, apparently do not provide the appropriate achievement oriented behaviors required for academic success.

### *Temporal Orientation*

Current studies show that constriction in time sense, that is orientation of all or most of the child's thought and activities to the present, as opposed to a future orientation, relates to lower-class status and to undesirable behavior such as delinquency and low academic achievement. Other evidence suggests that a constricted temporal orientation is partly a reflection of continuously experienced failure in the academic context, together with a corresponding weakening of commitment to academic and other values ascribed to by the bulk of society.

*Level of Aspiration*

While Negro children tend to verbalize higher academic and occupational aspirations than their white classmates, these verbalizations are generally not accompanied by the behaviors required to attain the goals aspired to, and are probably only psychological substitutes for such behaviors, which the child is unable to enact.

The findings reviewed in this chapter should indicate the complexity of the problems which are likely to be involved in efforts to facilitate educational development in disadvantaged minority group students, whether through school desegregation, compensatory education, or both. The disadvantaged Negro student is not just typically a student with a relatively low IQ score, but he is an individual who is likely to display complex patterns of behaviors and ability levels whose significance in a variety of even more complex behavior settings is yet little understood. The findings of Lesser, Fifer, and Clark (1965), for example, showed that Negro students displayed an ability patterning which differed considerably from other ethnic groups. The Negro sample in this study was second only to the Jewish sample in level of performance on the test of verbal abilities. Current compensatory education efforts, however, appear to place heavy emphasis on the development of verbal skills in disadvantaged Negro students, while under-emphasizing or neglecting other ability areas where these students may be relatively low.

## CHAPTER IV

Major Studies of Racial and Social Class Isolation  
in the Schools

The focus of this section is a critical examination of major studies which investigated the relationship between racial and social class isolation in the schools and intellectual, educational, and attitudinal development in advantaged white and disadvantaged minority student populations. Major sources for the study of these relationships are the Coleman *et al.* (1966) survey, a number of reports in Racial Isolation in the Public Schools (RIPS) (U. S. Commission on Civil Rights, 1967), and a reanalysis of the data from Coleman *et al.* reported by McPartland (1967). Together these reports constitute four separate studies of racial and social class isolation in the public schools, three of which are based on the data from Coleman *et al.* Three additional surveys of the relationship between prior racial and social class isolation in the educational context and adult interracial attitudes and contact were also reviewed. The source for the adult surveys was again the 1967 report of the Civil Rights Commission.

The results reported here are stated in the form of generalizations, many of which were supported in more than one study. The relationships stated are not properly interpreted as: If *A* is changed or manipulated, then there will be a corresponding change in *B*. Precise causes of achievement, attitudes, and other educationally relevant variables have not been determined. For example, one might be tempted to conclude that, if a group of lower-class Negro students were transferred to a predominantly upper-status white school, then some substantial effect would accrue to the achievement levels of the integrated Negro minority. However, any effects of integration in this hypothetical situation would not result from some osmotic process

such interactions are undoubtedly further modified by events in the community and family. The statements which appear below are thus properly interpreted as generalization which define the *gross conditions* that may either impede or enhance, or fail to affect educational and psychological development among Negroes, Puerto Ricans, and whites. Planned educational interventions which relate to these conditions are no guarantee of positive effects on students in *individual schools*. As will be seen further in chapters V, VI, and VII, integration and other forms of educational intervention have frequently failed to show any effect or have shown only minor effects. It is apparent that the gross conditions which relate to educational development among minority students are mediated by other conditions, about which relatively little is known.

1. With the exception of Puerto Rican students, it appears unlikely that extensive changes in school and teacher quality will substantially facilitate educational and intellectual development in students in schools isolated by race and social status. Such changes refer to traditional qualitative manipulations such as upgrading the curriculum, hiring better (more intelligent) teachers, and improving facilities. Findings reviewed in other sections of this report indicate that a fundamental reorientation of educational approaches will be necessary before the school itself can have any practical effect on educational development among such groups as the disadvantaged Negro student.
2. The social class composition of the school has been established as an educationally relevant dimension, with substantial potential influence on achievement which are independent of the influences of teachers, curricula, and facilities. Whether through accident or intent, schools with predominantly lower-status students thus constitute an undesirable educational milieu which becomes increasingly relevant for the educational development of disadvantaged students with



- isolation in the schools is more severe at the elementary level due to the prevalence of the neighborhood school policy.
4. Due to the association between socioeconomic status and ability, and the even closer association between socioeconomic status and school achievement, school practices which tend to group students on ability and prior achievement are also likely to result in the creation of academic programs along social class and/or ethnic lines, thus resulting in essentially the same educationally debilitating situation as that created by the existence of schools isolated by race and social class. Since the probable negative effects of social class composition are primarily through the classroom, and ability grouping and tracking are very widespread practices, the implications of the research findings in this area should be considered in relation to any practices which tend to result in homogeneous social class groupings in classrooms in *all schools*.
  5. Manipulation of the social class composition of the schools, (transfer of lower-status minority group students to upper-status schools) for the express purpose of achieving equality of educational opportunity, is likely to be educationally effective for the disadvantaged minority group student if at least three initial conditions are met:
    - a. The proportion of lower-status students in the school does not exceed roughly 30 percent.
    - b. The transfer of lower-status students to predominantly upper-status schools occurs initially at the elementary school level; presumably the earlier the better at this level.
    - c. The proportion of lower-status students in any given classroom is a reflection of statement *a* (*a* is unlikely to

asocial acts, temporal orientation, academic motivation, orientation toward immediate versus delayed reward, and commitment to predominantly middle-class values, appear to be affected in part by attendance in predominantly lower-status schools as opposed to attendance in predominantly upper-status schools. Although the relationships among these variables are in need of more definitive study, it appears that *the failure of the schools to provide equality of educational opportunity is part of a complex set of causes resulting eventually in the much higher rate of asocial behavior and academic failure existing among disadvantaged minority group adolescents and adults.*

7. The social and economic background of the disadvantaged minority group student does not appear to exert any effect on achievement, independently of ability factors, family background, and school social class composition. *This finding suggests that the local social and economic context of the student's life will not interfere with the level of academic success that might be expected when disadvantaged students are transferred to predominantly upper-status schools.*
8. The racial composition of the school appears to have a slight (or no) relation to educational development in either whites or Negroes. *Strategies for school integration must take into account social class balance of the school if any effect is to be expected on the educational development of disadvantaged minority group students. Integration strategies which reflect the local distribution of ethnic minorities (in some instances a majority) may be irrelevant if the goal of such strategies is the creation of equality of educational opportunity. It is probable that integration strategies could be gen-*

educational development in Negro and white students alike is initial intelligence level. Similarly, family social class level appears to exert an important influence on student achievement, although this was more evident for whites than Negroes. *The years prior to school attendance thus represent an important point for educational intervention for disadvantaged minority group students.* It may also prove possible to circumvent some of the continuing influences of family status on intellectual and educational development through appropriate strategies.

10. The review of findings relating desegregated and segregated schooling to interracial attitudes and contact must be considered as suggestive only, due to a variety of serious methodological weaknesses in the studies examined. One particularly important relationship does appear to stand out from the Coleman *et al.* data: *The establishment of Negro-white friendships may be an important factor through which some of the possible effects of the integrated school environment are translated into a reorientation of the lower-status Negro student toward academic values and active participation in the predominant academic environment.* The suggestive findings in this area tentatively establish the development of interracial friendship and understanding as one of the important conditions in the development of a facilitative educational climate for the disadvantaged Negro student.
11. The educational implications of the research findings which establish the social class composition of the school as an educationally relevant dimension are interpretable in relation to current instructional procedures of the schools which heavily emphasize group processes in the learning situation.

## CHAPTER V

### Studies of Integration at the Local Level

This section of the report examined the results of some 50 studies, the bulk of which were reports of action research on school integration programs initiated and evaluated by staff and consultants in local school districts. Typically, these studies examined issues of particular relevance to the districts in which they were initiated, but were generally similar in their focus on studying the relationship between integration and educational development. The differences and similarities among these studies allow some tentative identification of conditions that may mediate the effects of school integration on educational development. Such conditions include the grade level at which integration was experienced, the duration of the experience, the social class composition of the integrated school, the proportion of white and Negro students in the school, and the type of transfer program used. To a limited extent, the conditions examined in these studies were similar to those examined in chapter IV, and thus allow further documentation of the findings from that review. Studies at the local level also contributed additional information on the integration process not available from the more representative and more sophisticated studies reviewed in chapter IV. Of particular importance is the information made available on the decision to initiate school integration where *de facto* segregation was in existence, as contrasted with research on fortuitous variations in racial isolation in the

While the studies in this section provide some new evidence on the integration process, they are, at the same time, beset with certain serious methodological problems which preclude drawing firm conclusions about the effects of racial integration *per se*. The first problem arises from the fact that evaluations of the effects of integration were conducted, at most, only 2 years after the programs were initiated. (The studies reviewed in chapter IV suggest that effects resulting from racial and social class integration in the schools may not be apparent when measured over short periods of time.) The second problem results from the use of integrated and segregated comparison groups who were typically equated only in terms of ability. Factors such as school social class composition and school quality are potentially important determinants of achievement among disadvantaged children. Since they were not investigated in these studies, it is impossible to determine the specific sources of any differences found between segregated and integrated comparison groups. As a result, when the findings result in superior achievement for "integrated" students, it must be taken to mean that integration produced a number of important changes in the educational milieu — any one or all of which could have contributed to the differences between integrated and segregated groups.

Within this framework a number of generalizations about the findings of the studies may be drawn.

1. Integrated Negro students, as a group, achieved at least as well as their segregated counterparts, and in many cases, achieved at higher levels. While segregated students, fre-

Coleman *et al.* and the RIPS report. That is, any positive association between proportion white in the classrooms and achievement for Negro students generally does not appear to be present or meaningful from a practical point of view until the proportion white exceeds 50 percent. It is likely that the Negro proportion indicated as desirable for planning the integrated school would expand or contract, depending upon other factors such as the level of social class background, ability, and academically related attitudes of both the minority Negro groups and the majority white groups. While this conclusion may provide some latitude, the overall results of these studies and the Coleman *et al.* and the RIPS report clearly indicate that it is unlikely that the achievement of minority group students will be facilitated in a traditional academic setting which is about 50 percent white middle-class students, if the integrated minority groups are predominantly from lower-social class levels with the usually attendant cognitive, motivational, and psychological deficits.

3. One study provided indirect information about the effect of school social class composition on achievement in the integrated school. In that study integrated Negro students in the schools with a higher social class composition achieved at higher levels than Negro students in integrated schools with a lower social class composition. Both groups of students achieved at higher levels than segregated Negro students. Some reservations must be made about the study and it can only be said that there appears to be a tendency for Negro students in integrated schools with a high social class composition to do better than Negro students in an integrated school whose social class composition is lower.

ignore the body of research on racial and class differences which could provide a much more systematic basis for program development in the integrated school.

5. The studies dealing with interracial understanding and the promulgation of achievement values in Negro students indicate that integration by itself will not automatically bring about improvement in either of these areas. While the studies indicate that integration may not necessarily have positive effects, they also suggest that the integrated setting has a great potential for producing better interracial understanding and an increased orientation toward achievement. The research suggests that integration will have a facilitating effect on Negro achievement if it embodies an atmosphere comprised of low social threat and high achievement expectation. While the schools in the studies of integration at the local level did relatively little to systematically create this kind of atmosphere, they, nevertheless, found that the subjective reports of students, teachers, and principals indicated that one of the major strengths of their integration programs was an increase in interracial understanding. Although these reports are subjective, when they are combined with the objective research findings, the suggestion clearly emerges that the processes of instruction and social interaction in the integrated classroom could be manipulated in ways which may substantially facilitate the educational and psychological development of disadvantaged Negro students, as well as other groups of socially and economically disadvantaged children.
6. Even though the studies often indicate superior achievement on the part of the integrated Negro student, it must still be

cial attitudes and a stronger orientation toward achievement on the part of the disadvantaged, the results of the studies reviewed would have been generally more positive. Since the results relating to this hypothesis were often negative, the appropriate conclusion appears to be that growth in these areas occurs only in cases where integration is accompanied by other factors. The Katz studies (1964, 1968), for example, suggest that an atmosphere combining low social threat and high expectation of success can have a facilitating effect on the intellectual performance of Negro students.

With appropriate training procedures and other manipulations, it should prove possible to circumvent or reduce the educationally and psychologically undesirable experiences which are likely to affect the newly integrated student for a considerable period of his schooling. For example, enough is known about the learning conditions which facilitate the development of debilitating anxiety so that therapeutic approaches to instruction might be created (O'Reilly, 1969). Similarly, opportunities for positive interracial contact could be systematically created for the disadvantaged minority student. Teachers could be trained to inhibit negative affective reactions toward students who exhibit "undesirable" social-class linked behavior. With the addition of effective training in teaching procedures and instructional materials for disadvantaged students, the stage may be set for more systematic utilization of classroom social interaction processes with theoretically probable positive consequences on the intellectual and psychological development of the socially and economically disadvantaged student. It seems reasonable to contend that, if these and



## CHAPTER VI

## Compensatory Education and Migration

Compensatory education programs were based upon the environmentalist belief that the human mind, a *tabula rasa* at birth, has capacities and potentials that may take an almost unlimited number of forms, depending upon the environmental circumstances experienced in the course of its development; and therefore, that human behavioral organizations can be predicted, directed, and modified. If children's capacities for development and learning are not fixed but highly flexible, programs of intervention should be able to compensate for limitations in the child's environment. Consequently, compensatory education efforts have been directed at overcoming or circumventing the environmental deficiencies and experiences of the disadvantaged child, particularly the urban Negro.

Compensatory education programs have been attempted at all educational levels. The specific form of each program varies, but they generally have incorporated remedial instruction, cultural enrichment activities, and efforts to overcome attitudes presumed to inhibit learning. The major aims of the programs have been improved motivation, development of a greater sense of self-worth, and improvements in intellectual and educational development.

In spite of these and other broad aims, the activities of compensatory programs were most often directed toward helping disadvan-

children a diverse program of educational, medical, and social services. A major evaluation of Head Start compared the achievement of Head Start participants in the primary grades with that of similar children who had not attended the program. Summer programs failed to reveal any effect on the achievement levels of first, second, and third graders. Full-year programs were minimally effective as shown by differences on readiness tests in first grade.

Head Start was most effective in the Southeast, in scattered programs in the central cities and in all-Negro centers. Project Head Start participants, tested in primary school, did not approach national norms on standardized tests of language development and scholastic achievement. Gains that were made tended to disappear after the children entered a traditional primary program.

Among other preschool compensatory programs were those in Baltimore, Maryland, and Ypsilanti, Michigan. The Early School Admissions Project in Baltimore engaged sixty 3- to 4-year olds in a program to determine whether preschool treatment could overcome any of the barriers to learning believed attributable to environmental factors. The project students showed a substantial amount of growth during a 5-month observation period. However, the significance of this growth is unknown, since no comparisons were made with a control group.

The Perry Preschool Project of Ypsilanti was an experimental cognitive program for functionally retarded, culturally deprived Negro preschool children. It consisted of morning classes, afternoon home visits to involve the mothers, and group meetings with the parents.

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no significant differences between the All Day Neighborhood School participants and the control group.

The three programs examined at the junior and senior high school level appeared to hold the most promise for improving the academic achievement of disadvantaged students. The Demonstration Guidance Project of New York City (1956-62), designed to stimulate culturally deprived children to pursue higher educational and vocational goals, involved 700 low achieving but academically able junior high school students. The program format included curriculum modification, reduced class size, remedial instruction, cultural enrichment, counseling services, and contact with parents.

The program followed three project classes through high school and compared the participants with pupils in three project classes. A greater number of students in project classes received academic diplomas and went on into higher education. These results are encouraging, but there are some major questions about the evaluation procedure and the generality of the findings. The project students, for example, were compared with a group drawn from unselected pupils in previous classes whose specific characteristics were not defined.

Upward Bound, a project supported by the Office of Economic Opportunity, was among the more successful compensatory programs. Academically promising, disadvantaged high school students spent 6 to 8 weeks on a college campus in a program designed to overcome academic deficiencies and generate the skills and motivation necessary for college success. Data on this program indicated that 78 percent

and opened to children of all academic abilities. The success of the Higher Horizons Program is found solely in the positive attitudes of participating teachers and principals. Except for improved attendance, some alteration in classroom behavior, and gains in arithmetic achievement at the elementary level, this compensatory education program failed to demonstrate fulfillment of its objectives. The educational and vocational goals of the pupils were not altered, achievement was not stimulated, and attitudes and self-image remained poor.

Compensatory education has been greatly extended with the passage of Title I of the Elementary and Secondary Education Act in 1965. Title I programs have served over 10 million elementary and secondary school youngsters with the major emphasis on reading improvement. A report of the first 2 years of experience with ESEA, Title I in New York State (NYSED, August 1968) depicts general overall gains in achievement for the programs funded under Title I and concludes that Title I is effective. The nature of the evaluation and the format of the data, however, make any firm conclusions respecting these programs questionable. In some cases the programs selected disadvantaged children with low achievement, but high ability. The study offered no comparison data or means of determining the significance of any gains made. Without a control group there is no way of ascertaining whether an 8-month gain in 7 months is the result of specialized treatment or might have occurred with no treatment at all. It can only be concluded from the data presented in the study that Title I programs have failed to demonstrate a general rise in achievement to grade level. If this is a criterion for success, then

applications of the concept of compensatory education have failed to show any real promise in raising the intellectual and achievement deficits of disadvantaged children. At the 3- to 4-year old level, the introduction of diversified compensatory services is associated with some upward displacement in the academic achievement of the population served. However, the gains achieved are typically much less than dramatic and their association with specific aspects of the treatment is not conclusive. At the preschool, elementary, and secondary levels, compensatory programs have not consistently resulted in achievement gains, and there have been numerous occasions upon which the control groups have surpassed their experimental counterparts. A substantial number of achievement gains tendered as evidence of program effectiveness have not been statistically significant. Relatively few of the compensatory education programs examined in this report have offered concrete evidence that the compensatory education model, as it is currently being implemented, is capable of obliterating the destructive influences of poverty and inferior social status through raising the achievement level of disadvantaged children to national normative standards.

The general failure of compensatory education programs tried in the past few years appears to have resulted in part from the manner in which programs were formulated and conducted. Thus the plethora of negative findings does not necessarily reflect upon the validity of the notions underlying the concept of compensatory education. Compensatory programs have frequently suffered from a number of gross defects which appear to have substantially limited their potential effectiveness. One of the more obvious defects, particularly among preschool programs, is in the relatively short duration of the intervention procedure. When examined in relation to the amount of time over which the child's deficits have been accumulating, it would appear that no program — however potent — would result in any substantial benefits over a period of a few or even several weeks.

A second deficiency in the conduct of compensatory programs appears to have stemmed from a general failure to follow up and relate to the regular school program. In many instances little effort was made to coordinate the child's subsequent experiences in the regular classroom with his compensatory experiences. In addition to this,

that once the child is brought near the level of his more advantaged classmates that he will remain there simply through the use of regular instructional services. The disadvantaged student will continue to live in disadvantaged circumstances after school hours, and this may require the provision of special compensatory programs on a continuous basis throughout his years in school.

A third difficulty of most past compensatory programs has been the global nature of program objectives and the corresponding global nature of approaches. Concepts such as self-esteem, language development, and academic motivation are frequently little understood by program directors and teachers alike. The resultant lack of definition leads to a plethora of nonstandardized and varied activities with varying degrees of relationship to the program objectives (assuming that even the objectives were clarified). Attention to modern behavioral concepts of program objectives, coupled with systematic instructional approaches derived from the objectives, would almost undoubtedly facilitate determination of effective programs which may be appropriate for wider application. It is notable that those compensatory programs that have been judged as highly effective (National Advisory Council, Fourth Annual Report, 1969) have incorporated highly specific objectives and program structure.

A fourth general criticism of compensatory education approaches derives from a pervasive lack of recognition of the specific psychological, intellectual, and learning deficits typically displayed by the disadvantaged child. Most compensatory approaches, designed for general application have been no more radical than any educational program available to the advantaged student. The Coleman *et al.* report clearly indicates that improvements along traditional dimensions of school and teacher quality are likely to have minimal effects on disadvantaged Negroes and a somewhat greater effect on Puerto Ricans. The research review presented in chapter III indicated some of the basic differences between social class and ethnic groups which might well be taken into account in selecting an appropriate instructional methodology.

In contrast to compensatory education, several studies which compared disadvantaged Negroes in traditional compensatory education programs with disadvantaged Negroes transferred to majority white

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more advantaged whites. If this gap is to be bridged, effective compensatory programs will need to be employed in conjunction with integration.

Some of the dimensions of effective compensatory programs are:

1. Operation over a time period sufficiently long so that desired results could reasonably be expected to show;
2. Clear specification of program objectives in terms of observable student behaviors;
3. Structured curriculum and teaching that is specifically related to each of the program objectives;
4. Use of a variety of reinforcement techniques that relate to individual differences among program participants; and
5. Coordination of compensatory efforts with ongoing classroom activities and with those that can be expected subsequently.

It seems reasonable to expect that the integrated educational setting combined with the kind of compensatory program described in this and the subsequent section of the report could be systematically manipulated to yield an even more potent effect upon academic achievement and interracial understanding than has been achieved by either compensatory education or integration alone.

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## CHAPTER VII

## General Implications and Recommendations

The national commitment to integration in the schools, and recent legislative programs designed to aid the poor, have raised the hopes and expectations of Negroes and other disadvantaged minority groups. While lack of any real progress in realizing these expectations has created some degree of disaffection among Negroes, the majority remain committed to achieving the goal of equality and educational opportunity through a partnership with the more advantaged members of society.

The disaffected, though not a large segment of the poor, have nevertheless made their feelings and demands felt in the schools and in other major institutions in the social system. Current studies show that the demands and actions of Negroes for equality are firmly grounded in a level of economic and educational degredation, which has shown no improvement relative to the status of whites over the past 20 years. Efforts to mitigate the economic and social disadvantage of Negroes and other minority groups appear to have hardly made a dent. In fact, the problem of the poor appears to have intensified, and its social consequences have grown more serious, as reflected in the steady increase in racial isolation in the schools and the sudden swelling of interracial hostility in the Nation's high schools.

Indeed, the social sequences of racial isolation have become increasingly evident in the public educational context, as shown by a report (*Urban Crisis Monitor*, May 1969), which documents recent evidence of student protest and active conflict in the Nation's high schools. This report begins by describing a racial explosion in a junior high school in the Watts area in Los Angeles in March 1969, and goes on to say: "The pattern of confrontation in Los Angeles is *typical* of high school racial disorders across the nation [emphasis theirs] (p. 3)." In January 1969, 67 percent of all city and suburban high schools and 56 percent of all junior high schools were experiencing some form of active student protest. Racial conflict was the most common single issue in these protests, and was at the heart of



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the ugliest and most violent of the protests. In the January survey about 10 percent of the secondary schools studies reported some race related protest underway.

Current evidence indicates that a variety of forms of planned social contact may assist greatly in reducing the feelings of ambivalence and hostility generally existing between Negroes and whites. A few recent successful integration programs further show that the school setting provides a natural and effective focus for the development of positive feelings and contact between Negroes and whites. Of equal importance, the findings of research indicate that school integration appears to be one of the more effective approaches to reducing the educational disadvantage exhibited by Negro children and other minority groups, and that the interracial experiences gained in the integrated school potentially represent a long-term solution to the destructive social problems associated with racial cleavage.

Unfortunately, though there is considerable potential for eliminating racial isolation in the schools in many regions of New York State and the Nation, current population trends indicate that racial isolation in the schools is increasing and will continue to increase in the near future. Analysis of the economic status of Negroes and Puerto Ricans in New York State and in the Nation (U.S. Commission on Civil Rights, 1967) clearly shows that the racially isolated school is also isolated on the basis of social class level. The possible damaging effects of the maintenance of schools along social class lines are undoubtedly underestimated by statistics on racial isolation alone, since the prevalent practices of ability grouping and tracking also appear to represent the creation of unequal educational conditions for different children.

Given even the coarseness of the available data, it is yet possible to offer more than speculation into the whys and wherefores of the effect of classroom social class composition on achievement. Casual observation in the American school indicates a typical pattern in which the teacher plays the role of information dispenser and behavior modifier, largely in relation to that amorphous concept — the classroom group. Those familiar with the process know that the teacher typically attempts to relate the complexity of the information dispersed to the average student in the classroom in or some smaller

members, and upon such individual factors as conceptual development, attentiveness, and others.

Reviews of the process of classroom interaction reveal that the teacher does most of the talking, comprised mainly of lecturing, presenting instructions, and disciplining students (Baldwin, 1965; Amidon and Simon, 1965). This procedure appears to be subject to gross interference in the lower-class Negro school in which 50 to 80 percent of classroom time may be given over to discipline and other irrelevant activities (Deutsch, 1960). Other studies have also demonstrated that the disruptive and destructive behaviors of individuals in the peer group are highly subject to contagion (Polansky, Lippitt, and Redl, 1954; Bandura and Walters, 1963), and may occur irrespective of competing values in the family. Individuals from backgrounds appropriate to learning in typical middle-class environs may thus contribute to a general disintegration of the process of group learning in the classroom, or their potentially positive influences on the learning process may not be felt due to the prevailing climate of interference contributed by the behaviors of their less advantaged peers.

Other factors contributing to interference with learning in the typical classroom include teacher expectations and the resultant feelings of inferiority communicated to the student. To some extent, it appears that such expectations and feelings may be held in relation to an entire school in which educational deficits and ability differences relative to whites and other upper-status students are made abundantly clear (Pettigrew, 1964). Green (1969) reports a further effect in the tendency of teachers in the "inferior" school to reduce the quality and quantity of information made available in instruction. It would appear that interference with learning resulting from teacher expectations would relate to school and classroom morale, reflected in such factors as self-esteem, sense of control, and intellectual and occupational aspirations — which may in turn be reflected in more directly relevant factors such as attentiveness in class and doing one's homework.

The learning-interference factors described in relation to the "inferior" school should also be relevant in schools with grouping policies which result in either social class isolation within schools or combinations of different levels of racial and social class isolation,

Minority students come to regard themselves as "different," due to their attendance in special classes. Both groups relate the notion of "being different" to intellectual superiority and inferiority.

The above considerations and realistic evaluations of the progress of integration in the schools indicate that major new efforts are needed to increase the pace of integration, while at the same time radical departures are needed to affect the educational opportunities of large numbers of students who are likely to remain in segregated schools in the immediate future. Accordingly, the recommendations made on the basis of the research review are considered separately in relation to the *disadvantaged school* and the *integrated school*.

### *Toward the Effective Integrated School*

Examination of the many reports and policy statements reviewed in preparation for this study failed to turn up evidence of explicit recognition of findings which show the *social class mix* rather than *racial mix* makes the difference in the achievement levels of Negro students. Further, the social class mix appeared to make a practical difference only when it occurred at the *classroom level*. In spite of this, guidelines have focused on the concept of *racial balance*, with resultant ambiguous criteria for school desegregation which may vary as a function of the overall *racial balance* in the particular district or group of districts being considered.

When the details of the research findings on racial and social class isolation in the schools are examined, it is apparent that much care must be taken in planning for the integrated school if it is to have a positive effect on educational development among minority students. The research findings relating to the social class composition of the integrated school, and other considerations to be enlarged upon later, should receive explicit recognition in the development of plans for desegregating the schools. Recognition of both ethnic and social class considerations in developing plans for integrating the schools might be best accomplished through an identification and study procedure which could be conducted on a statewide, regional, or even

regional context. Very briefly illustrated, such procedures might be as follows:

1. *Identification* — The identification procedure should be based on at least three considerations which would require reporting on an overall school basis: racial composition, social class composition, and relative achievement level. A range of perhaps 10 to 30 percent Negro, Puerto Rican, and other minority groups combined, with the remainder consisting of white students, may be considered a *generally* appropriate criterion for *ethnic balance* in individual schools. However, depending upon such factors as school social class, ability and achievement levels, and school and community morale, different proportions of the major ethnic groups in the schools in a particular area may be considered appropriate from educational and social points of view. *With all other considerations aside, decisions relating to ethnic composition in a particular school or district would appear to proceed largely from the question: Do the students in different ethnic groups have adequate opportunity to learn from, understand and become friendly with each other?*

With the ethnic balance criterion remaining a flexible one, identification would further proceed to determination of the social class composition of the school. The appropriate criterion in the typical school setting seems to be a social class composition which approaches or exceeds a range of roughly 30 to 40 percent lower-class students. If the school meets this and the ethnic balance criterion, and overall achievement approaches or exceeds perhaps one standard deviation below national (or other) norms, it would then appear that a clear-cut determination has been made.

2. *Further Planning* — With the identification procedural completed, a sufficient basis has been created for the development of preliminary plans for achieving improved educational and social opportunities in the schools under study. In some instances, it may be appropriate to initiate desegregation primarily on the basis of considerations of ethnic imbalance. For example, in some suburban areas of New York State, it would appear that a careful survey would indicate that social class and related considerations would not represent a particular problem, and that integration could

and its regional educational, economic, ethnic, and cultural context. Relevant information gathered might include:

- a. Information on individual student family background including such factors as economic status, family stability, nutritional and health status, academic achievement and ability levels, and educationally relevant attitudes (within "flagged" schools).
- b. Information relating to educational inequities resulting from such factors as staff turnover; inadequate materials, facilities, and teaching procedures; lack of community participation; low morale; and others (within "flagged" schools).
- c. Information defining the local economic and social resources which could be brought to bear on the problem.
- d. Information specifying the ethnic and economic composition of the schools in the region of the "flagged" school, which might serve as facilities for transfer of disadvantaged students — including both public and private facilities.

With the disadvantaged school identified in terms of relevant student, school, and contextual characteristics, a reasonably detailed basis would exist for the formulation of a variety of different plans designed to achieve equality of educational opportunity. As indicated earlier, some plans might be accomplished without extensive changes in the school setting, as in suburban districts where the segregated minority student population may tend toward middle class. In other districts or schools, effective plans may require radical departures from previous efforts to integrate and upgrade the schools. For example, special aid might be required for transportation, compensatory education, school reorganization, nutritional and health services, and family service programs of both a psychological and economic nature. Relative emphasis on solutions through desegregation versus the initiation of radical changes in the school and community context would depend in part on the status of a number of factors which would be largely illuminated through the identification and study procedures described above.

related conditions which may enhance the effectiveness of the integrated school:

1. Since student's social status in the classroom seems to affect his level of academic success and vice versa (i.e., it is a circular process), *a major effort should be mounted to insure early and continuing success in the academic area.* The application of certain approaches and programs designed to make up for learning difficulties may thus be necessary to the academic success of the desegregated Negro student.
2. Academic efforts by themselves do not take full advantage of the potential of the integrated school for positive educational and social change and may even fail in an atmosphere of potential interracial conflict. *Specific attention must therefore be paid to the minority student's own capabilities and tendencies in social interaction with whites as well as to the typical social responses and tendencies of whites in the interracial situation.*
3. Studies indicate that the classroom teacher typically exerts a major influence on the social status of students. Such influence is frequently exerted in relation to conforming, class-linked behavior, student responses and other behaviors indicative of achievement, sex of student, and students' racial status (Chesler, 1969). These forms of influence are rapidly communicated to the peer group, who, in turn, rejects the "offender." This pattern of teacher-peer group rejection is more likely to be experienced by the typical Negro child, and *thus specific steps must be taken to train teachers to respond appropriately in the classroom.*
4. Research shows that parents exert a powerful and continuing effect upon their children's manifestations of racial attitudes in the classroom. Special efforts to create racial harmony in the school setting may thus fail or prove only partially effective if steps are not also taken to develop substantial community support and participation in the school program. *Special efforts should therefore be made to expand the integrated school into the role of community center and involve parents of both racial groups in the process of integration.*
5. The introduction of Black history, culture, and special studies into the curriculum appears to be an important basis for improving interracial understanding. *Careful and fair attention should be given to minority group contributions at all*

three areas: teacher training procedures, procedures for changing the structure and organization of the school, and procedures for attaining community participation in the academic program.

*Teacher Training Experiences Relevant To Establishing the Effective Integrated School*

1. Experiences designed to sensitize the teacher toward typical interaction patterns which reflect negative class- and caste-linked attitudes. (These experiences would further incorporate direct practice in social responses which imply positive recognition of behavioral differences associated with variations in sociocultural background.)
2. Experiences leading to knowledge of Negro history, social problems, individual and group differences relating to success in American society, and an understanding of current forces of social interest.
3. Practice in managing patterns of interracial interaction which would focus on historical, cultural, economic, and attitudinal differences associated with race and class status.
4. Practice in the utilization of principles based in social psychological research which relate to changing intergroup attitudes. (One of the prime examples proceeds from the work of Sherif (1958) which showed that intergroup attitudes may be changed when alienated groups pursued activities which involved the achievement of a common goal.)
5. Practice in the application of techniques which would allay the stress value of certain elements of the learning situation, e.g., test taking, verbal participation in classroom activities, and the experience of difficulty with traditional learning materials.

integrated school setting without removing the child from participation in the regular school program (i.e., in integrated classes). Some of the advantages of the continuous learning year, in this respect, are outlined as follows:<sup>5</sup>

1. One plan for restructuring the school year calendar provides multiple vacations during the school year. The new learning cycles of 8 or 9 weeks, followed by 2-week vacations, provide a continuity of learning that does not exist with the regular school year calendar. The absence of a serious break in the learning process means that teachers would no longer have to spend weeks in the fall reviewing or reteaching in hopes of bringing the students back to the learning levels they had reached just prior to the close of school in June.
2. A second major advantage of the continuous learning year calendar lies in the possibility of providing the children with approximately 10 percent more education without necessarily increasing school costs at the same rates. The periods of intermittent vacation made available, also provide up to weeks of additional instructional time which can be used for compensatory education as well as other educational projects deemed desirable in the interracial school. Such an arrangement may not necessarily entail large increases in instructional costs if the school can avail itself of low-cost instructional aides and volunteers as in the Berkeley integration program.

Besides incorporating the basic feature of making more time avail-



*Suggested procedures for obtaining adequate community support in the school program include (paraphrased from Sullivan and Stewart, 1969, pp. 198–202):*

1. Encouraging minority groups, particularly the poor to take the initiative, speak out, and become leaders.
2. Involving all civic, university, church, business, service groups, and minority organizations, including the Black Power leaders.
3. Involving parents at all steps of the process, particularly minority parents.
4. Continually informing the public of progress made and of plans for the future.
5. Providing intergroup education in inservice units and seminars for the public.
6. Scheduling social events, picnics, and weekend retreats, for both Negro and white parents.
7. Involving students, parents, and teachers in interracial workshops, meetings, and neighborhood discussions.
8. Integrating after-school recreational programs.

#### *Toward More Effective Education in the Disadvantaged School*

The school population analysis in chapter II makes it abundantly clear that the educational and social problems represented by the disadvantaged school are growing rather than decreasing. When viewing the past record of progress in accomplishing desegregation in the schools in New York State, and generally in the Nation, it appears unrealistic to expect that great numbers of minority students will

### *Development and Implementation of Effective Educational Programs*

Evaluations of compensatory programs for the disadvantaged have shown that in general they are not succeeding in raising the achievement levels of the deprived. Similarly, while integration has had a beneficial effect, it has not succeeded in bringing the performance of minority pupils up to national norms. It is apparent that many basic questions relating to the causes of inadequate educational development remain unanswered, and that programs that will produce academic change have yet to be devised. It is also apparent that in those instances where promising techniques for working with the disadvantaged have been discovered, they have not found their way into practice in the schools.

The current inadequacies in compensatory education stem from a number of sources. In the area of research there has been inadequate attention to defining the characteristics which differentiate the lower- and the middle-class child and children from different ethnic backgrounds. Furthermore, intervention research has lacked continuity and comprehensiveness. It has been handicapped by questionable evaluative measures which do not tap the specific skills being taught, by a lack of specificity in treatment description, and by inadequate replication and followup.

Program effectiveness has been hampered by the present procedure of leaving much of program *formulation and implementation* up to the local school district and therefore to school practice because of their experience and training are unable to come up with the innovative approaches needed for the disadvantaged. Two additional factors in the development of program

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is designed to afford such systematic control over program formulation and development, while at the same time assuring that efforts in this direction will relate more closely to systematic knowledge of the educational process.

It is proposed that research and program efforts designed to upgrade the disadvantaged school be assigned to special centers which would serve the state educational agency, the schools, and the community in a designated area. Operating and development costs would be derived from a pooling of portions of state and Federal funds normally devoted to such activities as compensatory education and innovation (perhaps 10 or 15 percent). A series of such centers would operate primarily within and around the urban centers of a single state or region in a fashion similar to the federally supported regional educational laboratories, but would be further centralized to insure comparability among certain elements of program activity (e.g., evaluation techniques).

The bulk of state and Federal funds, intended for compensatory education and related efforts and normally apportioned to the local educational agency, would still be received by the public schools. However, the expenditures of these funds would be controlled or channeled in such a way that a significant portion would be used to support specific programs generated by the intervention center for implementation in the schools (excluding any program funds intended to render additional *general aid* to urban and other districts).

An initial activity of the centers would be the preparation of broad technical reviews or "state of the art" reports that would provide a basis for policy making, lead to the packaging and distribution of

3. Assisting local school district staff in the implementation process itself by bringing to bear the specialized knowledge of the social and behavioral sciences on a continuing basis.
4. Providing for more adequate validation of promising new programs through cooperative efforts with several school districts, thereby establishing an adequate basis for generalization of findings to other educational settings.
5. Providing the leadership and resources for broad dissemination and demonstration of relevant research findings and successful program developments.
6. Developing, for implementation by other agencies, guidelines and other resources which present detailed plans and requirements for new staff training programs, such as teaching specialists and teacher aides.
7. Providing a fertile field for the systematic training of school personnel in realistic situations, in cooperation with institutions of higher education.
8. Providing the resources for continuing supervision and adjustment of new programs implemented in the schools.
9. Providing the independent leadership necessary to involve other relevant agencies (e.g., social welfare agencies, foundation support, other Federal programs) in a concerted and experimental attack on social problems which grossly affect the lives of disadvantaged children, some of which cannot be easily or effectively circumvented by efforts in the local school context alone.

The foregoing proposals represent only one set of alternatives for organizational change designed to improve the ways in which intervention research is conceived and conducted and in the ways in which

ent kinds of tasks. Rather, recent research appears to offer consideration of a wider variety of student characteristics and patterns among characteristics (e.g., the work of Jensen, 1969, Lesser *et al.*, 1965) which appear relevant to the design of instructional environments. Their relevance to the education of the disadvantaged child, however, remains to be established through experimentation. At the same time, it would appear that certain changes could nevertheless be made to reduce the potentially deteriorating effects of the group learning situation on instruction in the disadvantaged school. Such procedures are recommended as follows:

1. That typical group processes in the learning situation be generally circumvented through replacement with individualized modes of instruction or small group learning in which students are appropriately matched to avoid sources of interference with learning.
2. That systematic group experiences be developed in which students may gradually learn to participate effectively in group activities, particularly those activities which may lead to increased socialization.
3. That teachers be trained to effectively communicate achievement expectations which recognize the child's basic willingness to learn and discover, and not the disabling conditions of his background.
4. That the child's learning experiences at the outset involve extensive structuring or control, through various techniques and facilities, until self-maintenance of desirable learning behaviors becomes strongly evident.
5. That the child receive systematic training in attending to

2. Ability to select and apply basic teaching strategies which reflect recognition of learning capacities or abilities of various levels, and which are coordinated with strategies for the measurement of abilities (e.g., associative learning, concept learning at various levels).
3. Ability to systematically apply a variety of reinforcement strategies, utilizing different kinds of schedules and different types of reinforcers (concrete, abstract) under appropriate conditions.
4. Ability to apply specific training techniques in a variety of areas where intellectual and educational deficits are most severe among the disadvantaged (e.g., language training, reasoning).
5. Ability to manipulate affective tone in intergroup processes to achieve desired results.
6. Ability to create instructional materials to meet the specific learning requirements of individual children.
7. Ability to train children in certain behaviors and attitudes which support the process of learning, such as "attending to the task."
8. Ability to apply quasi-therapeutic procedures designed to circumvent or replace maladaptive and other behaviors which interfere with efficient learning.

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## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Monroe County:</b>				
Brighton.....	2.6	.2	.5	96.7
Gates Chili.....	.5	( )	( )	99.5
Greece.....	.3	( )	( )	99.7
East Irondequoit.....	.3	( )	.1	99.6
Irondequoit.....	1.9		.2	97.9
Honeoye Falls.....				100.0
Spencerport.....	.7	.1	.2	99.0
Hilton.....	1.0		.4	98.6
Penfield.....	1.2	( )	.3	98.5
Fairport.....	( )	( )	.1	99.9
East Rochester.....	.1	.2	.1	99.6
Pittsford.....	2.4	.3	.2	97.1
Churchville Chili.....	.8			99.2
Rochester.....	33.2	4.1	.4	62.3
Rush Henrietta.....	2.6	.4	.3	96.7
Brockport.....	2.3	.4	.3	97.0
Webster.....	.4	.1	.3	99.2
Wheatland Chili.....	4.8			95.2
<b>County total</b>	<b>11.2</b>	<b>1.4</b>	<b>.2</b>	<b>87.2</b>
<b>Montgomery County:</b>				
Amsterdam.....	.7	5.2	.1	94.0
Canajoharie.....	.4			99.6
Fonda/Fultonville.....	.6		( )	99.4
Fort Plain.....	.3		( )	99.7
St. Johnsville.....				100.0
<b>County total</b>	<b>.5</b>	<b>2.6</b>	<b>.1</b>	<b>96.8</b>
<b>Nassau County:</b>				
Glen Cove.....	11.0	6.5	.7	81.8
Hempstead.....	76.4	4.3	.6	18.7
Uniondale.....	14.7	1.1	.3	83.9
East Meadow.....	.7	1.2	.3	97.8
North Bellmore.....	.8	.3	.1	98.8
Levittown.....	( )	.8	.3	98.9
Seaford.....	( )	.4	.2	99.4
Bellmore.....	( )	.3	.1	99.6
Roosevelt.....	90.9	2.4	.1	6.6
Freeport.....	33.5	4.0	.2	62.3
Baldwin.....	.4	.2	.2	99.2
Oceanside.....	.2	.7	( )	99.1
Malvern.....	50.9	.7	.2	48.2
Valley Stream Hempstead 13.....	( )	.4	.6	99.0
Woodmere.....	.2	.5	.3	99.0
Lawrence.....	7.6	.7	.2	91.5
Elmont.....	5.5	1.7	.3	92.5
Franklin Square.....	( )	1.5	.2	98.3
Garden City.....	( )	.2	.3	99.5
East Rockaway.....	.3	1.6	.4	97.7
Lynbrook.....	1.3	1.2	.5	97.0
Rockville Centre.....	5.8	2.0	.4	91.8
Floral Park.....	.1	.7	.5	98.7
Wantagh.....	( )	.3	.3	99.4
Valley Stream Hempstead 24.....	.3	1.5	.7	97.5
	.5	.2	.2	99.3

## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71--Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
Locust Valley.....	1.6	1.1	.3	97.0
Plainview.....	.2	.1	.3	99.4
Oyster Bay.....	3.0	.5	.5	96.0
Jericho.....	1.7	.7	.6	97.0
Hicksville.....	.1	1.1	.4	98.4
Plainedge.....		.5	.1	99.4
Bethpage.....		.4	.3	99.3
Farmingdale.....	3.1	.7	.2	96.0
Massapequa.....	( )	.6	.1	99.3
County total.....	6.2	1.1	.3	92.4
New York City.....	34.5	25.7	1.5	38.3
<b>Niagara County:</b>				
Lewiston Porter.....	.2	.5	.8	98.5
Lockport.....	4.7	.6	.2	94.5
Newfane.....	2.1	.2	.9	96.8
Niagara Wheatfield.....	2.0	.2	6.4	91.4
Niagara Falls.....	17.8	.2	.8	81.2
North Tonawanda.....		.4	.2	99.4
Star Point.....		.2	.1	99.7
Royalton Hartland.....	1.2	.4	.6	97.8
Barker.....	7.4	.3	.6	91.7
Wilson.....	1.3		.3	98.4
County total.....	6.2	.3	1.1	91.9
<b>Oneida County:</b>				
Oriskany Falls.....				100.0
Adirondack.....	.2	( )		99.8
Camden.....	.5			99.4
Woodgate.....				100.0
Clinton.....		.1	.2	99.7
New Hartford.....		.2	.1	99.7
New York Mills.....	.2			99.8
Chadwicks.....				100.0
Sauquoit Valley.....				100.0
Remsen.....	1.3			98.7
Rome.....	4.1	.5	.7	94.7
Waterville.....	.4	.1	( )	99.5
Sherrill.....	.3	.2	.2	99.3
Holland Patent.....	.3	( )	.1	99.6
Utica.....	12.7	1.4		85.9
Sylvan Beach.....				100.0
Westmoreland.....	.6			99.4
Oriskany.....				100.0
Whitesboro.....	.3	.1	.1	99.5
County total.....	4.1	.5	.2	95.2
<b>Onondaga County:</b>				
West Genesee.....	.3	.1	.1	99.5
North Syracuse.....	.9	.6	.2	98.3
East Syracuse.....	.2	.2	.1	99.5
Dewitt.....	.6	( )	.4	99.0
Jordan Elbridge.....	.3	.6	.1	99.0
Fabius.....	.3		.3	99.4

## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Ontario County:</b>				
Canandaigua.....	.4	.3		99.3
Bloomfield.....	.3	1.0	.7	98.0
Geneva.....	10.4	1.5	.3	87.8
Marcus Whitman.....	1.8	1.5	1	96.6
Red Jacket.....		.3	.6	90.0
Naples.....	.7	.9		98.1
Phelps-Clifton Springs.....	.5			99.4
Honeoye.....	.5	.1		99.4
Victor.....	.4		.2	99.4
County total.....	2.3	.7	.2	96.8
<b>Orange County:</b>				
Washingtonville.....	5.8	.6	.2	93.4
Chester.....	2.8	.5		96.7
Cornwall.....	.7	.8	.2	98.3
Pine Bush.....	1.6	.8		97.6
Goshen.....	6.0	1.0	.1	92.9
Highland Falls.....	14.7	2.8	( )	82.5
Middletown.....	7.4	3.1	.2	89.3
Minisink Valley.....	1.0	( )		99.0
Monroe Woodbury.....	.6	.3	.1	99.0
Montgomery.....	1.7	.5	.1	97.7
Otisville.....	19.8	2.0	1.0	77.2
Newburgh.....	24.1	3.5	.1	72.3
Port Jervis.....	2.4	1.8	.2	95.6
Tuxedo.....	2.8			97.2
Pilgrims Corners.....			5.7	94.3
Warwick Valley.....	5.5	1.9	.1	92.5
Greenwood Lake.....	3.1			96.9
S S Seward Institute.....	12.8	1.8		65.4
County total.....	9.1	1.8	.1	89.0
<b>Orleans County:</b>				
Albion.....	12.5	.1	.1	87.3
Kendall.....	11.5	.7		87.8
Holley.....	3.9	.1	.1	95.9
Medina.....	7.0	1.6	.3	91.1
Lyndonville.....	9.2	.4	1.3	89.1
County total.....	9.0	.7	.3	90.0
<b>Oswego County:</b>				
Aitmar Parish.....	.1		.1	99.8
Fulton.....	.8	( )		99.2
Hannibal.....	1.7			98.3
Central Square.....	.2	.1	.1	99.6
Mexico.....	.4		.3	99.3
Coway.....		.1	( )	99.9
Pulaski.....		.5		99.5
Sandy Creek.....				100.0
Phoenix.....	1.1	.2	.4	98.3
County total.....	.5	.1	.1	99.3

## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Putnam County:</b>				
Mahopac.....	( )	.3	.1	99.6
Carmel.....	.3	.8	( )	99.9
Haldane.....	.3	.2		99.5
Garrison.....				100.0
Futnam Valley.....	.3	.6	.6	98.5
Brewster.....	.2	.3		99.5
County total.....	.2	.5	.1	99.2
<b>Rensselaer County:</b>				
Berlin.....	.2		.4	99.4
George Washington.....				100.0
Brittonkill.....	.2			99.8
East Greenbush.....	.6	( )	( )	99.4
Hoosick Falls.....				100.0
Lansingburgh.....	2.2	.1	.1	97.6
Williams.....				100.0
Wyantskill.....		.1	.3	99.6
Rensselaer.....	5.4	.4	.1	94.1
Averill Park.....	.1	( )	.4	99.5
Hoosick Valley.....	.2			99.8
Schodack.....	.3	.5		99.2
Troy.....	12.1	.1	.3	87.5
County total.....	3.6	.1	.1	96.7
<b>Rockland County:</b>				
Clerkston (New City).....	1.2	.4	.2	98.2
Nanuet.....	1.5	1.6	.8	96.0
Norfolk.....	2.5	11.6	.1	85.8
South Grangetown.....	1.5	1.7	.4	96.4
Waukegan.....	23.9	.7	.3	75.1
Pearl River.....	.1	.4	.2	99.3
Suffern.....	2.5	.4	.6	96.5
Spring Valley.....	9.4	1.0	.2	89.4
Lakeside.....	53.2	6.3		40.5
County total.....	5.4	2.2	.3	92.1
<b>St. Lawrence County:</b>				
St. Lawrence.....				100.0
Canton.....				100.0
Clifton Fine.....	( )			100.0
Colton Pierrepoint.....				100.0
Edwards.....				100.0
Gouverneur.....				100.0
Hammond.....				100.0
Hermon Dekalb.....	.1	.3		99.6
Lisbon.....		.2		99.8
Madrid Watlington.....			.3	99.7
Massena.....	( )		1.6	98.4
Morristown.....				100.0
Norwood Norfolk.....				100.0
Ogdensburg.....				100.0
Heuvelton.....		.1		99.9
Parishville Hookinton.....				100.0

## PERCENT DISTRIBUTION OF PBULCI SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71--Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Schenectady County:</b>				
Duanesburg	.7		.1	99.2
Scotia Glenville	.3		.1	99.6
Niskayuna	.5	.1	.2	99.2
Schalmont	.3		.1	99.6
Mohonassee	.5		.2	99.3
Drayer	1.4			98.6
Schenectady	8.1	.2	.3	91.4
County total	3.7	.1	.2	96.0
<b>Schoharie County:</b>				
Cobleskill	1.0	.9	.1	97.0
Gilboa Conesville	1.8			98.2
Jefferson	.3			99.7
Middleburgh	.4			99.6
Richmondville	.6	.8		98.6
Schoharie	.1	.9		99.0
Sharon Springs		.2		99.8
County total	.6	.6	( )	98.8
<b>Schuyler County:</b>				
Odessa Montour	( )			100.0
Watkins Glen	.3		.3	99.4
County total	.2	( )	.1	99.7
<b>Seneca County:</b>				
South Seneca	.3	1.0		98.7
Romulus	2.2	.6	.8	96.4
Seneca Falls	( )	( )	.2	99.8
Watloo	.8	.3	( )	98.9
Border City	13.7	5.3	3.8	77.2
County total	.8	.5	.2	98.5
<b>Steuben County:</b>				
Addison	.2	.1		99.7
Avoca	6.6			93.4
Savona	.3	.2	.5	99.0
Haverling	1.0	( )		99.0
Bradford			.9	99.1
Campbell		.1	.3	99.6
Canisteo				100.0
Cohocton	5.9			94.1
Corning	1.1	( )		98.9
Greenwood				100.0
Hornell	.9	( )		99.1
Arkport	5.3			94.7
Jasper				100.0
Prattsburg	3.3	.9		95.8
Troupsburg				100.0
Hammondsport				100.0
Wayland	4.0	.2		95.8
County total	1.4	( )	.1	98.5

## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
Rocky Point.....	2.5	1.7	.9	94.9
Shoreham.....	1.0	.4	1.5	97.1
Middle Country.....	1.2	1.9		96.9
Middle Island.....	22.9	1.6	( )	75.5
South Manor.....			1.8	98.2
Patchogue.....	1.5	5.3	.1	93.1
South Haven.....	11.0	1.4		87.6
Mastic Beach.....	1.7	1.6		96.7
Center Moriches.....	18.0	.4	3.4	78.2
East Moriches.....	8.5	2.0	1.0	88.5
East Hampton.....	10.7	.3	.2	88.8
Wainscott.....	14.3		9.5	76.2
Amagansett.....	3.9	1.1	1.7	94.3
Springs.....	.6			99.4
Sag Harbor.....	3.3	2.5	.3	93.9
Montauk.....	2.6	.4	1.5	95.2
Elwood.....	2.8	1.0		96.5
Cold Spring Harbor.....		.6	.5	98.9
Huntington.....	7.1	3.7	.3	88.9
Northport.....	.2	.8	.1	98.9
Half Hollow Hills.....	2.2	.5	.4	96.9
Commack.....	.3	.5	.2	99.0
South Huntington.....	4.6	.8	.3	94.3
Bay Shore.....	10.3	1.6	.3	87.8
Islip.....	.5	1.4	.2	97.9
East Islip.....		1.0	.1	98.9
Sayville.....	.5	.5		99.0
Bayport Blue Point.....	.3	1.2	( )	98.5
Hauppauge.....	.2	.9	.1	98.8
Connetquot.....	.1	1.1		98.8
West Islip.....	( )	1.1		98.9
Brentwood.....	4.7	12.0	.2	83.1
Central Islip.....	11.7	7.9	.1	80.3
Ocean Beach.....				100.0
Wading River.....	.7	.7		98.6
Riverhead.....	29.9	.9	.3	68.9
Shelter Island.....	1.5			98.5
Smithtown.....	.3	.3	.1	99.3
Kings Park.....	.3	.4		99.3
Remsenburg.....	14.5			85.5
Westhampton Beach.....	13.2	1.1	.9	84.8
Quogue.....	56.4			43.6
Hampton Bays.....			.2	99.8
Southampton.....	21.7	.5	5.1	72.7
Bridgehampton.....	59.8	1.9	.8	37.5
Sagaponack.....	10.0			90.0
Eastport.....	5.7	.9	.3	93.1
Tuckahoe.....	22.3			77.7
East Quogue.....	.7	.3		99.0
Oysterponds.....	.7			99.3
Fishers Island.....	1.0	1.0		98.0
Southold.....	3.7	.2	( )	96.1
Peconic.....	17.1			82.9
Cutchogue.....	6.3			93.7
Mattituck.....	7.2	.2	.2	92.4
Greenport.....	24.4	1.9		73.7



## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Tioga County:</b>				
Waverly.....	1.1	0.2	.5	98.2
Candor.....	1.1	0.2		98.7
Newark Valley.....	.7			99.3
Owego-Apalachin.....	.9	( )	.2	98.9
Spencer Van Elten.....	.9			99.1
Tioga.....			.2	99.8
County total.....	.3	.3	.2	99.2
<b>Tompkins County:</b>				
Dryden.....	.4		( )	99.6
George Jr. Republic.....	19.4	1.1		79.5
Groten.....				100.0
Ithaca.....	5.0	0.4	.7	93.9
Lansing.....			( )	100.0
Newfield.....	1.1	0.2		98.7
Framansburg.....	.4	( )	.2	99.4
County total.....	2.9	.2	.4	96.5
<b>Ulster County:</b>				
Kingston.....	6.3	.6	.3	92.8
Highland.....	3.4	.3	( )	96.3
Rondout Valley.....	2.6	1.0	.2	96.2
Marlborough.....	6.7	.7	.3	92.3
New Paltz.....	2.2	.3		97.5
Onteora.....	1.3	.8	.7	97.2
Saugerties.....	.7	.2	.2	98.9
Wallkill.....	1.8	12.3	.3	85.6
Ellenville.....	10.8	5.2	.8	83.2
County total.....	4.3	1.7	.3	93.7
<b>Warren County:</b>				
Bolton.....				100.0
Chestertown.....				100.0
Pottersville.....				100.0
Glens Falls.....	1.3	( )	.1	98.6
Hague.....			1.4	98.6
Horicon.....				100.0
Johnsburg.....	.3		.1	99.6
Lake George.....	.2	.4		99.4
Hadley Luzerne.....	( )			100.0
Queensbury.....	.2	( )	.1	99.7
Abraham Wing.....	1.1	1.1		97.8
Warrensburg.....				100.0
County total.....	.5	( )	.1	99.4
<b>Washington County:</b>				
Argyle.....		.1	.1	99.8
Fort Ann.....				100.0
Fort Edward.....				100.0
Granville.....				100.0
Greenwich.....		.1		99.9
Hartford.....				100.0

## PERCENT DISTRIBUTION OF PUBLIC SCHOOL STUDENTS BY RACIAL/ETHNIC ORIGIN, 1970-71—Continued

School district	Negro	Spanish-surnamed Americans	American Indian and Oriental	Other
<b>Westchester County:</b>				
Katonah Lewisboro.....	1.8	.1	.2	97.9
Mount Kisco.....	5.7	.7	.2	93.4
Croton Harmon.....	1.5	.2	.4	97.9
Hendrick Hudson.....	1.7	.6	.3	97.4
Eastchester.....	.....	.6	.5	98.9
Tuckahoe.....	22.4	1.8	.7	75.1
Bronxville.....	.2	.7	.2	98.9
Tarrytown.....	8.8	10.7	.6	79.9
Irvington.....	1.1	.2	.4	98.3
Dobbs Ferry.....	2.7	.1	1.7	95.5
Hastings on Hudson.....	2.4	.5	.8	96.3
Ardsley.....	1.7	.5	.7	97.1
Edgemont.....	.6	.5	2.3	96.6
Greenburgh.....	33.0	.4	.8	65.8
Elmsford.....	27.5	1.0	.4	71.1
Graham Home for Children.....	77.2	12.7	.....	10.1
Echo Hills.....	48.2	15.7	.....	36.1
Harrison.....	.2	.7	.....	99.1
St. Christopher's.....	61.4	5.7	2.9	30.0
Mamaroneck.....	4.2	1.2	.5	94.1
Mount Pleasant.....	.8	.6	.....	98.6
Pocantico Hills.....	3.6	.2	1.4	94.8
Hawthorne Knolls.....	15.2	2.3	.3	82.2
Cottage.....	13.6	6.5	.....	79.9
Valhalla.....	10.4	.3	.5	88.8
Pleasantville.....	.7	.5	.1	98.6
Mount Vernon.....	56.3	2.2	.5	41.0
Chappaqua.....	.4	(*)	.3	99.3
New Rochelle.....	22.3	1.5	1.2	75.0
Byram Hills.....	.4	.....	.....	99.6
North Salem.....	.6	.....	.6	98.8
Ossining.....	16.2	2.4	.1	81.3
Briarcliff Manor.....	.2	.....	.2	99.6
Peekskill.....	27.1	4.6	.1	68.2
Pelham.....	2.7	.3	.7	96.3
Rye.....	2.8	1.0	.4	95.8
Rye Neck.....	3.0	.9	.4	95.7
Port Chester.....	23.4	6.4	.4	69.8
Ridge Street.....	.7	.6	.9	97.8
Scarsdale.....	1.0	.4	.4	98.2
Somers.....	.7	.4	.5	98.4
White Plains.....	20.3	2.9	.4	76.4
Yonkers.....	13.5	4.8	.6	81.1
Lakeland.....	2.1	.5	.....	97.4
Yorktown Heights.....	1.4	.8	.8	97.0
Wiltwyck.....	76.4	17.3	.....	6.3
County total.....	13.1	2.1	.5	84.3
<b>Wyoming County:</b>				
Attica.....	.2	.....	.....	99.8
Letchworth.....	7.5	.....	.....	92.5
Wyoming.....	.....	.....	.2	99.8
Perry.....	.2	.....	.2	99.6
Warsaw.....	.6	.....	.....	99.4

In Albany, you have some segregation, but they are working on it there. Of course, you have New York City.

Mr. BADILLO. Do you think that isolation is increasing, or decreasing?

Dr. NYQUIST. It has increased.

Mr. BADILLO. Do you think it will continue to increase?

Dr. NYQUIST. Yes. Unless we do something about it.

Mr. BADILLO. Do you think that racial isolation can be reduced on a voluntary basis?

Dr. NYQUIST. No; not all together.

Mr. BADILLO. If that is the case, then how can you support the bills that are before you which propose that it be done on a voluntary basis?

Dr. NYQUIST. I think probably I was thinking about the situation in the State of New York, which is different from some other States, where the commissioner of education has judicial authority in these areas. I can give you an answer that is not facetious. I told you, I did not have your bill before me when I made my remarks.

Mr. BADILLO. No. I am just trying to get your opinion.

Dr. NYQUIST. I like your bill.

Mr. BADILLO. Let me put it this way.

Do you think that you have the authority to do in New York State what my bill proposes, assuming no Federal act at this time—

Dr. NYQUIST. I would have to study your bill. I got it just a few minutes before this hearing began, and I rifled through it. I am not sure that I could do all of the things that you have there.

I am not sure that I can give you a complete "Yes," that I would have the authority to do everything in there. I would have to hold up on that.

Mr. BADILLO. Don't you feel that under the other bills that you're referring to that provide for voluntary action, that it is not likely that racial isolation will be ended?

Dr. NYQUIST. Not likely, and it would be slow, much slower.

Mr. BADILLO. Thank you.

Mr. FUCINSKI. Commissioner, on page 6 of your statement you say that the commissioner of education has judicial authority in matters pertaining to education and he can order a school district to desegregate.

In the wake of your enthusiasm for massive busing and all the other things that you have discussed, I have the impression that you are

has just been declared unconstitutional. That brings you right up to the present time.

Mr. PUCINSKI. In the bill passed by the Senate, S. 1557, section 8 provides a 15-percent set-aside of whatever money is appropriated for programs on a metropolitan basis, and they point out that a program minority group isolation should be eliminated to the maximum extent possible in the standard metropolitan statistical area, which shall provide no later than July 1, 1983, the percentage of the minority group children enrolled in every school in the SMSA shall be as it states there.

What this means is that if in the New York metropolitan area there were a 30-percent population of minority children, then each school in the metropolitan area would have to have 30-percent minority children in order to achieve this.

I gather what the authors of this bill meant was that children from the suburbs would be bused into the inner city, and children from the inner city would be bused into the outer areas.

Now, under the laws that you now have as commissioner of education, for ordering desegregation, if the Senate bill were passed and this \$150 million were set up for this purpose, could you as the commissioner of education in the State of New York order this kind of metropolitanwide integration?

Dr. NYQUIST. No.

Mr. PUCINSKI. You could not?

Dr. NYQUIST. No.

Mr. PUCINSKI. Isn't this really the crux of the problem? All of this legislation deals with districts, just as housing, for instance, deals with municipal corporations.

But isn't the real answer to all of this the fanning out of minority groups into broader areas than the immediate limitation of a school district?

For instance, in New York City, how do you propose to integrate this city when a majority of your students are either black or Spanish-speaking, both members of minority groups?

I am wondering, if this legislation is passed, whether you would ask your State legislature to broaden your authority to give you the mandatory powers that you now have for ordering desegregation of a school district on a metropolitan basis, particularly since you are so strong on this whole business of busing and—

Dr. NYQUIST. This is what I like to be given

Mr. PUCINSKI. OK. One final question, Commissioner, the question of violence in the schools. Do you have any particular recommendations to our committee about how we could deal with that problem?

We are disturbed about the mounting mayhem that is occurring in the schools of this country at the secondary level. I was wondering if you have any suggestions to the committee.

Dr. NYQUIST. I think there are both long-term and short-term solutions. Part of the answer is educational reform certainly.

That is a long-term one. Kids, if they really like their reformed schools, and do not view them as authoritative figures, would help to lessen the tensions that you are talking about.

Second, one of the things we try to do in the State of New York and successfully in some areas, particularly in New York City, is the creation of community education centers. They are under the direction of the people from the community and are directed toward that community's particular educational requirements. They form a kind of a bridge between the school and the community. I think that is another answer.

One of the good things, I think, that title I has done is to foster the employment of paraprofessional people. When you get parents into the schools, it is another bridge between the community and the schools, and a way of bridging or helping to bridge, the differences between the races.

Short term, I think on page 19 of my testimony, there are some other suggestions. Train crisis teams of students, community representatives and teachers who can move into a situation fast where there is trouble.

Another one is rumor control centers, places where a student can get reliable information about what is going on. Another is security guards. Another is the identification of factors in troublesome situations and training school personnel to recognize these factors before trouble occurs.

Then there is the problem of the disruptive child. I don't think we should throw caution to the winds and seek solution by immediately removing them into special programs.

I think we have to take a hard look at what this means. Our educational credo up to now is that you have to educate everybody. There are some disruptive children that cannot and should not be absorbed into special programs. And many special programs need change.

Mr. PUCINSKI. You do believe that perhaps one answer here is a broader base for integration of youngsters including the suburbs, rather than trying to confine it within the district itself.

Dr. NYQUIST. I would do both. It is not one or the other, if that is what you are asking. School and classroom integration is important.

Mr. PUCINSKI. This section 3 of the Senate bill would be of some benefit, I take it, to a city like New York where obviously you cannot achieve integration within the city?

Dr. NYQUIST. It would be of benefit to every city.

The city of Rochester is integrating its schools and they have a lot of integration in the white suburbs around there, too.

Mr. PUCINSKI. One of the problems we have in Southern schools, and I don't know whether it is happening here or not, but I should ask you this: One of the problems we are having in the South, they integrate schools, but segregate within the school.

They have different bell systems.

Dr. NYQUIST. I said in my testimony I thought some account had to be taken of classroom balance in any legislation.

Mr. PUCINSKI. To prohibit segregation within the school.

Dr. NYQUIST. That is right.

Mr. PUCINSKI. Any questions?

Thank you very much.

Mr. BIAGGI. One question. In connection with the destructive child. In view of the proliferation of this problem in the educational system in New York, I would like your appraisal of the establishment of a minischool to deal with the disruptive child.

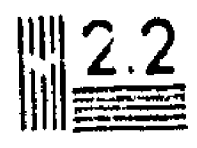
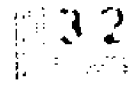
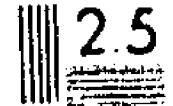
What we find, really, is that they disrupt the class, they are suspended and return and continue with their disruptive practices.

Dr. NYQUIST. We have experimented in New York City with special schools, minischools, and bilingual education. They are possibilities.

Mr. BIAGGI. I am not talking about bilingual. That is one problem. I don't put a student with a bilingual problem in the same category as one with a disruptive problem.

Dr. NYQUIST. I am trying to point out that we have had experience with another aspect of the problem of the disruptive child—why he is motivated to be disruptive.

Mr. BIAGGI. I did not understand your answer. What is your appraisal of the situation for the disruptive child?



3.6

the whole structure should be changed and we need money in order to do this.

We need a lot of money. We don't need lip service. We don't need any concern about violence or anything else in our schools. We do a damn good job considering the obstacles that we face.

But as Dr. Lewis has talked, you can't really function if you don't have personnel. Here he is in a district where they are going to lose vast numbers of personnel. My district is also faced with this next year.

How can we be held accountable for any results? How can any one point the finger at us and say, "You are not retaining the white population, and you don't have a quality system?"

If we don't have the support we need.

Mr. BIAGGI. Are you subject to the same difficulties Dr. Lewis is?

Mr. MATHEW. Not to the same extent, because we don't have a community program. But we have received great cuts in State urban aid.

Mr. PUCINSKI. We are pleased to have both you gentlemen here, and we are pleased to have Dr. Scribner here. We will proceed with your statement, and then have questions of all the gentlemen.

#### STATEMENT OF DR. HARVEY SCRIBNER, CHANCELLOR OF THE NEW YORK CITY PUBLIC SCHOOLS

Dr. SCRIBNER. Thank you. I was in Washington the other day testifying on the voucher system, and my theme this morning is consistent with the prepared statement.

Mr. PUCINSKI. I assume you testified for the voucher system?

Dr. SCRIBNER. I testified for the concept of the voucher system. I think there are terms we should be realistic about in public education. If it is good for a voucher system, it must be good for what made America great today, and therefore, we should do what the Supreme Court said, and the reason I question the voucher system is that I see no reason why another set of guidelines is going to make us do something that the Supreme Court said in 1954, and we have not done anything about that to any great degree.



President Nixon said, "The provision of equal educational opportunities to all of our children is a key national priority." The recent report of the Federal Task Force on Urban Education, headed by Wilson Riles, says integration is "a vital aspect of and now a means to a full education." It has all been said--by men of all political parties and from every generation. All that remains in there to be done is to do it--to make our actions match our rhetoric.

Several points:

First, racial, cultural, and socioeconomic isolation in the Nation's public schools is educationally unsound and socially dangerous. I would like to say you have to do nothing more than look out the window today and you can see firsthand the truth of this statement I am making, because I think we have to understand that many of the problems that are bothering us today and troubling us deeply in education, in society, in our daily life, have been promoted, promulgated, and continued and emphasized year after year from our failure to live up to the basis on which this country was founded, that every person would have an equal opportunity.

For as long as it is tolerated, it will be the symbol of proof that American democracy works for some Americans, but not for all. It contributes heavily to polarization, separatism, elitism, a dual standard of American citizenship and inferior educational opportunities for black students and white students alike.

The elimination of isolation in the Nation's schools should be a long term national goal, and one on which the legislative attention of the Congress should constantly be focused.

Second, the overriding goal in education should be the providing of high quality educational opportunities. I would suggest to you that youngsters from different backgrounds, whatever they may be, unless they are brought together in the learning environment, the youngsters there in that environment are being deprived of the best educational opportunity provided to them.

Anything else is narrow, divisive, and it tends to bring about the kinds of problems we have in your society today. I have explained this in greater detail to you in the text that I have prepared.

One key element in quality education is, in my judgment, integra-

None of these goals is necessarily a bar to ultimate integration. Rather, they may be necessary steps toward genuine integration a generation hence. The point is that there is no single path to integration. Thus, legislation designed to encourage integration in schools should provide the possibility of many paths, and not mandate one path only.

Fourth, there is more to genuine integration than juggling numbers and mixing bodies. Genuine integration is more than an administrative or legal device; it is the bringing together of different kinds of people who respect each other as well as themselves.

That vacuum is filled with suspicion, with all kinds of fear, and we need to bridge that with understanding, and I know no way in which I can bridge that vacuum existing between someone who is different from me than to come together and learn to know him as an individual.

Strangely enough, the history of this country is clear over that when we do it in that manner we do bridge that with understanding.

Whatever we do in the area of integration, and I support Mrs. Lewis, and after she made those lovely statements, nobody else need to speak on the issue, but whatever we do, we must not leave this to the professionals alone.

We must bring the parents and the total society together on this issue, and I would suggest and submit to you that one of the missing links for bringing this off today, and I am the first to say that money does not determine everything, but is to make this more attractive, make our plans workable, and make it a reality, because we need some funding to do it, too, and we need, ladies and gentlemen, from you, the kind of legislation that puts this into the proper focus.

We need, I think, people who are going to get money and funding for this who already have a track record of some commitment, who can point to the fact that they have already believed in this and done something about it.

I think also we ought to forget now the kinds of hangups, and what I call the dodges we have used that we can't do anything by such items as political boundaries which were drawn by men maybe of good intent at one time, but I trust today we could reanalyze those bound-

trying to get through Congress to make funds for ethnic materials so that people would know more about themselves and others.

Dr. SCRIBNER. I have not studied that particularly, but I might agree with that report if all we are going to put in our curriculum is a mass of studies. While Al Mathew is studying his Puerto Rican culture, I want to be there, too.

Mr. PUCINSKI. That is the purpose of that bill.

Dr. SCRIBNER. I would like to study that bill and file a report on it. I think we need to get rid of some of the artificial hangups we have for doing this kind of job. No. 1, we would like to do it, it is a beautiful idea, but we don't have the money.

We must in our country today reorder the priorities to recognize the fact that every one of these youngsters we permit to grow up in our schools suspect about one or other are going to meet on the streets later on and have to handle it in another way.

A political boundary drawn by men of good intent at one time can no longer prevent us from resolving some of the issues that face our country today.

It is great to have this heritage and have all the traditions, but we must analyze each of them in terms of tomorrow's needs.

Let me drop it there and exchange thoughts with you.

Mr. PUCINSKI. Dr. Scribner, you talk about arranging priorities, but when you look at the amount of money this country is spending on education, next to national defense it is the next largest item in the country.

Mr. MATHIEW. Who is spending it?

Mr. PUCINSKI. When you take into account the local taxes, the State taxes, and the Federal contribution, there are some \$60 billion being spent in this country on education. That comes out to roughly a thousand dollars per child per year.

Don't you think that the time has come when we ought to say to academia and the educators, that you, too, have to rearrange your priorities and stop poor mouthing for a change and start looking at some of the concepts and methods and techniques that you are using and ask yourself why they are not working?

you know, in her statement she said that internal reforms, reforms that only the educators can make.

We pride ourselves in this country on the fact that education remains at the local level, and each community tries to determine its educational needs in programs that will serve those needs.

We have in the Congress tried very scrupulously to avoid setting any national uniform standards for the simple reason that we say that would destroy the pluralism that has made this country a great Nation.

So your statement is a most encouraging one, but I would think that the place to start, if we are going to start restructuring the educational system, is to start with the local administrator.

Dr. SCRIBNER. I agree with you, Congressman, but let me ask you a question. We seem to have no difficulty in explaining away the fact that our wartime efforts, or whatever they may be, should be high priority. I would submit to you, however, that the problems we are talking about this morning are a defense mechanism to take care of these, or the problems of this country are going to suffer with in the future with man to man on the streets if we don't give to these school systems, and perhaps enforce them, to do something about the ills of this society of ours.

As we think of the population doubling, as we think of the problems, the hatred, the bigotry, the prejudice doubling in this country, I fear for mankind within our own country, as well as attacks from the outside.

Mr. PUCINSKI. As far as the problem of integration, I was wondering if perhaps you, Dr. Scribner and the other gentlemen would like to comment. How would the bill before the committee now, the emergency desegregation bill, how would that bill be of any assistance to you in New York, if it would be?

Would this legislation be of any help to you in New York?

Dr. SCRIBNER. Which one are you speaking of?

Mr. PUCINSKI. The Senate bill, 1557, which has been approved by the Senate. This bill requires that a school system like yours in order to qualify for Federal funds would have to have at least one model school and then a districtwide plan which would operate a number

metropolitan area would have to have a proportionate number of minority students in proportion to the total number of minority students in that metropolitan area.

You were not here when I asked your State superintendent whether he would be for integrating into the suburbs as one way of meeting the problem. This would make that possible.

Do you see that as a possible solution to your problem?

Dr. SCRIBNER. I think it has to be taken into consideration.

Mr. PUCINSKI. When you talk about political boundaries, I thought that is what you would mean.

Dr. SCRIBNER. That is correct.

Mr. PUCINSKI. Would you say for a city like New York that is the only solution, if you are going to achieve a meaningful integration?

Dr. SCRIBNER. Well, if we can make education good enough those boundaries can be crossed in two ways. They are by the adult population of the country every day. Therefore, I think we have to have that kind of latitude, yes, in order to function in New York City.

Mr. PUCINSKI. In other words, you would suggest keeping something like that in the bill?

Dr. SCRIBNER. Yes, I would.

Yes, I would.

Mr. PUCINSKI. Dr. Lewis, would you comment on that?

Dr. LEWIS. I find that to be extremely difficult. I find wherever the Afros move in, the whites move out. We have a district 12 that is 97 percent Afro-American and Hispanic. Integration in that area is virtually impossible. Certain areas of Harlem, Bedford Stuyvesant, and others, would be virtually impossible.

If you are talking about a metropolitan concept, it would require tremendous busing and I think it would not be feasible.

I also think you would be expending huge sums of money for something that at best you could get minimum results from.

Mr. PUCINSKI. Your statement is most interesting, and one that I would like to develop, because you said earlier in your opening statement that the concept of integration per se does not necessarily mean better education.

He commented. You stressed

child, but for all children, then you will have a better chance to get the type of integration ultimately that we want.

I think that for instance Mr. Mathew was talking about in his district with the "open corridor" concept, he has white parents in line waiting to get in. What I would like to see is make our schools in my district in New York City so attractive because they offer quality education that the white people would want to get in, the Puerto Rican people, or the Chinese, or any other people would want to get in. We are trying to provide those opportunities in our district. We have a cluster concept. This is like many schools within one school.

We have a bilingual school, not only an elementary school, but a bilingual school that we can open up on the secondary level, so there can be a continuation of bilingual education, and that bilingual school is not composed primarily of Hispanic children.

It is 53 percent Hispanic and 47 percent Afro-American. So there is this exchange. We do have the open corridor school and we are planning to open a school next year when, hopefully, it is constructed, and there is an irony. I find we can put a man on the moon in 10 years, and it takes in New York 10 years to build a school. It is ridiculous.

But I am thinking about the various options we want to afford, the quality education of each school so that white, Afro-American, Puerto Rican, Chinese, all of them will want to integrate for the purpose of receiving that good education.

I think the problem before us is "Which way, America?"

Mr. PUCINSKI. I take it, then, that all of you feel the quality education is the way to stop the No. 1 problem in this country today, and that is resegregation. We are concerned, I am concerned, over the fact that in many communities of the country a school becomes integrated, and then in about 36 months, which is about par for the course, it becomes resegregated.

Where do you go then? You can't go to court. You can't sue anyone. The courts have held that once you have attempted to integrate a school, whatever happens subsequently then you don't have to try again.

So I take it, Dr. Lewis, and Dr. Scribner, and Mr. Mathew, the

Dr. SCRIBNER. It sounds like since I throw the metropolitan concept in that you might be of a different opinion. What I am really saying that in the meantime we need funds for these schools to pull off these programs these gentlemen are talking about this morning.

Our history tells us that we let these sort of be blighted—we need more funding there, because we have more need there.

Mr. PUCINSKI. Mr. Veysey?

Mr. VEYSEY. Thank you, Mr. Chairman.

Just to try to put the record in context, I think you would have to admit that Congress has not been totally blind to the money needs of schools.

I believe that something like \$8 billion of Federal money is going to go into education in this year, and that this represents a very substantial increase, you know, over a number of years, like a doubling in the past 10 years and maybe eight times as much in the past 20 years into education.

That is a lot of money. Now, you are reporting to us that there is a drying up of some kinds of categorical funds and some shifting that way.

I can conceive that there will always be a short supply of funds. We are never going to have all we want for all purposes. Let me ask you this. You made an appeal. I think, a very compelling one, that you know a great deal more about the priorities and the educational problems that have to be met here in the schools in New York than perhaps we ever can know in Washington.

We have been disappointed with some results in the categorical programs, and we are talking about bills with more categorical money.

If we had  $x$  number of dollars to give you, is it better to give it to you in categorical programs and say to you that bilingual is the most important, or intergration is the most important and you have to do that, or whatever else is the most important.

Or should we give you that money and let you identify the problem and solve them in your best way?

Mr. MATHEW. I would like to react, because I see that is not really giving us a choice.

gets off the ground as it is, you need quite a bit of money for tooling up, special training of teachers, and this kind of thing.

To leave that without that kind of specific support, I think you are not really, you know, promoting that kind of program.

Mr. VEYSEY. I guess what what I am asking you it to really think through and tell me, you know, what your priorities really are. It is all well to say that they are going to be reordered and all this, but how are you going to reorder them.

Where do you put the priority? I would be very interested in knowing.

Dr. SCRIBNER. I think there is no greater priority in education today than for youngsters to understand and learn about each other. When we get beyond that point, the general revenue sharing bill for education speaks to \$3 billion, I believe as contrasted to a \$2,800 million as it exists now.

I hardly think that the bill of \$200 million satisfies what I think I hear Mr. Mathew saying.

I heard Mrs. Lewis, and I agree with her, that the title I funds have been abused. I think we ought to do some policing and monitoring. I am not unhappy with that ball game. What I am unhappy about is then that the rules of the ball game are not being followed.

Mr. VEYSEY. Are they not being followed here?

Dr. SCRIBNER. No; but I hope we are not going to sit idly by and watch it go down the drain.

I give the Congress great credit for something, but in 1954 the Supreme Court made the decision, and I would say since that time the Congress of the United States had not been quite as perceptive and direct and challenging to those who broke those laws as they may have been.

Is that unfair?

Mr. VEYSEY. It is probably unfair; yes.

Dr. LEWIS. When we think in terms of something of the entire Nation, whether we should give restricted funds, or unrestricted funds, I think we would be falling into the trap.

Each section of this country has different things. There are dif-



and yet this was a mandate at one time, how could we possibly get the best experts in the areas to develop those?

How could we possibly do the research? We did not even know how much money we were going to get. I think there were many legislative handicaps, rules, and regulations that we had to abide by that negated the effort.

Therefore, I used the expression, "We were programed for failure." To tell me that, you know, we are pouring billions and billions of dollars into education does not answer the question.

When you pour that money in, how do you tie it up so that you cannot have effective programing?

I would not answer the question, you know, should it be restricted funds or should it be categorical funds, because I think that would be a trap. It should be funds to accomplish specific things in specific areas depending upon the needs of those specific areas.

Mr. VEYSER. Do you want us to tell you what those are?

Dr. LEWIS. No, no, no. You can find out from us. I would not want you to tell me, because I know the problems of district 12 better than anyone else, and I hate to be presumptuous but I would say I know them better than Dr. Scribner.

Dr. SCRIBNER. I will accept that.

Dr. LEWIS. Because he sees the total city and he knows the total city's problems, but he does not know the problems of district 12 as well as I do. If Dr. Scribner is going to allocate money, he should come to us to find out about the problems.

He should not be forced to go to you and say, "New York City needs this," he should come to us and ask what we need, and he can go to Mr. Mathew, and he will tell him what he needs.

That is the type of thing that should be done, in my estimation.

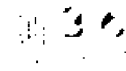
Mr. PUCINSKI. Mr. Biaggi.

Mr. BIAGGI. Dr. Lewis, first I want to commend you for your statement and your whole concept, and the way you offer quality schools with integration of curriculums and the interchange and ultimately producing the integration in its most meaningful sense.

You depart apparently from Commissioner Nyquist's view. You



4.5



4.0



I assume that these figures may have some bearing upon the proportion of funds allotted to each state.

I am concerned about this because the table does not reflect the very large number of non-English speaking children in Massachusetts. The table lists almost four thousand Oriental children and somewhat over eight thousand Spanish-American.

A recent survey conducted by this Department found that over ten thousand children in Massachusetts are receiving instruction in English as a Second Language. Thousands more should be receiving such instruction.

Massachusetts is a major receiving point for the "New Immigration." Our Portuguese-speaking, Italian-speaking, Greek-speaking, Arabic-speaking, and Cantonese-speaking population is growing rapidly. Thousands of our school children speak French in their homes.

I recognize that this diverse ethnic mix is more difficult to measure than a Negro-Anglo-Mexican American mix which may be relatively stable over time. But it is important that minority-group isolation be addressed wherever it is found.

I enclose a report prepared by our Bureau of Equal Educational Opportunity, on non-English-speaking children in Massachusetts. I hope that these figures will illustrate the need to have such children in mind as programs are approved and funds distributed under the Emergency School Assistance Act.

Sincerely,

NEIL V. SULLIVAN,  
*Commissioner of Education.*

Dr. SULLIVAN. You will also find a memorandum prepared by our bureau of educational opportunity, which estimates the number of children in Massachusetts, who speak languages other than English, and I would like to submit that for the record, Mr. Chairman.

(The information referred to follows:)

MASSACHUSETTS STATE DEPARTMENT OF EDUCATION, BUREAU OF EQUAL  
EDUCATIONAL OPPORTUNITY

*Linguistic minorities in Massachusetts, June 4, 1971*

English-speaking	60,000
Portuguese-speaking	75,000
Italian-speaking (school children)	2,000
Greek-speaking (families)	20,000
French-speaking	60,000
Arabic-speaking	25,000
Chinese-speaking (in Boston)	8,000
American Indian (school children)	500

LINGUISTIC MINORITIES

which state ranks seventh in numbers of aliens in the United States and fourth in the United States.

## Spanish speaking, general population :

Massachusetts-----	50,000-60,000 <sup>1</sup> 100,000-125,000 Puerto Ricans <sup>2</sup> 75 per- cent of the Puerto Ricans in Massa- chusetts cannot communicate in Eng- lish. <sup>3</sup>
Boston-----	40,000. <sup>4</sup>
Roxbury and Dorchester---	12,000 to 14,000.
South End-----	10,000 to 12,000.
Jamaica Plain-----	3,000 to 5,000.
Allston-Brighton-----	3,000.
Mattapan-----	1,000 families. <sup>6</sup>
South Boston-----	104 families.
Columbia Point-----	210 families. <sup>6</sup>
Haverhill-----	1,000.
Lawrence-----	8,000.
Lowell-----	2,500.
Waltham-----	800.
Brockton-----	2,000.
Springfield-----	12,500.
Worcester-----	1,400. <sup>7</sup>
New Bedford-----	1,500. <sup>8</sup>

<sup>1</sup> Armando Martinez, Puente.<sup>2</sup> Mr. DelRios, Department of Labor, Migration Division.<sup>3</sup> Jack Fowler, Joint Center for Urban Studies, Harvard and MIT.<sup>4</sup> Armando Martinez, Puente.<sup>5</sup> Conchita Rodriguez, office of public service, city hall.<sup>6</sup> Sister Francis Georgia, mayor's office of human rights.<sup>7</sup> William Nickerson, Massachusetts Commission Against Discrimination.<sup>8</sup> Sister Rosellen, New Bedford School Department.

## Portuguese speaking :

General population :	
Massachusetts-----	75,000
New Bedford-----	18,000
Fall River-----	18,000
School age population : New Bedford (15 percent of the school population)-----	<sup>1</sup> 2,500
Italian speaking, school population :	
Massachusetts-----	2,000
Boston (public and parochial schools)-----	600
Springfield area-----	<sup>2</sup> 500
Greek speaking :	
Massachusetts :	
Families-----	20,000
Children-----	<sup>3</sup> 20,000-25,000
Arabic speaking, general population : Massachusetts-----	<sup>4</sup> 25,000
Chinese speaking :	
Boston :	
Boston-----	8,000

Dr. SULLIVAN. It seems clear to us that, if this isolation is as serious as that based upon race—as our own experience and the language of all three bills indicates—then the funds should be made available to eliminate this isolation on the same basis as racial isolation.

To direct that linguistic isolation be eliminated, and then to exclude linguistically isolated children from the funding (unless they speak Spanish or Portuguese), is unfair to those States and localities with large numbers of children who speak other languages.

The bill pending before the Massachusetts Legislature would require an accurate census of such children, including the degree of their deficiency in English; at the moment we can do no more than make estimates based upon information from a variety of sources.

Section 8 of S. 1557 addresses a concern which we feel strongly in Massachusetts: metropolitan approaches to the elimination of minority-group isolation.

The suburbs must become more deeply involved. In Massachusetts a program is already in existence which enables 1,456 minority-group children to attend school in 33 suburban communities.

Incidentally, there is a long waiting list of children who want to participate in this program.

The Commonwealth provides more than \$1.5 million to pay for their tuition and transportation.

We need, we must have, suburban participation for educational reasons.

For the education of suburban children as well as of city children. Nearly 18 percent of the white children in this State attend schools in which they will never come to know and respect a black child because there is not a single black child in their schools. Ninety-three percent of the white children in this State attend schools with fewer—in most cases far fewer—than 10 percent nonwhite students.

These white children, most of them in the suburbs, are educationally deprived.

Their isolated education—and that of nonwhite children in many city schools—is not preparing them to live in a diverse society.

This isolation, as much educational research has shown, is a major factor in our Nation's movement toward "two societies, one black, one white—separate and unequal."

It is because, in the words of S. 1557, "eliminating or preventing

There is an immediacy to this problem as stated by the Kerner Commission that requires me to place a greater priority on S. 1557.

Mr. PUCINSKI. Let's just pause there a moment.

Your analysis of the Senate provision, the House bills, and the bill that was passed by the House last year, which the Senate refused to accept, did provide for an operation, where a local school district, the School District of Boston could have contracted with a number of suburban schools to accept minority children from the School District of Boston, and funds from the Federal Government, which are made available to pay the difference.

Now, a number of communities in this country have attempted to try an operation wingspread, and they always run into the financial problem, simply because it costs so much more to educate a youngster in a suburban school than it does in a metropolitan or urban school system, and nobody has the money to pay the difference.

The House bill would have provided such funds.

In my judgment, Dr. Sullivan, on balance, this sort of a voluntary effort probably would have proved a good deal more effective than to try to go the route that is incorporated in both the Senate bill and the Ribicoff amendments.

My own judgment is that the Ribicoff proposal is a proposal that will only hasten the day of pulling vast sections of white youngsters out of public schools, and this is the kind of balance that we try to reach in the House bill, and I am sorry that you have not had a chance to examine the House approach, because in my judgment, the so-called operation wingspread probably would have been much more effective, given minority children opportunities in these fine suburban schools than any of the proposals before us.

Dr. SULLIVAN. Mr. Chairman, I hope it is abundantly clear I am not critical of the House bills, other than we plan to have a complete plan.

That is the area where we have great concern. Other than that, we are very much in agreement with the House bills.

Mr. PUCINSKI. My own fear, in the Senate version, the metropolitan proposal is so restrictive, and it does deal with one of these comprehensive plans, it would be very hard, very difficult to get any kind of meaningful cooperation from suburban school systems, and I do not think it would be very operative, whereas in the House bill, we try to

And certainly State and Federal authorities should stand ready to offer local educational agencies all necessary and appropriate assistance in achieving this objective.

However, the creation of yet another categorical program of Federal aid to local schools does not seem to be the wisest way of dealing with this problem.

Instead, I would favor establishing an appropriation for general aid programs such as proposed in H.R. 6179, and permitting the expenditure of a part of such funds on security programs.

This approach would permit local authorities to deal with security problems along with other school problems in accordance with the scale of priorities that seems to them most appropriate to their local situation, rather than induce them to distort these priorities in the direction of available Federal categorical funds.

Furthermore, we must recognize that many problems of school security are representative of deep educational inadequacies; categorical funding may lead local authorities to focus only on the disciplinary aspects of these problems to the exclusion of the underlying causes.

We will not achieve the goal of secure schools unless and until sufficient general funding is made available to permit a broad systematic attack on all educational fronts.

Mr. PUCINSKI. Dr. Sullivan, you have been very helpful to the committee.

I appreciate you being with us.

I wonder if you could tell me, very briefly, assuming we did enact a categorical spending program to deal with helping schools undergoing problems of integration, how do you envision specifically, how do you envision this money would be spent, how would the money be spent in Massachusetts, or, if you wish, in Boston, specifically?

Dr. SULLIVAN. A very important question, Mr. Chairman.

I indicated earlier that I would strongly recommend to the local superintendents, that they concentrate on the curriculum to see that it is reflective of and presents in a fair way the true history of our world and not just the history of White America.

Mr. PUCINSKI. Is not that being done now?

Dr. SULLIVAN. Slowly.

Mr. PUCINSKI. What are we doing with the money?

Only to a small degree——

Mr. PUCINSKI. You missed my point.

I am aware of the fact the Federal Government only spends about some 7 percent.

I agree that it is a pittance, and you know I have a bill to bring that up to 33 percent.

What I want to know is, what are you doing with your own resources, what are your people doing with your State and local resources to teach young Americans something about each other?

Why do we have to wait for Uncle Sam to shovel the money at you?

Why is not this being done now within the framework of your present State and local expenditure?

Why do you have to wait for the Federal Government to prod you?

Dr. SULLIVAN. The legislatures, and some of the Government in this country of ours have not made moneys available to local school committees, and to local administrators, and we continue to depend on the property tax.

We put that poor man out of business. The moneys are not there.

Mr. PUCINSKI. Dr. Sullivan, we are not communicating.

How much money does the Commonwealth of Massachusetts provide in State aid to local school districts?

Dr. SULLIVAN. \$225 million.

Mr. PUCINSKI. And how much money do local school districts in this Commonwealth raise for their own resources for education?

Dr. SULLIVAN. Another \$750 million.

Mr. PUCINSKI. There is in excess of \$1 billion being spent now in local and State funds for education in this Commonwealth?

Dr. SULLIVAN. That is correct.

Mr. PUCINSKI. Now, how much of that money is being used to teach young Americans something about each other, and how much of that money is being used to train teachers to help young Americans understand each other better?

What is being done with your State and local funds in the direction that you want the Federal Government to go?

Dr. SULLIVAN. In Massachusetts, Mr. Chairman, the local school committee has tremendous autonomy.

I would say in some communities, they have taken a proportion of



Why is it necessary for the Federal Government to come along with a billion-dollar bill, to do what you ought to be doing now with your local resources?

DR. SULLIVAN. The question is an appropriate one for the chairman of this very important committee to ask.

The only answer I can give, these priorities are established by local school committees with restrictive budgets.

They have limited amounts of money. We are doing everything we can working with them, to encourage them with State moneys and Federal moneys, to give more diversion of these dollars into this so-called humanizing effort in our schools.

MR. PUCINSKI. We need money for curriculums, we need money for teacher training.

What other things is this money being spent for?

DR. SULLIVAN. In my experience, in desegregating a school system, you need moneys in the area of public relations.

It is extremely important to work with parents and teachers, so that they understand exactly what this program is all about.

You need this from the beginning, and you need it to continue along through.

You certainly need money to provide physical changes in the schools.

I could tell you, when you change schools, every little thing becomes extremely important.

The height of toilet fixtures, some school buildings would not permit primary school children to be on the second floor, a California law, for example, where we had to spend millions of dollars to recon-vert those schools.

You have to go into some of your—for example, in Boston—schools and tear up some of this asphalt jungle, and this is all around our schools, and we must plant some trees and some shrubs, and make it a livable environment for children.

You need library books. You need the services that are so essential.

MR. PUCINSKI. I want you to know that the Federal Government has been very critical of the school districts that are now operating under the emergency fund. You know, we have a \$75 million emergency fund we put together. There has been severe criticism of spending money for these kinds of activities.

DR. SULLIVAN. I am somewhat critical of the \$75 million appropri-

They are telling you very clearly that it is a means of integrating your schools, and it should be used.

Now, your specific question, Mr. Chairman——

Mr. PUCINSKI. The question is, do you see how Senate bill 1557 could possibly be implemented, including the comprehensive plans we discussed earlier, without a massive busing operation?

Dr. SULLIVAN. Yes; I think in many communities, the type of peripheral school that we talked about earlier, the so-called park concept that would incorporate several neighborhoods would vastly reduce this transportation item.

Mr. PUCINSKI. Does this then mean that when the effort in the House is renewed, to prohibit the use of any of these funds for busing, that such an amendment would not impede the effectiveness of this legislation?

Dr. SULLIVAN. I think any amendment that would eliminate busing in the alternative would indeed be a great restricting influence on community.

I truly believe that in a large city, that some transportation is definitely going to be necessary.

Mr. Glenn here, and his staff, have worked out a plan for the Boston school committee, on a complete desegregation of the secondary schools, and he is the expert on that.

Would you permit him to talk on that one point?

Mr. PUCINSKI. Please do.

**STATEMENT OF CHARLES GLENN, DIRECTOR OF THE EQUAL EDUCATIONAL AUXILIARY DIVISION, STATE DEPARTMENT OF EDUCATION, MASSACHUSETTS**

Mr. GLENN. I wanted only to point out that in the plans which we presented to Boston, which we recognized are not nearly enough, not nearly as much as Boston ought to be doing, that nonetheless, these plans would involve moving thousands of these people out of imbalanced schools, that the schools, more than half nonwhite in the balanced schools without any additional transportation beyond what children are already doing.

We have hundreds of children in Boston going from South Dorchester by public transportation, a number of miles to a south Bos-

Mrs. HICKS. That is why I say it is a little bit more on the elementary school scene. That is where the problem in Boston is, on the elementary level.

I wonder if you have a plan also for the elementary schools?

Mr. GLENN. The elementary schools in Boston cannot, as I am sure you are aware, be racially balanced by drawing new district lines.

Mrs. HICKS. How can they be balanced then?

Mr. GLENN. They will have to be balanced in part by reassignment of students to schools and in ways that will assure a racial balance.

Mrs. HICKS. These are little children, these are 6-, 7-, 8-year-old students.

How do you possibly get children out of the Roxbury area into all-white schools in Boston, or how do you get all white children, small, little children into the black school districts?

Mr. GLENN. You must realize, Mrs. Hicks, that hundreds of thousands of elementary school children are involved, primary school children in Massachusetts.

Mrs. HICKS. I am talking about Boston. I do not think we have to talk about children in the suburbs, they travel by bus to their neighborhood schools.

What about Boston?

Mr. GLENN. Surely it is no more difficult to travel in Boston than to travel elsewhere in the Commonwealth.

Mrs. HICKS. Do you feel if you were to forcibly bus, and that is the only way you could do it in Boston, white children into a black neighborhood, would it be very long before all of the white families would be moving out, if this policy were made, as a recommendation, and as a mandate?

Mr. GLENN. I do not believe that is true.

I live in a white neighborhood of Boston, and I talked to many of my neighbors.

I do not think they are going to be as terrified by this prospect as you seem to believe they will be.

Mrs. HICKS. Tell me, how would you explain this increase in isolation among black children from 0.3 percent to 11 percent in 2 years?

How do you account for that?

What caused that?

Mr. GLENN. You are referring to the 100-percent schools?

Of course, you are an expert in your field. Perhaps you are right. I don't know, but I am merely asking you, why is it that while the increase in nonwhite population of Boston, of the Boston school system, it went up only 1.7 percent? The total isolation of black children, it has increased by 10.7 percent?

Mr. GLENN. What this represents, of course, if you are referring to 100-percent black schools, you must first realize, I think you are using the Federal census figures; that is, those that count the minority school, both black and Spanish speaking. American Oriental.

Mr. PUCINSKI. It does not include that. Only Negro students.

What I want to ask you is this, and I think it is vital, and you are an expert in the field.

Why is it that the racial isolation of these black children decreased in those schools where the population was under 49-percent black, from 23.3 percent to 18 percent, 5 percent, and then across the board, in each category, starting with 50 percent, up to 100 percent, in each instance, it has shown a marked increase, and I am wondering in this statistic, if it does not bear out what Mrs. Hicks is saying, that there is a tilt, a tilt occurrence, and we have statistics on this, that where you have an all-white school, and it becomes integrated, when the racial integration reaches 40 percent, the tilt stops, and in 36 months, the tilt is completed, and the school becomes 100-percent segregated, nonwhite?

Now, in the light of those statistics, how do you challenge what Mrs. Hicks is saying?

Mr. GLENN. You seem to attribute this to the effects of the Racial Imbalance Act, while in fact—

Mr. PUCINSKI. I am not attributing it to anything. I am asking the question.

Mr. GLENN. The Racial Imbalance Act has not been implemented as yet. Only two school buildings have been opened since then.

Mr. PUCINSKI. The Trotter School, which you have built, specifically with the express purpose of implementing the act, the epitomy of your State act, in this school, after going through 3 years of very careful construction, was designed to give meaning to your act, and you by your own admission here, say you have to certify 65-percent non-balance, because by the time the school was completed, it was already

1.0

1.4

2.8

2.5

3.2

2.2

tion, local tax effort, manpower needs and job opportunities, vocational education needs and excess costs incurred by the district.

This process has resulted in an apportionment of the available funds according to financial need.

State and local financial resources are being seriously strained to provide the needed development and maintenance of State vocational education programs (part B) and additional Federal funds are needed.

At present, State and local vocational funds overmatch Federal funds in Vermont at the rate of 2.81 to 1 for annual program operation. In the construction and initial equipping of area vocational facilities, State funds are overmatching Federal funds at the rate of 17 to 1.

This level of funding far exceeds the matching requirements of the 1968 amendments and thus indicates that the level of Federal funding is not keeping pace with the needs of vocational education in the State.

#### *9. Consumer and homemaking education*

Since the enactment of the 1968 amendments all school districts in the State which have requested financial assistance for homemaking programs have submitted local plans or proposals indicating inclusion of units or courses in consumer education.

There is continuing emphasis on consumer education in all secondary and adult programs. In those consumer and homemaking programs in the State which are financially assisted State and local funds overmatch Federal funds at the rate of 16 to 1.

Other programs are totally financed from local funds. There is need for a much higher level of Federal funding for these programs.

#### *10. State advisory council*

The Vermont State Advisory Council for Vocational-Technical Education as an agent independent from the Department of Education has been able to identify problems and to act as a catalyst in initiating the changes necessary to provide solutions to those

Full funding as well as advanced funding is a necessity for economical and effective operation of the council.

### *11. Manpower training*

The vocational education program in Vermont, as in other States, has the facilities, equipment, and trained personnel to provide effective and efficient manpower training programs. It is in the State and National interest to make the greatest use possible of these resources.

### *12. Regional cooperation in vocational education*

Although not funded under the authorization of Public Law 90-576 there has been a significant increase in planning and development of program features in vocational education on a regional basis in order to take advantage of efficiency and effectiveness in the use of resources.

Such programs and activities as the following have been developed:

(a) Tristate vocational education project (Maine, New Hampshire, and Vermont), funded by the New England Regional Commission and administered by the New England School Development Council. Pilot schools to develop and test occupational information, orientation, and exploration programs in grades 7 through 10 have been established.

(b) Development and organization of the New England Regional Center for Occupational Education (NERCOE). Initially funded by the New England Regional Commission.

(c) Tristate curriculum project (Maine, New Hampshire, and Vermont). Funded by NERCOE. Emphasizes the development of a unitized curriculum and statement of behavioral objective for vocational programs to allow for more individualized instruction.

(d) Holding tristate (Maine, New Hampshire, and Vermont) meetings of State vocational education staffs to consider common concerns and to identify areas in which the States may cooperate in program planning and development.

### *13. Service by the U.S. Office of Education*

The Vermont Department of the region I office of USOE has significantly

To compile the data in such form that it can be used directly by educational agencies for the development of occupational education programs to meet the needs.

2. Advance appropriation of funds for vocational education.
3. Continuing authorization of appropriation of funds for those types of vocational education programs which must be maintained on a continuing basis to meet vocational education needs.
4. Funding of vocational education programs at a level which will, as nearly as possible, meet the matching conditions of the act.
5. A material increase in the funding level for post-secondary occupational education programs of less than the baccalaureate degree level.
6. Increased appropriations of funds for career guidance and career development programs at the elementary and junior high school levels.
7. Continued and increased funding for the work-study program.
8. Increased emphasis on vocational education personnel development programs.

Even though 2 years is too short a time to develop and effectively evaluate new program development and emphasis, it is evident that substantial progress has been made in the State to align program development in accordance with the established national goals for occupational education.

The appropriation of Federal funds in the form of categorical program aid is effective in meeting national occupational education goals.

Your committee is, therefore, respectfully requested to recommend extension of the provisions of the Vocational Act of 1963, as amended in 1968 (Public Law 90-576), with the added feature of 1-year advance appropriation of funds, and with provision for continuing authorization for appropriation of funds for part B, part F, and part G programs, and part A, section 102(c)—Advisory Council.

I would like to speak a little more specifically to some of the achievements made under the vocational education amendments of 1968.

In the area of programs to meet the needs of the disadvantaged, I think we can say that vocational education for many years has been



department skill training-type program, or are placed in a cooperative vocational education program.

We have established in three schools programs that are designed specifically for students who are at least 1 year below normal grade level, and from 2 to 4 years in low reading level, where the total instructional program is provided in a self-contained classroom setting. In these programs, occupational exploration is provided the students in various vocational areas, their abilities assessed, and then they are moved into cooperative vocational education to receive training and work experience.

We have established a cooperative program between one of our area vocational centers, and a community action agency to provide counseling, related instruction, and job training for neighborhood youth corps trainees; and we have set aside a portion of our part B allotment of Federal funds to be used for specific programs to meet the needs of disadvantaged adults.

Mr. PUCINSKI. If you will answer one question, and I notice, you have a very long list of specific projects that you have established, which I am very grateful to you for, but can you tell me what percentage of your young people in your school system are now taking vocational education courses?

Mr. WATSON. Well, approximately 18 percent at the present time.

Mr. PUCINSKI. What percentage were taking them in 1962?

Mr. WATSON. It would have been considerably less than that. I cannot give you a definite figure, but it may have been 10 percent.

Mr. PUCINSKI. The only thing I have noticed from your recitation here, that most of your vocational education programs are geared to young people of special needs. Do you have any vocational program for gifted youngsters?

Mr. WATSON. Yes; we do. We have given priority to providing occupational education exposure to those who are likely going to be college bound, particularly in such areas as electronics and technical drafting, which would complement their education or motivate the students to further education.

Mr. PUCINSKI. What has been the response of young people to that?

educational program for the handicapped was at the lower grade levels.

We started, following passage of the 1963 act, development of area vocational centers which will provide programs for the mentally retarded, and this will constitute a statewide network of truly occupational training programs for the mentally retarded.

Mr. PUCINSKI. Now, you also have put a great stress on cooperative education on pages 9 and 10. How many students do you have in that program?

Mr. WATSON. It is 250 plus. It is in the prepared testimony.

Mr. PUCINSKI. 259?

Mr. WATSON. 259, I believe. I think it is of interest to you, that in the short timespan that these programs have been developed that we have solicited the cooperation of 235 employers in the program.

Mr. PUCINSKI. One thing I am very pleased to hear is that you are putting stress on homemaking, home economics.

I have said many, many times this is probably the toughest area and the greatest challenge for school administrators, because you have to train young women for dual role or breadwinner and homemaker at the same time.

We did a study of our committee to ascertain what it would cost you to purchase the services of the average housewife, if you were to go out and purchase them on the open market, using minimum wage, and no overtime, you might be interested in knowing we came to the figure of \$15,430, so you can appreciate the importance of home economics in vocational education, and I am glad to see that you are giving this new emphasis.

We estimate by 1975, 50 percent of the American mothers will be working mothers, where they will be confronted with a job of breadwinner, and a homemaker at the same time, and she has to learn all sorts of new skills in homemaking that her mother never even dreamed about, and that \$15,430 figure, that does not include whatever social graces she might provide her husband and the family.

Mrs. HICKS. Speaking on that home economics, does your course only include girls?

proved technical and professional services in vocational and technical education to the State of Vermont, and I was wondering, and this is one of the things we have been looking at very carefully, and I yield to no one in my enthusiasm, for Commissioner Marland's great dedication to career education, and I think he is going to make a very, very significant impact on the American educational system in taking that position, but I am going to see how many supergrades he creates in vocational education and USOE, because that is one way of measuring whether or not there is seriousness, or are we just talking about it.

Mr. WATSON. I think the point, Mr. Chairman, I was really attempting to make, is that bringing the service nearer to the need through establishment and service of the regional office, has been pertinent to the service received by the State of Vermont in program development.

Mr. PUCINSKI. One question, I presume you have covered that in your statement also, the sort of categorical set aside that we have given or written into the bill apparently is paying off.

I noticed you have a program for handicapped children that you probably never had before, so that is certainly indicative of our insisting that we ought to go that route.

Well, thank you very much. Don't go away, Mr. Watson.

**STATEMENT OF GHERMOT KNOX REPRESENTING DR. CHARLES BUZZELL, ASSOCIATE COMMISSIONER, BUREAU OF VOCATIONAL EDUCATION, MASSACHUSETTS**

Mr. PUCINSKI. We will now hear from Mr. Ghermot Knox, representing Dr. Charles Buzzell, from the Bureau of Vocational Education, State of Massachusetts.

Mr. KNOX. Let me just give you a brief overview of three areas, those in which we have common interests, I am sure.

Those are the areas of programs for the handicapped, the area of programs for the disadvantaged, and the area of postsecondary programs, and I will tell you very briefly where we are, and perhaps a couple of examples of these programs, and some of the problems and

We have another exciting program for mentally retarded young people, coming from about 12 different communities, being trained in four or so occupational skills with a heavy co-op component.

They are doing it right, and this program is administered, interestingly enough, by nonexistent regional vocational schools.

It is a school in the planning stages, a regional school, but they are already administering a program for the mentally retarded.

We have two new regional vocational schools, which have special programs for the mentally retarded, and for the emotionally disturbed young people, and we think this is a real breakthrough.

I think that what we are seeing in Massachusetts is a new interest, a much greater interest in providing programs for special people.

We are seeing a new breed, if you will, of vocational school directors.

One young director told me, who is building a vocational school now, told me the other day when I asked him how many students he is going to accept, he said he was going to have programs and accept everyone that came to the door.

He is going to take all levels of ability and interest, and have programs for these young people.

We are seeing a greater interest in our communities, within our guidance, people in high schools, within administrators, and school committee people, even finance committee and assessors.

I have met with numbers of these men and women, and they are becoming increasingly interested in vocational education for all people.

We have a new section in our office, just special for special people.

It is called a special needs section, with a supervisor assigned to programs for disadvantaged, a new supervisor, who is an expert in the area of handicapped people, but we have some needs and problems that go along with these programs.

They are difficult programs. They take a lot of doing. They have great problems to operate, and they offer great rewards.

We have space problems. We have curriculum materials, packaging problems. We need to know what to do and how to do it.

We need teacher training programs, teachers who are skilled in both their skilled areas, and also in understanding the nature of the learner,

This is a contracted program.

We have a program operated under contract with OIC on Dudley Street.

This is working with young people, mostly black people, with a great number of Spanish-speaking young people also, in English language component, training these young adults, evenings, to get better jobs, or to get to entry level for schools and for jobs.

We have a DE program, some new ones funded only this month, that will operate within shopping centers.

They will not be located at a school at all.

They will operate within shopping centers, for students disenchanted with the "establishment," if you will.

We have the Boston high school program that we heard explained by Mr. Keating, and it is certainly for the disadvantaged young people, but here again, we are finding the same growth of interest in serving the needs of these folks, who really were not served by vocational education, until quite recently.

The same needs, I think cut through in this; the needs for understanding, and there is a need on the part of administrators to understand that you can become a status kind of thing, and the need to increase the stature of your image by serving people who have special problems, just the same as serving students with IQ's of 120 upward.

I think this understanding is tremendous. I think we are discovering the usual programs, even the usual vocational programs, do not reach unusual people.

You have to have something that is different, and is made to reach the needs and interests of these young people.

Is it not enough to say, well, they are not good students; therefore, we cannot reach them.

We have to do something to reach them, and to serve their needs, even if not good students.

In the postsecondary area, our major in Massachusetts is in the community college sector.

In 1967, we had 5,100 occupational students within the community college programs of our State.

and the State will put a substantial contribution toward postsecondary education through the community college system.

We have a problem of what might be called orientation program needs, with postsecondary students.

This is a nice way of saying we have too many dropouts. So, briefly, we find in Massachusetts the needs for young people are very great.

I think it is fair to say we have made tremendous progress, particularly in new areas, and in very exciting areas, certainly with special people.

It is my strong impression from going back and forth across the State that there is a greater interest in vocational education than there has ever been, and we think more progress will be made.

Thank you.

Mr. PUCINSKI. I certainly hope, Mr. Knox, that you will thank Dr. Buzzell for this excellent report that he has prepared to supplement your testimony.

It is a warehouse of information on the whole subject of vocational education.

Mr. KNOX. May I speak about that for just a second. This was started 5 days ago. We were looking toward an end of July date, so we contacted one of our new schools, that has been in operation only 2 years, and we called their commercial art department and said, "Can you help us." They did, and the print shop helped also. We actually had some disadvantaged program people work on some of the printing of this.

Mr. PUCINSKI. You can send these people to my shop any day.

Mr. KNOX. It was a real fast job.

Mr. PUCINSKI. It is really a tremendously impressive job, not only from a production standpoint, but from the information contained, and surely, it illustrates things that you have said here, particularly in the area of postsecondary enrollment, and we see on the chart here, the enrollment in postsecondary vocational education, going from some 1,800 in 1965 to 14,000 plus in 1973, and I imagine that line will go right off the chart by 1975.

Mr. KNOX. It is moving very rapidly.

tributive education, by 1972, you are going to have a demand for 13,300, but you only have apparently a supply of 3,300.

How do you account for this disparity, and what are you doing about it.

Mr. KNOX. Some of your experience out at the university, in speaking to our DE people must have rubbed off. They are very dynamic missionary types these DE people. We got a slow start in DE. We had let's say 3 years ago, in the area of 30 some programs. We are pushing 70, 80 programs now, and we are adding between 15 and 20 each year.

We are also expanding these downward to grades nine and 10.

They used to be traditionally in grades 11 and 12. We have several community colleges going into this. The expansion rate is good. I think we will be catching up.

Mr. PUCINSKI. The reason I asked that question, is because of my enthusiasm for distributive education.

I am disappointed in the unemployment figures released today by the Labor Department, which indicates that unemployment is increased rather than decreased, 6.2 percent. We obviously we have our work cut out for us in distributive sciences.

Mr. KNOX. I think historically, there is a reason for this lag, also in our State, as I believe in many States in New England, as they have emphasized and been very successful in trade and industry programs, and to get into these new programs, it takes a while to warm up.

Mr. PUCINSKI. The biggest challenge, and I have not seen these figures when I made my remarks about homemaking or home economics, but you have really got your work cut out for you when you see by your estimates here that by 1972, your demand of home economics, of trained people in that area, that it will be almost 16,000, and you have a supply of only a hundred, and by 1976, it will be 17,000, and you have a supply of only a thousand, and so it just seems to me that the home economics people have no time to lose in closing this gap.

Mr. KNOX. There is a relationship here too. I do not know quite what it is, between home economics and the increasing interest in occupations that relate to girls and women. I am not quite sure how

gal he has got, and how she really runs the shop, and makes all of the decisions, and without her the whole corporation would collapse, and you say, that is great, what do you make a year. Oh, \$150,000 a year. What would she make a week? \$150, so I think that gap will be closed too, and your figures seem to indicate that.

Mr. KNOX. You mentioned the office occupations, and here again, I think we have a need that shows, the largest area of planning in Massachusetts and in this country is in the field of office occupations.

Mr. PUCINSKI. And you are geared up for it according to your statistics here.

Mr. KNOX. Interestingly enough, the need keeps persisting.

I think what we are seeing, even though we have 62,000 young people enrolled in these programs in our high school, I sort of suspect that if these young women had other occupational choices, for example, in the health occupational field, they would not go into office occupations.

We are losing a lot of these people, they just do not go to work on the job.

Mr. PUCINSKI. That is because of the historical discrimination in job opportunities for women, but I think that is going out the window too.

I am not necessarily a great enthusiast of women's lib and what not, but I do believe they are making their point, and I believe the Civil Rights Act is helping, but perhaps the most significant single factor is that of demand.

You can pass all of the laws you want, but as we go into a \$2 trillion economic cycle, the demand itself will eliminate many of these areas of racial and sexual discrimination that have plagued us much too long.

I think you are right. Women will be getting into the more sophisticated job slots, as the demand increases.

Well, I am so enthused, that I will ask that the entire report be published in our hearings, including the graphs and charts, which your graphic section had so carefully prepared.

Mrs. HICKS. I would also like to commend you for your report.

It certainly is a very informative report for the committee, and it is very enlightening in this area of home economics that we are all interested in, where the demand will be so great, and of what Massachusetts has done and is going to do relative to having some kind of preparation to house some of these programs.

Mr. PUCINSKI. It will be made a part of the record at this point.

(The report referred to follows:)



# **MASSACHUSETTS**

**REPORT FOR**

**COMMITTEE ON EDUCATION AND LABOR**

**United States House of Representatives**

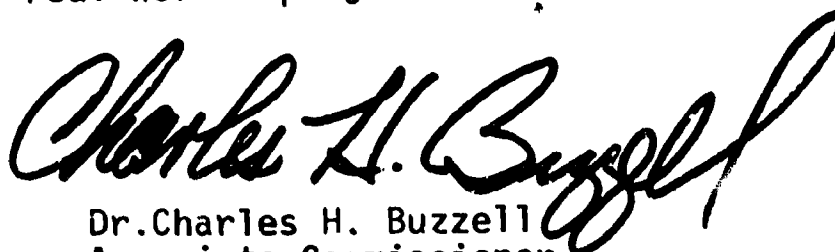
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**June 4, 1971**

## ACKNOWLEDGEMENTS

The analysis and recommendations that follow are the result of a special task force which was established as an Ad Hoc Committee within the Division of Occupational Education.

The commercial art and printing of this report was undertaken by the students of graphic arts and printing at the Nashoba Valley Vocational-Technical Regional High School as a "real world" project.



Dr. Charles H. Buzzell  
Associate Commissioner  
Division of Occupational Education

IN

Education across the land is most rapid growth of any part of education structure, a growth rate stimulated by the Vocational Act of 88-210; by the Vocational Amend- 168, P.L. 90-576; and the Manpower Acts.

of these federal acts is evidenced increased numbers of trained youth. enrollments doubled in size between 1960 and 1970. In that period eleven vocational technical schools were added to absorb the influ-

ence of the complex forces created by the surge in vocational education with "reluctant" youth. In- stead, the numbers are demanding career training opportunity to lead a productive life. More vocational students succeed in the job market, the non-college graduate becomes invidiously noticeable as "youth". Pressure to extend vocational education to this large segment of the school population has accelerated. Vocational education is viewed as a force to socialize and can reflect welfare rolls and in reduced numbers, vocational institutions and mental

The key fact is that vocational education is suddenly committed to absorb all segments of the population. In Massachusetts we see the enrollments in secondary schools increasing from 254,007 in 1965 to 356,400 in 1975 - a projected growth rate of 35% in this 10 year period. The population among the handicapped and the disadvantaged that vocational education plans to serve will triple in the next 5 years.

With present available resources Massachusetts cannot meet this vast new demand. The Massachusetts Department of Education is reorganizing its machinery to face this critical imperative. It is being geared to manage an operation of large new dimensions and complexity, and to provide effective services with reasonable efficiency to the citizens who claim an education that leads everyone at any level to a satisfying and productive life.

This report deals with the acknowledged successes of occupational education:

- a) In areas of persistent unemployment, e.g., New Bedford with 12.2% unemployment (as of February, 1971)\*, the New Bedford Vocational School reports 100% job placement of its graduates; Fall River with 9.7% unemployment, the Greater Fall River Regional Vocational Technical School reports 100% job placement.

- b) The stimulus federal money provides in obtaining additional funds from the local community is striking. Every federal dollar is matched by \$22.00 in local support.
- c) The readily available trained manpower pool enhances the state's potential industrial growth.

This report describes the inevitability of the sudden new and accelerated expansion of occupational education in Massachusetts. It observes that the successful training, the job placements, and the satisfying goals have generated a surge that is straining its present capacity. It therefore asks the question: *Can it extend its services to the vast new numbers it ineluctably must reach, and provide effective trained manpower for the labor market without additional resources to do the job?*

\* Massachusetts Department of Commerce and Development, Bureau of Research and Statistics, February, 1971

MASSACHUSETTS REPORT FOR U.S. HOUSE OF REPRESENTATIVES  
 COMMITTEE ON EDUCATION AND LABOR

ATIONAL EDUCATION  
 IS

: of Objectives  
 it by level of school (chart)  
 it by Major Programs (chart)  
 Labor Supply and Demand (chart)  
 ion (chart)  
 Summary (chart)  
 etts compared to National  
 (chart)

DISADVANTAGED-HANDICAPPED)

tablissement of Special Needs

Staff's Background

ort  
 f Occupational Programs (chart)  
 Programs

HANDICAPPED  
 Trend Chart  
 Summary of Occupational  
 Programs (chart)  
 Specific Programs

COOPERATION WITH OTHER AGENCIES

III. POST SECONDARY  
 Trend Chart  
 Summary of Occupational Programs  
 (chart)  
 Placement Chart

IV. RESEARCH

V. FUTURE FISCAL AND PROGRAMMATIC NEEDS  
 "EMPHASIS ON PEOPLE - SPECIAL NEEDS"  
 Statement Dr. Buzzell

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# Overview of

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# VOCATIONAL EDUCATION in

# MASSACHUSETTS

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objectives  
school level  
major programs  
and supply forecast

mary  
compared to national averages

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## ATION OF OCCUPATIONAL EDUCATION

### AL OBJECTIVES

nt of Philosophy of the Division  
onal Education reads:

*tizens are entitled to an  
ional system which--while  
tating their emotional and  
development as integrated  
beings--provides them with  
le skills, knowledge, under-  
ngs and attitudes relevant  
ever-changing market and  
suarate with their poten-  
ies.*

ng major and essential objective-  
lization must be defined. The  
of each is essential to reach  
iated in the philosophy adopted  
tion of Occupational Education.

### IE OF EXECUTING THE PUBLIC

Administer its responsibility  
linating, promoting and estab-  
vocational, technical, voca-  
adult, manpower education train-  
retraining, as charged by the  
laws and as charged by Chapter  
the General Laws of the Common-

\* ASSURANCE OF EXECUTING THE OBLIGATIONS TO  
THE BOARD OF EDUCATION. Expand and inte-  
grate occupational education, in accordance  
with the educational imperatives adopted by  
the Board of Education. (Document published  
January 16, 1971).

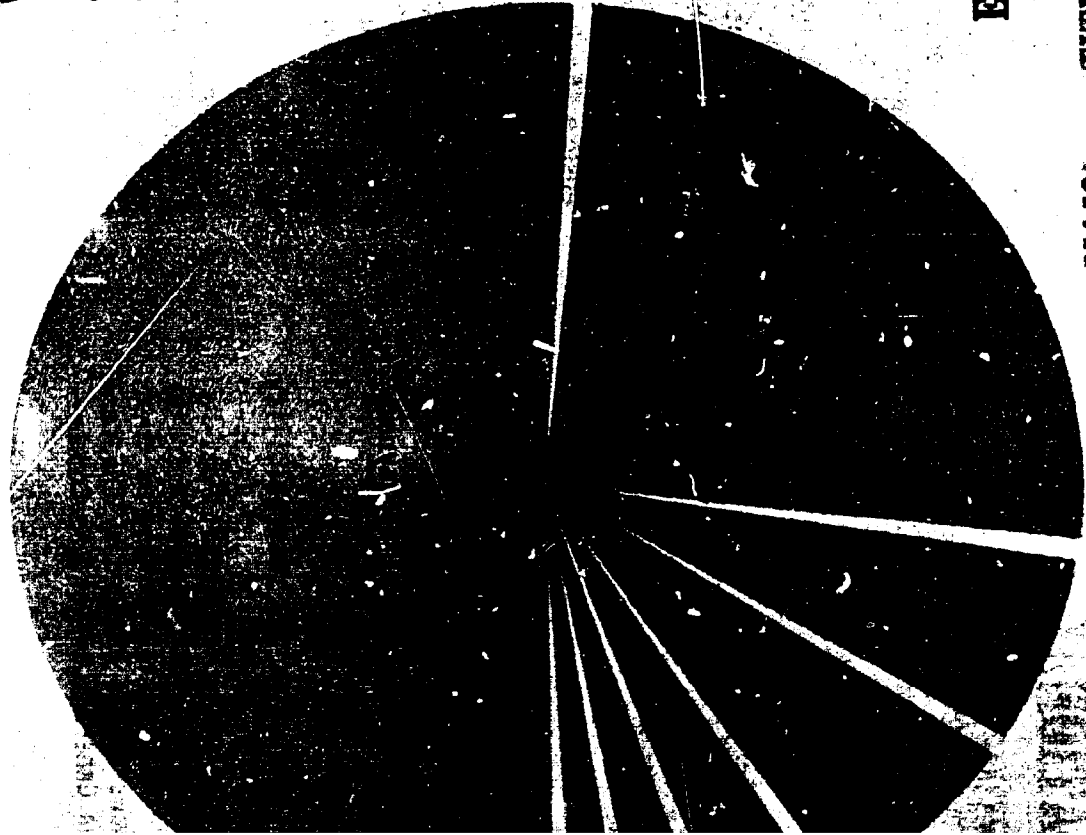
\* IMPLEMENTATION OF EXPANSION AS DICTATED BY  
NEEDS IN THE GENERAL HIGH SCHOOL. Introduce  
and implement in the general academic high  
schools, occupational programs in all fields  
of vocational education and place within the  
grasp of everyone not bound for college the  
minimum marketable skills for job entry, and  
ensure the largest number of occupational  
offerings and career options for the greatest  
number of students.

\* EXPANSION OF OCCUPATIONAL PROGRAMS IN SPECIAL  
NEEDS. Extend and expand programs for the  
disadvantaged, those with special educational  
handicaps and those in post-secondary schools  
which will afford opportunity and ready access  
to vocational training or retraining.

\* IMPROVEMENT OF COMMUNICATION AND COOPERATION  
WITH PUBLIC AND PRIVATE SECTORS. Communicate,  
cooperate and coordinate efforts with other  
manpower and governmental related agencies,  
which reflect the latest and changing man-  
power trends and needs of individuals in  
society.

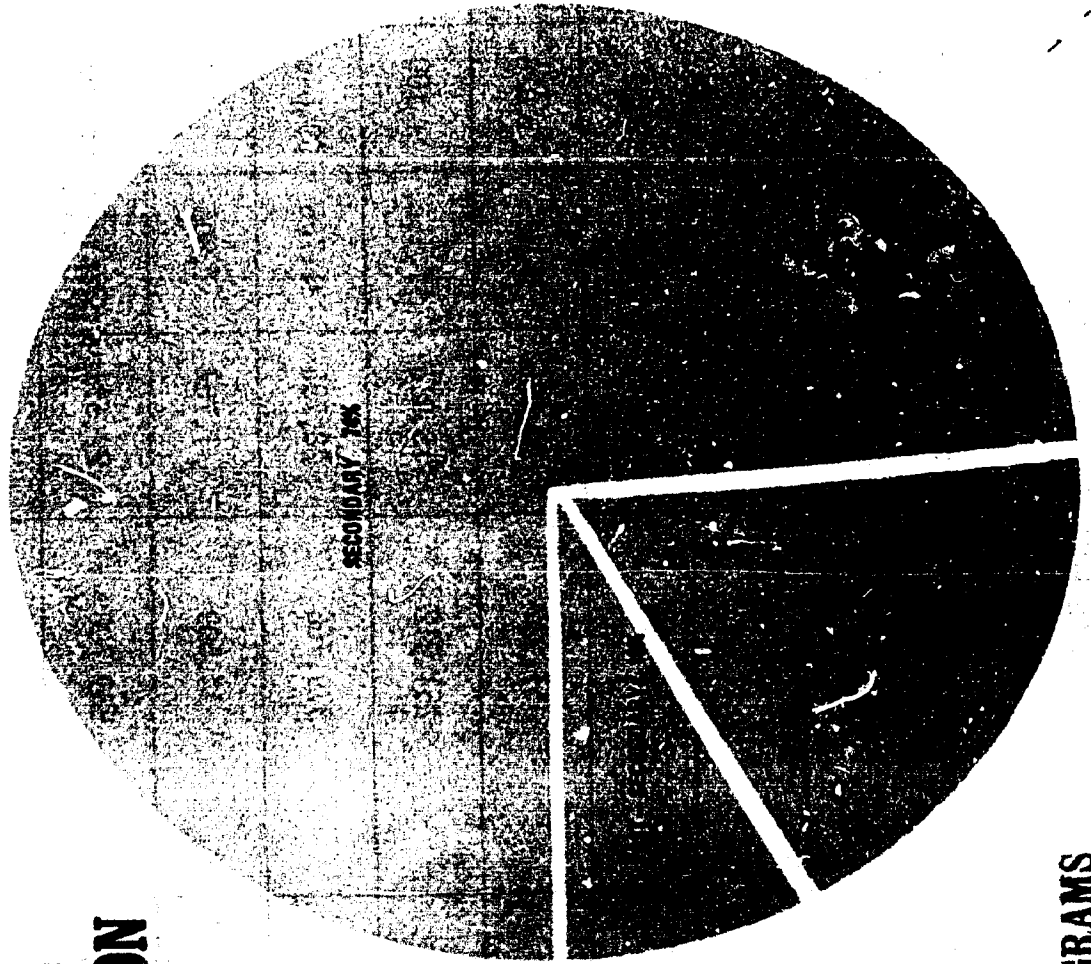
**VOCATIONAL  
EDUCATION**

**ENROLLMENT BY  
MAJOR INSTITUTIONAL PROGRAMS**





**NATIONAL  
EDUCATION**

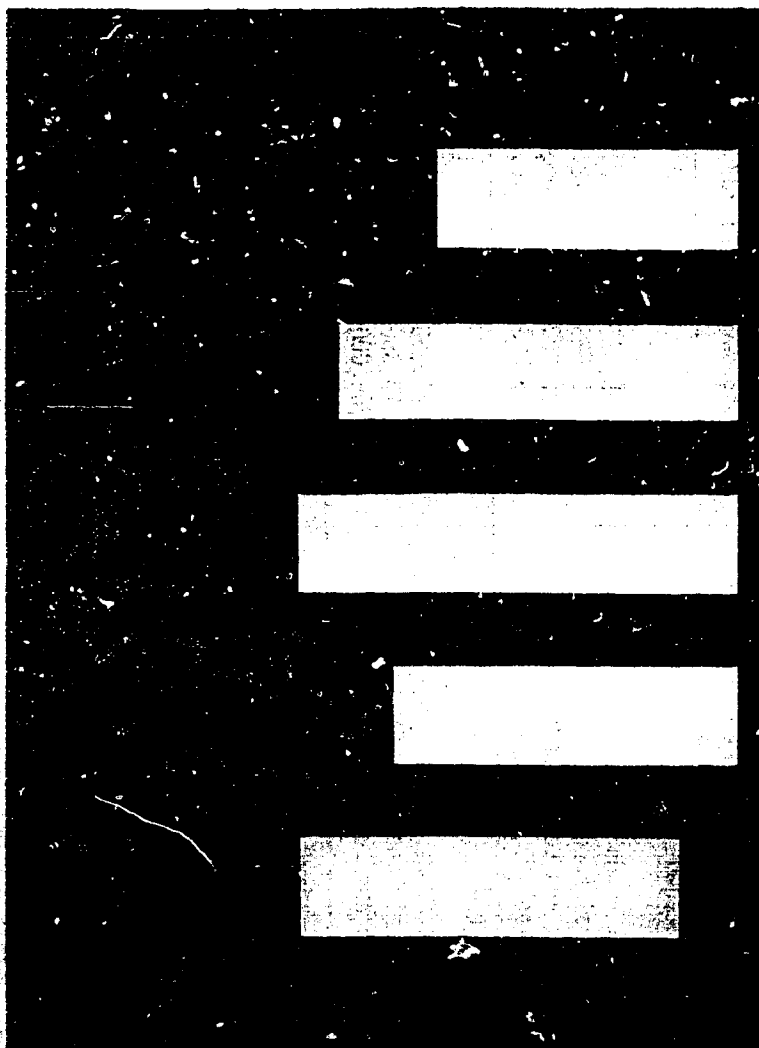


**MENT BY  
L OF PROGRAMS**

## D SUPPLY (VOCATIONAL EDUCATION OUTPUT)

	Current Employment	1972 Demand	1976 Demand	1972 Supply	1976 Supply
	29,717	450	350	193	350
Education	420,762	13,622	14,033	3,371	4,935
Business	51,327	4,055	4,363	3,028	4,433
Technical	251,212	15,916	17,156	100	1,000
Occupational	379,766	28,795	31,765	20,646	24,152
Industry	34,509	1,707	1,806	951	1,155
Industry	589,700	22,591	23,143	5,897	7,268
Total	1,756,993	87,136	92,616	34,186	36,036

CONSTRUCTION FUNDING



	1972	1973	1974	1975
TOTAL 1965-1971				
STATE & LOCAL FUNDS				
FEDERAL FUNDS				

## FINANCIAL SUMMARY

ITEM	1970	1971	1972 (est.)
<u>Grand Totals</u>			
Total Funds	84,773,934	130,936,147	203,015,891**
Federal Funds	8,118,634	9,202,515	11,043,017
State and Local Funds	76,655,000	121,733,632	191,972,880
<u>Disadvantaged</u>			
Total Funds	1,755,525	1,578,525	2,030,052
Federal Funds	1,155,525	978,525	1,130,052
State and Local Funds	600,000	600,000	900,000
Section 102(B) Federal	379,393	446,412	446,412
<u>Handicapped</u>			
Total Funds	1,070,350	952,340	1,239,810
Federal Funds	770,350	652,340	699,810
State and Local Funds	300,000	300,000	540,000
<u>Post-Secondary</u>			
Total Funds	5,978,525	17,626,301	22,440,708
Federal Funds	978,525	1,026,201	808,708
State and Local Funds	5,000,000	16,600,000	21,432,000
<u>Research</u>			
(Part D) Total Funds	493,900	455,549	546,659
Federal Funds	368,950	399,150	478,978
State and Local Funds	125,000	68,795	67,680

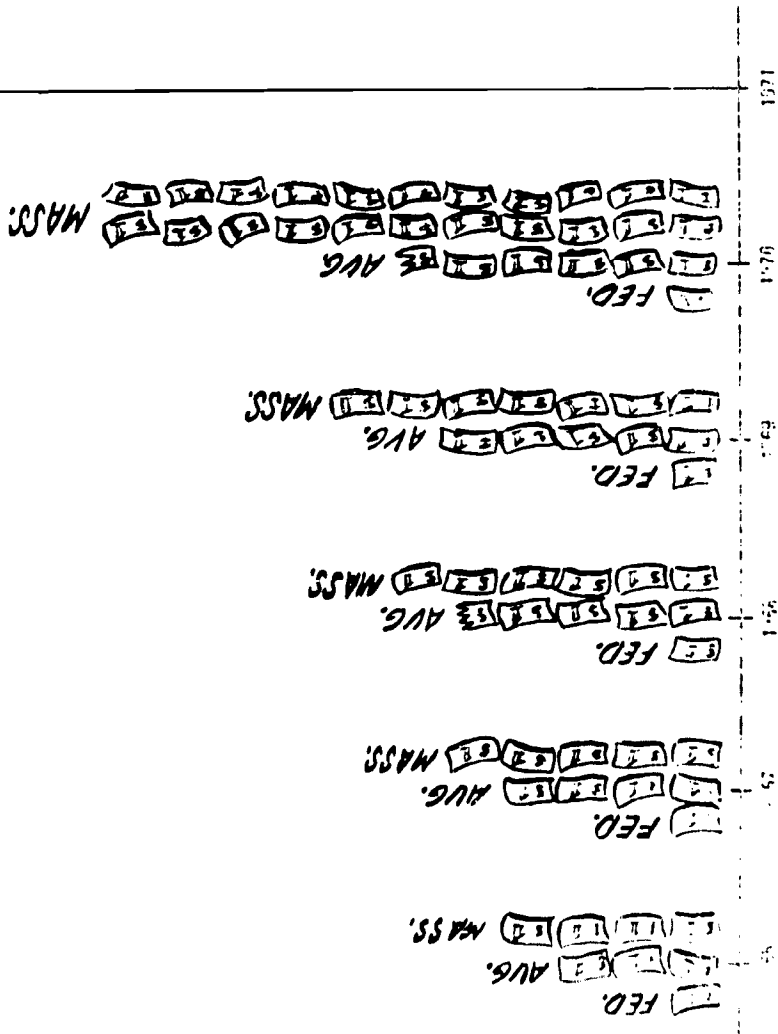
\* - Community Colleges included

\*\* - Includes Office Occupations

**\$35**  
ESTIMATE

SOURCE: D.E. - H.E.W.  
Summary Data  
Vocational Education  
FY - 1970

STATE AND LOCAL EXPENDITURES PER DOLLAR  
OF FEDERAL FUNDS ALL PROGRAMS



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# SPECIAL NEEDS

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# Disadvantaged

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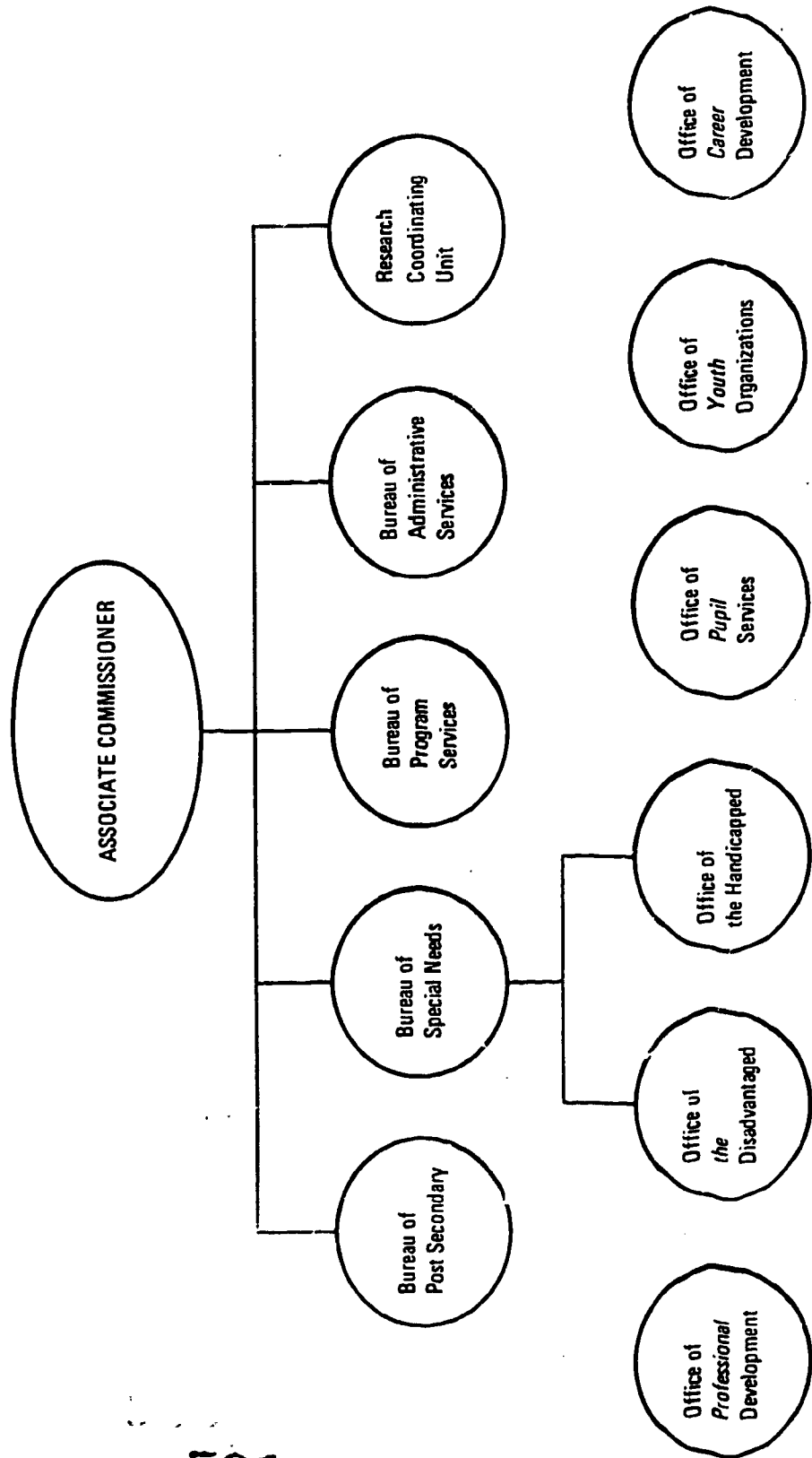
# Handicapped

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- . Recent establishment of special needs section
- . Staff background briefs
- . Disadvantages
  - .. trend chart
  - .. summary chart
  - .. financial summary
  - .. specific programs
- . Handicapped
  - .. trend chart
  - .. summary chart
  - .. financial summary
  - .. specific programs

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# DIVISION OF OCCUPATIONAL EDUCATION



## BRIEFS OF STAFF'S BACKGROUND

### Special Needs Bureau

#### Bureau Chief

The Bureau Chief has an educational background that includes a Bachelor of Science Degree, Bachelor of Arts Degree, Master of Arts (major in Urban Sociology) and a Master of Education (major in Remedial Education for the Disadvantaged and Handicapped).

He has worked as a high school teacher, remedial education teacher (Job Core OEO), field supervisor (Massachusetts Commonwealth Service Corps), director (Northeastern University Laboratory School), director (Northeastern University VISTA Training Program) and professor (Northeastern University School of Education). He has also had additional experience as an educational coordinator (ABCD) along with vast experience as an educational consultant.

The Bureau Director is currently a Doctoral Candidate in Foundations of Education (Brandeis and Boston University) and plans to complete the requirements during the summer of 1971.

#### Supervisor of Programs for Disadvantaged

The Supervisor for Disadvantaged Programs has an educational background that includes a Bachelor of Science Degree and a Master of Science Degree.

She has worked as a high school teacher, program director, recreation supervisor, cafeteria supervisor, home economist (U.S. Army). Her experience in working with the Disadvantaged has been significant.

She is currently working toward a second Masters Degree (Northeastern University).

#### Supervisor of Programs for Handicapped

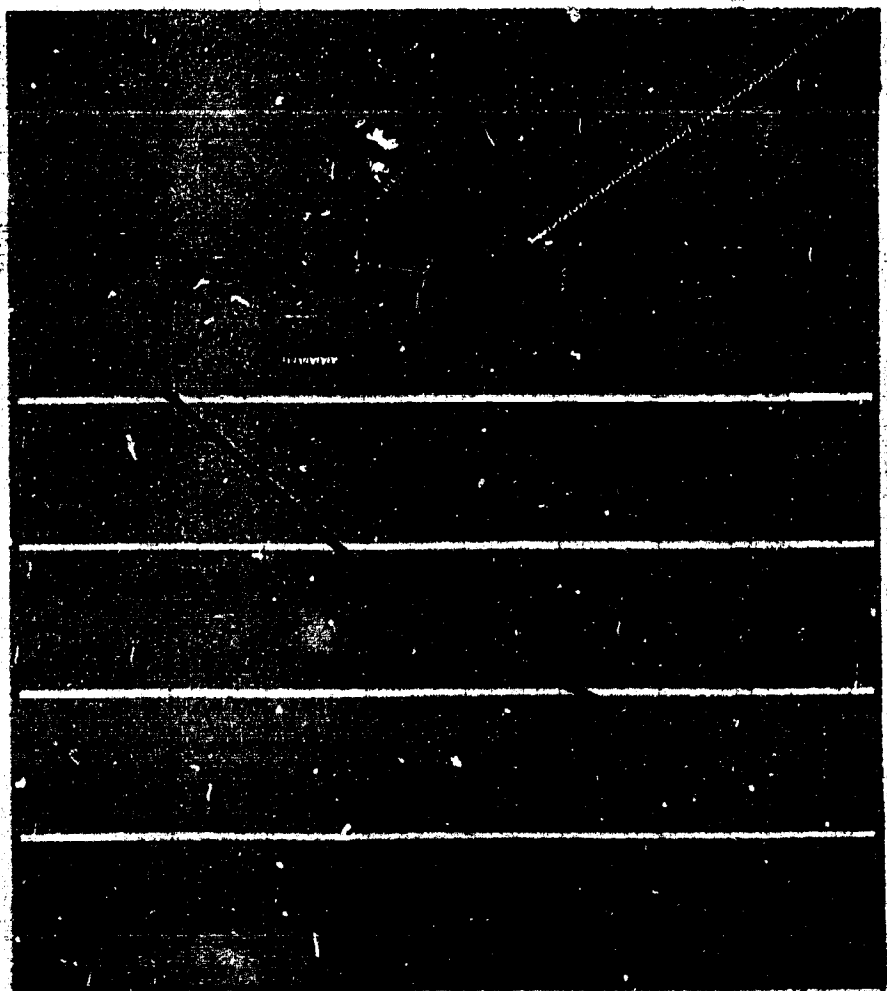
The Supervisor for Handicapped Programs has an educational background that includes an Associate Arts Degree, Bachelor of Science Degree and a Master of Education Degree.

He has worked as a staff psychologist, department head (Psychology Department), associate director (Bureau of Retardation, Commonwealth of Massachusetts), assistant superintendent (Social Development Education and Training) and a program director. He has also had additional experience as a high school teacher, guidance counselor and reading instructor.

He is currently working toward a CAGS in Special Education (Boston University).



DISADVANTAGED ENROLLMENT TREND IN VOCATIONAL EDUCATION



ENROLLEES (THOUSANDS)  
1969 1971 1973 1975

## DISADVANTAGED

## INSTRUCTIONAL PROGRAMS CONTINUING OR EXPANDING IN FY 1972

PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS		NUMBER OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATED NUMBER TO COMPLETE 1972
		CONTINUING	EXPANDING			
01.000 Agriculture	D	1	-	1	11	4
04.000 Distributive Education	D	5	-	12	238	163
07.000 Health	D	5	1	29	85	80
09.000 Home Economics	D	28	11	53	3566	1389
14.000 Office Occupations	D	13	2	37	3135	772
16.000 Technical	D	1	-	1	120	120
17.000 Trades and Industry	D	32	1	95 (38)	2938	905
Totals		85	15	211 (38)	10,093	3433

DISADVANTAGED  
NEW INSTRUCTIONAL PROGRAMS PLANNED IN FY 1972

PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS	NUMBER OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATED NUMBER TO COMPLETE 1972
07.000 Health	D	4	11	165	50
09.000 Home Economics	D	11	20 (6)	560	575
14.000 Office Occupations	D	11	13 (3)	888	419
17.000 Trades and Industry	D	5	18	475	-
Totals		26	44 (9)	1713	954

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## PROGRAMS FOR DISADVANTAGED

Of the programs funded for the disadvantaged, the following descriptive statements reflect the projects which are most innovative and creative.

1. Boston High School Work Study Program  
Present Enrollment 429

High school drop-outs, selected from the lower socio-economic depressed areas of the city, are provided with remediation in communication and computation skills. Students are placed in a real job situation with pay. The basic objective is to prepare the under-educated with a saleable skill. Exposure to the labor market opens awareness to the competitive world and its opportunities. Class size is restricted to fifteen students. Initiated in 1966, the program has steadily increased in enrollment, maintained regular attendance, and reports 100% job placement of enrollees.

2. Massachusetts Correctional Institutions Program for Inmates  
(Waltham, Bridgewater, Concord, Norfolk, and Framingham)

This new program is a joint effort of the Division of Occupational Education and the Department of Correction and Bristol Community College. It services five state correctional institutions and a prison farm. The goal is to rehabilitate inmates by training them in marketable skills in six occupational areas: mechanics, electronics, data processing, carpentry, typing, and medical technicians. This project contends with the special difficulties of security, space, and prejudices regarding correctional institutions.

3. New England Medical Center Career Development, Health Services  
Boston

This program services the disadvantaged drop-outs, the under and un-employed. It offers the following career options: medical technician, medical assistant, and hospital aide and future plans include: medical secretary, dental assistant, and licensed practical nurse. Trainees receive work experience.

4. Project J.E.S.I. (Jobs, Employment, Self-Improvement)  
A Cooperative Program for Disadvantaged Youths.

This is a distributive education cooperative program planned for disadvantaged youths to be instituted in four target areas of the state: Boston, Worcester, New Bedford, and Springfield. The project will be adapted after the Wilmington, Delaware model. It will focus on the development of human potential.

5. Holly Training School in Cosmetology  
Roxbury

Residents of the Washington Park area, Roxbury, are provided skills in the field of cosmetology and an opportunity for further career development. The goal is to provide an accredited high school diploma or the equivalency and eventually establish a post-graduate school of cosmetology.

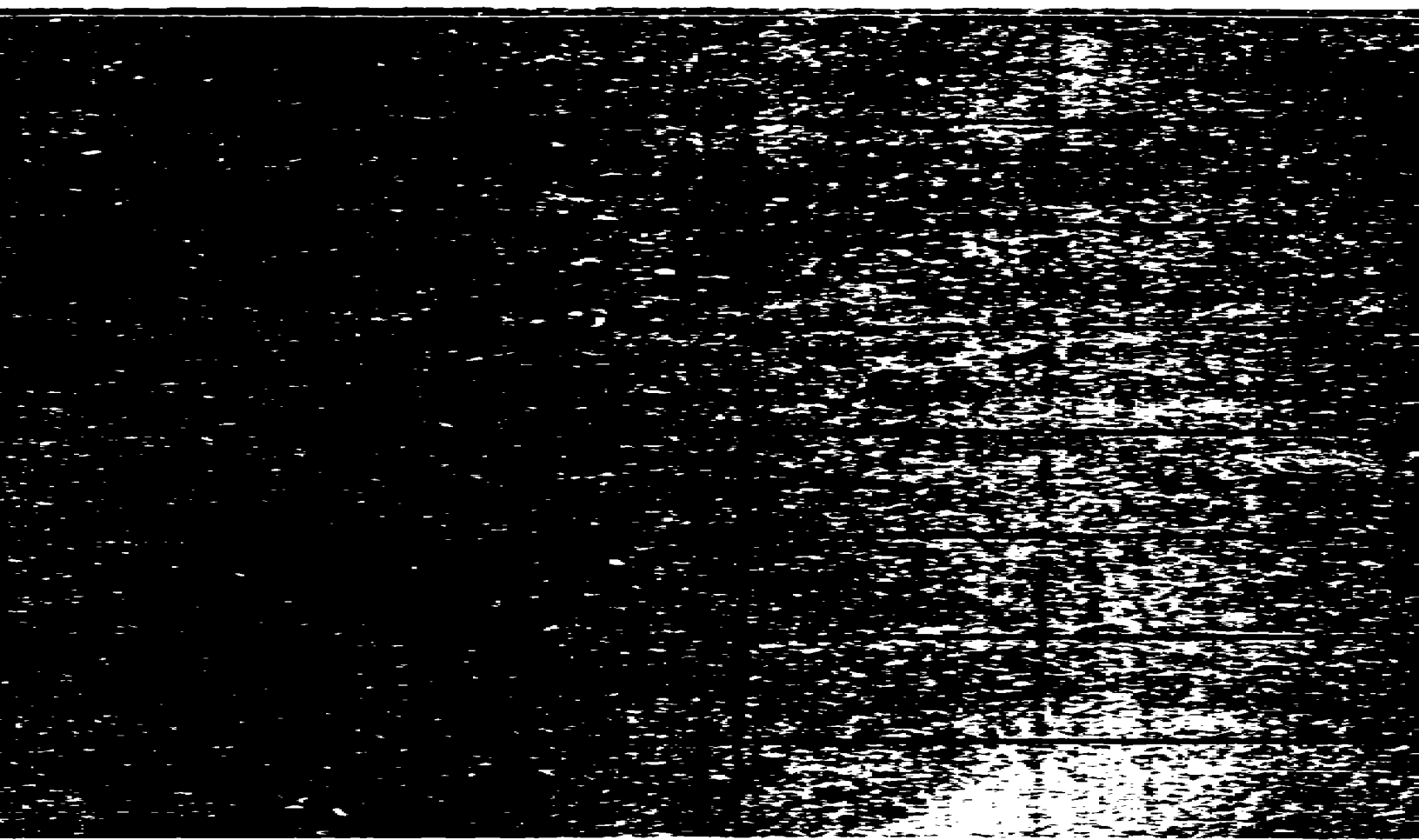
6. O.I.C. Opportunities Industrialization Center of Greater Boston, Inc.  
Dudley Street, Roxbury

O.I.C. has an enrollment of 300 under-employed disadvantaged Roxbury residents in an evening adult vocational training and basic education program. Cycles of twenty-six weeks' training consist of recruitment counseling, pre-vocational, skill training in eleven offerings, placement and follow-up.

# HANDICAPPED ENROLLMENT TREND IN VOCATIONAL EDUCATION



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**ENROLLERS**

**(HUNDREDS)**

1965 1967 1969 1971 1973 1975 1977



## HANDICAPPED

## INSTRUCTIONAL PROGRAMS CONTINUING OR EXPANDING IN FY 1972

PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS CONTINUING	NUMBER OF PROGRAMS EXPANDING	NUMBER OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATED NUMBER TO COMPLETE 1972
01.000 Agriculture	H	1	-	9	60	25
07.000 Health	H	1	-	9	150	97
09.000 Home Economics	H	4	3	6	369	201
14.000 Office Occupations	H	7	-	23	135	50
17.000 Trades and Industry	H	8	2	17 (20)	260	51
Totals		21	5	64 (20)	974	424

HANDICAPPED  
NEW INSTRUCTIONAL PROGRAMS PLANNED IN FY 1972

PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS	NUMBER OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATED NUMBER TO COMPLETE - 1972
07.000 Health	H	2	2	20	15
09.000 Home Economics	H	1	1	20	5
14.000 Office Occupations	H	2	3	95	35
17.000 Trade and Industry	H	3	9	130	12
Totals		8	15	265	67

## PROGRAMS FOR HANDICAPPED

Of the programs funded for the handicapped, the following descriptive statements reflect the projects which are most innovative and creative.

1. New Bedford Mental Health, Inc.  
Rainbow Halfway House Vocational  
Rehabilitation for Mentally Retarded  
and Physically Handicapped

This is an expansion of vocational rehabilitation services in the New Bedford Area. The highly skilled and mobile staff at Rainbow Halfway House coordinates with other service agencies in the community. It provides residential facilities for handicapped persons participating in the training programs provided by Opportunity Center, federally funded for this purpose.

2. South Middlesex Regional Vocational School  
Vocational Training for the Moderately  
Retarded

This is a vocational training program for moderately mentally retarded individuals who are age sixteen or over. They follow a carefully prescribed three year plan. Training is offered in four specific job areas. Provision has been made for physical, mental

and social adjustment to supplement the major emphasis of vocational training, job placement and follow-up.

3. Waltham Public Schools for Gaebler School  
Metropolitan State Hospital  
Children's Unit for the Moderately  
Emotionally Disturbed

A series of comprehensive diagnostic occupational evaluations is performed emphasizing the uniqueness of each individual student and his readiness for participation in a program with occupational aims. Information obtained together with the student's performance in a special simulated work sample, enables an evaluating team to determine the student's occupational interests, work attitudes and habits, special abilities, and job characteristics. The program guides the students to make an informed and realistic occupational choice.

4. Massasoit Community College  
Stenographic, Secretarial and Related for  
Handicapped

The program provides a feasible alternative to short hand in the associate degree executive secretarial program and provides a one year certificate program in secretarial skills.

## COOPERATION WITH OTHER AGENCIES

- The Division of Occupational Education has recently established the Occupational Education Staff Council for the Handicapped and Disadvantaged.
- The Council is represented by a wide grassroots membership:
  - Department of Mental Health
  - Department of Public Health
  - Bureau of Developmental Disabilities
  - Division of Employment Security
  - Department of Correction
  - Department of Youth Services
  - Governor's Commission on Employment
  - Division of Insurance
  - Division of Special Education
  - Massachusetts Rehabilitation Commission
  - Commission for the Blind
  - Department of Community Affairs
  - Department of Labor
  - Veterans Services
  - Department of Rehabilitation
  - Division of Civil Service
- Efforts are being made to combine, coordinate, and plan with industry to improve state and local policies for the training and employment of the handicapped and disadvantaged.
- Federal monies will stimulate the expansion of these programs and improve the effectiveness and efficiency of the administration of occupational training for the handicapped and the disadvantaged.

- Its primary function is to allocate federal monies effectively, efficiently and responsibly. A growth in the number of programs in the state and local education agencies will be the yardstick of accountability.

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# POST-SECONDARY

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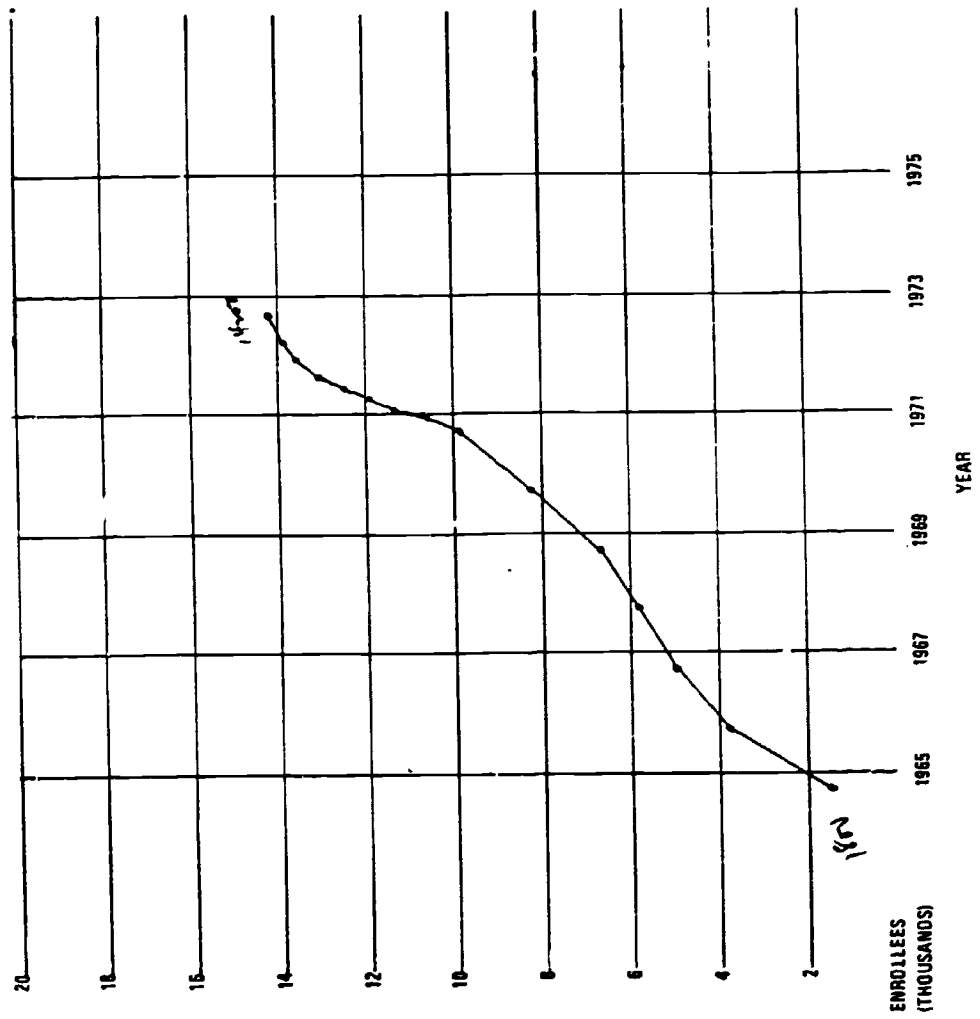
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POST-SECONDARY ENROLLMENT TREND IN VOCATIONAL EDUCATION



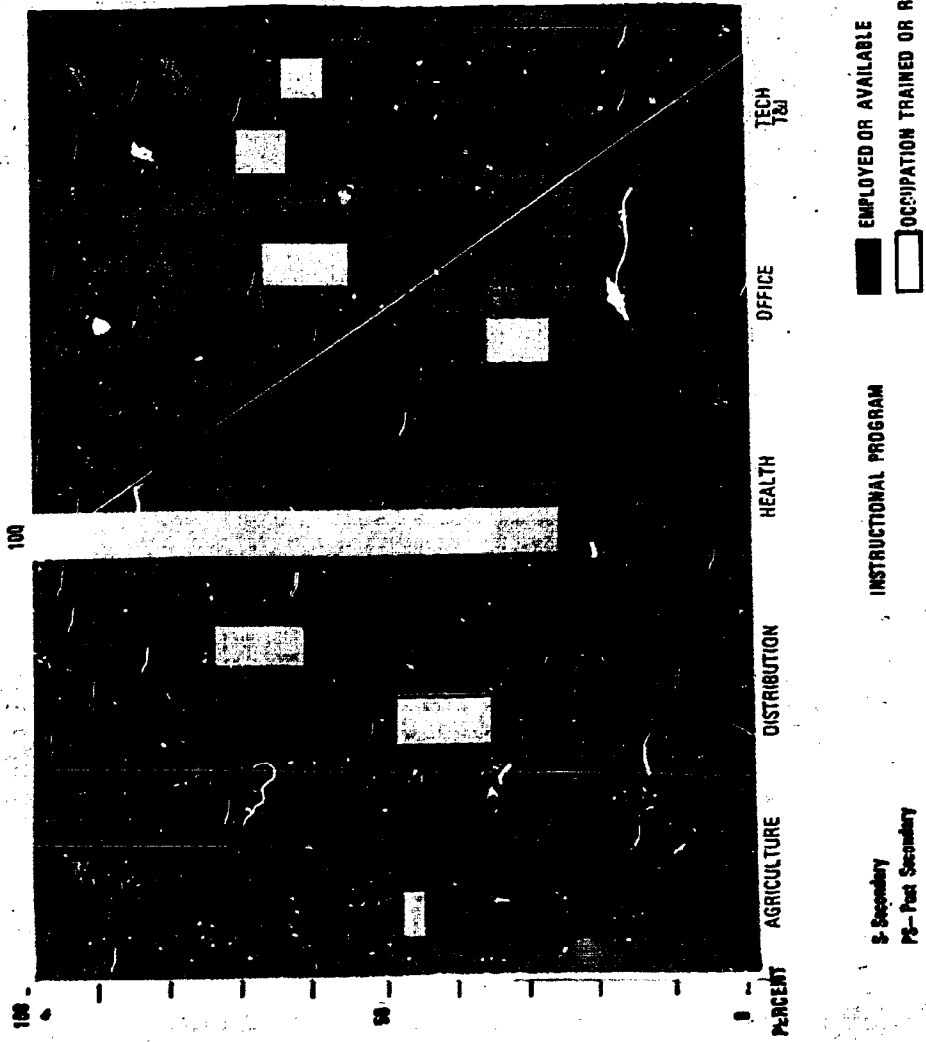
POST-SECONDARY  
INSTRUCTIONAL PROGRAMS CONTINUING OR EXPANDING IN FY 1972

PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS CONTINUING	NUMBER OF PROGRAMS EXPANDING	NO. OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATED NO. TO COMPLETE FY 1972
01.000 Agriculture	PS	4	-	6	99	53
04.000 Distributive Education	PS	20	-	41 (2)	830	285
07.000 Health	PS	76	9	209	2868	1900
09.000 Home Economics	PS	2	-	4	99	30
14.000 Office Occupations	PS	54	3	203	5351	1805
16.000 Technical	PS	54	-	109	1713	742
17.000 Trades and Industry	PS	22		40	513	219
Totals		229	12	614 (2)	11,394	5,004

NEW INSTRUCTIONAL PROGRAMS PLANNED IN FY 1972

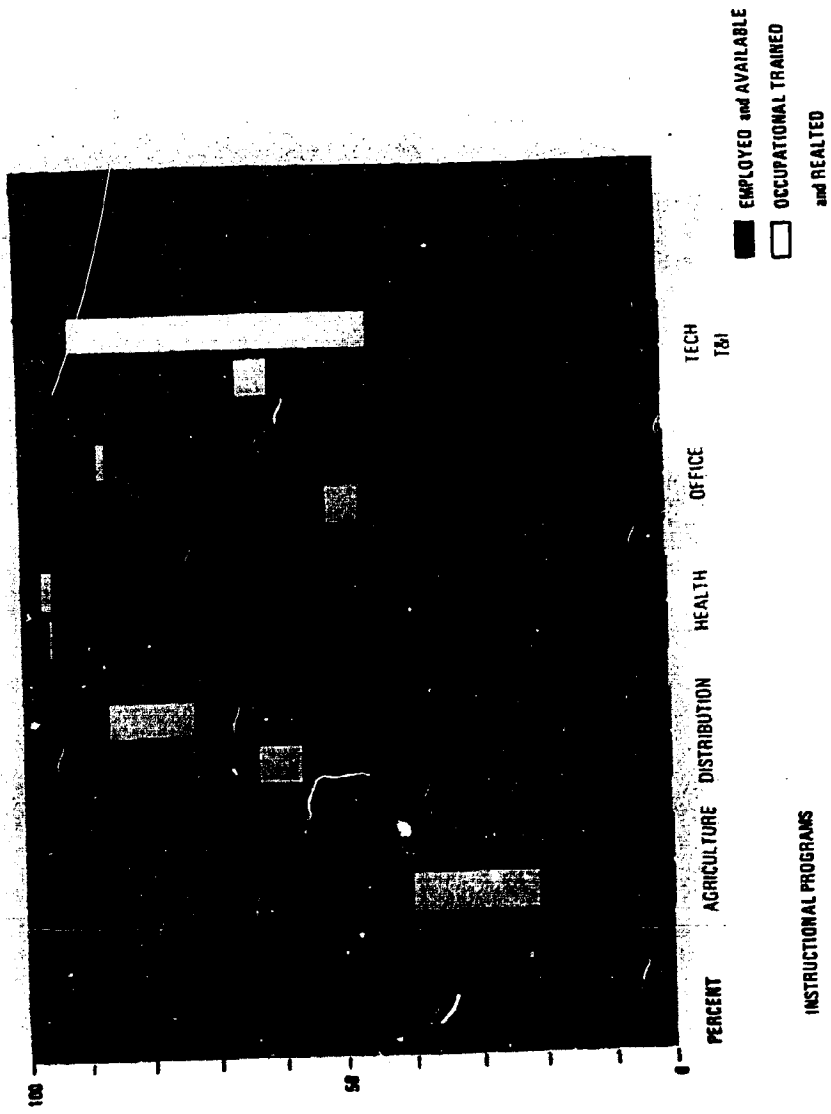
PROGRAM (OE-CODE)	PURPOSE	NUMBER OF PROGRAMS	NUMBER OF TEACHERS	ESTIMATED ENROLLMENT	ESTIMATE NUMBER TO COMPLETE - 1972
07.000 Health	PS	12	17 (1)	302	267
14.000 Office Occupations	PS	1	1	15	15
17.000 Trades and Industry	PS	2	2	50	-
Totals		15	20 (1)	367	282

PLACEMENT SUMMARY OF MALE GRADUATES BY PROGRAM AREA 1969





PLACEMENT SUMMARY OF FEMALE  
GRADUATES BY PROGRAM AREA  
1969



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**RESEARCH  
and  
EXEMPLARY**

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517

#### IV. RESEARCH

- A. Evaluation Service Center. - This is a joint program with New York and Massachusetts, developing a plan to use behavioral objectives to measure student attainment. Objectives are computerized by programs with a feedback to administrators of programs on both state and local levels.
- B. Careers Development Programs. - These programs will be planned first for three pilot high schools and later implemented in high schools across the state. This is an approach to provide tens of thousands more high school students with vocational education.

C. Operations Research Management. - To provide operational information relating to management of vocational-technical education. This work includes data needs for federal reporting.

D. Document Information Center. - This system is to coordinate the dissemination of relevant research reports on vocational-technical education to the local school systems.

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**FUTURE FISCAL  
and  
PROGRAMATIC NEEDS**

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**Emphasis on :**  
**People**  
**Special Needs**

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## EMPHASIS ON PEOPLE

This report has shown that Occupational Education in Massachusetts has made aggressive and palpable moves into the segments of the population that had not previously been tapped.

Programs for the disadvantaged, now totaling 60 are housed in existing sites -- makeshift, improvised, expedient -- a variety that includes a thriving street academy in Springfield. Programs for the handicapped now numbering 56 are housed in facilities with simulated work environments equipped by private industry.

Adopting an aggressive leadership position. Occupational Education is instituting a new concept of career development education, to rescue the non-college bound student from the 4-year-diploma-that-leads-to-nowhere. This population in Massachusetts is estimated to reach 60% of the total in secondary schools. One such concept beginning September, 1971 will link Randolph High School with the Blue Hills Regional Vocational-Technical High School. The regional vocational school will serve as a skill center and vocational teachers will provide all skill training.

A new innovative career development project will be initiated beginning July 1, 1971 and instituted as pilot programs for the nation. This project authored by the

Associate Commissioner and adopted by the Board of Education will establish an intensive and comprehensive research program to develop a new instructional systems-oriented process for occupational education in Massachusetts. It will store computer-based data banks of information on new and emerging occupations and it will develop task analysis information on each occupation with performance objectives.

The record shows that Occupational Education in Massachusetts has demonstrated its ability by recognized success:

- a) In areas of persistent unemployment, e.g., New Bedford with 12.2% unemployment, the New Bedford Vocational School reports 100% job placement of its graduates; Fall River with 9.7% unemployment, the Greater Fall River Regional Vocational-Technical School reports 100% job placement.
- b) The stimulus federal money provides in generating local community support is palpably clear. Every federal dollar is matched by \$22.00 in local funds.
- c) An upsurge in the demand for occupational education cannot be denied, slighted, or neglected.

The universalization goal Massachusetts has adopted would place within the grasp of everyone the minimum marketable skills to enable him to participate productively and satisfyingly in society at any point of exit from formal schooling.

This goal however, places a formidable strain on the present resources of the Division of Occupational Education. It introduces vast new numbers to vocational training. State Plan figures are:

	<u>1972</u>	<u>1976</u>
Non-College	301,000	356,400
Disadvantaged	188,000	205,355
Handicapped	<u>64,308</u>	<u>109,560</u>
TOTAL	553,308	671,315

The entire force and focus of occupational education in the Commonwealth, already in high gear, is to embrace the entire population, reach out to every individual at whatever level of performance skill he is, and train him for gainful employment and economic independence.

*Universalization, now an inescapable and irrevocable goal in Massachusetts, seeks federal support and stimulus.*

Mr. KNOX. The new high schools come into this information, and, of course, the one particular State college is doing a good job on training home economic teachers.

We have two home economics supervisors in our office, and this particular area is indeed emphasized.

They are making increasing contacts with the home economic instructors in our high schools.

I think you are going to see more young people involved in this project.

We are getting into consumer programs within the high schools with the young people also.

Mr. PUCINSKI. Yes; I have seen this in the high schools for years, but it seems to me the demand is going to be so great that I wonder if we are preparing for this demand.

Mr. KNOX. Here it depends on your definition of what is meant by home economics, occupations.

Today it is very difficult for a young woman to study home economics in high school.

The pressures of taking courses to go on to higher education is very great, and to take one or two periods out to study home economic skills is indeed quite a trick.

Mr. PUCINSKI. Of course, I realize that they have even home economics on the college levels, but we are primarily concerned on this secondary educational level, and my question, in a place such as Springfield Technical, do you include such a field as this?

Mr. KNOX. I have not given this any thought. I know of no plans like this for a specialized school for home economics.

This is handled within the State college at Framingham. It is a specialized school for this, but not exclusive, but specialized, and it is doing some curricula work too.

Mrs. HICKS. I know recently at a city of Boston hearing on home

day; 5 years ago 12 different occupational education programs were available to our high school students.

Current applicants may elect to enter any one of 26 career preparatory programs. Meanwhile, new offerings are continually being planned.

In addition to traditional vocational course offerings such as auto mechanics, machine processes, and carpentry, many programs not previously available in Rhode Island's high schools are now being offered. These include barbering, commercial art, cosmetology, data processing, fashion and home design, food service, nursing assistant and industrial chemistry, among others.

Consideration is now being given to the possible adoption of the following programs to meet the needs of Rhode Island's divergent economy: Fire science; heavy equipment operation and maintenance; marine sciences—oceanography; plastics; recreation; and small craft construction, repair, maintenance and service.

Consideration is also being given to the further expansion of the consumer and homemaking education program; the establishment of a core curriculum in health occupations which could prepare general, multipurpose health workers motivated toward a health career and capable of entry-level employment in a variety of jobs; and further expansion of career education and prevocational programs.

The demands of our economy, of youth and adults, and of industrial leaders have continued to exceed space available in the new facilities. Consequently, in November 1970, the State's voters approved spending of \$7¼ million to provide the additional shops, laboratories, and equipment needed to prepare more students for employment.

Plans for the actual facility development are currently being considered by the board of regents.

All of the new facilities are being constructed with flexibility of space as a paramount consideration in order to facilitate curriculum



Second, that special consideration be extended to serve school districts with present and anticipated concentrations of vocational program applicants.

Third, that, wherever feasible, construction of additions to existing vocational facilities would prove most efficient.

Fourth, that school systems to be charged with future responsibility for operating the State-constructed facilities indicate a strong commitment to career education as well as to such concepts as extended school day-school year use of facilities, special effort and emphasis on guidance and on serving the vocational educational needs of their region's disadvantaged, handicapped, and adult populations.

Following these principles and after discussion with students, and with local school and industry representatives, the State's network of regional vocational-technical schools is continuing to expand and gain strength.

#### RESEARCH

During the present reorganization of the department of education, Dr. Fred G. Burke, commissioner of education, initiated a total of nine task forces to examine activities of the present State department of education and to develop recommendations for restyling its function. One of these task forces, concerned with vocational education, was formulated on April 6, 1971. A final report, including recommendations to strengthen research functions of the vocational division and the department, was sent to Dr. Burke on May 27, 1971.

At this time it appears that a new division of research, planning, and evaluation will be formed, based on task force input and the proposals of Dr. Burke's management team.

The vocational education task force recommended that the part of the proposed division of research, planning, and evaluation which is concerned with vocational education research be staffed by professional personnel with a background in vocational education.

enrolled in vocational education programs and, in 5 years that percentage is projected to increase to 37 percent.

Plans have been formulated by Rhode Island Junior College to install computer terminals at secondary area vocational facilities for the purpose of providing programmed instruction in related mathematics and English, with the possibility of extending this instruction to all vocational-technical areas.

Longer range planning recommends use of the computer to provide a data collection system for vocational education.

#### CHANGES IN METHOD OF REIMBURSEMENT TO SCHOOL DISTRICTS

The purpose of the vocational amendments of 1968 is to authorize Federal grants to States to assist them to maintain, extend, and improve existing vocational education programs and to develop new and innovative approaches for the education of individuals of all ages, in all communities of the State.

The first Rhode Island programs utilizing 1968 amendment funds were funded in January of 1970. Prior to this time, distribution of vocational education funds in Rhode Island was not based on a competitive process. The limited funds available were apportioned within the State so as to defray the costs of eight local programs which operated year after year.

Today, all of the State's 39 communities, as well as several state-wide agencies, receive support under the amendments.

Project proposals are now developed by local education agencies and other eligible institutions in accordance with State and Federal guidelines.

Those proposals which present strong evidence of need and potential for successful implementation are approved on recommendation of the Vocational Division and funded on a quarterly basis.

Successive year funding is not guaranteed in view of the many

ducted—these include both developmental reading and prevocational programs.

Under part B, the division has funded 14 public school systems and one agency to operate 20 programs for 720 students. In addition to occupational programs in metalworking, service station mechanics, printing, data processing, agriculture, consumer and homemaking and clerical, other programs of a remedial and incentive nature are conducted—these include both developmental reading and prevocational programs.

The vocational incentive program in Pawtucket was implemented to meet the needs of a group of vocational high school senior students.

The purpose of the program is to provide remedial instruction in the areas of reading and the language arts to students from low socioeconomic groups in order to overcome past failures and encourage continuation of their education at the junior college level.

To implement the program a learning center was established at the vocational high school and equipped with listening centers and a variety of other audiovisual equipment.

Remediation received top priority, however, extension of basic skills beyond remedial work also received considerable attention.

The evaluation of the program is expected to provide new insights into the instruction of reading and the language arts for vocational students.

An occupational program for the disadvantaged youth is being carried on at the Vocational-Technical School of Rhode Island.

Deficiency in reading ability has been demonstrated to be one of the most limiting educational handicaps encountered by the majority of these students.

Achievement in a reading program reinforces a student's vocational knowledge and also provides him with the impetus and confidence for greater success in our technological society.

Evaluation is based on readiness for employment as assessed by employment counselors and vocational education teachers.

Virtually the entire State is designated as economically depressed by the Economic Development Agency. Programs for secondary, postsecondary, adult, disadvantaged, and handicapped were consequently offered throughout the State.

However, programs for the disadvantaged and handicapped have been concentrated in the Providence metropolitan area which is designated as a high unemployment area. Programs previously mentioned in this report, such as the vocational incentive program in Pawtucket and the occupational program for the disadvantaged conducted at Corliss Park in Providence have had significant impact on this aspect of vocational education.

Areas of high youth unemployment and school dropouts offered programs in cooperative education, work study, and occupational exploration in order to make school a more lasting and meaningful experience.

The prevocational program initiated in the Providence school system provides students with the opportunity of exploring the world of work in order that they might be better qualified to make occupational decisions.

This program entices students to stay in school, thus decreasing the rate of school dropouts which constitutes a major proportion of our unemployment pool.

The growth of the Manpower Development and Training Act programs in Rhode Island has followed the pattern of growth reported across the Nation. From a few skilled programs in 1962, MDTA has grown to a reported 27 projects offering in excess of 1,000 training slots.

Program opportunities run the gamut from a prevocational core program to numerous skilled occupations, offering the unemployed

The study and analysis of the statewide program, which provided a basis for the report, was conducted during the spring of 1970 by the American Vocational Research Corp. under contract with the council.

At the present time, the council's second annual report is in preparation.

The council, working with representatives of the National Advisory Council, has contracted with a local film company to prepare television and radio spot announcements promoting vocational education in Rhode Island.

Interested viewers or listeners will be referred to a local area coordinator of vocational-technical education who will further inform respondents of opportunities available to them in facilities close to their homes.

#### OVERVIEW

Recent Federal vocational educational legislation has had a profound and lasting effect upon occupational education in Rhode Island.

Largely as a result of the 1963 and 1968 Vocational Education Acts the combined State and local appropriation for vocational education has risen from an annual average of \$471,334 during 1960-64 to an annual average of \$2,358,695 during 1965-69.

This total does not include a seven and three quarter million dollar vocational school construction bond issue, passed by the State's voters last November.

Seven new regional vocational technical facilities have been constructed in Rhode Island during the past 5 years, providing a network of job-training opportunities for citizens throughout the State.

Programs during this same period have increased from a total of 12 occupational fields to the present 26 career-preparation offerings.

Sixteen thousand students are enrolled in these programs compared

We must serve a much higher percentage of our secondary, post-secondary, and adult populations,

We must initiate career development programs in our elementary schools,

We must help more of our disadvantaged and handicapped students toward employment, and

We must improve our vocational teacher education programs.

Federal assistance in all of its many forms will be needed if we are to become successful in this work.

Mr. PUCINSKI. Thank you very much, Doctor.

I wonder if I could get you to elaborate for me on your research operations.

You mentioned on page 2, and this is very important, one of the things I am glad to see that you mentioned in your testimony, because it occurs to me that, with all of the progress being made, in all of the discussion, we do tend somewhat to continue to treat research as a nasty word, and I do not know of any spectrum of education that needs research more urgently than vocational education, simply because of the completely changing picture.

Dr. Marland is dedicated to changing that situation around.

They are now talking of changing the total elementary and pre-school levels.

I heard a report on the air he is developing a television show similar to Sesame Street with career orientation for all age groups, from preschool to adult.

It seems to me that research is really the kingpin of vocational education meeting these needs.

Dr. BOWEN. You put your finger on an area of weakness in our State.

My overview, which includes a statement of needs for us to do an awful lot more in Rhode Island, concerns research.

some 67 percent of your vocational money, or Federal funds, having gone for construction.

Assuming that you have to have a place of departure, is that pretty much now behind you?

This is money that will now start flowing into the actual programs of training and teaching, teaching training research, or whatever; in your overview, you say that we must improve our research, we must build more vocational type schools that will serve a much higher percentage and so on.

What I am wondering, Doctor, we can spend all of our money on two things, brick and mortar, and salaries, but that does not put the kids into meaningful slots.

Are we over the hill on this thing now in Rhode Island?

Dr. BOWEN. I am glad you gave me a chance to comment on that.

We found ourselves in Rhode Island in 1962, 1963, 1964, with a single State-operated vocational school, which served our entire State.

Some school systems were able to send one or two students to that school.

Our facilities are outstandingly in need. Three or four of our larger cities, out of 39 school districts, operated what might be termed a ragged kind of vocational program.

We have gone since then into a regional system in Rhode Island, in which the entire State is served by the Central Area Vocational School, so that every community is now able to send a substantial number of kids to a vocational school.

Our State voters passed a \$7 $\frac{3}{4}$  million bond issue last November, which is going to permit us to expand some of these schools in line with the increased enrollment applications that we are getting.

All of these schools built were in the last 3 or 4 years, and they are now at capacity.

These have been entirely State moneys. We came up with \$16 million

I am hopeful we will convert our existing school buildings to career centers and not go into a program of spending huge sums of money on new vocational buildings.

Dr. BOWEN. I certainly think it is. We have gotten into the middle of that problem in the sense that in the seven vocational facilities that we have constructed, only one of these is a separate vocational school, requiring its own cafeteria, its own gymnasium.

What we have done is to construct vocational facilities, requiring laboratories and shops, only, next to existing comprehensive schools, so that the youngsters may get their vocational training in the separate building, and get their academic and school work in the other buildings, and it permitted us to serve three or four times the number of students than had we built separate schools.

Mr. PUCINSKI. If I read Dr. Marland correctly, what he is trying to do is have every youngster in this country get some sort of career education, even the youngster who is going to be a doctor, it will take him 13 years before he earns his first nickel of fees from a patient, and he might have some peace in job during those 13 years to supplement his income instead of taking the slop jobs they now take in college.

The youngster who has a decent job in his college years, and is able to explore, has more time to devote to his studies.

He has more economic security, and so I do believe that we have moved, or are moving into an area now where every American youngster is going to get some career orientation during some part of his, either grade school, or high school experience, and I am not at all persuaded by those who say well, kids change their minds.

That is OK. In this decade, we now estimate that the average American will change his job skill from five to nine times in his working lifetime.

Education is going to be a continuing process from probably the



The thing that is happening very often, with educational administrators, is that there are so many things that they like to impart to the youngster, that the act of omission is very often there, and very often the youngster's curriculum is with purely academic skills.

Mrs. HICKS. At what grade level do you feel home economics should be introduced?

Dr. BOWEN. I certainly feel it should reach down into the elementary levels, depending on what you really mean by home economic skills.

I think there is a need for youngsters to become aware of what they will be doing as wives, and eventually homemakers, certainly, not trying to develop these skills at the elementary level, but holding on until junior high and high school where they reach a higher development.

Mr. PUCINSKI. Very good. You know, as I look at all of these statements that you gentlemen were good enough to prepare, they are very detailed, and they are extremely informative, and I am pleased to see the really impressive amount of work that is going on in vocational education.

I have been hurrying along because I want to get into a discussion with this panel on the bill that is pending before our committee, H.R. 7429, and I also want to talk to you about the problems of desegregation, so I hope you will bear with me, as we kind of put your prepared statements in the record, and cover the preliminary areas.

I do want to have some time to get into detailed discussion on H.R. 7429, which is a bill that Mr. Quie and myself and a number of other members have introduced.

We are very pleased with the way the hearing is going today.

**STATEMENT OF NEAL ANDREW, CHIEF, DIVISION OF VOCATIONAL-  
TECHNICAL EDUCATION, NEW HAMPSHIRE**

Since 1963, we have developed a plan for the establishment of 20 regional secondary vocational education centers and we are in the process of implementing that plan through the designation of centers at this time.

In the meantime, we have expanded our secondary offerings to include seven new distributive education programs, 25 office occupations programs, and six new occupational home economics programs.

Nine additional schools are offering trade and industrial programs, 80 percent of the homemaking programs have been reorganized and been established in secondary schools and plans are being made for although most health offerings are at the post secondary level, two have additional programs in the 20 regional centers.

In 1963, we had a scattering of adult education programs that served the needs of persons at the discretion of local school districts with some adult education in our two technical institutes.

We now have a planned program of adult education in our seven postsecondary institutions, expanded programs in apprenticeship training, and considerable interest being developed to establish programs in the new regional secondary centers.

We have also created an adult program in fire service training that has involved volunteer and regular firemen from 170 of New Hampshire's 234 towns, and we have plans for implementing a 2-year post-secondary program that has resulted from the positive effect of the adult education activity.

In 1963, vocational research was nonexistent and programs for disadvantaged and handicapped persons funded through vocational education, had not been developed.

In the past 8-year period, we have developed programs in 30 institutions to either directly serve or provide assistance to disadvantaged and handicapped persons.

With the exception of the postsecondary program which has been

# UNITED STATES INVESTMENT

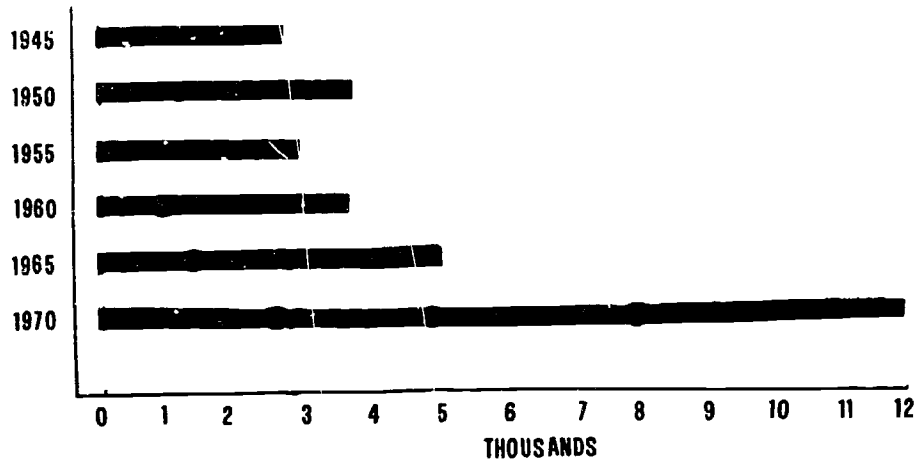
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## IN VOCATIONAL EDUCATION

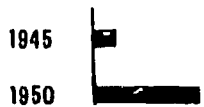
1945 - 1970



**NEW HAMPSHIRE  
HIGH SCHOOL ENROLLMENTS  
IN VOCATIONAL EDUCATION  
1945 — 1970**



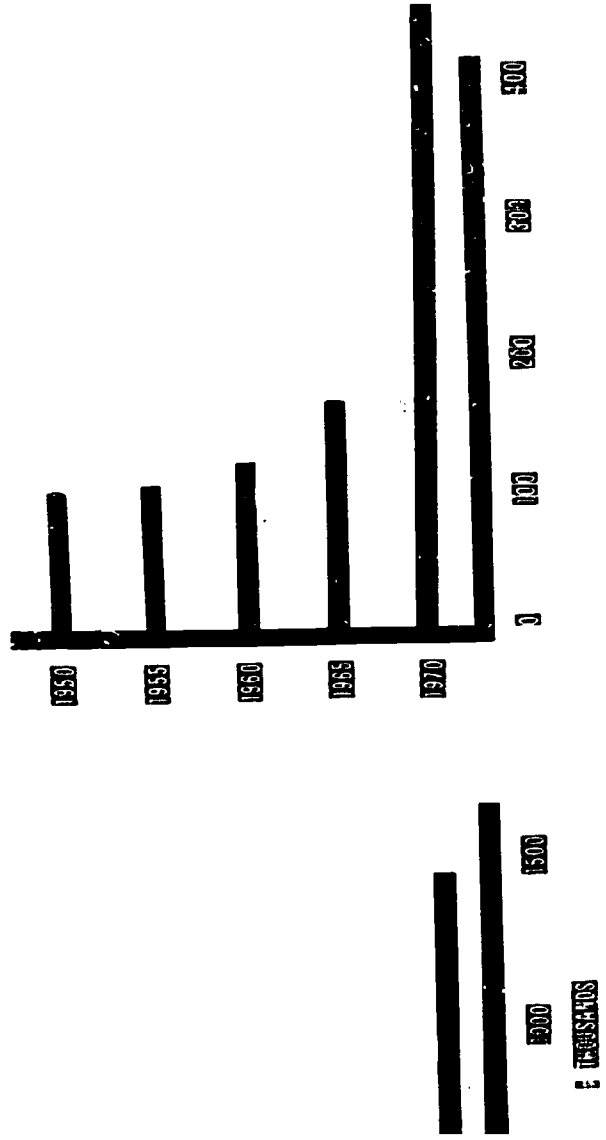
**NEW HAMPSHIRE  
POST-SECONDARY  
ENROLLMENTS IN  
VOCATIONAL EDUCATION  
1945 — 1970**



# WESHAMPTON TECHNICAL INSTITUTE AND TECHNICAL COLLEGES 1950 - 1970

ENROLLMENTS

GRADUATES



Mr. PUCINSKI. Mr. Andrew, you heard the statements and the discussions that we have had on research.

I notice that you added another staff member, and some secretarial help.

That mandatory set-aside that we have in the 1968 amendment for research, is that working out?

Now, we have a 10-percent set-aside, 5 percent goes to the States.

Is that helping, is that working out, or is it not reaching you?

Mr. ANDREW. I would have to say, Mr. Chairman, that prior to 1963 and 1968, that we had no research component in vocational education at all, and the addition of this one staff member was due to the amount set aside to establish this program.

We found one of the crying needs was to create an interest on the part of local school people.

Educators in general, need to take a look at themselves, take a look at their operations, and determine what needs they have, and we have done a considerable amount of work with the local school district people, and with our research programs, the Federal funds have helped at the State level itself.

Mr. PUCINSKI. As you know, and as I look at your statement, and the supporting documentation that you presented to all of these gentlemen, and I am looking at the ones now from New Hampshire, and this is really a warehouse of information, and it does indicate to me that there is a revolution occurring in American education, that perhaps we are not aware of.

I look here, at the enrollment figures, in your own State, student enrollment, from 1945 to 1970, and you have had a fantastic increase in education, and it could very well prove to be the salvation of the American public educational system.

I think the parents have become more and more disillusioned, and maybe they have regained their confidence in the system.

In your State, I was impressed with the figure from 3,000 in 1945 to well over 15,000 to 18,000.

What are the exact figures?

Mr. ANDREW. The total enrollment is in the area of 20,000, but it went off that particular chart.

I do not have the exact figure with me. These charts were prepared by our research unit, and were for vocational education week, and we got this information from graphs and charts displayed in our State Capitol.

Mr. PUCINSKI. It is even more important to us, Mr. Chairman, the

Do you have the resources for training the teachers that you need for this fantastic growth in vocational attendance?

Mr. ANDREW. We are just beginning to make an impact in that area, Mr. Chairman.

Using funds from the EPDA, we have added to our staff, a person to work only in the area of vocational education, and we have one person in the entire department working in this area.

Mr. PUCINSKI. But is USOE going along with you, giving you the kind of priorities that you need, or are we still training social scientists and what not, that the more sophisticated colleges want?

Are we getting in there, and are you getting the money you need?

Mr. ANDREW. We are not getting much money in there at the present time.

What we are getting, we are taking out of the allocation of the vocational act itself.

Mr. RADCLIFFE. My understanding is that only about 70 of some 4,000 Ph. D.'s are trained under EPDA.

Mr. PUCINSKI. I hope you are going after that EPDA. You need them, and if you do not get the money, I hope you are going to tell us about it, because it is quite obvious to me that the American public school system will be saved by the vocational educator, and I do hope that as you move in, I am glad to hear you putting in new emphasis on EPDA, and I think I can speak for this committee, that we are certainly going to give you all of the help you need, if the EPDA is not providing you with the kind of funding you need to train teachers.

Obviously the teacher, the vocational teacher, has to be a much more sophisticated kind of cat than he or she was 10, 12, 15 or 20 years ago in vocational education, and that is what that EPDA is there for, and it is not doing the job if it is not being used, and if you are not getting it I hope you will tell us about it.

Mr. ANDREW. One of the comments I would like to make and it is extremely complex to get into it. We have a problem where we have to get in and compete for funds and after the work is complete we are not sure we will get the funds.

With a small staff, we have to establish priorities, as to where we will have these people work. Right now, I am not sure that the amount of time he is putting in is worth the amount of effort we are going through for what we are going to get out of it.

Mr. PUCINSKI. You keep us posted on this though.

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 ASSOCIATE COMMISSIONER.

As a result of increased funding, new and improved programs serving a greater variety of students have been developed.

Some of the areas in which there has been significant growth are identified below:

#### POSTSECONDARY

Though the State of Connecticut has provided considerable support to its four State technical colleges and eight State community colleges, the availability of Federal funds for occupational programs has made it possible to expand these programs and to establish a requirement of student placement for all occupational programs.

The latter requirement on all vocational programs funded by the State has made occupational programs more meaningful and more closely related to manpower needs.

The occupational education enrollment in postsecondary programs has increased by 143 percent from 1968 to 1970.

#### DISADVANTAGED

The emphasis on serving disadvantaged youth and adults has been sorely needed.

Despite the vagueness of definitions, through the funds available under this act, 976 percent more disadvantaged students were enrolled in vocational programs for the period from 1968 to 1970.

The additional funds made available for 1971 under section 102(b) of the Vocational Education Amendments of 1968 should provide for greater expansion of the programs for disadvantaged.

#### HANDICAPPED

In 1968, no funds and no enrollments were reported under the category of "Handicapped."

In 1970, programs were developed to the extent that 607 handicapped students were enrolled in occupational programs. The late approval of funds made it impossible to develop more programs in this year; however, a large increase is expected in fiscal 1971.

The flexibility provided under the act in reference to contracting procedures made it possible to provide funds to sheltered workshops, Goodwill Industries, and other vocational rehabilitation centers.

#### RESEARCH



lowup of graduates of vocational-agriculture programs, developmental career orientation programs and other applied studies may be instituted.

#### REIMBURSEMENT CHANGES

A funding support program has been developed under the 1968 amendments to Vocational Education Act of 1963 which provides greater support and gives priority to programs serving disadvantaged or handicapped as well as greater support to local school districts according to need.

A community need factor considers and weighs the tax weath, number of school dropouts, number of youth unemployed, unemployment rate and the number of children on aid for dependent children.

The composite score of the above factors for each school district will determine the percentage of funding of the excess costs for programs in these school districts and will also be used to identify depressed and priority areas of support.

In addition to the community need factor, each program shall be rated according to its quality, the degree to which it serves disadvantaged or handicapped, immediate manpower need, long-range manpower need, extent of preparation for post secondary program, and the newness or recency of this program.

The combination of the community need factor and the program priority has effectively increased the amount of support to large cities as well as to specific programs which serve disadvantaged or handicapped people.

#### STATE ADVISORY COUNCIL CONTRIBUTION

The State advisory council has recommended greater support be provided for vocational guidance and career orientation programs.

It has also recommended that all teachers be required to take a course in vocational education or in the "world of work."

They have also recommended that focus be placed on the disadvantaged. All these recommendations have been beneficial in enabling the State department of education to move in this direction.

#### CAREER ORIENTATION AND VOCATIONAL GUIDANCE

Through funds made available under "Part D: Exemplary Programs and Projects" pilot programs in career orientation are presently

PROBLEMS EXISTING UNDER THE CURRENT VOCATIONAL ACT

The rigidity of the present act and the attempt to restrict the States to a fixed pattern, handicaps the growth of vocational education.

The set-asides and the separate categories do not enable a State to use vocational funds according to the varying needs of the individual States.

For instance, the availability of funds for cooperative vocational education may be of limited value when jobs are scarce.

It might be preferable at a given time to use these funds for institutional programs. It is conceivable that in some States the support provided for the handicapped or the postsecondary programs through State and local funds is at a level so that the mandatory requirement of utilization of Federal funds may not result in the best utilization of funds and greatest benefit to students.

In view of the problem of receiving late notification of the availability of Federal funds and the late receipt of grant awards, it is impossible to properly plan for the best use of these funds.

In the same way, the receipt of reporting forms midyear or at the close of a year to be applied for the current year or in the following year does not provide time for the setting up of a proper system of data collection.

The State plan with its minutia does not properly function as a planning instrument.

A great deal of time is spent on the rewriting of this document according to rigid regulations.

This time would be better spent in planning than in filling in the requested statistical data. Five-year projections are impressive sounding projections but of limited value in the changing social and economic picture.

Better definitions are needed of the disadvantaged and the prepostsecondary programs.

Mr. Chairman, I have a chart I wish to have made a part of the record.

Mr. PUCINSKI. So ordered.

(The chart follows:)

CONNECTICUT STATE DEPARTMENT OF EDUCATION

A COMPARISON OF VOCATIONAL PROGRAMS FOR THE YEARS 1965, 1968, AND 1970

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Percent

## MANPOWER TRAINING PROGRAMS

Dr. MURPHY. There are several suggestions for improving the Federal law and administration of manpower training programs.

The present procedure of funding through the Department of Labor to Health, Education, and Welfare to State education agencies is slow and cumbersome.

I suggest that money be appropriated to HEW directly, who in turn might allocate up to 50 percent of the funds of the State's training allotment during the first quarter.

As projects are developed, funds could be replaced by HEW in this pool and the interim money would be available to start training.

Such a method of funding could help minimize or eliminate duplication and overlapping of programs. This would be subject to HEW audit to insure compliance with Federal regulations.

Federal directives indicate how moneys are to be spent, based on national data which does not always fit the needs of a particular State or area within the State.

It is suggested that State should have the authority to mix the OJT allotments and institutional funds according to the manpower needs within the State.

MDTA funds have a 2-year life. However, projects cannot be modified according to needs after a 9-month interval without prior approval from Washington. This frequently results in long delays. It is suggested that the State should have the authority to modify and change projects during the life of the fiscal allocation according to manpower needs.

This would provide flexibility so often sought.

Statute and regulations indicate that priority should be given to skill centers. Some agencies ignore these Federal directives.

It is suggested that wherever Federal funds are used for training purposes, agencies should be required to show in writing that a skill center could not or would not assist them.

It is suggested that skill centers should be funded for more than a 1-year period to provide greater continuity and flexibility necessary to maintain quality and adequate staffing.

Mr. PUCINSKI. Now, I would like to ask you, you make a big point out of postsecondary here.

The 15-percent mandatory set-aside in the 68 amendments, has that proven helpful? ... In Connecticut since 1946

other activities, whether it be the handicapped, the disadvantaged, or some other.

Mr. PUCINSKI. How does Connecticut spend its vocational education money for the disadvantaged?

You have a figure of a percentage more disadvantaged students were involved in vocational schools.

What sort of schools, and how do you recruit people, and what are the facilities; how do they get to schools; are these existing vocational schools, and do you have new facilities?

Dr. MURPHY. This is a complex question in the State of Connecticut.

Mr. PUCINSKI. I asked the question because the great champion of this whole cause is your Senator Ribicoff, and I was just wondering what his own State was doing.

Dr. MURPHY. Every legislature up to the present time since 1946 has approved the capital construction facilities, so this has been helpful, particularly with the support of industry.

One of the difficulties here, Congressman, is the definition of what is the disadvantaged.

There are 12 different definitions. In the way the definition is written for vocational, so some can come from the ghetto area, and they are on welfare, and the father is not around, but, through the techniques the teachers are using, it is helping these kids, and the program is growing, but the students are not classified as disadvantaged.

Mr. PUCINSKI. Can you give us any suggestion on how we can more precisely identify the disadvantaged?

Dr. MURPHY. I would like to take part in a discussion to try to resolve this.

It is not as simply as giving a single answer. In vocational there are several definitions, and there are many categories.

Mr. PUCINSKI. That is a good point you make out.

Dr. MURPHY. Could I react to some of the comments made earlier?

You indicated the general desire to make every school really an occupation training center.

There are some paradoxes here.

In Connecticut, the commissioner of higher education says that 80 percent of all high school graduates should have the right to go on to postsecondary education, yet, at the present time only, 55 percent of those graduating are going to some form of schooling.

This percentage does not include the 20-percent dropout that occurs.

I think now it is 10 percent.

I think that figure has gone up a little bit. The greatest single social trend in America is the college dropout, who is totally and completely and absolutely unprepared as a young adult, for the world of work.

At least, the kid who has never gone to college, he is kind of psychologically geared for the fact that he will be doing something, but the young idealist who goes on to college, and then things blossom out, and then he discovers for some reason, sometimes beyond his control, he does not make it, that youngster is just, in my judgment, in a tremendous jam.

What a great feeling it would be if he had a fallback position in the event, for some reason or other, he did not make it through the college experience, and that is why I feel so strongly.

We ought to gear every youngster so that he ought to have some concept of the world of work.

Dr. MURPHY. I agree with this, that more attention and funds should be provided for this.

The problem, under EPDA, is that there is hardly a drop coming out of the faucet, relative to vocational education, but on the other hand, there is not a big well of funds available for EPDA for the preparation of teachers, the elementary and secondary teachers, to have a real effect, so there is a lack of understanding of the world of work.

Many teachers have gone through high school, have gone on to college, and then started teaching, but there is a need to make the general teachers aware of the world of work so that they may better

Were there any other questions?

Mr. PUCINSKI. Let me go to Dr. Padham.

**STATEMENT OF ELWOOD PADHAM, DIRECTOR, BUREAU OF  
VOCATIONAL EDUCATION, MAINE**

Mr. PUCINSKI. Mr. Padham, I know that you have a very interesting film and slide presentation, but I think perhaps we would like to hear from you, and we do have our official reporter and your statement, and maybe we can go into your statement and then have some discussion, and then the film report, should time permit, after all of the witnesses.

We will look at the film presentation at that time.

Mr. PADHAM. That is fine with me.

Mr. Chairman and members of the Education Subcommittee, I am Elwood Padham, assistant commissioner of the Bureau of Vocational & Adult Education, Maine State Department of Education.

The State of Maine is most appreciative of this opportunity to testify on Public Law 90-576, the Vocational Education Amendments of 1968.

Maine is a rural State as large as the other five New England States combined. It has a population density of 29 persons per square mile, with approximately 1 million persons living in an area of 33,000 square miles.

Mr. Chairman, prior to passage of the Vocational Education Act of 1963, less than one-third of the public high schools and less than one-fourth of the private high schools offered any type of vocational

In Maine in 1962, one postsecondary vocational-technical institute, founded in 1946, was in operation in modest facilities.

More adequate facilities were made available when Fort Preble in South Portland was acquired, and the institute moved to the new site in 1952.

In 1962, 360 students were enrolled in eight programs such as automotive, building construction, and so forth.

In 1962, Maine's programs of vocational education were funded from the following sources:

State funds (approximately)-----	\$ 61, 772
Local funds (approximately)-----	272, 135
Federal funds (approximately)-----	288, 125
Total -----	822, 032

It was evident in 1962, therefore, that on the basis of comparisons with other States, Maine was far behind in promoting and supporting vocational education for the high school, post high school and adult classes.

After passage of the Vocational Education Act of 1963 and the Vocational Education Amendments of 1968 the Federal Government poured millions of dollars into the arteries of the vocational education system.

Maine hopes that this massive infusion is only the beginning.

The act and the amendments motivated Maine to increase its own contributions so that the total expenditure for vocational education has expanded greatly.

The facilities for these programs were provided from State and local sources.

Funding of these programs was shared as follows:

State	-----	\$345,000
Local	-----	4,074,000
Federal	-----	317,000
<b>Total</b>	-----	<b>\$4,736,000</b>

It should be mentioned that 109 senior high schools have industrial arts programs with an enrollment of 13,216 students.

The instructional costs and construction of facilities are supported by State and local funds.

Thirteen regional technical and vocational centers were in operation during the school year 1970-71, two of them for the first time.

The full-time day enrollment in these regional technical and vocational centers is 6,454. Twenty-two different types of vocational courses are offered in these 13 regional centers which serve 82 administrative units. To operate the 13 centers for the school year cost:

State	-----	\$1,900,000
Local	-----	750,000
Federal	-----	325,000
<b>Total</b>	-----	<b>\$2,975,000</b>

The State pays two-third of the operating costs and the local community pays the remaining one-third of the cost.



For the first time in the history of vocational education in Maine, the Bureau of Vocational Education has developed 40 programs for disadvantaged boys and girls in 40 communities.

Over 800 individuals are being served by these programs, which are funded from part B, 15-percent set-asides and 102(b), disadvantaged.

Eight programs for the mentally handicapped, among 250 individuals, were started in fiscal 1970. Each program provides for pre-vocational training and has provisions for work experience in the curriculum. The part B, 10-percent set-aside funded these programs for handicapped persons.

Vocational education in Maine today is still experiencing its greatest period of growth.

Since the enactment of the Vocational Education Act of 1963 and the 1968 amendments, vocational education has shown evidence of becoming an increasingly effective and dynamic force in the State.

I now concern myself with emphasizing the need for extending authorizations for Public Law 90-576. Increased funding is needed under grants to States (sec. 102(a)).

Maine needs more funds to expand post-secondary vocational education. Four students apply for every available slot in our vocational-technical institutes. We must offer more programs if we are to serve the needs of young adults in Maine.

Additional Federal funds are needed for construction of six new regional technical vocational centers to complete the long-range plans for secondary school vocational education.

We also will extend the authorizations found in section 102(b),

serve students who live great distances from our schools; and who want and have the right to benefit from this type of education.

The Federal Government has suggested the construction of residential facilities for practically every college campus throughout the Nation. It seems only reasonable to support this responsibility at a lower level.

In conclusion, may I say that Maine has made great efforts to fund vocational education adequately at the State and local level since the passage of the Vocational Education Act of 1963. Maine's tax burden is heavy, and we need additional funds from the Federal Government to help vocational education continue to grow. We have many more individuals of ages 14 to 65 who need these services—please help us.

May I again express appreciation for this opportunity to present my views. I hope you will accept my major recommendations and thank you very much for the opportunity to appear before this committee.

I would like to point out, before the Vocational Act of 1963, we had approximately 5,000 students involved in vocational education programs, but since that time, with the Vocational Education Act of 1963, and the 1968 amendments, we have moved in the direction of developing 13 regional technical vocational centers, and these centers range in cost from \$850,000 to \$3 million, State and local efforts fund these regional centers, and they are tied to a comprehensive school. These centers are serving 82 administrative units in the State.

Maine is a sparsely populated State and sparsely populated but we are finding

Mr. PADHAM. No.

Mr. PUCINSKI. Is there anyone that has run into any problems?

Mr. PADHAM. No.

Mr. PUCINSKI. It seems to me that everyone talks about problems of integration, but it seems to me that vocational education, it offers perhaps the greatest single opportunity for integrating educational opportunities in a way, and I am not aware of any problems, any vocational schools in this country has, and it is rather unique and interesting, that of all of the turmoil you read about, in America, you very seldom read about the turmoil that can be traced to racial antagonism in the vocational schools, even though you have a rather high ratio of minority youngsters in those vocational schools that are enrolled.

Would you gentlemen care to comment?

Mr. PADHAM. We do not have any problems in the State of Maine at all, as far as the integrating of students is concerned in vocational programs.

One thing we hope to do, we hope to design our curriculum in such a way, and have the flexibility that some students can move in and out of programs at anytime, so we can serve many more students than we are serving now.

We have a program operating at one of our regional centers, and we are making available facilities from 4 in the afternoon, to 10 in the evening, so that students can come and get an education they need if they have to work all day.

Mr. PUCINSKI. I notice there is not any great concern about busing

changed within the last 2 years. The minority groups particularly with the black population felt that when they completed vocational programs, they would not have a job, but I think there has been a turn in this, and I think that through manpower training, they do find they become employed, so I believe the history of opportunities for the black minority has changed.

Another problem, is due to the heavy influx of the Puerto Rican Spanish-speaking people, that is not totally resolved, because of the bilingual problem.

Mr. BOWEN. Our experience in Rhode Island, and I think it is quite consistent with what I discover through reading, in other parts of the country, is that vocational education may represent relevant education in comparison to academic education.

Kids like to go there, as Joe Murphy said, kids feel that it has some meaning to them.

One experience we had in Providence, just a couple of months ago, in a racially tense situation, all of the youngsters were on the street in demonstrations, except for one building, and that was the vocational education building.

All of the buildings in the complex underwent some damage, except one building, the vocational education building.

Kids want to be there. They identified with it, and they felt it had some meaning to them.

I think this is quite standard throughout the country, from the reading I have done.

My State, Vermont, is a sparsely settled State. We have no community in the State with more than 36,000 population. Our major problem is getting enough students together to effectively and efficiently provide a variety of vocational education opportunities, and in many of our communities, the opportunity for students to find training experience through placement on the job is limited.

The range of jobs are limited, the numbers of job opportunities are limited, and we are finding that the best combination in our situation seems to be some preemployment training in a school facility, and then to supplement the training with job placement, job experience.

Mr. PUCINSKI. I think you are right, and I certainly did not mean to imply, at least, I hope nobody thought I did, but putting emphasis on utilizing existing plant facilities, that we did not see a need for area vocational schools, and various other facilities.

This is going to become even more and more pronounced as we get into more sophisticated job training programs, but I do think we can utilize our existing plants.

If we are going to give every youngster a career education, we will have to use every piece of space we can find, including the new buildings we are going to build.

Mr. KNOX. This facility thing is a real bind with us.

We open a new school, and immediately we have twice as many students at the door as the school will accommodate.

We are finding several school systems are going into leasing facilities built to their specifications.

give them something meaningful and worthwhile, but you put them in a school environment, where they are not spinning wheels, and that is why I feel so strong about vocational education.

Mrs. HICKS. I wonder, do you have now in your vocational education programs, something like data processing, and these newer concepts of vocational education?

Mr. ANDREW. We do at the postsecondary level, and we are just beginning to move into the secondary area.

It has been a slow operation to move into this thing and in this direction, because New Hampshire is in the unique position of providing the smallest amount of State aid to its schools, and everything is done with property taxes. We have had very slow movement, and we are just beginning to move into that area.

We are expanding into the health areas now.

Dr. BOWEN. We in Rhode Island traditionally offered the standard vocational subjects, mechanics, carpenters, this kind of thing.

We have moved recently into new programs being offered in Rhode Island for the first time, including barbering, cosmetology, commercial art, data processing, fashion design, nursing, and these are secondary level programs.

We are considering right now running into fire sciences, heavy equipment operation, marine science and oceanography, plastics, programs which we feel have a greater meaning to Rhode Island, because the State is moving much closer to a service orientation, as opposed to an industrial orientation.

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This bill places an even further and heavier emphasis on vocational education than we have had up to now, and in particular, it would set up a Bureau of Occupational Education, in the Office of Education, with a Deputy Commissioner to run it.

I was wondering if any of you would care to comment at this time, either on the bill, or the concept, if you wish?

Why don't we start with you, Mr. Keating?

MR. KEATING. I was wondering on the emphasis on the post-secondary.

Will this take any money out of the secondary level?

If it did, I would feel opposed to the bill, because we feel our big clout in Boston is in that secondary level.

MR. PUCINSKI. I am not aware we want to take money out of the secondary level.

We would be very much opposed to that, because whatever post-secondary level, we have now 15 percent set aside.

MR. KEATING. The provisions in the new bill will actually increase that percentage?

MR. PUCINSKI. I would think it would.

MR. KEATING. Then, fine.

MR. PUCINSKI. Mr. Radcliffe, who played a key role in drafting the bill, assures us this would be in addition to, not in lieu of.

MR. KEATING. In that case, I would be with that bill. I am for the bill.

MR. MANNING. I would say one of the encouraging parts of this

Dr. BOWEN. I personally feel supportive of provisions of the bill, inasmuch as we can expect greater services out of the U.S. Division of Vocational Education, and we are in sore need of these.

Certainly the bill carries the promise of increased funding, which all of us indicate is required.

In addition, I feel the provisions of the bill will be greeted warmly in Rhode Island, where we are trying to integrate an entire educational experience for youngsters, including exposure to youngsters at an early level, so in these respects, the bill finds a lot of support with me.

Mr. ANDREW. I think in my prepared testimony I referred to the bill on three different parts, I pointed out we are very much in favor of this bill.

I think one thing that has not been mentioned which the bill does create, I hope, and that is a cooperative working relationship.

We have seen in our experience at least too many different pieces of Federal legislation trying to attack the training problem, and assigning training to other agencies. To us this bill gives strength to creating a cooperative working relationship between the junior colleges, community colleges, and vocational education at the secondary level.

I think, in addition to that, the idea of moving down into the elementary grades, something we are already doing as a result of exemplary programs, is very important. Through the Vocational Act



various other fields, I cannot detect any significant difference in the net results, between the two educational systems.

This is why you will find a great deal of excitement on my part in what you are doing.

I think that you are on the right track.

Dr. MOORE. We have worked on this project for the past 3 years, and we have given many of our hours, and we have gone throughout the country trying to find support for the program, but surprisingly, we have not received the financial support that many other programs have.

Mr. PUCINSKI. It is because academia still runs HEW and USOE.

Now, if the day ever comes, you know, when people like you and I get a foot in the door over there, maybe we can change a few things around.

Dr. MOORE. I would hope so.

Mr. PUCINSKI. But right now, you know, you just listened to a very distinguished panel of vocational educators.

You listened to their testimony. It was very impressive testimony, but they are treated as second-class citizens in the academic community, just as people look down upon you, even though almost every major nation in the world is now going your route.

I addressed a meeting here recently in which there were represented some 16 countries, all of whom are looking at your concepts, not only looking at it, but using it, and yet you will find people who look upon you as some sort of academic "weirdo," that does not know quite what he is talking about.

Dr. MOORE. That is right, but we are going to stick with the concept, and we are determined to receive adequate funds for it.

We have been operating on a budget of \$500 a week with these 57 students we have. We can continue until the end of this month.

Mr. PUCINSKI. Who is funding you?

Dr. MOORE. Right now, our initial grant came from the Office of Education, but that was \$460,000. This has to be divided between 17 colleges and universities.

Mr. PUCINSKI. How much did you get?

Dr. MOORE. \$460,000, as an initial grant.

Now, Ford Foundation was supposed to give us some money, but when the money comes in, it is divided up between the institutions that go to make up the union, so if it has to be divided up 17 different ways, we really get the crumbs, and we have not been able to get the separate funding that is necessary to carry out the program the way that we know it can be done.

Mr. PUCINSKI. You do not qualify under the existing aid programs to universities?

Dr. MOORE. We are trying. Not under this program.

Now, our campus in Raleigh is receiving aid, but not for this particular program.

It has been extremely difficult to find the proper authorities to fund this, because it is a new program.

We submitted our original proposal to the Federal Government in November of 1969.

Mr. PUCINSKI. Have you ever talked to Mrs. Green about your program?

Mr. PUCINSKI. Mrs. Green now has a higher education bill before her committee.

We are now working on it. We are making up a bill. It seems to me, either the next time you are in Washington, you ought to drop in on her, or drop her a note.

I will tell her to be expecting to get a note from you. It seems to me there should be something in the higher education program that would provide, if nothing else, some seed money to give programs like this at least a start.

Dr. MOORE. I would like to see us establish a Federation of Urban Colleges, designed specifically to deal with the urban problems, and to get students that can deal effectively with the problems of urban society.

We can demonstrate here, and then the model can be transferred.

Mr. PUCINSKI. In my statement earlier I said that we are going to change our skills some five to nine times in a working lifetime.

It is true, and I believe it is true, then it seems to me your concept stakes on a whole new dimension of credibility and credence, because obviously a man has to provide for his faculty, and he cannot take time off to restructure his abilities, when he has been eased out of one job due to technology.

It seems to me if there is a program available to all those engineers laid off in the aerospace industry, and if they could have been preparing themselves for a whole field of ecology, and environmental occupations and specialities, they could have moved from one specialty to another, without losing any time, whereas now we just passed a public service job bill, which we hope the President is going to sign, to try to give these fellows something to hang onto, while they are being retrained for another career.

It does seem to me that your whole concept takes on all kinds of validity.

Dr. MOORE. That is right. It has so many possibilities. We can go in so many different directions. We are flexible. We are not chained to one particular system, or one particular program.

Mr. PUCINSKI. Are you in Mrs. Hicks' district?

Dr. MOORE. Yes; we are.

Mrs. HICKS. Yes; so that we could get this testimony on the record.

Dr. MOORE. Could I tell you one thing more that we are trying to do?

We would like to set up a program at Wallpole State Prison for inmates, and we now are working with the Commissioner of Public Corrections, to admit probably a number of inmates, and to take our faculty out there so we will do that, if we can get support that is needed for this program.

Mrs. HICKS. I just followed your recommendation. Mr. Chairman, and advised Dr. Moore to contact Congresswoman Edith Green, because I know she is very interested in programs, such as yours, and possibly they could be incorporated into the bill, something of this type for funding.

Dr. MOORE. I will write her the first thing.

Mr. PUCINSKI. Mrs. Hicks will probably get you an invitation from Mrs. Green for you to come down to Washington, and you can brief her on your program, and then perhaps we can take a look to see

if there is any chance of getting some amendment through to at least provide some sort of seed money.

I think this is the wave of the future, and we ought to have something in a bill that would at least give people like you a chance to either prove or disprove it, but there is no question in my mind, as you look at the next 10 and 20 years of educational needs, I think you are going to find that just as other countries are looking at this program, and using it, all you have to do is just point to Japan, the enormous success they have had with this program in Japan, and I think this is perhaps one of the greatest endorsements you can get.

Dr. MOORE. May I express my deep gratitude for the invitation and for the opportunity to discuss this program with you.

Mr. PUCINSKI. I am glad you are here.

I am glad to see that Roxbury has such a good program going. You say you have 57 students. I imagine there is a substantially larger potential.

Dr. MOORE. Yes; in fact, we could, without any effort at all, recruit around 500 students that would be willing to go into this program, but we can only take 25 more right now.

We will move slowly, and each year we will probably add a hundred more.

We spend as much time getting to know the students, getting them to feel at home with us.

Mr. PUCINSKI. This budget you have here for the \$178,000, what is that for, your existing program, or is this for a program you could handle with 200 students, if you had this kind of money?

Dr. MOORE. That would be for 200 students.

Mr. PUCINSKI. For a year?

Dr. MOORE. Right, but we have so constructed ourselves that we get by with what we have, but we could do much more with the funds.

We did not wait until we got the \$179,000. We began before that.

We started with what we had hoping that we could demonstrate to people that this program did work, and then the funds would come forth.

Mr. PUCINSKI. You know, when you consider the results of your program, and you consider the cost per student, this is substantially below what we are talking about now in the higher education bill, and the student loan programs, and when you consider the interest on those loans that we have to pay, this is something I think the committee ought to be looking at.

Dr. JACKSON. I might say we have been trying to work ways, to coordinate ways we have been doing in terms of our own higher education program, which is dealing with some of the existing colleges, in terms of the number of people, programs like this.

Mr. PUCINSKI. Then why don't you give him that \$179 thousand?

Dr. MOORE. I wish they would.

Dr. JACKSON. We are trying to see if we can join in ways, since we are serving similar populations.

Just in comments of building. I think the partnership school idea is a way to use existing cultural resources in Boston, of which we have many, which has great implications for school buildings, and it seems the idea of the open campus, at the high school level of the Boston schools, we are talking about, our idea for younger children begins to

if we can change some of the museums, and places like the Elmer Lewis School of Fine Arts, I think that to not only change education, but it has greater implications for us of existing buildings in different ways that will be profitable for all of us.

Dr. MOORE. I have a church that has 33 classrooms, and I guess about five offices, and this is enough for any university, and there are many other churches around, similarly constructed, and there are other office buildings available, so we can use these.

Mr. PUCINSKI. We have heard two excellent ideas today. We have heard one of the gentlemen talking about leasing school buildings for vocational education.

Now we hear another idea about leasing churches, to run a college without walls, which make equally a lot of sense.

Mrs. HICKS, I want to thank you and your staff and your associates for arranging today's hearings.

I think the hearings have been extremely productive. I think that we have gained a great deal of insight into the problems in our school system here, and I am pleased that we were able to be here.

I want to thank you for this opportunity to invite us here.

Mrs. HICKS. I thank you, Mr. Chairman, for coming with the subcommittee to Boston.

Mr. PUCINSKI. I think we will be able to get together and have a good live discussion on some of the aspects of this bill.

Is there anything else anybody wishes to ask?

We will then stand adjourned subject to recall of the Chair.

(Whereupon, the hearing was recessed<sup>1</sup> at 5:45 o'clock p.m., subject to recall of the chairman.)

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