

DOCUMENT RESUME

ED 205 619

UD 021 093

AUTHOR Wentz, Robert E.
 TITLE Desegregation Policy: A View.
 INSTITUTION CEMREL, Inc., St. Louis, Mo.
 SPONS AGENCY National Inst. of Education (ED), Washington, D.C.
 PUB DATE Oct 80
 NOTE 24p.; Paper prepared for the Midwest Policy Seminar (St. Louis, MO, October 15-17, 1980). Seminar convened by Urban Education Program, CEMREL, Inc. For related documents, see UD 021 091-095.

EDRS PRICE MF01/PC01 Plus Postage.
 DESCRIPTORS Administrative Policy: *Compliance (Legal); *Desegregation Plans; *Educational Legislation: Elementary Secondary Education: Federal Legislation: Financial Support: *Government School Relationship: *Program Implementation: *School Desegregation: School Districts: State Legislation: Urban Schools *Missouri

IDENTIFIERS

ABSTRACT This paper focuses on policy conflict in the planning and implementation of school desegregation. Areas discussed include: (1) Missouri State and Federal legislation on desegregation; (2) areas of conflict between State and Federal policies; (3) the need for technical assistance in planning school desegregation; (4) community reaction to the desegregation planning practice; and (5) problems in the implementation of policy and monitoring of compliance when Federal, State, and local policies conflict. The author (Superintendent of the St. Louis public schools) calls for increased financial incentives, reform in Office of Civil Rights guidelines, and attention to the consistency and long term effects of legislation in order to achieve the goals of school desegregation. (APM)

 * Reproductions supplied by EDRS are the best that can be made
 * from the original document.

ED205619

077 1980

DESEGREGATION POLICY

A View

by

Robert E. Wentz
Superintendent
St. Louis Public Schools

Prepared for

MIDWEST POLICY SEMINAR

convened by

Urban Education Program

CEMREL, Inc.

funded by a grant from the
National Institute of Education

St. Louis, Mo.

October 15-17, 1980

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRO-
DUCED EXACTLY AS RECEIVED FROM
THE PERSON OR ORGANIZATION ORIGIN-
ATING IT. POINTS OF VIEW OR OPINIONS
STATED DO NOT NECESSARILY REPRESENT
OFFICIAL NATIONAL INSTITUTE OF
EDUCATION POSITION OR POLICY

21093

Prepared by CEMREL, Inc., a private, nonprofit corporation supported in part as an educational laboratory by funds from the National Institute of Education, Department of Education. The opinions expressed in this publication do not necessarily reflect the position or policy of the National Institute of Education, and no official endorsement should be inferred.

Copyright on this document is claimed only during the period of development, test, and evaluation, unless additional authorization is granted by the National Institute of Education to claim copyright on the final version. For information on the status of the copyright claim, contact either the copyright proprietor or the National Institute of Education.

Copyright 1980, CEMREL, Inc.

DESEGREGATION
POLICY

A
VIEW
by

Robert E. Wentz
Superintendent
of Schools

St. Louis Public Schools
911 Locust Street
63101

INTRODUCTION

At no other time in history have educational institutions been involved in as many legal challenges as they have during the past two decades. Higher percentages of tax dollars for education have been set aside for cases involving student and employee rights, special education, desegregation and cases around other related issues.

None of the issues have created such fervor as that created by the Brown decision, which struck down "separate but equal" provisions in education. In recent years, interpretation of the law has become synonymous with busing. This response generally places public school organizations squarely in the middle of arguments by the "freedom of choice" citizen groups and those opposed to mandatory assignment techniques which are meant to enhance the potential for integration.

The St. Louis Public School System has been in court some eight years. In December, 1975, during my first year as Superintendent of Schools, an agreement was reached allowing the establishment of Magnet Schools as one solution for the reduction of racial isolation. Judge James H. Meredith, of the U.S. District Court, Eastern District, fashioned 14 paragraphs of our Consent Decree. In addition to the development of eight system-wide Magnet Schools, in the order were specifics relating to prohibition from discrimination on the basis of race or color; reduction of racial segregation in the assignment of staff; practice of non-discrimination in employment procedures; eradication of effects of present and past segregation through expansion and use of facilities; the study of realignments of feeder schools to reduce segregation at the high school level, and to make a study of the feasibility of curriculum improvements and other changes which would be beneficial to the system as a whole.

Six elementary and two secondary Magnet Schools became operational in September of 1976, in addition to pilot programs within several schools. Staff balance requirements were spelled out and also became operational, according to orders specified for the first year.

In January, 1977, we responded to paragraph nine of the Decree, which spoke to realignment of feeder patterns. It was our best thinking at the time that the establishment of ninth grade centers, with some changes in feeder patterns, addressed the Order as it stood. Subsequent hearings ensued, regarding merits and shortcomings of the Board's plan. Other plans and modifications were submitted by the Justice Department, original plaintiffs, NAACP, and various groups allowed to enter the suit as intervening plaintiffs. In March, 1979, Judge Meredith issued an Order stating that the school system is, in fact, segregated, but found the Board not guilty of acts or practices which enhanced segregation. No remedy was ordered. Instead, the Judge insisted that the implementation of elements within the Consent Decree be intensified.

In March, 1980, the Eighth Circuit Court of Appeals remanded the case to the lower court and ordered the school system to draw up a plan for submission to the Court in 60 days, which would be implemented in September, 1980. The Court's language was forceful regarding descriptions of possible remedies, as well as its implications for wrongdoing on the part of suburban districts:

A plan was submitted to the Court as ordered. It calls for reconfiguration of grade structures; transportation of some 14,000 youngsters; school closings; increase in the number of Magnet Schools; staff balancing, enrichment programs for students remaining in all-black settings, and cooperative, voluntary programs between city and suburban districts.

St. Louis' school population consists of some 63,000 youngsters, an enrollment which crested in 1967-68 with approximately 116,000 students.

St. Louis, like many urban centers, is a victim of loss of middle class (black and white) and population with school/age children. Of the total student enrollment in 1979-80, 75 percent were minority students. The district consisted of 140 regular elementary schools, 10 regular high schools, 8 Magnet elementary and 3 Magnet high schools.¹

In the following pages, some concerns regarding planning and implementation processes -- from the standpoint of policy and conflict in practice -- are presented for review. Discussions of federal and state policy in the area of desegregation, 2) areas of conflict in policy, 3) need for technical assistance in planning, 4) reaction to planning process, 5) problems in implementation, and 6) author's philosophy of a desegregated school are reflective, primarily, of the St. Louis experience, although frequent comparisons are made with other cities.

¹ 1980-81 Emergency School Aid Act, Title VI Application for Out-of-Cycle Funds, June, 1980, p. 125.

State Legislation and Policy

In Missouri we have a definite lack of strong direction on desegregation in the areas of policy and legislation at the state level. Generally the posture is taken that whatever is ordered by the Federal government or by the courts will be upheld unless it conflicts with the Missouri Constitution. If it conflicts with the Missouri Constitution and is not ordered by the court, the state does not initiate any action to comply with desegregation needs or mandates. In recent years the State Department of Education has seemed more interested, at least in keeping informed about what is happening. I believe the Commissioner is perhaps more attuned to the needs than others at the state level, but it is not easy to get that interest translated into legislative or state board action, so that in practice the state department role is nearly always a responding one. If the Office of Civil Rights includes the State is some requirement, then they respond. If the Office of Civil Rights is speaking only to a local educational agency, the state will assist the local school system but it does not take the initiative in attempting a resolution.

In 1980, twenty-six years after Brown, it is surely significant that there are no state directives or compliance procedures and no fiscal support for desegregation in our state. In states where you do find fiscal support, as in Wisconsin and Massachusetts, that is notable because it is the exception. I worked in Illinois in the late 60's and there the state did attempt to provide some direction and monitoring if local initiatives were not forthcoming. I came to Missouri from California, where the state had taken initiative to set guidelines defining a desegregated school and time tables for achieving desegregation. Unfortunately, that state legislation was overturned by referendum.

Two major occurrences in Missouri provide promise of movement by authorities at the State level. First, Missouri now has an Associate Commissioner for Urban Education, which is a plus. However, what is coming out of state urban education departments in Missouri and other states, are studies on things like vandalism and dropout rates in inner cities. So we get a few dollars for minor special programs that, in my opinion, are band-aids which focus on visible outcomes but not on the root problems. And we get a big emphasis on what has been the stereotype of urban centers. The media takes that negative information and uses it eagerly, reinforcing the anxiety and fear level of the public. When metropolitan school system plans come along, as they are eventually going to do in St. Louis and St. Louis County, what people focus on is all the negatives. If we are going to improve the situation it is not going to come about by studying vandalism. It is going to come about by studying the developmental aspects of young people and putting together programs that address that. Successful students are not the ones who create the vandalism.

Secondly, last year we did get a statement of policy from the State Board of Education supporting a fiscal incentive bill for efforts toward desegregation. That came as a result of our initiating such a bill and suggesting that such a statement was one thing the state could do to help. The response on that has been interesting, with some legislators indicating that such a bill amounts to double-dipping, providing additional state support for the same student. That is exactly what is done in special education and in vocational education because it is state policy and it is recognized as a more costly programmatic effort. I do not see that desegregation deviates from that type of policy. In any case, the bill died in committee. It will come up again next year and may eventually get passed. If it does, it will be more as a direct result of continuing efforts in the courts to get a broader base in de-

segregation. States will be involved not because they think it is right but because they will not have any choice.

It would seem that desegregation could have been effectively addressed as a part of the massive school reorganization process that has gone on in this country, but that did not happen. To suggest doing that was to be labeled a wild-eyed liberal. The same thing has happened in setting up vocational education service areas. For instance, the City of St. Louis was designated a vocational education service area in 1967; St. Louis County had been so designated two years earlier. The city was and is predominantly black; the county predominantly white. Did anybody raise the question whether it would have made more sense to make the entire metropolitan area a service area for vocational education, so that programs would not be duplicated as they are now, and so that the vocational schools would be racially representative of the entire metropolitan area? Sometimes that kind of thing happens because people simply do not think beyond the immediate, but I think it is generally indicative of a lack of support for national policy on desegregation. At the very least, it is indicative of inconsistency.



Federal Legislation and Policy Directions

Nationally, we are still not really clear about the direction of desegregation. The law is clear and it has been reinforced by every major decision of the Supreme Court, but getting the law translated from the judicial to the executive and legislative branches is another story. Direction is spelled out, typically, by the support given. We make it evident that national defense is a priority, both by legislative action and by the dollars that support it. In my view, the amount of money supporting desegregation tells us something about what kind of a priority it is, and it is not very high.

Once the legislation gets into the bureaucracy, into the regulation stage, the whole thing becomes even fuzzier. It gets written into volumes that are difficult to translate into the kind of precision that a local educational agency can act on. Those volumes continue to expand as legislation and regulations change and that has caused more confusion in the last seven or eight years, which is the only time we have had desegregation monies. Again, the message is quite clear that the major decision by the Supreme Court was made in 1954 but the first Federal dollars came in 1973.

Ambivalence at the national level about whether desegregation is a priority is clearly evident in the issue of transportation. The need for transportation for other educational purposes has been recognized both by state and federal governments for years. It was recognized forty years ago as the large number of school systems began to be gradually and systematically reorganized into a smaller number so that better programs could be offered. It has been recognized in vocational education where regional schools are the only way to have the resources to offer highly sophisticated technical programs. It is recognized in special education, and in that instance most states had policy long before the federal policies were formed. In those instances, transportation has not

5.

been a problem. There may have been some sentiment connected with losing a small school that had been a kind of focus for a community, but putting the children on the bus was not in itself a problem. Given all that, it is not accidental that you cannot use federal dollars for transportation for desegregation purposes. I fail to see the difference between policy on transportation for special education and the kind of support necessary to do that on the issue of desegregation. That kind of ambivalence makes the local school's job much harder. We must go to the state level for help with transportation, and we are left with the thankless task of trying to explain the ambivalent federal policy to our concerned citizens. Too often they mistrust us and think that we must be wrong, no matter how we try to explain it. There is no question that a double standard for carrying out national policy exists and is hard to explain.

Areas of Conflict between State and Federal Policy

There are conflicts between federal policies that complicate the desegregation issue further. The Elementary and Secondary Education Act and the Emergency School Aid Act sometimes seem as though someone designed them to conflict. Containment has been a major issue with practically every desegregation case across the country, and yet legislative action at the national as well as the state level has either absolutely encouraged or rewarded containment. That is one of the complaints I have had with Title I for all the years I've been a superintendent. It simply does not make any sense to say that you identify a child as Title I eligible, when another child with much greater educational needs may sit next to that child but is not eligible.

10

When I was in California we were constantly getting audit exceptions, because if we had a school designated Title I, we put the money there and told the principal and teachers to serve all the educational needs. We had the kind of hard data that showed statistically significant achievement gains in that school every year, as compared to schools where we only served a percentage of the students and we had all the pullout programs and restricted the services of certain resource people to the eligible students. But they said, "You can't do it that way." We kept asking if what they wanted was educational results good for all the children -- black, white, Chicano, Oriental -- or reports that provided assurance that we served only part of the children. I recognize that there is a need for monitoring so that money is not diverted to places where it really is not needed. That seems easy enough to monitor -- if they can monitor things as they are they can certainly monitor that -- and if someone is diverting money where it is not needed, you can cite them for that. I would rather be cited for that than for trying to serve students who need help.

Apparently some change is beginning to occur in the direction of Title I schools having more participation in the decision-making about the school program. There are some guidelines for more active involvement of the principal, teachers, students, and parents at those schools. I would hope that eventually the local educational agency will be able to make determinations about whether the money follows the child who is moved to another school because of desegregation. As it is, some parents who believe in desegregation are put in the position of saying that they do not want their child moved out of a Title I school because he may not get the help he needs if he is moved.

Title I criteria are confusing to staff. One principal will say, "Well, I know I've got more children who are Title I eligible than my neighboring



principal has, and yet his school is Title I and mine is not. Why?" The answer is that part of Title I eligibility is determined by the demographics around the school, which can include parochial and private schools that have nothing to do with the students we have to serve.

Housing policy in this country also reflects efforts toward containment that are in direct conflict with efforts to desegregate. Obviously some containment is simply based on the interest of people, but that is not true where some people do not have a choice about where they will live. If you go over HUD policies and FHA policies over the years, they have translated into part of the problem and not part of the solution. The infamous Pruitt-Igoe high rise housing experiment in St. Louis was a federally supported segregative program that intensified the school segregative conditions.

Generally speaking, I think that the limited desegregation policy is clear -- it is the interpretation that creates problems. For example, the Emergency School Aid Act is supposed to be the same policy throughout the country. Yet when I came from California, some things that we had done in California we could not do in Missouri. Even within our own state, one set of guidelines operates our magnet schools and a different set operates in Kansas City. We set ours up hoping for a 50/50 racial mix, but we recognized that our school population was 70% black and 30% white so a magnet school would be fundable as long as it was no more than 70/30. Kansas City has, I think, a slightly lower black student population figure, yet their magnet schools operate within funding range with a mix of 85% black and 15% white. We could not spend ESAA money if our magnet schools had a 85/15 mix of students; another case of double standards or at least inconsistent bureaucratic implementation.

14

There are many difficulties in interpretation of policies within the Office of Civil Rights and HEW. Having so many different program officers

to deal with creates problems. We could use assistance with the full process, from submission of a proposal to ESAA officials, through negotiation of funding and the final approval. We frequently find that activities approved the preceding year are not fundable the following year. About 25% of the activities are not fundable at the time of a second submission. For example, we were able to fund library services in our Investigative Learning Center (magnet school) the first year, but were told that such services could not be funded a second year. Another example was that of counseling services. These kinds of shifts create serious problems with communicating with the community, parents and students, and decrease the district's credibility. The increasing costs to the district have been enormous.

Every OCR citation, whether related to desegregation or not, requires dollars to correct it. The costs are not seen only in the cases of implementing new programs, but there are additional costs involved with diverting administrative staff to respond to a compliance need. For example, in response to special education legislation, it was necessary to pull a large number of staff from normal duties for a full two-week period. There are a number of examples of that kind and time gets translated into dollars!

With many policy issues there is a hidden cost, either of time for legal staff or of your own staff time. You cannot always cut back the proportion of administrators in relationship to the number of students because there is not always a direct relationship between the two. Just to keep on top of the volumes of the federal regulations and guidelines and to stay on top of the implementation procedures requires an enormous amount of administrative time. So you can have increased administrative demands even with declining enrollment; while taxpayers are clamoring for reduced costs of running school systems.

Need for Technical Assistance in Planning

Most of the research on desegregation has very little value in terms of planning and implementation. Much of what has been studied has to do with pre- and post-desegregation achievement scores of students. That is no help at all if what you have is sixty days to come up with a plan, as we had. I accumulated reams of papers and after awhile I stopped reading them, because they just were not helpful in terms of how you cluster schools and how you plan programs and what makes the greatest sense in all that. What is helpful is sitting down with educators who are involved with students, with schools, with communities. That does not resolve all your problems -- it creates some -- but you can sort through all the different ideas and approaches and come up with something that makes sense. I think the classic words are "input and sensitivity" and as we put our plan together we sometimes felt we had enough input and sensitivity to last a lifetime. Yet there are always a lot of people who say that they had no input, that they were not listened to. If you do everything everybody wants you to do, you wind up doing nothing. It is the old story of people not minding your closing schools so long as it is not their school, of not minding someone coming to their school so long as they do not have to go somewhere else -- anything is fine so long as it is someone else's school or someone else's child.

It seems to me that it would be really helpful if districts who have gone through the process of putting together a desegregation plan would record what they did so that we would not all be reinventing the wheel each time we start. In St. Louis we worked with a fourteen member committee and we went through our share of stumbling and wheel spinning, but you spin your wheels a little faster if you have only sixty days in which to do it. You don't have time to sit around and contemplate everything like most of us educators are inclined to do.

We certainly could use good technical assistance in formulating desegregation plans -- and we certainly had all kinds of offers from both federal and state level -- but if you are under the severe time constraints that we were under you do not have time to spend educating them about your school system so that they can be helpful to you. That is not meant to imply that what they know might not be helpful, but it takes so long to explain the nature of the problems, the community, and the schools that it is simply a luxury we could not afford. There has to be a way for a technical assistance team to be able to assist a school system effectively without bogging that system down, but I do not know what it is. We were fortunate in that our court-appointed "expert" was a pleasure to work with and was very committed and knowledgeable, but there were still some things about planning that no outsider could do as well as some of our own people could.

My belief is that our committee of fourteen could now be of great assistance to another city going through desegregation planning. That is the kind of technical assistance that could make a difference, because they could go into a city and say, "Here's what you are likely to go through." We spent the first couple of weeks floundering around while people tried to figure out what it was they were supposed to be doing. As it was, we did send half-dozen of our staff to visit some other cities as we began to plan -- they went to Milwaukee, Columbus, and Louisville, and that was helpful, but it probably would have been more helpful if teams from those cities could have come to St. Louis to go through the process with our entire team. It would have increased the comfort level of our people who had never done this before. Now our people who have been through it are the experts, and they can tell you the steps you need to go through.

Reactions to Desegregation Planning Process

We were fortunate in that our Board of Education was very supportive to both our staff and to the committee. The board will never get any credit, because they are in a no-win situation. No matter who they are talking with or what they are doing, as far as the total community goes, they cannot please everyone. Even the person who finds something good about the plan will find some other things bad. But our board stood together publicly, even when they might have disagreed in executive sessions. If the board yields to the power of pressure groups, which many boards have done, it is easy for them to get to the point where they say, "Your honor, we can't get a plan ready." Then it gets taken out of their hands and they end up with a worse plan than if they had stayed with the job. Often what comes out of a community is only negative reaction to what has been proposed, rather than positive recommendations that might be useful.

Some of the best suggestions about desegregation implementation have come from our students, who generally approach the problem with more maturity than anybody else in the community. The problem is that the court order has prevented us from acting on some of those suggestions, and that is hard for them to understand. The court said we have to have a 30-50% black student population in each "desegregated" school by the beginning of the 1980 school year, and we cannot phase it in by providing only a 5-10% increase the first year. There is a limit to how much use can be made of a democratic process in working these things out.

Community reaction to the desegregation planning process has brought changes in perceptions about a particular school. I have a folder of complaints about certain school buildings and facilities, about how inadequate the programs are, and so on. Yet when you consider closing some of those schools for desegregation purposes, suddenly they become the best schools in town and you

are told that they do not need improvements, they just need to be left alone.

Certainly it helps if you have a broad base of support in the community. One of our big frustrations was that we simply could not meet with the 300 groups who wanted to make input in sixty days, especially when most of them wanted to meet with the superintendent and resented someone else being sent to talk with them. It is much more effective to meet with each small group than to schedule mass meetings. You can answer questions a lot more effectively in a small group and you can talk about specific schools and situations in a personal way that you cannot do in mass meetings. You avoid some of the dynamics of mass psychology that can be very chaotic and destructive.

Problems in Implementation of Policy

A major problem in monitoring compliance with policy is that there seems to be one set of standards for local school systems and another for federal and sometimes state systems. For instance, we have to meet tight timelines. If it is proposal time, you get your proposal in by a specific day or you will not be considered. Two years in a row we met the federal deadline but because not enough states met it, they changed the deadline. However, they have no absolute deadlines for when they must respond to the local districts. We are told that we will be notified by April 15 -- typically that comes and goes and May 15 comes and goes and June 15 comes and goes, and so it goes. We had to do the first major ESAA proposal that we wrote in three weeks, but it took them six months to give us an answer. That does not make sense to me. Our first ESAA proposal to implement the Magnet Schools was approved on August 15, 1976 and school was to start the day after Labor Day -- we had to do transportation routes, assign staff, notify students, get all materials

in order and a host of other tasks, all in three weeks. It makes one wonder about such delay tactics; if a school system fails to deliver, given such unrealistic obstacles, then people can blame it on desegregation.

The same thing applies if you have an OCR citation. You get a letter saying they have found that you are not in compliance. Usually they find three or four things that have to be corrected. From the date on which the letter is sent, not the date you receive it, you have fourteen days to get all your data together and respond. It usually takes about four days for the letter to reach you, so then you have ten days left to get your material organized and respond. If you want a show cause hearing and if you do not respond within the fourteen days, I guess you are deemed guilty. Yet when we write to them, it may take a month to get a response to our letter, let alone recognition that something ought to be done.

Another implementation problem involves how you define the guidelines on what is racial isolation. The Office of Civil Rights defines it in ways that lead to ridiculous consequences. For example, a couple of years ago we had a white student from a predominantly black area who by some means, probably by giving a false address, managed to enroll in one of our magnet high schools. The high school which he should have gone to is, by anybody's definition, a racially isolated school, 95% black, and his going to the magnet school, which was 70% black, increased the percentage of black students at his original home high school by one tenth of one percent. Eventually the student must have slipped up and given his accurate address and OCR caught it and said, "This kid should not be going to the magnet school, because his going there contributes to greater racial isolation." Now it might have been different if this student had been looking for some white haven, but the fact was that he was choosing to go to a school that was 70% black. Nevertheless, OCR insisted

that he could not do it. It is that kind of nonsense that results in students quitting school, or going to private or parochial schools or lying about their addresses. We probably could keep many of them in our magnet schools if OCR would recognize the realities of the situation. Their type of measurement simply does not achieve greater desegregation.

One thing we have learned from this sort of thing is that you can avoid a lot of headaches by having the court define racial isolation. The Office of Civil Rights abides by the court, so we defined entrance or exit criteria that was to be used and it was approved in the court order.

Another unfortunate consequence of federal desegregation policy is that it results in competition between districts for funds. The 1980 appropriation for the ESAA basic grants is something like \$118,000,000 nationwide. Some big cities could almost use that by themselves. The first year St. Louis got funded we wiped out the basic grant in Missouri. Kansas City was not ready as quickly as we were and so we got the money. A lot of the suburban districts needed help, too, but how could they compete with St. Louis with its 60,000 black youngsters, many of them poor as well as minority. The following year Kansas City got most of the basic grant allocation and we got most of the special project allocation. That sort of thing creates real animosity in the suburban schools and there certainly is no equity in it. Just because some system has only 7,000 students does not mean that their needs relatively are any less than ours. There should be a mechanism for putting in sufficient dollars so that those kinds of problems are not created by federal funding, and sometimes by state funding as well. The other thing is that all the sources of funding should be combined so that a school district could write one proposal and deal with one set of bureaucrats, one set of program officers who really understand what we are doing.

Some cities have had horrendous problems in implementing staff desegregation. There is little in the regulations that addresses it, other than that ESAA did have a provision that said you would be ineligible if you had racially isolated staff. I believe this is another instance where it is wise to get that spelled out in your court order, because then at least you can address your local employee organizations and involve them in it. We have been fortunate in St. Louis on that score because our local teacher union has been cooperative.

A Desegregated School.

I think that the measure of a desegregated school is not the percentage of racial mix but the degree of stability of that racial mix, along with the general reaction of the students, the parents, and the faculty of that school. If their behavior reflects a real understanding and respect for differences and similarities, and a positive attitude toward the school experience, then I think that is a truly desegregated school. In the language of the Eighth Circuit Court of Appeals, an integrated school was defined as "a school with a black enrollment of between 30% and 50%." It is obvious that, given our population composition (77% black/23% white), there are going to be some schools that will be all black, and according to the court, that is allowable. Those schools will be in compliance, but in my estimation it is not accurate to say that they are desegregated. It is also not accurate to say that all students in such a school automatically need compensatory remedial education, which is the way courts tend to address them. We have proposed a number of options in terms of what we call enrichment and developmental programs, but we certainly do not believe that just because a

school is not desegregated the students are all in need of special education.

To summarize, the changes that I would like to see have to do with increased financial incentives, reform in some OCR guidelines, and finally, attention to the long-term effects of legislation. We must stop tossing peanuts out there and causing animosity among the school districts who are put in the position of fighting for them. We must have more consistent guidelines for what we are expected to do. And we must look very carefully at propositions such as metropolitan remedies, to be sure that whatever legislative or judicial action is taken does not create greater racial isolation ten years from now. Several of the unique directions from our Court order are:

The State defendants, the United States, and the St. Louis Board of Education are ordered and directed as follows:

- a) To make every feasible effort to work out with the appropriate school districts in the St. Louis County and develop, for 1980-81 implementation, a voluntary, cooperative plan of pupil exchanges which will assist in alleviating the school segregation in the City of St. Louis, and which also insures that inter-district pupil transfers will not impair the desegregation of the St. Louis school district ordered herein, and submit such plan to the Court for approval by July 1, 1980.
- b) To develop and submit to the Court by November 1, 1980, a plan for the consolidation or merger and full desegregation of the separate vocational educational programs operated by the Special District of St. Louis County and the school district of the City of St. Louis, for implementation in the 1981-82 school year.
- c) To develop and submit to the Court by November 1, 1980, a

suggested plan of inter-district school desegregation necessary to eradicate the remaining vestiges of government-imposed school segregation in the City of St. Louis and St. Louis County.

- d) To develop and submit to the Court by November 1, 1980, in conjunction with the Community Development Agency of the City of St. Louis, a suggested plan for insuring that the operation of federally-assisted housing programs in the St. Louis metropolitan area will facilitate the school desegregation ordered herein.
- e) To develop and submit a plan to the Court by July 1, 1980, which expands programs and schools so that all the schools in the City of St. Louis may be eligible for Title I funding for the year 1980-81 under Title I of the U.S. Elementary and Secondary Education Act of 1965.

The bottom line for change really can be stated in one sentence, "Desegregation should become a real priority at the national, state and local levels with appropriate fiscal policy, technical and moral support to do the job right!"

roc
7/T/80

21