



Student Nonviolent Coordinating Committee

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Washington, D. C. 20010

February 16, 1966

John W. Gardner
Secretary
Department of Health, Education and Welfare
300 Independence Avenue, S.W.
Washington, D.C.

Dear Secretary Gardner,

There is grave concern among many people in this country about the total lack of enforcement of Title VI of the Civil Rights Act of 1964 -- particularly in the area of school desegregation. As you well know, 12 years after the 1954 Brown decisions which outlawed segregated education, 94% of all Negro students in the 11 Southern states are still attending completely segregated and unequal schools. This, along with other information, was given to you last fall in three special reports on school desegregation written by the Student Nonviolent Coordinating Committee, The American Friends Service Committee and the Legal Defense and Education Fund, Inc. and the Southern Regional Council. Yet, your department has done little or nothing to correct the situation.

In effect, you and your Office of Education have administratively repealed Title VI by refusing to take steps to enforce its provisions. We think time is running out. Negroes in increasingly large numbers are losing faith in the ability and will of the Federal Government to enforce Title VI or to eliminate segregation and discrimination in the public schools of this country. Hope has turned to despair, trust has turned into suspicion, and understanding has turned into bitterness.

Therefore, Mr. Secretary, we are submitting to you model guidelines for September 1966. We urge you to adopt them in their entirety. However, before they or any guidelines are adopted, we would urge you to hold public and open hearings for we believe that the public has the right to be involved in their formulation.

STATE HISTORICAL SOCIETY
816 STATE STREET
MADISON, WISCONSIN 53706

12am
68-1510

"One Man, One Vote"

page 2 Secretary Gardner

Most important, however, we are concerned that once the guidelines are adopted, effective compliance and review procedures must be established.

As we pointed out in our September 1965 special report on School Desegregation and the Office of Education, the Equal Education Opportunities Program headed by David S. Seeley, was not equipped to enforce Title VI. It still is not.

Since early September at least 600 complaints have been received about the lack of compliance in hundreds of school districts with Title VI. Yet, the Equal Education Opportunities office has only conducted 15 investigations (2 in North Carolina, 3 in Alabama, 5 in Georgia, 2 in Arkansas, 3 in Tennessee and none in Virginia, South Carolina, Florida or Mississippi or Louisiana).

We have tried to work with the Equal Education Opportunities Program (EEOP) since September but our efforts have been frustrated. We have submitted complaint after complaint, but to no avail. Four delegations from the South — Baker County, Georgia; Forrest City, Arkansas; Barbour County, Alabama and Bertie County, North Carolina plus many Negro Mississippians have come to the Office of Education personally for help, but it has not been forthcoming.

In fact, investigators from EEOP went to Baker County, Ga. in early September of 1965 and reported that Baker County was totally out of compliance with Title VI guidelines. The investigators report recommended that funds be cut off and that Baker County be cited for non-compliance. Now, five months later Baker County is still using federal funds and no decision has been made by you or your education Commissioner as to action against Baker County.

Mr Secretary, indecision runs rampant through your department. There is no excuse for reluctance on your part to take decisive action. There is no excuse for EEOP to function the way it has.

Since early October most staff members in EEOP have had little to do but sit around and read newspapers and magazines or prepare reports that would never be acted upon. In fact, most staff members were encouraged to take a rapid reading course during their work time. Morale was and is at an all time low.

There is evidence of non-compliance in hundreds of school districts across the South. You have not spoken out nor has President Johnson spoken out against this mockery of the Constitution or our nation's laws. Already hundreds of thousands of dollars have been distributed to school districts which are practising blatant discrimination against Negro children. Yet, at this late date, not one school district has had its federal money cut off.

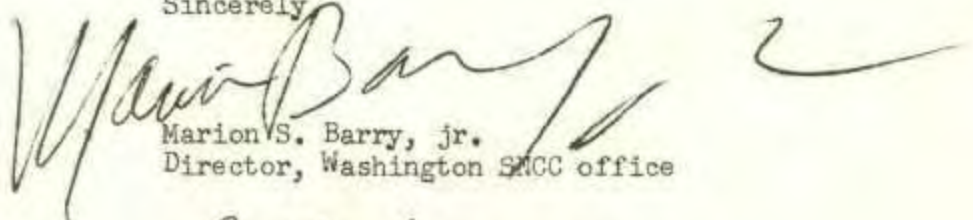
page 3 Secretary Gardner

It is our contention that EEOP has to be completely reorganized. We would urge that you take the compliance section from under the Commissioner of Education and placed directly in your office with the Director reporting to Mr. Peter LaBossi and yourself. We are also asking that you assign at least 500 people initially to work on school plan approval and on investigation assignments as complaints come in.

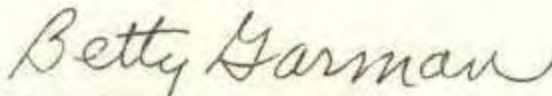
Mr. Secretary, you have the responsibility; we feel that you have the will and the interest to move. Will you act and act, now?

We will be waiting to meet with you at any time to discuss the guidelines we have submitted or to discuss procedures for an adequate and rigorous enforcement of Title VI as the Congress and the American people demand and deserve.

Sincerely



Marion S. Barry, jr.
Director, Washington SNCC office



Betty Garman,
SNCC Federal Programs Coordinator

encl. school guidelines