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**Hearing
Before the
United States
Commission on Civil Rights**

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HEARING HELD IN
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DECEMBER 13-14, 1976

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U. S. COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights is a temporary independent, bipartisan agency established by the Congress in 1957 to:

- Investigate complaints alleging denial of the right to vote by reason of race, color, religion, sex, or national origin, or by reason of fraudulent practices;
- Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice;
- Appraise Federal laws and policies with respect to the denial of equal protection of the laws because of race, color, religion, sex, or national origin, or in the administration of justice;
- Serve as a national clearinghouse for information concerning denials of equal protection of the laws because of race, color, religion, sex, or national origin; and
- Submit reports, findings, and recommendations to the President and Congress.

MEMBERS OF THE COMMISSION

Arthur S. Flemming, *Chairman*

Stephen Horn, *Vice Chairman*

Frankie M. Freeman

Manuel Ruiz, Jr.

Murray Saltzman

John A. Buggs, *Staff Director*

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EXHIBITS

(Exhibits on file at the U.S. Commission on Civil Rights)

UNITED STATES COMMISSION ON CIVIL RIGHTS

Monday, December 13, 1976

PRESENT: Arthur S. Flemming, Chairman; Stephen Horn, Vice Chairman; Frankie Freeman, Commissioner; Manuel Ruiz, Jr., Commissioner; Murray Saltzman, Commissioner; John Buggs, Staff Director, Richard Baca, General Counsel.

PROCEEDINGS

CHAIRMAN FLEMMING. As it is 9 o'clock, I'm going to ask that the hearing come to order.

This is a hearing by the U.S. Commission on Civil Rights relative to the issue of desegregation in the Los Angeles Unified School District.

First of all I would like to introduce my colleagues who will be participating with me in this hearing. On my immediate left is Commissioner Stephen Horn who is president of the University of California at Long Beach.

On his left is Commissioner Frankie Freeman, a very distinguished trial lawyer from the city of St. Louis. Mrs. Freeman, in point of years of service on the Commission, is the oldest member of the Commission. You'll note I underlined in point of years of service. She was appointed by President Johnson and has served ever since.

On her immediate left is Commissioner Manuel Ruiz, a very distinguished international lawyer from the Los Angeles area.

On my immediate right is John Buggs. Many, many persons in this area know John Buggs and respect and admire him for the leadership that he provided this area in the field of human rights. The loss of this area constitutes a very real gain as far as the Civil Rights Commission is concerned. He has provided us with excellent leadership as our Staff Director and full-time executive. Because, as you will note, all members of the Commission serve on a part-time basis. All members of the Commission have other assignments in public or private life.

On John Buggs' right is Commissioner Murray Saltzman. Commissioner Saltzman is a rabbi from Indianapolis, Indiana, where he serves one of the outstanding congregations of that area. He has long been recognized as a leader in the civil rights area, not only within his own faith, but within the community and States where he has been located.

You will note from my introductions that three of the persons that I've introduced are quite familiar with this area. Commissioner Horn, our Vice Chairman, doesn't live right in this school district or in this area, but he's close enough to have observed what is taking place, and he has had a deep-seated interest not only in civil rights problems on a national basis, but he's always been involved in those issues wherever he has been located. I recall him first as assistant to the late James Mitchell, Secretary of Labor in the Eisenhower administration, and as assistant to Thomas, Senator Thomas Kuchel from the State of California. Needless to say, those of us who are from outside the area are going to rely a great deal on those who are within the area.

The Civil Rights Commission came into existence as a result of the passing of the Civil Rights Act of 1957. As a member of President Eisenhower's cabinet at that time, I recall very distinctly the discussions, the debates, that took place within the executive branch at cabinet meetings relative to the recommendations that the executive branch might make to the Congress in connection with the proposed Civil Rights Act of 1957.

The late President Eisenhower, in those discussions, was very insistent on the fact that he wanted to recommend to the Congress the creation of such a Commission. I recall that some of my colleagues argued with him that he didn't need a law, that he could create such a Commission by Executive order. His response was, "yes, I could do it, but I couldn't confer on that Commission the right to subpoena witnesses and to put persons under oath."

And he said, "In my judgment, if we're going to get the facts on top of the table, relative to these basic issues in the field of civil rights, it is very important for such an independent body to have the right to issue subpoenas and put persons under oath."

The Congress passed a law which included that right. Whenever the Commission holds public hearings, it does subpoena its witnesses and it does put them under oath. Down through the years, the members of the Commission have discovered that the authority to do this has been of incalculable help in getting the facts on top of the table, in putting us in a position where we could weigh the evidence and reach conclusions, and then make our findings and recommendations available to the President of the United States and to the Congress of the United States.

The Commission on Civil Rights, down through the years, has identified what the members of the Commission have regarded as very fundamental issues in the civil rights area. It has then engaged in in-depth studies including public hearings on those issues, then it has made its findings and recommendations available to the President.

In addition to this, the Commission has served as an oversight agency in relation to all departments and agencies of the Federal Government that are charged with the responsibility of implementing the civil rights laws.

From the beginning, the Commission has functioned as an independent body. It is a bipartisan body; under the law no member, no more than three members of the Commission may come from the same political party. All members of the Commission are appointed by the President and confirmed by the Senate.

The Commission, from the beginning, has been able to protect its independence. The Commission from the beginning has felt that it has an obligation to stay out on the cutting edge of all issues in the area of civil rights. The Commission from the beginning has felt under obligation to call the shots as it sees them.

The present members of the Commission feel that probably the most important issue confronting us in the area of civil rights at the present time is that of the desegregation of our public school system.

Over a period of the last 18 months we have invested a great deal of time, energy, and resources in an effort to obtain a good, bird's-eye view of what is going on in this Nation in connection with the desegregation of our public schools.

As we have performed this function in this particular area, we have kept in mind the following statutory responsibilities: One, to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice.

Second, to appraise Federal laws and policies with respect to equal protection of the laws because of race, color, religion, sex, or national origin, or in the administration of justice.

Third, to serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion, sex, or national origin.

From its beginning, the Commission has paid a great deal of attention to this area of desegregation of our public school systems. Over the years it has made a number of studies and has issued a number of reports based on these studies. Our latest report was issued in August of this year.

We regard giving attention to this area of desegregation as a continuous process. This is something that we feel we've got to keep investigating throughout the country if we are to be in a position where we do have the kind of a bird's-eye view that enables us to make recommendations to the President and to the Congress.

In line with this continuous responsibility, our Staff Director Mr. Buggs has from time to time had the opportunity of talking with Dr. Robert Loveland, the chairman of the Citizens' Advisory Committee on Student Integration. Dr. Loveland, in connection with those conversations, raised the question as to whether or not this Commission would consider holding public hearings on desegregation in this area prior to the development of a desegregation plan.

He followed up those conversations with John Buggs by addressing a telegram to the Commission which read as follows:

The Citizens' Advisory Committee on Student Integration of the Los Angeles Unified School District requests the involvement of the U.S. Commission on Civil Rights in order to make its expert resources available to the citizens of Los Angeles to assist in the development of a plan for the integration of the Los Angeles Unified School District.

After receiving this telegram, the Commission decided to schedule public hearings in this city. As some of you know, since October, members of our staff have been interviewing persons in this area and identifying witnesses who in their judgment would be able to present to this Commission information that would be of help to us in evaluating the situation as it exists in this area at the present time.

Some of these witnesses have been subpoenaed, and when they appear, they will be put under oath in accordance with our standard operating procedures growing out of the authority given to us by the Congress of the United States.

We look forward, during the next 3 days, to the opportunity of becoming acquainted with the facts relative to desegregation in this particular area. As our attorneys examine witnesses, as members of the Commission examine witnesses, we will do so solely with the end in view of trying to be in a position where we have a good overview of the situation as it stands in this school district at the present time.

This is the first time that our Commission has held a hearing prior to the development of a plan for desegregation, prior to initial steps being taken to implement the plan. However, we welcome the initiative taken by the chairman of the Citizens' Advisory Committee on Student Integration, and we look forward to the opportunity of becoming acquainted with the situation in this, one of the great metropolitan areas of our Nation.

We're very happy that the mayor of the city of Los Angeles is with us this morning in order to extend greetings to the Commission. I know that I speak for my colleagues on the Commission and for our Staff Director, John Buggs, when I say to the mayor that we deeply appreciate the leadership that he has and is providing in this area. We deeply appreciate his willingness and the willingness of his colleagues to cooperate with our staff in preparation for this hearing.

I'm very happy at this time to recognize Honorable Tom Bradley, mayor of the city of Los Angeles.

MR. BRADLEY. Dr. Flemming and members of the Commission, I'm delighted to extend a warm welcome to you, and it's more than simply words. This room has already indicated the warmth of our welcome.

I know that the Federal Government wishes to be one of the examples of energy conservation, and I therefore have called to the attention of one of the staff people that we could afford to have the heat turned down just a little bit in the room.

CHAIRMAN FLEMMING. Thank you very much. Members of the Commission appreciate your initiative on that point.

STATEMENT OF THOMAS BRADLEY, MAYOR OF THE CITY OF LOS ANGELES

MR. BRADLEY. I recognize that the Commission in coming to Los Angeles does so out of its own concern about its role, its mission, its charge by the Congress and the President to protect the civil rights of all Americans.

More than that, we know that your presence in other cities and the information which you have provided as a result of your studies has been instrumental in helping various cities throughout the country deal with this very difficult question of school desegregation. I'm confident that Los Angeles will benefit from the hearings and from the information which you have already shared with us arising from your studies in other cities.

This issue, as all of us know, is one of the most difficult that faces any community. And it does require the responsible leadership taking control to be sure that there is full understanding, and that there is compliance with the law, and that there is no disruptive element in the community that thwarts the will of the people or the law, and provides peace and security for the community.

We fully expect that that's going to occur in Los Angeles. We are, as you well know, attempting to deal with the court mandate on school desegregation, and I'm pleased that the school board and others here in Los Angeles have appointed a committee, an advisory committee of over 100 people to provide advice and information to the school board to help them in reaching their decisions about what alternatives they ought to put into effect and recommend to the court for its final judgment.

I believe that the testimony that will be offered to this Commission during the course of your 3 days in Los Angeles, from a broad cross section of the leadership of this city, will provide the base for that creative and constructive evaluation of the alternatives.

We have, in this community, always been a law-abiding community that believes in complying with the law, whatever the law says. I'm pleased to note that one of the very heartwarming things which has already come out is the fact that our police department, which is, I think, the best of any large city in the country, is a professional law enforcement agency, and the chief and the members of that department have already committed, through their announcement, that they are going to see that the law is obeyed. They don't question the law, they don't say what the law ought to be, properly so. They've simply said that we are going to enforce the law. We will not permit disruption in this city, and I think that that's the start of creating the climate in which all of us can, in an unemotional way, look at the facts and the evidence, look at the recommendations and the final decisions, and then adjust to them.

I know that there are some fears that all kinds of things are going to be ordered. Nobody knows at this point, and I don't think that it's up to us to even speculate about what those recommendations are going to be or what the board of education is finally going to adopt.

I think it is our responsibility to offer constructive and reasonable suggestions to them so that when they reach a decision, they are able to do so based upon the broadest cross section of views and opinions that can be offered by the leadership in this community.

I believe that it is going to be the format by which we will reach a decision in this community. Your presence here, these hearings, I think will help greatly in our reaching that kind of conclusion.

I can assure you that I will continue to provide all of the influence that I can to ensure that these things do come about. And it is my hope that when all of the decisions are made, that you're going to find that Los Angeles is one of the model cities, a model in terms of the plan for implementation of desegregation. The model in responding to the court's mandate. And a model in terms of civility and reasonableness of its citizens in complying with the law.

Once again, welcome, and may you have a good hearing.

CHAIRMAN FLEMMING. Thank you very, very much, Mayor Bradley. I appreciate it.

VICE CHAIRMAN HORN. Mr. Chairman, I wonder before the mayor leaves if I could ask a question and commend the mayor?

I notice he put the stress on requiring responsible leadership in the community. The mayor is without question one of the distinguished municipal leaders of the country, and as such he has had an opportunity to see the variety of different patterns that exist in American local government. I wonder, Mayor, although you are not a sworn witness, if you could just give the Commission a brief summary of the relationship in this city, under law, of the mayor to the school system and the mayor to the police department.

In some cities we go into, the people that stay the farthest away from the Commission if they possibly can on the issue of public school desegregation are the mayors of those particular cities. And as you know, the pattern is quite different around the country.

Could you give us a brief summary of your responsibilities as you see them?

MR. BRADLEY. The mayor of Los Angeles is the chief executive officer of this city, has responsibility for the appointment of the police commission which is the legal head of the department. The chief of police is the general manager of that department appointed through a civil service process. And the chief carries out the policies, the mandates, of the police commission, works closely with that commission in establishing those policies.

And it was in that context that I indicated that the chief, who is the professional head of that department, will carry out his mandate to enforce the law in this community and to have a firm hand on, not only his department, but those elements that might tend to create some disruption.

And the other side of your question is the relationship of the mayor's office to the board of education. The board of education is

a separate governmental agency, not under the control, but separately elected, and that seven-member board sets the policy and runs the board of education with the assistance, on a day-to-day basis, of the superintendent and his staff.

Under my administration, we have created, I think, a closer link between city hall and the board of education. I have a liaison who works with the board of education on a day-to-day basis full time. In turn, the board has a liaison that works in my office and with my office in carrying out our joint and mutual responsibilities. I believe that what happens in our schools is important to the community. We cannot divorce those operations even though there is a legal separation. And it is for that reason, on a voluntary basis, we have created, I think, a very good relationship and an atmosphere in which both entities can work closely and cooperatively in the providing of quality education for our students and peace and security in our streets.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Thank you very, very much, and again we do appreciate your being here at the opening of these hearings. Thank you very much.

MR. BRADLEY. Thank you, Dr. Flemming.

CHAIRMAN FLEMMING. At this time I'd like to recognize my colleague, Commissioner Freeman, who will make a statement relative to the—some of the rules that will govern these proceedings for the next 3 days.

COMMISSIONER FREEMAN. Thank you, Dr. Flemming. At the outset, I should emphasize that the observations I'm about to make on the Commission's rules constitute nothing more than brief summaries of the significant provisions. The rules themselves should be consulted for a fuller understanding. Staff members will be available to answer questions which arise during the course of the hearing. In outlining the procedures which will govern the hearing, I think it is important to explain briefly a special Commission procedure for testimony or evidence which may tend to defame, degrade, or incriminate any person.

Section 102-E of our statute provides, and I quote,

If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony in executive session. The Commission shall afford any person defamed, degraded, or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session with a reasonable number of additional witnesses requested by him before deciding to use such evidence or testimony.

When we use the term executive session, we mean a session in which only the Commissioners are present, in contrast to a session such as this one in which the public is invited and present. In providing for an executive or closed session for testimony which may tend to

defame, degrade, or incriminate any person, Congress clearly intended to give the fullest protection to individuals by affording them an opportunity to show why any testimony which might be damaging to them should not be presented in public.

Congress also wished to minimize damage to reputations as much as possible and to provide persons an opportunity to rebut unfounded charges before they were well publicized.

Therefore, the Commission when appropriate convenes in executive session prior to the receipt of anticipated defamatory testimony. Following the presentation of the testimony in executive session and any statement in opposition to it, the commissioners review the significance of the testimony and the merit of the opposition to it.

In the event we find the testimony to be of insufficient credibility or the opposition to it to be of sufficient merit, we may refuse to hear certain witnesses, even though those witnesses have been subpoenaed to testify in public session.

An executive session is the only portion of any hearing which is not open to the public. This hearing, the hearing which has just begun, is open to all. The public is invited and urged to attend all of the open sessions.

All persons who are scheduled to appear, who live or work in California or within 50 miles of the hearing site, have been subpoenaed by the Commission. All testimony at the public sessions will be under oath, and will be transcribed verbatim by the official reporter.

Everyone who testifies or submits data or evidence is entitled to obtain a copy of the transcript on payment of costs. In addition, within 60 days after the close of the hearing, a person may ask to correct errors in the transcript of the hearing of his or her testimony. Such requests will be granted only to make the transcript conform to testimony as presented at the hearing.

All witnesses are entitled to be accompanied and advised by counsel. After the witness has been questioned by the Commission, counsel may subject his or her client to reasonable examination within the scope of the questions asked by the Commission. He or she also may make objections, on the record, and argue briefly the basis for such objections.

Should any witness fail or refuse to follow on any order made by the Chairman or the Commissioner presiding in his absence, his or her behavior will be considered disorderly, and the matter will be referred to the U.S. Attorney for enforcement pursuant to the Commission's statutory powers.

If the Commission determines that any witness' testimony tends to defame, degrade, or incriminate any person, that person or his or her counsel may submit written questions which at the discretion of the Commission, may be put to the witness. Such person also has a right to request that witnesses be subpoenaed on his or her behalf.

All witnesses have the right to submit statements prepared by themselves or others for inclusion in the record, provided they are submitted within the time required by the rules.

Any person who has not been subpoenaed may be permitted in the discretion of the Commission to submit a written statement at this public hearing. Such statement will be reviewed by the members of the Commission and made a part of the record.

Witnesses at Commission hearings are protected by the provision of Title XVIII, U.S. Code, Section 1505, which makes it a crime to threaten, intimidate, or injure witnesses on account of their attendance at Government proceedings. The Commission should be immediately informed of any allegations relating to possible intimidation of witnesses.

Let me emphasize that we consider this to be a very serious matter, and we will do all in our power to protect witnesses who appear at the hearing.

Copies of the rules which govern this hearing may be secured from a member of the Commission staff. Persons who have been subpoenaed have already been given their copies.

Finally, I should point out that these rules were drafted with the intent of ensuring that Commission hearings be conducted in a fair and impartial manner. In many cases the Commission has gone significantly beyond congressional requirements in providing safeguards for witnesses and other persons. We have done that in the belief that useful facts can be developed best in an atmosphere of calm and objectivity. We hope that such an atmosphere will prevail at this hearing.

With respect to the conduct of persons in this hearing room, the Commission wants to make clear that all orders by the Chairman must be obeyed. Failure by any person to obey an order by Dr. Flemming or the Commissioner presiding in his absence will result in the exclusion of the individual from this hearing room and criminal prosecution by the U.S. Attorney when required.

The Federal marshals stationed in and around this hearing room have been thoroughly instructed by the Commission on hearing procedure, and their orders are also to be obeyed.

This hearing will be in public session on today, Monday, Tuesday, and Wednesday of this week. The session today and the session tomorrow, Tuesday, will begin at 9 a.m. and will continue until 6 p.m. without a break. On Wednesday, the final day of this hearing, the session will begin at 9 a.m. and continue without a break until 2 p.m.

The time between 2 p.m. and 6 p.m. has been set aside for testimony from persons who have not been subpoenaed, but wish to testify.

As noted by Chairman Flemming, persons wishing to appear at the open session should be in contact with members of the Commission staff in suite 109 in this building during this week. This hearing will conclude not later than 6 p.m. Wednesday evening.

Thank you.

CHAIRMAN FLEMMING. Thank you, Commissioner Freeman. In connection with the last point mentioned by Commissioner Freeman, may I urge, and I'll repeat this from time to time, that those who desire to appear before the Commission on Wednesday afternoon, be sure to contact members of the staff in suite 109. We will hear persons in the order in which they file their requests with us. We will consider such requests up until 1 o'clock on Wednesday afternoon.

Persons appearing in this way will be provided with the opportunity of making a 5-minute statement and filing with the Commission any statement that they desire to file.

At this time, I would like to recognize the General Counsel of the Commission, Mr. Richard Baca.

MR. BACA. What I'd like to do is give the hearing that we will be involved in in the next 3 days, some context in terms of—in terms legal.

In 1954, over 20 years ago, the Supreme Court of the United States decided that racially segregated schooling denied minority children their constitutional guarantee.

CHAIRMAN FLEMMING. Pardon me, Mr. Baca, you cannot be heard by the members of the Commission; I don't know about the audience.

MR. BACA. Can people hear me? No? Is this working?

CHAIRMAN FLEMMING. Who's in control of the public address system?

MR. BACA. It's working? Okay. It gives me an opportunity to say again that, or to say, because I didn't initially, that this does not purport to be a definitive statement on the state of law at the present time, but only to give the next few days some legal context in terms of relating Federal court decisions to the *Crawford* decision that concerns us here.

In 1954, over 20 years ago, the Supreme Court of the United States decided that racially segregated schooling denied minority children their constitutional guarantee of equal protection of law.

The Court in the landmark case of *Brown v. Board of Education* found that even if equal facilities and resources were provided for children of all races, racial separation was inherently unequal and therefore unconstitutional.

However, in 1954, the Court did not discuss remedies. It was not until the Supreme Court's '68 decision in *Green v. County School Board of New Kent County* that it even came close to specifically calling for a workable remedy to *de jure* segregation. The Court abandoned the language which it had used in an earlier case commonly referred to as *Brown II*, which vaguely required that the schools desegregate with all deliberate speed, and adopted a more forceful approach.

In *Green*, the Justices in a unanimous decision reiterated the statement made earlier in *Griffin* that the time for mere deliberate speed had run out. The burden on the school board now is to come forward with a plan that promises realistically to work now.

In the 1971 decision of *Swann v. Charlotte Mecklenburg Board of Education*, the Court took this proposition further in declaring that no fixed guidelines can be established as to how far a court can go in devising a remedy to *de jure* segregation. As a caveat, the Court added that even given this wide discretion, the district courts must recognize that there are limits.

The Court acknowledged that there may be valid objections to the transportation of students based upon time, distance, health, and other factors which may significantly impinge on the educational process.

The Supreme Court of the United States has held a judicial intervention is justified when the segregation is found to be *de jure*, that is, when it is the result of State action, and prior to 1973 every case before the Court on the issue of school integration had dealt with obvious *de jure* segregation, that is, school children were required to be racially separated by law.

In the Denver case, *Keyes v. School District No. 1*, the Supreme Court—was the Supreme Court's first decision in an integration case in a State which did not require by law the establishment of racially separate schools. In the Denver case, the Supreme Court found that the equal protection clause of the 14th amendment was violated when the actions of the school board as opposed to the written law produced racially indistinguishable schools.

The Court did not reject the *de jure* and *de facto* rationale. However, it did decide that *de jure* segregation could be defined as something less than official legislation requiring separatism. In addition, the Court required a showing of causal relationship between the intentional segregative acts on the part of public authorities and the burden borne by those claiming a denial of equal protection.

The absence of this causal relationship proved crucial in the Court's 1974 decision in *Milliken v. Bradley*. In *Milliken*, the Court reversed a Sixth Circuit Court of Appeals decision which had ordered interdistrict metropolitan school integration in the Detroit area. The Court clearly articulated the proposition that the scope of the remedy in school integration cases is determined by the extent of the actual constitutional violation.

The California Supreme Court in the *Crawford* decision of June 28 of this year rejected the distinction between *de jure* and *de facto* segregation. The court upheld its 1963 decision of *Jackson v. Pasadena City School District* by holding that integration is constitutionally required regardless of the cause of segregation.

In making this decision, the court recognized that analysis of each and every past and present decision by each and every school board in each and every district in the State simply to determine whether that decision, that particular decision, caused segregation, however minor, and I'm quoting the courts, "presents a highly difficult and possibly insoluble task."

The court held that arbitrary and frequently meaningless debates over what is *de facto* and what is *de jure* only inhibit and delay school boards in their efforts to bring about full equality of educational opportunity. Wherever the origins or causes of school desegregation or of school segregation may lie, the court said, "We do not doubt that under traditional constitutional doctrine, local school boards are so significantly involved in the control and maintenance and ongoing supervision of their school systems as to render any existing school segregation State action, under our State constitutional equal protection clause."

In California, school boards possess plenary authority to determine school assignment policies; to establish and reestablish geographic attendance zones; to determine where new schools will be built, what their size will be, and what neighborhood they will serve; to create or eliminate transfer options between schools; and to establish specialized programs that may attract particular students to particular schools. Given the school board's pervasive control over and continuing responsibility for both the daily decisions and the long-range plans which, in fact, determine the racial and ethnic attendance pattern of its district schools, past authorities demonstrate that the State cannot escape constitutional responsibility for the segregated condition of the public schools.

The court concluded,

Although a school board's establishment of and adherence to a neighborhood school policy may on its face represent the implementation of a neutral, constitutionally permissible classification scheme, the effect of State action has invariably been to inflict a racially specific harm on minority students when such policy actually results in segregation.

The California decision recognizes that the effects of segregated schooling on both Anglo and minority students do not depend upon the cause of segregation.

The *Crawford* decision does not as a matter of constitutional law command that each school in the district reflect a racial composition similar to that of the district as a whole. It requires that reasonable and feasible steps be taken to eliminate segregated schools, those in which minority student enrollment is so disproportionate as realistically to isolate minority students from other students and thus deprive minority students of a quality integrated educational experience.

Thank you, Mr. Chairman.

CHAIRMAN FLEMMING. Thank you very much.

At this time I would like to recognize Nadine Hata, the southern vice chairperson of the California State Advisory Committee to the U.S. Commission on Civil Rights. Ms. Hata is here for the purpose of welcoming this Commission in behalf of the State Advisory Committee. And may I say that all of us deeply appreciate the role that the

State Advisory Committee in California has played and is playing in connection with coming to grips with some of the basic civil rights issues that confront the State of California.

And we're so happy to have you here with us this morning.

**STATEMENT OF NADINE HATA, SOUTHERN VICE CHAIRPERSON OF THE
CALIFORNIA ADVISORY COMMITTEE TO THE U.S. COMMISSION ON CIVIL
RIGHTS**

Ms. HATA. Thank you, Dr. Flemming.

Mr. Chairman, gentlemen, and gentle lady of the United States Commission on Civil Rights: I am Nadine Hata, southern vice chairperson of the California State Advisory Committee to the United States Commission on Civil Rights.

On behalf of State Committee Chairman Herman Sillas, who could not be here this morning, and the entire State Advisory Committee, I would like to welcome you to this part of our United States.

You are here this morning in response to an invitation extended by our State Advisory Committee several months ago. The purpose of your presence is clear. As Committee Chairperson Sillas stated in his letter of invitation to you, the State Advisory Committee recommended specifically that your body "undertake a review of the desegregation process in Los Angeles."

Our recommendation was based on the following factors: State Advisory Committee members and staff personnel of the Commission's Western Regional Office, headquartered here in Los Angeles, have held open meetings and hearings in the northern and central portions of the State, Berkeley and Santa Barbara, within the last year on state-wide progress, or the lack of it, with respect to desegregation of the public schools.

The State Advisory Committee also held a major public hearing on implementation of federally-funded bilingual-bicultural education programs a year ago in Sacramento at which time representatives of the State department of education and members of the community at large presented testimony.

The results of that hearing have been published as the California State Advisory Committee report titled, *State Administration of Bilingual Education, Si O No?*

Throughout those hearings and staff investigations, the data collected and scrutinized indicated clearly that a comprehensive review of a major ethnically and culturally pluralistic educational community was both timely and necessary.

The Los Angeles Unified School District provides an excellent case study of such an area, and for several specific reasons. The Los Angeles Unified School District has consistently and systematically attempted to delay both the spirit and the letter of the law with respect to a meaningful integration of the culturally and ethnically pluralistic student population which it is supposed to serve.

The Los Angeles Unified School District has been confronted squarely with litigation on the issue since the 1960s. Very recent telegrams notwithstanding, the school district has been either evasive or unresponsive. The Los Angeles Unified School District's obstructionist posture led recently to the California State Supreme Court decision on June 28, 1976, in the case of *Crawford v. Board of Education*. Chairperson Sillas' letter of invitation to you quoted from that decision by the justices of the highest court in this State. And I repeat it here for the public record of these proceedings. The California State Supreme Court concluded that the Los Angeles Unified School District has failed to undertake "any efforts to attempt to alleviate segregation." That evaluation of the Los Angeles Unified School District by the Supreme Court of the State of California requires few embellishments. It is clearly and unmistakably an indictment, for reasons that you will investigate in these next 3 days, of a failure to comply with the spirit and the letter of the laws of our United States.

And when I say our United States, I do not refer to only culturally—I do not refer only to cultural and ethnic minorities, but all of us who comprise America today. As one who is familiar with the realities of both our culturally and ethnically pluralistic population in this sprawling megalopolis and the sometimes overly bureaucratized priorities of the educational establishment, I could inject my personal observations and opinions for the record. But in my capacity as a member of a factfinding body, I should not and will not compromise the objectivity of these proceedings.

You have before you the facts. Facts in the form of the reports and background investigations submitted to you by our State Advisory Committee and Commission field investigators and researchers.

In the next 3 days, you will listen to testimony and supporting data from a wide variety of concerns, including professional educators, public officials and representatives of the community at large. Therein you can draw your own conclusions.

As our Nation enters its third century, we have hopefully realized that the promise of America lies in its rich diversity of ethnicities and cultures. All of us lose if we perpetuate the old cliché, "separate but equal." There is nothing equal and America will not endure if we are separate and apart from each other. The public schools have the awesome and ultimate responsibility to produce an enlightened and national citizenry respecting one another's diversity and learning to trust and depend on each of our individual contributions to make us strong and whole—all citizens of one Nation, united and indivisible.

May I take this rare opportunity to ask these members of our California State Advisory Committee in the audience today to stand and be recognized?

We thank you for responding in such a timely fashion to our invitation to hold a public hearing on this vital issue here in Los Angeles. Thank you.

CHAIRMAN FLEMMING. Thank you very much for being with us and thank you very much for the statement that you have made in behalf of the Advisory Committee.

Before I ask Counsel to call the first witnesses, I would like to administer the oath to the clerks who are assisting us in this hearing, if they will stand. I'm referring to Sheila Lyon, Gwen Morris, and Dennette Petteway.

MR. BUGGS. Will you come forward, all of you?

In view of the fact that they're not all here at the present time, I'll ask the General Counsel to call the first witness.

MR. BACA. Mr. Zane Meckler, please.

CHAIRMAN FLEMMING. If you'll stand and raise your right hand.

[Zane Meckler was sworn.]

Thank you, and we're delighted to have you with us.

If I may interrupt now just for a moment. If you will, as clerks, raise your right hand.

[The reporters and clerk were sworn.]

TESTIMONY OF ZANE MECKLER, ADVISOR TO THE STUDENT INTEGRATION RESOURCE OFFICE.

CHAIRMAN FLEMMING. Thank you very much. Counsel, you may proceed.

MR. BACA. Mr. Meckler? Sorry. Mr. Meckler, will you give your name and occupation for the record, please?

MR. MECKLER. Yes, my name is Zane Meckler. I'm coordinator of multicultural education for the Los Angeles Unified School District and advisor to the Student Integration Resource Office.

MR. BACA. Could you describe those duties for us, please, briefly?

MR. MECKLER. Primarily at this point it's working with the school district and the Citizens' Advisory Committee in reference to the forthcoming desegregation plan ordered by the courts.

MR. BACA. And can you tell us what relationship the presentation you're going to make has to that subject?

MR. MECKLER. Yes, the presentation basically is of demographic data with respect to the trends within the Los Angeles Unified School District, ethnic attendance patterns.

MR. BACA. Could we keep that quiet, please? I'm sorry, I don't know if everyone heard your last statement.

MR. MECKLER. I'll be glad to repeat it, sir.

MR. BACA. Please.

MR. MECKLER. The presentation is of demographic slides for the Commission and the audience with respect to the trends ethnically within the Los Angeles Unified School District.

MR. BACA. Could you please proceed with your presentation?

MR. MECKLER. Yes, if I may, I'll ask my colleague to work the slides with me and I'll stand up at the screen here.

I should apologize to the audience that the nature of the room is such that the audience, unless they come around and look at the screen, will not be able to see the slides, but the workbook does have the demographic data for those of the audience who want to look at that.

MR. BACA. Thank you.

MR. BUGGS. You'll have to turn out that light because the Commissioners cannot see that with—I'm sorry for the television cameras, but you just can't see it with that light on.

MR. MECKLER. Can the Commission see the—

MR. BACA. Mr. Meckler, I think you'll also probably have to stand on your right side of the screen.

MR. MECKLER. This way?

MR. BACA. Yes, please.

MR. MECKLER. All right. The first slide, members of the Commission, is the birth data for Los Angeles County area, and very briefly, starting with 1966 the total births for the county rose and peaked in 1970, and since 1970 the birth rate, with minor exceptions, has been dropping.

Within the total birth rate, the Anglo or Caucasian or other white birth rate was steady until 1969 and has been dropping sharply since.

The Spanish-surnamed birth rate has been rising equally dramatically, has surpassed the Anglo birth rate, and when we get to the second slide you will see the percentages. Sir?

MR. BACA. Excuse me.

MR. MECKLER. So the Spanish-surnamed births have been rising. The black birth rate is more or less steady or level, slight rise, and the Asian American birth rate equally steady, slight rise.

Now, when you go to the second slide, you will see county births by ethnic groups starting with 1969 to 1974, based on the county health department. The other white or white or Anglo births were almost 60 percent of all births in the county in 1969. They have dropped by 1974 to 38 percent, a 20 percent drop. Within the unified school district for 1963, the latest figure we have, the births of Anglos were 12 percent below the births of Anglos for the county—you can assume about the same here—so the white births in the school district are about 26 percent of all births.

Spanish surnamed has risen from 23 percent of all births in the county to 41 percent, and 1975, undoubtedly an increased figure, in 1976, you can see within the school district is about 5, 6 percentage points higher than the county as a whole. Forty-five percent of all births within the school district are Spanish surnamed.

The black births rose from 1969 almost 14 percent to 14.6, so it's a very slow rise. Within the unified school district, 19.5, about 5 percentage points higher.

And the Asian American births from 2.3 percent to 2.7, a very slight rise.

Basically the drop sharply in Anglo births and the rise sharply in Spanish-surnamed births.

The next slide will begin to deal with the unified school district, and before we get to the ethnic data, I'm not sure the Commission is aware, we presented this to the U.S. Office of Education, that the size of the district which I will describe momentarily, would include nine other cities. The unified school district is the entire city of Los Angeles, and nine other cities, Huntington Park, Maywood, Bell, Southgate, Gardena, San Fernando, and so forth.

If you were to put within the Los Angeles School District nine other cities, they would include Milwaukee, Cleveland, Philadelphia, Boston, Denver, Washington, D.C., and Providence, Rhode Island. I think I said Detroit. So the size of the district is 710 square miles.

All right. The next slide will deal with ethnically what the trends are within the total district. In 1966, the district had 56 percent Anglo or other white children, and from 1966 to 1975—I will interpolate the data which you will see on the next slide—1975, the Anglo majority 56 has dropped to 40 percent and is projected as dropping further to 32 percent by 1980. So there's a consistent, steady attrition of Anglos in the school district, the district being kindergarten through the 12th grade: from 56 to presently 40 and projected as dropping further.

Spanish-surnamed children 1966 were above 18 percent and have increased steadily to where in 1975, they're almost 30 percent, are projected as 36 percent by 1980, and in a later projection are projected as 40 percent by 1981. So a dramatic drop in Anglos, a hundred thousand children, a dramatic rise in Spanish surnamed from 18 to 30 and projected as doubling by 1980.

Black youngsters have risen from 21.4 percent to presently 25 percent, are projected as staying about the same—it says here 26 percent, but that's because the district total attendance is shrinking. The black youngsters indeed remain about the same figure.

Asian American children have risen from 3.4 percent to presently 5 percent. That includes six different nationality groups: Japanese American, Chinese American, Korean, Filipino, Samoan, and Hawaiian.

And lastly, the American Indian children have risen from one-tenth of 1 percent to presently 5 percent, are projected as staying about the same as are the Asian Americans, about 5 percent.

In summary, the district presently is 46 [sic] percent Anglo and 60 percent all other ethnic groups, 30 percent Spanish surnamed, 25 percent black, 5 percent Asian American, and 5—and a half percent American Indian. But the projections are for further change: basically, loss of Anglos, increase of Spanish surnamed, and stability among the other three.

Now, the next slide will confirm this: This is the present 1975 student enrollment by ethnicity, total pupils. Forty percent Anglo, almost 30 percent Spanish surnamed, almost 25 percent black, 5 percent Asian American, half percent American Indian.

Now back to the elementary schools and the impact of the birth rate. You will notice that in the elementary schools, the first line, the Anglos are less than the average, 36 percent as against 40. As the youngsters come into elementary schools they are less Anglo, and contrary, they are more Spanish surnamed, 34 percent against the average of 29 or almost 30. They are about equally, 24 percent with the average black, 24 percent black coming into the elementary as against 24.7. Asian Americans about the same, 5 percent and 5 percent; American Indians, about a half percent, as against the average of a half percent. So the elementary schools with the incoming youngsters being born in the last few years and the change in the birth rate are less Anglo, more Spanish surnamed, and about the same black, Asian American, and American Indian.

Now, the next slides will begin to deal with the trends. Okay, the district itself is now outlined in red and just to be sure that the Commission members know the scope of the district, this is the entire San Fernando Valley at the top of the slide. These are the Santa Monica Mountains. This is the West Los Angeles area, excluding Beverly Hills, which is an independent district, and Santa Monica, past Palisades is part of West L.A., Westchester area, the central city, the Hollywood area, Eagle Rock and Highland Park area, the East Los Angeles area, the independent cities Maywood, Bell, Southgate, Vernon, Cudahy and so forth, the city of Gardena, the corridor to the harbor and the Wilmington-San Pedro area, 710 square miles in all.

Now first we will trace the black residents and school attendance, and we have reference now to the census data starting with 1940. Where there is no color, the residents will indicate 90 percent non-black, really meaning Caucasian or Anglo residents, and the coloration will indicate the degree of black residents, yellow will be 11 to 30 percent, light green will be 31 to 60 percent, and dark green will be 61 to 100.

So starting with 1940, when the blacks began to come in large numbers into Los Angeles, the residence was basically south central and southeast area. And you will see now, with reference to the later slides, a westward movement and a southern movement and some residence of blacks in the San Fernando Valley. And I'll attempt to move the slides quickly just for impression rather than stop for detail.

Nineteen hundred and fifty residence—black concentration in the central city, now more pronounced as the colors change from no color to yellow, to light green to dark green. The concentrated black residence, in effect the ghetto, is beginning to emerge quite sharply. It is moving west and south and beginning to connect in a continuous fashion, but the San Fernando-Pacoima black residential pocket is beginning to emerge, the same in the harbor and a little portion in the Venice area in West Los Angeles.

1960—more of the same, blacks coming in. Each 10 years the blacks in terms of residents in Los Angeles County have doubled and

redoubled so the black concentration in central city is moving westward, moving southward and deepening in coloration. By now the San Fernando-Pacoima area has turned to dark green, 61 percent plus black residence.

1970—now we're dealing with school attendance, the dots that are over the map, 625 schools, are now going to indicate the percentage of ethnic attendance and so where you see no color, the schools are 90 percent Anglo in school attendance. Where the coloration begins to show, the black students range from 11 to 30 percent, light green 31 to 60, to dark green.

By now the *de facto* segregated schools in central south central area are quite pronounced—1970, with a pocket in the San Fernando Valley, and the beginning of self segregation in the Venice and portions of the harbor.

The last slide on the blacks is 1975. More of the same. The central city primarily black in school attendance, while the dark green refers to 61 to 100 percent school attendance based on the neighborhood school attendance patterns. Many of these schools are 80, 90, 95, and even 99 percent black in school attendance. The little yellow areas here are indicative of black attendance but not really residence because there is a small voluntary busing program, so that areas of the Palisades and the hills and portions of the valley are really not residentially black, but based on voluntary busing do indicate that black youngsters attend.

The basically black school attendance pattern is central city and San Fernando Valley and small portions elsewhere.

The next two slides will deal with the Asian American—first 1968, school attendance, six different nationality groups. The network of all the freeways is where the Castellar Elementary School is, which is heavily Chinese American, over 60 percent Chinese American. This is the Crenshaw area, primarily Japanese American in terms of Asian Americans. This is the city of Gardena, again primarily Japanese American. The Sepulveda area in West L.A., again primarily Japanese American. Unlike the blacks, the Asian Americans are somewhat scattered and do not heavily concentrate in any one area, at least significantly to make a majority of the students.

Changing from 1958 to 1975, still diffuse but increased Asian American residence in the East Hollywood area indicated by the yellow, 11 to 30 percent; increased numbers of Koreans, Chinese, Filipinos; and more recently the district began to receive along the Santa Monica Freeway, Vietnamese and Cambodian children, about a thousand of them; Samoan children in the harbor; Japanese American children in Gardena, Chinese American children in the New Chinatown-Castellar area, East Hollywood, and portions of West Los Angeles.

The entire San Fernando Valley, one-third of the school district, represents only 2 percent Asian American school attendance.

Next slides deal with the Spanish surnamed. By now you're recognizing the East Los Angeles barrio beginning to form, but we're talking 1950 residence. There was no census enumeration of Spanish surnamed in 1940. East Los Angeles and the valley and portions of the harbor already beginning to indicate Spanish surnamed residence.

Now, before the slides move, I want to point to three dramatic movements so that you can anticipate it. A northeast movement into Eagle Rock-Highland Park of Spanish surnamed; a southeast movement into the independent cities of Huntington Park, Bell, Maywood, Southgate, and so forth; and a major movement into the San Fernando Valley and also one into the harbor. So unlike the black, you're going to see diffuse Spanish-surnamed residence and school attendance as the years go by.

All right, 1960, the Spanish-surnamed barrio becoming quite pronounced. This is still residence, but already the Spanish surnamed in the valley are beyond just the Pacoima-San Fernando ghetto which is black, into Van Nuys, Canoga Park, North Hollywood, into the harbor, Wilmington, into West Los Angeles, and really in a major way beginning to come down the east side of the city. Still no major movement in the Eagle Rock-Highland Park or the southeast cities, but by the next slide you will begin to see.

By now, the no-color has been replaced by yellow for Eagle Rock-Highland Park and the light green is moving in over the yellow. In the entire southeast cities only the city of Bell was 90 percent Anglo, the major demography beginning to move in and change the character of both residence and school attendance. The harbor beginning to turn; east valley beginning; North Hollywood, Van Nuys, Pacoima, San Fernando and even central valley beginning to reflect increased Spanish surnamed attendance; and even the west valley, Canoga Park as well as West Los Angeles.

Next and last slide on the Spanish surnamed—by now the entire East Los Angeles area is a major barrio, and in terms of school attendance, the schools reflect 61 to 100 percent. Many of these schools indeed in the eighties and nineties and close to 100 percent Spanish surnamed.

By now Highland Park has sharply turned and Eagle Rock is beginning to turn. The yellow coloration is up in the northeast corner, the entire southeast cities have begun to change. Two dramatic examples, Huntington Park High School now over 70 percent Spanish surnamed where some 10, 15 years ago there were minimal numbers. Franklin High School, over 50 percent Spanish surnamed in East Los Angeles. The east end of the valley sharply changing. The harbor sharply changing, and indeed Spanish surnamed beginning to move west into the Hollywood and into the West Los Angeles area.

The next slide is really the question that the Commission is pursuing. We have added all the ethnic minorities together, so that the coloration represents the combined blacks, Spanish-surnamed, Asian Amer-

ican, and American Indians. The dark green will reflect the *de facto* segregated schools, which basically are the entire central east and southeast areas of Los Angeles, down into major portions of the harbor, some portions of the valley and even some portions of West Los Angeles.

Conversely, in the next slide we'll show this, but I want to stick with this first, the Anglos are predominant where there is no color or yellow, where they are 89 to 70 percent of the school attendance as contrasted with the dark green where they are less than 10 percent, and the light green areas are the cutting edges along with the yellow as they impact against the dark green.

The next slide will show it in reverse. The Anglos predominate in those areas where the dark green shows. I should call your attention to the fact that Santa Monica Mountains here and the major mountains here are minimally resided in, though still majority Anglo.

The valley, one-third of the district above my hand, one-third of the district, 200,000 students, is three to one Anglo. The rest of the district below my hand, two-thirds of the districts, 400,000 students, is only one-fourth Anglo, and three-quarters non-Anglo. And basically the heavy concentrations of minorities are where you see the absence of color. The Anglos predominant in the valley, West L.A., Hollywood, Eagle Rock, Westchester, and portions of West Los Angeles, and portions of the harbor, and some portions of the southeast cities.

The next slide will now deal, two slides, with the surrounding school districts and so Los Angeles City Unified is not dealt with in the absence of color, does not mean anything. But we're using the same color system to show the ethnic patterns of the surrounding school districts. And I'll enumerate them very quickly.

On the north Antelope Valley, William S. Hart, Los Virgines, the Malibu portion of the Santa Monica School District, which go together, the El Segundo, South Bay Union, Torrance, Sentinela Valley, Inglewood, Culver City, Santa Monica, Beverly Hills, Palos Verdes, Long Beach, Compton, Lindwood, Downey, Bellflower, Monterey, Alhambra, South Pasadena, San Marino, Pasadena, Glendale, and Burbank. Basically using the same color system in 1972, the surrounding districts with minor exceptions were predominately Anglo—those noncolored like Beverly Hills in the 90 percent Anglo, and those reflected as yellow, 89 to 70 percent Anglo.

Now, notice Inglewood and Linwood when we go to the next slide, which have been in the process of sharp demographic change. Okay, this is the last slide members of the Commission. By now Inglewood has turned to becoming a majority black school attendance system and Linwood has turned, Linwood being the most dramatic example of what has happened to a school district in 3 years, changing from 27 percent ethnic minority to 69 percent ethnic minority. The demographic movements that affect the district, affect some of the surrounding districts, have impacted Inglewood, Linwood, Compton,

Montebello to the east and others, but basically if a generalization holds, it is that the Los Angeles Unified District, presently 40 percent Anglo, is surrounded in great majority by districts that are overwhelmingly Anglo—Santa Monica, 75 percent; Torrance, approximately the same; Long Beach, about the same; Glendale and Burbank, 85 percent Anglo; Beverly Hills in the nineties; Palos Verdes in the nineties; South Bay Union and El Segundo in the nineties.

That concludes the presentation, Mr. Chairman.

CHAIRMAN FLEMMING. Thank you very much. Counsel, do you have any questions?

MR. BACA. No questions.

CHAIRMAN FLEMMING. Any members of the Commission have any questions? May I ask to have the lights on, please?

COMMISSIONER SALTZMAN. Mr. Meckler, what are the fears related to the desegregation process of the middle class in the San Fernando Valley suburbs whose schools are predominantly Anglo, and how may those fears be constructively managed and allayed, as you understand it?

MR. MECKLER. The question is, what are the fears primarily in the valley? As a member of the staff, among others, I have made about 30 to 35 presentations in the valley, Rabbi Saltzman, so I don't want to speak for the valley or generalize unduly.

But given the 75 percent ethnic majority white complexion of the valley, the Valley generally is fearful of massive long distance busing, which would take it through the Santa Monica Mountains, seemingly to Watts and other areas of the city, which are sharply different in ethnic complexion. And the minute you discuss with the Valley, that's the first fear that emerges. Our children are going to be bused to some unknown place, usually at some long distance, and then two immediate fears arise specifically. One is the fear of violence, the fear of lack of safety.

The second is the fear of lowered educational standards, and so in almost every discussion that I've led and participated in, these two twin fears emerge.

The third somewhat tertiary fear is the inconvenience: "What will happen if my child is ill or an earthquake comes and he or she is some distance from home?" The central fears are basically lack of educational standards and lack of safety. As the citizens' commission, and I'm not a member of it, we work with it as staff, begin to look at some of the realities, there's several things that I would call your attention to.

One is the Valley itself is changing, unbeknownst to most of the people in the Valley. Some of the data we have submitted to the Commission indicate that while the Valley presently is 75 percent Anglo, 25 percent all other ethnic groups, 17 percent of which are Spanish surnamed, the valley has been changing, not as rapidly as the rest of the district, but has been unmistakably changing, unrelated to school integration-desegregation, and will continue to change.

And so, one of the realities that the Valley needs to cope with is that they are going to be less Anglo as the years come by. And some of the schools near them have already changed. And they need to develop some accommodation between the Anglos and the ethnic minorities even in the Valley.

I don't mean to isolate the Valley from others, and as parents begin to cope with this, some of the challenges with respect to how can you provide equal educational opportunity for those who are no more than 2, 3, 4, or 5 miles away? How can children grow up together, not in isolation, but in common educational activities, become realities so that using the court's language of what is educationally feasible and reasonable, it is highly possible to provide for youngsters who presently are 90 to 95 percent ethnically isolated in virtually all-white schools in the Valley multicultural, multiracial, integrated form of education, even with minimal busing.

That's not to say the total problems of the district would be solved. As parents begin to cope with these real factors, distance and so forth, and with the realization that ethnic minority parents want quality education and want safety for their children, I see the beginnings of reason, whereas some months ago, fear was rampant, Rabbi.

I don't know whether I've really answered fully your question.

CHAIRMAN FLEMMING. Any further questions?

COMMISSIONER FREEMAN. Yes. Mr. Meckler, you traced the residential pattern, the movement with the clusters of the minorities moving from one locality to another. I would like to know if you will comment on the extent to which those clusters reflect discrimination in housing or discriminatory housing policies that are a part of governmental action or policies?

MR. MECKLER. Yes, my comments, Commissioner Freeman, will be those of a person working in civil rights, but not an expert in housing.

I know the San Fernando Valley Fair Housing Commission and others, and by the way, it was my pleasure to work with John Buggs when he was the able director of the county commission on human relations. There's no question in the minds of civil rights agencies that major, rampant discrimination in housing has created some of the ghettos, barrios, and ethnic pockets of isolation in not only Los Angeles Unified School District, but in the entire Los Angeles County.

As some of the ethnics begin to move, you see major transition from all-white to multiracial and sometimes then to ghetto areas, communities. And non-Anglos have difficulty getting homes for two reasons. Primarily because they're priced out of homes that have zoomed out of sight as far as buying homes are concerned, and because there is still the rental and construction of rental housing a great deal of concentration on areas where ethnic minorities cannot afford to live.

So even in the Valley with large pockets of Spanish surnamed primarily, not so much the black—they are in barrios and ghettos largely because they cannot afford some of these other areas, and there is still resistance to renting or selling to them.

If I may add one more comment. In the midst of concern for school integration, in some of the most hostile audiences that I have met in the valley, there comes the recognition that if schools are going to be changing anyway, that perhaps integrated housing may be a more desirable solution than longer-range busing and nonaccommodation to the neighborhood school.

And so people I never dreamed would talk about fair housing have begun suddenly to recognize that fair housing may be a simpler solution than just simply massive school integration over major distances.

CHAIRMAN FLEMMING. Further questions?

COMMISSIONER RUIZ. Yes. In general, I understand your testimony to be that apparently there is a natural integration process that's taking place, projecting yourself into the future, where you foretell that there will be a minimum of busing. Is that correct?

MR. MECKLER. Oh no, no. I didn't mean to convey that impression, Mr. Ruiz.

COMMISSIONER RUIZ. That's not true?

MR. MECKLER. No.

COMMISSIONER RUIZ. Now, will you rephrase your subject in that respect?

MR. MECKLER. I'll be happy to do so. There are major demographic changes affecting not only Los Angeles County, but specifically Los Angeles Unified School District. Those changes have been such that we have lost the majority white character of the district. It's now 60 percent non-Anglo.

Within the present Los Angeles Unified School District, individual schools have changed from dominantly Anglo to sometimes mixed, but they may be transitional, on their way to tipping to either black or brown, depending on the complexion of the neighborhood.

There are major demographic changes that are changing whole neighborhoods. As these neighborhoods change, the schools based on neighborhood school attendance practices change with the neighborhood. So in some cases, schools have become mixed and multiracial and need help to become stable in order not to lose their mixed character.

In other cases, schools have tipped resoundingly and the number of *de facto* segregated schools have increased. The number of racially isolated youngsters, and the court has taken cognizance of this, have increased to the point where, in my opinion, we have black subsystems in the central city, including seven or eight high schools that—the feeder elementary and junior high schools within which black youngsters are going from kindergarten through the 12th grade virtually in an all-black school environment. And the same for Spanish-surnamed youngsters in East L.A. portions of the city; and in other portions of the city, the schools are still predominantly Anglo. So it isn't fair to say that we're achieving integration naturally. Some areas are becoming mixed, but if the Anglos continue to be fearful and possibly retreat

or leave, without perhaps putting a connotation on it, those neighborhoods may change to becoming predominantly ethnic minority.

COMMISSIONER RUIZ. Well, that conclusion will kind of clear up the question that I asked. Of the Spanish surnamed, what proportion is Puerto Rican and what proportion is Cuban?

MR. MECKLER. I don't think we have a precise figure. No.

COMMISSIONER RUIZ. You say someone will be here that will give us those figures?

MR. MECKLER. We can get that information for you, I think, Mr. Ruiz. We're taking more detailed ethnic counts this year, which the school district isn't required to take. Previously, they were just simply collectively phrased as Spanish surnamed, but we now have six or eight subgroups within the Spanish surnamed, so our present ratio—

COMMISSIONER RUIZ. Now, as soon as you get that material—

CHAIRMAN FLEMMING. May I suggest, if that information can be obtained, that it be inserted in the record as this point as exhibit no. 1.

MR. MECKLER. Happy to do so.

COMMISSIONER RUIZ. No more questions.

CHAIRMAN FLEMMING. Thank you very, very much. We appreciate your being with us. We appreciate this very helpful presentation.

Counsel will call the next witness.

MR. BACA. Yes, Mr. Chairman. The next four witnesses are people whose organizations have had some historical involvement in the process of school desegregation. Ramona Ripston, Marnesba Tackett, James Lawson, and Frank Garcia, please.

CHAIRMAN FLEMMING. If you would all please stand and raise your right hand.

[Frank Garcia, Rev. James Lawson, Ramona Ripston, and Marnesba Tackett were sworn.]

CHAIRMAN FLEMMING. Thank you very much. We're very happy to have you with us. Counsel will proceed.

TESTIMONY OF FRANK GARCIA, EXECUTIVE DIRECTOR, LOS ANGELES CENTER FOR LAW AND JUSTICE; REV. JAMES LAWSON, CHAIRPERSON, NAACP EDUCATION COMMITTEE; RAMONA RIPSTON, EXECUTIVE DIRECTOR, ACLU OF SOUTHERN CALIFORNIA; AND MARNESBA TACKETT, EXECUTIVE DIRECTOR, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE WEST

MR. BACA. Thank you, Mr. Chairman. Could you please all state your name and position and how long you have occupied that position, for the record? Mr. Garcia, could you go first?

MR. GARCIA. Yes, Frank M. Garcia, an attorney and executive director of the Los Angeles Center for Law and Justice. And I've been the executive director for slightly over a year.

REV. LAWSON. J.M. Lawson, Jr., a pastor, chairperson of the NAACP education committee, Los Angeles branch. And I've been in that position for slightly over a year.

MR. BACA. Thank you. Ms. Tackett?

MS. TACKETT. I'm Marnesba Tackett, the executive director of the Southern Christian Leadership Conference West, and I have been in that position for just 1 year.

MR. BACA. Thank you. Finally, Ms. Ripston?

MS. RIPSTON. I am Ramona Ripston. I am the executive director of the ACLU of Southern California, and have held that position 4-1/2 years.

MR. BACA. Fine, thank you. Ms. Ripston, could we start with you and could you briefly describe your organization's involvement in the school desegregation process in Los Angeles?

MS. RIPSTON. It was our organization that filed the original law suit in the mid-sixties, *Crawford v. the Board of Education*. It was a lawsuit originally meant to integrate two schools, and then eventually grew to include the entire district.

We have represented the plaintiffs at all three levels, that is in the State superior court, in the State court of appeals, and eventually before the State supreme court.

MR. BACA. Do you continue to represent the plaintiffs?

MS. RIPSTON. Yes, we do.

MR. BACA. Can you tell us what the status of the case is now?

MS. RIPSTON. Well, the State supreme court ruled in June of this year that the schools in Los Angeles are segregated, there is both *de jure* and *de facto* segregation here in Los Angeles and ordered the L.A. School Board to integrate in a reasonable and feasible way.

In a sense the court upheld Judge Gitelson's decision back in, your know, in the late sixties, saying that the—saying the same thing. We will continue to represent the plaintiffs, and we will be back in superior court when a plan is evolved by the board of education, and we will certainly react to that plan.

MR. BACA. Thank you. Mr. Garcia, could you tell us what involvement the center has had in the process of desegregation?

MR. GARCIA. Yes, if I may just briefly give you some background on the center first. It's a law firm, a public interest law firm, that's situated in the heart of the Spanish-speaking barrio. We have 10 lawyers and our concern is with the welfare, the social and legal welfare, of the residents of that area known as East L.A. Within the past 2 years, we have filed actually four lawsuits against the Los Angeles school district, and I will discuss only two of them. The other two are not pertinent to this, one of them being a suit to establish a more equitable parity of bilingual teachers, bilingual and bicultural teachers in the East L.A. schools, the barrio schools, so-called, and secondly to try to, not try, to do away with the so-called tracking system that's being used in the district. Now the tracking system is that system which based upon I. Q. tests, children are placed in various categories of learning ability, and there are just too many Spanish-surnamed youngsters in the mentally retarded and educationally disadvantaged classes. And that is to equalize that.

These suits are now pending. They're still pending in the courts.

MR. BACA. Reverend Lawson, the NAACP had some direct involvement in the *Crawford* case, did it not?

REV. LAWSON. I cannot answer that question. I do not know. As far as I know—perhaps Ramona?

MS. RIPSTON. Yes, they did submit an A.C. brief on behalf of the plaintiffs.

MR. BACA. Could you review for us, please, the participation of the NAACP in the entire problem of the schools in Los Angeles for us?

REV. LAWSON. Well, I'm not really acquainted with that detailed history. I'm more acquainted in the last couple of years. I do know that the NAACP, of course, has been the chief force pushing for school desegregation over the years, and we are in fact, of course, the primary body that has sought to legally confront the Nation with the legal facet of school segregation and racism.

In terms of more recent—we are trying to pull together the several branches within the unified school district, because there are about eight different branches, to see whether or not we can provide a unified A.C. brief on the *Crawford* case in the present situation and for the approaching hearing on this specific plan.

MR. BACA. Ms. Tackett?

MS. TACKETT. Our organization was founded by the late Dr. Martin Luther King as a protest against segregation. Its organizing document declared that civil rights were essential to democracy, that segregation must end in the South, and that all black people should reject the evil system of segregation absolutely and nonviolently.

Dr. King broadened that policy to include all of the United States when, at a rally in Los Angeles in 1963, he exhorted us to help them in the South by making Los Angeles free. And out of that background and the experience gained in our effort to heed Dr. King's admonition by seeking quality integrated education in the Los Angeles city schools. I appreciate the opportunity to give testimony to the knowledge that I have of it. Following Dr. King's visit here in 1963, the NAACP called together a number of civil rights organizations and we formed what was then called the United Civil Rights Council. I was the chairman of that education committee, and in prior years had been chairman of the education committee of the NAACP.

Back in the early fifties, the NAACP was, and the education committee, which I headed at that time, was very much interested in what was being taught and what was being given to our children in the textbooks. And we centered at that time on having, or attempting to have, deleted from the texts those derogatory statements, the pictures that showed the little black Sambo type, the black eating watermelon, the Chicano pulling a rickshaw only, and we sought to have our curriculum actually integrated.

The United Civil Rights Council formed in 1963, first marched on the board of education. And at that time, we asked the board of education to relieve the double sessions that were predominant in the

black community, especially and also in the brown community. We asked them to hire more black teachers and to distribute them throughout the system, rather than have all of them concentrated in schools with a heavy black population, student population.

We asked them to relieve the double sessions that were prevalent in the black community by busing children to schools that were underenrolled and having empty classrooms. At that time, there were some 400 empty classrooms in Los Angeles. In our busing request, we said to bus children to a distance not to exceed 15 miles. Those were the requests at that time, and we were constantly before the board of education. We asked the Department of Health, Education, and Welfare to investigate the Los Angeles city schools, and we presented documents of our research, and they did come here and research Los Angeles schools.

I might say that it was out of our education committee that a member found Ellen Crawford and asked her if her parents would—in fact she asked a number of children if their parents would—be willing to sue the Los Angeles city schools to have Jordan integrated, because Jordan was on—situated on its own boundary line. Now of course, ACLU came to our rescue and took up that case and carried it through to its successful conclusion in the Supreme Court.

As a member of the board of SCLC for a number of years prior to becoming its executive director, we have constantly sought integrated quality education. I might—I mentioned that all of the students assigned to Jordan High School live west, north, and south of the school in neighborhoods that are above 30 percent black. No pupils living east of Jordan in a predominantly white area are assigned to that school. So the board of education has in its assignment of pupils, has caused segregation of our schools. In setting the boundary lines, the board of education has added to the segregation.

For instance, the boundaries of Jordan High School, Forcier, Dorsey, Jefferson, and many other schools were adjusted to separate the races as the black population moved. The Los Angeles High School now—in fact, I should preface that with sites are selected to keep our schools segregated. For example, the Los Angeles High School that is 73 percent black is now being rebuilt on its old site. Crenshaw High School, that was built in the late sixties, is 99 percent black. No effort is being made to build schools where integration could be achieved by assignment of pupils to a neighborhood school.

And the black population of our schools is 25 percent but we have only 16 percent black teachers and I am referring chiefly to the black problem and black segregation in the Los Angeles city schools.

MR. BACA. If I could on that same subject, Reverend Lawson, can you tell us what you think will be the reaction to the desegregation plan as developed by CACSI in the black community? Are there specific concerns?

REV. LAWSON. Well, I—of course I think that the citizens' committee will produce a plan eventually that will be far more than what the board of education is willing to adopt. I think, at the same moment, it will produce a plan in the long run that will be far better than what the San Fernando Valley will be willing to adopt.

I think the black community itself will not simply accept it, it will accept it with very strong support and with a readiness to see to it that it's implemented and with a willingness to make every effort to continue pressure on the board of education so that it might be implemented.

I think it should be said that the primary feeling in the black community is that essentially the board of education has for 30 years sought to nullify the Supreme Court decision, has sought to nullify civil rights bills of the sixties, has sought to interpose itself between the law of the land and constitutional equal educational opportunity and the children of the district. And Mrs. Tackett has already suggested several of the ways in which it starts to do this. It has not done it in the same way that George Wallace did it in the early sixties in Alabama, but it's done it just as systematically and done it just as effectively. In fact, more effectively than Wallace did. It's done it in a variety of ways.

MR. BACA. Thank you.

MS. RIPSTON. I'd like to talk a moment about the plan and what kind of plan would be acceptable to the plaintiffs.

There's a great deal of speculation—in fact, this recent weekend the head of the citizens' committee on his own is now proposing a voluntary three-phase system.

I want it understood now that a voluntary system will not be acceptable to the plaintiffs. A voluntary system means one-way busing. You perpetuate a fraud if you rely on voluntary means. The heart of any integration plan must be reassignment to schools, and that is what the ACLU is going to demand. And whether the citizens' committee and the board of education together decide that a voluntary plan is acceptable to them, it will not be acceptable to the plaintiffs.

Also, we feel very strongly that if it is to be a phased-in plan, the entire plan must be made available at the very beginning. Because the only way you can eliminate fear, the only way you can let people know what's ahead, is to announce the plan right at the beginning, even though it, perhaps—although we're not in favor necessarily, in favor of that—would take a year or 2 to implement.

MR. BACA. Ms. Ripston, how did you come by this information?

MS. RIPSTON. We have a member of the citizens' committee, and she with some other people received a letter from Dr. Loveland suggesting this three-phase voluntary plan. I think it arrived on Saturday.

REV. LAWSON. Mr. Baca?

MR. BACA. Yes.

REV. LAWSON. In just defense of Robert Loveland, I think I should say that I had a long conversation with him about this, and he main-

tained that he is against his own memo. His memo was proposed primarily because so many people within the committee were pushing, so he thought it ought to be discussed. But he was not acting out of his own personal way.

Now, I should just simply say that, yes, we have always had on the committee those people who have fought any kind of serious plan and now are beginning to emerge with a proposal for voluntarism, but I think we should also say that those of us who are on the committee, including Mrs. Tackett, the Urban League, the NAACP, are planning to vigorously fight any such effort at voluntarism. We know too that that is simply unacceptable. That's what segregation that has become—segregation that has come about through mandatory processes of the board of education cannot be eliminated by voluntarism on the part of the citizenry.

The board must also have its mandatory processes in line if we're going to get a thoroughly pluralistic and thoroughly integrated school system.

MR. BACA. We'll be hearing from Dr. Loveland, I think, later today. No further questions at this time. Please, I'm sorry.

MS. TACKETT. If permitted to speak again, I would simply like to say, give you some of the things that we feel ought to be in that plan.

There should be two-way assignment, not just one-way assignment, and mandatory inservice training of administrators, teachers, and staff, including the bus drivers and the aides who ride on the bus. There should be orientation sessions for parents and students that begin now. We should start with the elementary school. We're suggesting that they separate the elementary school into two groups, that's kindergarten through third and fourth through sixth grade schools, and that junior high schools perhaps should be made one-grade schools.

This is not what the committee is suggesting, but this is coming out of our SCLC education committee, that we should make all of the high schools magnet schools and then we need to define very clearly, have the board of education define very clearly, integration and what is an integrated school. And they need to start integration with a curriculum so that they integrate into the curriculum the contributions of all the ethnic groups.

That there must be an affirmative action plan that would hire and upgrade more black teachers into all of the departments of the schools. There should be a monitoring team that is going to include staff, parents, and citizens. That there must be safety en route and at the school and equity in handling problems and administering justice, which must be practiced. And we do not practice that, because when a black person commits a crime, a misdemeanor, whatever it is, we find that there is a different treatment of that person to a white person who commits that same crime.

And what there must be excellence in educational delivery and accountability demanded of those who are responsible for it. And

achievement must be a normal expectation for every student. And there must be an educational team created that includes the parent, the teacher, administrator, pupil, and the community. And I think those things—

MR. BACA. Thank you.

MS. TACKETT. —ought to be taken into consideration.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Horn, do you have—

VICE CHAIRMAN HORN. I'd like to pursue questioning with Mrs. Tackett. What are your feelings on the quality and effectiveness of the white and black teachers in the Los Angeles Unified School District? You've had quite a bit of experience observing them. .

MS. TACKETT. Well, the effectiveness has been very poor. From both white and black teachers, as far as the black student is concerned. Our black students are reading at less than 50 percent—at less than the 50th percentile, and I feel that there is not the motivation or the proper attention.

When our children come to school at the first grade, they are equal in their testing or higher, or test higher than other students. But by the time they reach the third grade and then the sixth grade, they—their achievement is lowered, their scores are lowered. So we feel that the schools are handicapping our children with the kind of education that they are giving to them. And in integration at least they would be exposed to the same thing that everybody else is exposed to. And I think it would help a great deal.

VICE CHAIRMAN HORN. In other words, you would place the primary responsibility on the schools, since you feel they enter equally in the first grade, rather than on the home or neighborhood environment?

MS. TACKETT. I think there is a great responsibility on the schools, because I feel that the teachers do not, and I have heard it expressed in my years of working with them, they do not expect the children to achieve. Therefore, they work to fulfill their prophecy.

VICE CHAIRMAN HORN. And you would argue that that's the view of both white and black teachers dealing with black students, or disadvantaged students, white or black, and it's not the exclusive monopoly of one particular group?

MS. TACKETT. I think it is the monopoly in that our schools until very recently have been administered by whites, 70 percent of the teachers in our school system are white. Only 16 percent are black. And I think that the black teachers are greatly influenced by the administrators.

We hope that there will be some significant changes, and in one or two of our schools, a few of them, there have been some significant changes with changes in administration.

VICE CHAIRMAN HORN. I take it this, to complete your round of questioning, that you would not advocate black teachers teaching only black students or white teachers teaching only whites. You would favor distribution of both races in teaching as well as students?

MS. TACKETT. Correct.

VICE CHAIRMAN HORN. Let me ask you, Mr. Garcia, I share your concern with regard to tracking. As you know, there have been a number of significant court cases in this State, especially where they find that Mexican American students were put in so-called mentally retarded classes and in essence tracked simply because of language difficulties.

And yet the schools do face a problem as to how do you deal with the variety of needs and the variety of differences in learning skills and competencies that a first grade teacher, sixth grade teacher might face with 30 students, randomly selected in a classroom?

Do you have a solution for how a teacher grapples with the different learning paces and abilities of a student other than tracking?

MR. GARCIA. Yes, Commissioner, and that is something I believe that this—these hearings should address itself to as well. And that is compensatory education for monolingual other than English students or bilingual students as well. And that is in implementing bilingual—excuse me, compensatory education in a program of bilingual-bicultural math programs, reading programs. The Chacon bill provides funds, the ESEA Title I and Title VII, as I recall, provides some funding for these programs, and the concerns of the community in East Los Angeles is that there isn't sufficient—and these programs are not being implemented in the schools that have a large proportion of monolingual other than English and in those schools also where they have a large representation of bilingual students.

VICE CHAIRMAN HORN. Well, I take it then you would, in essence, desegregate for part of the day the bilingual, Spanish American, Mexican American student to a bilingual program, have them overcome these learning disadvantages.

But let's assume that that language facility is then applied, and with both white, black, Mexican American, Asian American, etc. students, we still have a difference in learning pace and abilities based on environment, I.Q., whatever mix you're talking about.

You oppose tracking, do you feel that the school has any responsibility to have some ability grouping, perhaps differing for differing subjects?

MR. GARCIA. Yes, Commissioner. The point that I was making was not a system that would allow compensatory education for slower learners and an educational program for the very rapid learners, but one that address itself to that large middle group and kind of ignores, ignores at least those at the bottom levels, and that is what's happening today.

The school district has the data on scores of the—the test scores in the lower grades and all grades, but I'm thinking especially of the lower grades where there is a significant difference between the Spanish-speaking, Spanish-surname, excuse me, the Spanish-surname students as opposed to, say, the Anglo students.

We heard here that black students are reading below the 50th percentile. I was looking at some scores recently, just over the weekend, and I see that at the sixth grade level, generally speaking through the sixth grade, that most of the Spanish-speaking students are reading beneath the 30th percentile. And that data is available through the school district.

And there has to be some, some solution to that.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Mrs. Tackett, I believe it was you who stated that the board has adjusted boundaries as the population has moved. First of all, I would like to know, are there published copies of the school district boundaries going back about 15 or 20 years as each has changed? Do you know? Although we're going to be hearing from the board of education, I just wondered if you had that information?

MS. TACKETT. Yes, there are.

COMMISSIONER FREEMAN. And each time the boundaries were changed, there was—there is—they were published?

MS. TACKETT. Yes, there are—no, not that they were published, outside of the school district, but those records are all public, and you can look at those records.

COMMISSIONER FREEMAN. As these districts were changed, was the impact mostly on the black population, or did it include other minorities?

MS. TACKETT. It was mostly on the black population at first. As the Spanish-surnamed population or the Mexican population grew, I think there was some impact. In fact, I know there was some impact there, but not to the greatest extent. The Mexicans have managed to have themselves declared white, so they do not have the problem that we have. We cannot be classified as white, so—they easily segregate us.

COMMISSIONER FREEMAN. With respect now, I think the percentage of black is 25 percent, and the percentage of Spanish surname—

MS. TACKETT. Twenty-nine point four percent.

COMMISSIONER FREEMAN. —Is about 30 percent?

MS. TACKETT. Approximately.

COMMISSIONER FREEMAN. You have indicated the disparity with respect to the teachers as to black. Does that same disparity occur with respect to the Spanish-surnamed teachers?

MS. TACKETT. It is even greater.

REV. LAWSON. Worse.

MS. TACKETT. —In the Spanish-surnamed teachers because only about 5 percent of the teachers are Spanish.

COMMISSIONER FREEMAN. What percentage of the—of them are Asian?

MS. TACKETT. Seven percent—5 percent of the students are Asian; 7 percent of the teachers are Asian.

COMMISSIONER FREEMAN. And American Indian?

MS. TACKETT. American Indian is a—just about, I believe, less than 2 percent pupils and less than 1 percent teachers.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Ramona Ripston, you made reference to the fact that the Supreme Court of the State of California ordered that the schools integrate in a reasonable and feasible way. Do you recall if the court defined what it meant by the word integrate?

MS. RIPSTON. The decision did talk about not having racially isolated schools, but I don't think there was any definition of what an integrated school would look like. In fact I'm quite sure there was not.

COMMISSIONER RUIZ. Isolation in the school?

MS. RIPSTON. The decision—

COMMISSIONER RUIZ. Or isolated schools?

MS. RIPSTON. —talked about racial isolation within the school system.

COMMISSIONER RUIZ. Within the schools?

MS. RIPSTON. Yes.

COMMISSIONER RUIZ. Now, Mr. Garcia, how does bilingual education fit into the definition of the word, to integrate?

MR. GARCIA. Because the—if we see integrate as meaning the same thing as desegregate, and I think it does, it takes something beyond that, something more than that. We could bus our children from East Los Angeles over to Beverly Hills, and if they don't have a bilingual program there, our children would be even more damaged than they were when they went to their barrio schools.

COMMISSIONER RUIZ. In other words, what you're saying is that the word integrate must include the integration of a curriculum that will fit the child's background?

MR. GARCIA. Yes, sir.

COMMISSIONER RUIZ. And that would include racial isolation within the school itself by virtue of a lack of proper curriculum, if it were not imposed as a part of the integration process, is that correct?

MR. GARCIA. Yes, sir.

COMMISSIONER RUIZ. That's all.

REV. LAWSON. Mr. Commissioner, may I just add to that. You see, a part of the issue here, while at the essence is race, and the failure of an equal educational opportunity, that has been done through education approaches. And one of the educational approaches that has been done, that has created the racial isolation and the slowing down of children's abilities to become human and to be human, has been this whole language issue.

In actual fact, the language issue should be one that includes all of the children of the system, because no child is gaining what they need to gain to function properly as a human being in this world, and in this area of the country, if they do not know how to speak and think and act in Spanish as well as in English.

That's reality, and I speak as a father of children in the school district. So as far as—

COMMISSIONER RUIZ. So you believe it should be more generalized?

REV. LAWSON. Absolutely. The board, the board's attitude on the issue of race has also provincialized its attitude about what a child is capable of becoming and doing. And that is, that is expressed again and again in the whole ideological approach that the board has taken to education.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Mrs. Ripston, Mrs. Tackett gave us some elements of a plan that she thinks would respond to the problem. In your view, how would the element be included in that plan of satisfying the needs of minority ethnic groups to maintain their identity, their cultural integrity, and yet not to be isolated in order to achieve that?

MS. RIPSTON. Commissioner Saltzman, I'm not a professional integrator, so I'm really unable to answer your question specifically. But we would feel that a racially integrated school would be one that you would walk into and not be able to tell whether there were more black children, more Spanish-speaking children, more white, Asians, American Indians, and so forth. It would be, you know, a mixed school.

We also feel that it would be enormously unfair and wrong educationally to take away from the Hispanic community bilingual and bicultural programs in order to integrate—that these programs must become an integral part of education.

I think that the things that Marnesba Tackett talked about are things that we would agree with, and we do feel that it is possible to do all of these things.

COMMISSIONER SALTZMAN. Let me be more specific. I understand that, for example, the Japanese community, Jewish community run late afternoon schools for their own children and they are concerned with what will happen to their potential to run those schools in a proposed plan.

MS. RIPSTON. I do, I guess I do, feel that everybody is going to have to give a little bit. I am enormously concerned that we are losing a major institution in this country, and that is the public school, and that we are going to have real problems because that's been the heart of America, and if that system is lost, and it looks like it's on its way to being lost, I think that America suffers.

I think that in an integrated school system everybody will have to give just a little bit, and I think that, you know, it may be a program here and there that will have to go.

I do think we are going to have to determine what are the major things that are needed and then enact those major things.

COMMISSIONER SALTZMAN. A question?

MS. TACKETT. I would like to answer that. You see, I think that white people need to know about the culture of blacks and of Mexican Americans more than we need to know it, and for that reason I, in

saying integrating the curriculum and and, I mean and that we integrate the curriculum that white children are taught these things just like the blacks are.

I think that a white child needs to know that Crispus Attucks is black, that the first heart surgeon was a black man, that we have blood plasma now because of a black man. I think that white children need to know that just as much as we need to know it, and that human beings who have achieved regardless of their race or ethnic background can be an incentive to human beings, regardless of their race or background and that white children need to know that they can learn to be heart surgeons just like black children need to learn that.

COMMISSIONER SALTZMAN. May I ask whether any of you or all of you have any information related to the facilities, the teachers' competencies, and the extracurricular activities available to predominantly majority-minority schools, that is, where the minority is in the majority versus the Anglo school.

MS. TACKETT. I think we need compensatory education for our teachers because our teachers need to learn to speak Spanish, you see, and if that was a requirement here where you have a large Spanish population, then we would not have the problem that our—

COMMISSIONER SALTZMAN. Are the facilities in the black majority schools, the Chicano majority schools, similar to the facilities available to the Anglos?

MS. TACKETT. No, no, no absolutely not.

REV. LAWSON. They're the oldest and they're the most unkempt, and this is another part of the inequality that as the board has encouraged segregation then, of course, it also encouraged the flight of resources available for schools in terms of extracurricular activities and leadership and volunteers. That whole pattern is a part of the problem that has been well established in the legal process against the University of Texas Law School.

The whole problem, not simply of the building, but also of the flight of resources available to the people who use the building.

MS. RIPSTON. We also know that the only schools that are still on split sessions in Los Angeles are schools in minority communities where the population of the school is almost exclusively minority children.

MS. TACKETT. Let me give an example here.

COMMISSIONER FLEMMING. Commissioner Saltzman, I think, is finished, but we do have about 3 or 4 minutes, and I was going to suggest, rather than my addressing questions, whether any members of the panel do want to make a final comment on the issues that have been raised.

Also, when you do that, you reacted to Commissioner Saltzman's statement relative to facilities, predominantly minority schools as contrasted with a predominantly white school, but could you also react in turn to what you know about laboratory equipment, about textbooks

to the extent that they are up-to-date modern textbooks or textbooks that have been used over a long period of time.

I will recognize Ms. Tackett, then each member of the panel, in case you would like to make one final comment.

MS. TACKETT. I just wanted to follow through in answer to Commissioner Saltzman. We have, in dividing our district north and south, we have whites in the northern section; the south is predominantly minority. Now, here are some comparisons. There are 240 schools in the north or 180,085 pupils. There are 195 schools in the south for 189,828 students. The average class size in the north is 736, the average—I don't mean class size, school size. And the average school size in the south is 978. So you can see the difference right there in the overcrowding.

The schools are older, they are earthquake impacted, so there is really no comparison between the schools in the minority districts and in the majority.

CHAIRMAN FLEMMING. Any other comments?

MS. RIPSTON. I would like to say, I think when we are talking about quality integrated education, we are also going to have to talk about other ways of financing education, and I think that is something that we have to turn our attention to.

It is also our belief at the ACLU that Los Angeles is really going to have to look to a metropolitan plan, and because of geography that a metropolitan plan is really a good way to go, and we are beginning to explore that possibility.

CHAIRMAN FLEMMING. Okay.

REV. LAWSON. The other point that I wanted to make on the part of the NAACP is that the whole process of the board's failure has been sustained and supported, at least in the last 8 years, by the Federal Government and Federal Government agencies and by State agencies.

I think when we speak of how the board has interposed itself between constitutional prerogatives and the children and their parents and equal educational opportunities, we must also say that this could not have happened had we had Federal watchdog agencies and had we had State agencies carrying out constitutional rights.

CHAIRMAN FLEMMING. Thank you.

MR. GARCIA. I had prepared a statement to read to the Commission, and what I would like to do is sometime within the next couple of days as I made notes on it, to submit it for your perusal.

CHAIRMAN FLEMMING. We would be happy to have you do that and include it as a part of the record of the hearings at this point.

MR. GARCIA. Thank you, Commissioner. I would like to conclude by reading one paragraph from it, if I may, and that is what we need in the East L.A. schools for a bilingual-bicultural program is, one, an educational policy that unequivocally establishes cultural pluralism as a mode of instruction; two, a public relations program developed for

parents, designed for parents, teachers, and schools officials to increase their understanding of this educational program; three, the development of a bilingual-bicultural teaching staff; and, four, development of a curriculum and materials to conduct this bilingual-bicultural program.

Thank you for asking me to be here.

CHAIRMAN FLEMMING. May I express to each member of the panel our deep appreciation for your coming and for the kind of information that you have provided us. The kind of insight that you have provided us has been very, very helpful. Thank you very, very much.

VICE CHAIRMAN HORN. Mr. Chairman, can I ask Counsel, have you placed the *Crawford* decision in the record at this point?

CHAIRMAN FLEMMING. The question is, have you arranged to have the *Crawford* decision placed in the record?

MR. BACA. No.

VICE CHAIRMAN HORN. May I suggest that it be at the beginning of the testimony of these witnesses?

CHAIRMAN FLEMMING. Without objection, that will be done. The Counsel will call the next witnesses.

MR. BACA. We have three other individuals whose organizations or entities have some relationship to the problems that arise in the schools of Los Angeles.

Robert Boyd, Jessie Mae Beavers, John Mack. Will they come forward, please?

VICE CHAIRMAN HORN. Will you remain standing gentlemen, and raise your right hand.

[Robert W. Boyd, John Mack, and Warren Steinberg were sworn.]

VICE CHAIRMAN HORN. Thank you. Please be seated. Counsel?

MR. BACA. Thank you. We have one substitution.

MR. STEINBERG. My name is Warren Steinberg, Jessie May Beavers is ill today and—

MR. BACA. We just passed a note to that effect to the Chairman. Mr. Chairman, did you receive that note?

VICE CHAIRMAN HORN. Yes, I just received it.

TESTIMONY OF ROBERT W. BOYD, EXECUTIVE DIRECTOR, LOS ANGELES COUNTY COMMISSION ON HUMAN RELATIONS; JOHN MACK, EXECUTIVE DIRECTOR, LOS ANGELES URBAN LEAGUE; WARREN STEINBERG, MEMBER, LOS ANGELES CITY HUMAN RELATIONS COMMISSION

MR. BACA. What was your name, then, please, for the record?

MR. STEINBERG. Warren Steinberg.

MR. BACA. And your position, sir?

MR. STEINBERG. A member of the Los Angeles City Human Relations Commission.

MR. BACA. Thank you. Mr. Boyd? Give us your position, please, and how long you have been in that position.

MR. BOYD. I am the executive director for the L.A. County Commission on Human Relations for 2 years.

MR. BACA. Fine. Finally, Mr. Mack.

MR. MACK. John Mack, I've been executive director of the Los Angeles Urban League for 7 years.

MR. BACA. Yes, sir. Has the Urban League taken an official position on the problem of desegregation in the Los Angeles school district?

MR. MACK. Yes, we have. We joined with a number of other organizations as a friend of the court along with ACLU in the *Crawford v. Board of Education* decision quite a few years ago, and that's a matter of official public record.

In addition to that, we've been involved in a variety of ways. I currently serve as a member of the Citizens' Advisory Committee that was appointed by the board of education to develop a plan for integrating the L.A. school system.

I'm also—we have representation also on the Task Force for Better Education, which is a group that is active within the black community concerned about developing policies or helping influence the board to develop policies that will result in better quality education for the black community, and we also have representation with another ad hoc coalition, a black-Jewish coalition, primarily that is concerning itself with equality as it relates to education and other fields as well.

MR. BACA. Mr. Boyd, could you answer that same question? Has the commission taken any official position?

MR. BOYD. Yes, sir, the commission several years ago took an official position in support of the concept of integration within the schools in the county of Los Angeles and expressly those in the city of Los Angeles. As a public agency, we did not enter into a friend of the court position, but we have most recent, within the last 7 months, assigned a team of staff, some 10, to work with the various communities served by Los Angeles Unified School District to assist them in understanding the problems involved in integration or desegregation and to work out their own concerns and fears with reference to it, number one; number two, to work with the Student Integration Resources Office of the Los Angeles Unified School District and with the Citizens' Advisory Committee on school integration. These efforts are designed to prepare a community for the peaceful acceptance of an integration plan when and if it is submitted.

MR. BACA. Dr. Steinberg?

MR. STEINBERG. In the establishing ordinance for the city human relations commission, the concept of people working together, living together, and so forth was part of that original ordinance, and through the years—we were founded in 1965 by ordinance—through the years we have worked in that direction and consistently supported integration, and, in fact, in April reissued a resolution to that effect supporting the integrated schools. And we do not have a staff, and our commissioners work in the—the work of our commission has been again,

to do everything possible to implement a plan for peaceful integration. So the answer is absolutely, strongly so.

MR. BACA. Thank you. Mr. Boyd, the Commission has found in its studies across the country that community leaders acting in a responsible manner can do much to affect the process of desegregation. How would you evaluate the response of the community leadership of Los Angeles to the challenge of *Crawford*?

MR. BOYD. All right. At the present time, I would say that perhaps leaves a little bit to be desired. I would like to speak first for the police department of Los Angeles which has organized a citizens' group to work with it to ensure that the plan which does come down is peacefully implemented, that the police forces will support a peaceful community in implementing that plan.

I find that now the superintendent of schools seems to have put his forces, his own personal support, behind it, and number of board members—I am distressed that some of the board members of the Los Angeles Unified School District are not necessarily supportive in their public actions of the concepts of integration.

The mayor of the city of Los Angeles has certainly supported the concept, has created an advisory committee on education to deal with this issue which is working.

I'm concerned, also, that I have not heard of too much involvement at this point from the commercial leaders, the financial leaders of the community. You didn't mention this in your question just now, but I think it's also been demonstrated that where there's a natural interest in the community to see their profits gain in supporting such a program rather than their cities torn as some have been, that they, too, can have a strong impact on integration.

Now, therefore, I would say at this point, in summation, I am not certain that there is full commitment within the city of its leaders to the concepts of desegregation and integration.

MR. BACA. Thank you. Mr. Mack, what about media leaders, could you tie that in through your participation on the CACSI media committee?

MR. MACK. I believe that the media has from the very beginning demonstrated a keen interest in the subject. The activities of the Citizens' Advisory Committee have been rather well covered, certainly by the, largely, by television, some aspects of radio and print media.

However, there's still a tendency, in my opinion, on the part of the media to fall into the age-old trap of wanting to focus too much attention on the sensational or the folk who are against it, who want to hold back the clock, rather than those who want to move it ahead.

But I do believe that there is a recognition on the part of media, by and large, that this is a very important subject and needs to be handled very sensitively and very delicately, and with some exceptions, by and large, I think that we're moving along in reasonably good shape. I think probably the big thing that the media is waiting now is the ac-

tual formation of a plan that can be submitted to the board and to the public for review, acceptance, modification, or rejection.

MR. BACA. What has the media subcommittee of the Citizens' Advisory Committee done toward that end?

MR. MACK. Well, we have tried as much as possible to relate particularly to management with the media. You must appreciate the fact that in the city of Los Angeles when you talk about the media, that's related to a whole lot of folks. We have two major metropolitan daily newspapers. There are many, many what we call throw-aways that are distributed, you know, along neighborhood and ethnic lines. We have two black, two major black weekly newspapers. There are upwards of 75 radio stations that run the gamut, there are seven, eight television stations, so that, you know, we have a lot of territory to cover.

I think that the, that we still—our main thrust has been to say to the media, let's don't indict the work of the committee in advance before the fact.

One of the things that really rankles many of us has been the tendency, really, to come up with sensational headlines even though some of the stories and some of the reporters, I think, have done a sensitive job of covering. But, you know, all too often busing becomes synonymous with school integration, and I think it tends to wave the red flag in the eyes of too many people, and those people who are already shook up and really nervous about this proposition just have their fears and apprehensions reinforced. I think that what we're trying to do is to have them understand that this subject must be treated sensitively and delicately.

MR. BACA. Thank you. Dr. Steinberg, could you comment on your feelings about the participation of community leaders in preparing the district for integration?

MR. STEINBERG. Well, I think the gap that was suggested by Mr. Boyd is a valid gap, that the areas that I think we have a kind of bimodal understanding of what is going on, with on one end those people who are really knowledgeable and know what's going on relative to integration, and those people on the other end have absolutely no knowledge of it, and a moderate number of people in the middle. So you've got this kind of a thing, a lot of people who are quite knowledgeable and who could join you here today and provide all kinds of input.

So on that level, I think that we've got a kind of interesting thing, and one of the gaps that we've got is trying to fill that void that we have and that's one of the things that is desperately needed right now and one of the things that many community people are attempting to organize for, and there's a network and there are several other kinds of things that are going on that can be reported on, and Julian Keiser will be speaking with you later, and I think he's probably as apt a person for that assignment, but I want to say to you—

MR. BACA. Taking that into consideration though, could you elaborate a little bit on the kinds of organizations that are developing?

MR. STEINBERG. Well, there is a west side network which is coming together in an attempt to make a determination as to how to approach the community in terms of letting the community know what should be done, what the law says. It's not a question any longer of whether we integrate; it's a question of how we integrate and the ability of the community to have input into that plan, to make comment, to influence the direction—that the "plan" goes, and so that's one of the kinds of things.

Then there is another group that is meeting to put on a workshop in January for leaders, in the vicinity of 200 leaders, with the idea in mind, again, that the leaders need to know something. We found that a very interesting thing.

In conjunction with the county human relations commission, the city relations commission set about to hold a community meeting, and we intended to go into the general east side area, which is predominantly Spanish surnamed. Some of our people went out in the community to say, "Hey, what kind of questions can we ask you, what kinds of questions do you want to know the answers to?" And they said, you know, "Don't bother us with this integration, that's not ours, that belongs actually to the black community," which stood us all on end and we had to rethink what we were doing.

And it turns out that the level of knowledge in some areas of the city is that, "Hey, this doesn't affect me," and then when we finally said, "Hey, this court decision does affect you." "Don't try to stuff it down our throats." And so this is a concern that we have. We want to do everything we can to get a smooth implementation of this program, and people need education.

My official position is as an administrator in the Los Angeles Unified School District, and so I know that this is something we desperately need. People need to be educated. They don't, in many instances, understand it. And I found that most people are law-abiding, and once they understand what the implications are and what the legal requirements are, that most people will abide by it and work hard to, you know, implement it.

MR. BACA. Mr. Mack? I was just going to ask you yes.

MR. MACK. I just want to comment because you had asked me specifically about the media. I'd like to go beyond it and just reinforce a comment that Mr. Boyd made earlier.

I think that a number of members of the Los Angeles Unified School District Board need to be indicted as politicizing this event; as using it to propagandize their own personal ulterior motives. We have an election coming up in the spring, and, in my judgment, there are some people out here who are utilizing it for demagogic purposes and not for purposes that are in the best interests of the 650,000 young children attending this school system. I think that there are some leading groups, there are some involved in groups in this community, one group in particular of note, where the leadership—I think their motives

can be strongly, seriously questioned. So, I would—I really feel that we have a serious problem there.

Some—I'm not indicting the entire board—some members of the board I think really are concerned, deeply concerned about coming up with a constructive plan that's not going to tear this community apart, but I'm worried about others. I think we have too many other people who are trying to remain silent, who don't want to participate in the process, who would prefer to think that it's a bad thing and will go away, and it's not going to go away.

MR. BACA. Okay, Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Thank you, very much. I'd like to ask each member of the panel if they would respond to this question.

What do you feel that the role of the citizens' committee should be, and, to date, what are your reactions as to whether or not the committee is fulfilling that role? Let's start with Mr. Mack.

MR. MACK. Okay. I think that the role of the Citizens' Advisory Committee is very clear. That committee has a mandate to formulate a plan that will integrate the school system of Los Angeles and present that plan to the Los Angeles Unified School District for its review and acceptance, and then, of course, the board has a responsibility to present that plan ultimately to the courts of California, to the superior court, which has been placed in charge of the—supervising this plan.

To date, I think the committee has moved along slowly—I think much too slow to the satisfaction of a number of people.

On the positive side of this slow, methodical approach, it can be said that some people have probably learned, some people who may have come in initially who had some very negative attitudes about the whole idea and about the whole process. As they have gotten in and have allowed themselves to become exposed to some of the facts of the situation, I think now it's fair to say that some people probably have grown and matured and are really ready to face up to realities.

I'm worried, though, that this slow movement is going to lull too many people to sleep, into thinking that we have much more time left. I think that we need to move in a hurry, and some people, I think, are wanting to avoid— Still there is an ambivalence, in my judgment, pervading a large group of that committee. Some people would prefer to feel that we can formulate a plan that's going to be voluntary. As we all know, people, the citizens of Los Angeles had an opportunity to volunteer to integrate the school system many, many years ago. That has not happened. It seems to me that that's burying our heads in the sand. We still have to discuss that some more, and I think a little more reality has to be brought into focus. We probably will get there, but only after some more nudging and prodding by a whole lot of people.

CHAIRMAN FLEMMING. Thank you very much. Mr. Boyd?

MR. BOYD. Yes. My impression of the Citizens' Advisory Committee on school integration is that, first of all, its responsibility was to develop policy positions on school integration which could be referred to the board of education for their consideration and possible adoption; secondly, to provide assistance to the staff of the Los Angeles Unified School District in providing community input as to the needs, the problems which have to be taken care of in developing an implementation program; and, thirdly, to provide an opportunity for preparation of the community for the acceptance, first, of the concept of integration and, second, for the implementation of any program or plan which may ultimately be developed. I think it has been moving a pace in generating its data.

I am concerned perhaps that it has not received sufficient community input. I just heard Mr. Weinberg describe the reactions in the East Los Angeles community. I think that there may be similar problems existing in some parts of the black community, especially in south central Los Angeles, which may not yet have gotten to the Citizens' Advisory Committee.

I feel that they will have difficulty developing a comprehensive, effective plan for integration without this type of input. I'm not certain at this point that they have received it—I am also, as Mr. Mack, very much disturbed about the role of the media, I think the Citizens' Advisory Committee can have some impact on that particular activity, in that those people and organizations who have sufficient sophistication to know how to use the press, the radio, the television have perhaps received the lion's share of the attention of the press, the radio, and the television.

This, I think, is a very grievous error that may ultimately impact seriously on the successful integration of the school district that, perhaps, some working with, through the Citizens' Advisory Committee, with the media and the press could be effective in redirecting their interest instead of focusing on the noises. The people who know how to use the media make a strong effort to encourage the media and the press to begin to carry the news of those public hearings where the issues are not Bus Stop or similar items, but are really focused on the simple question, is this something we believe in; is this is something, therefore, we are going to introduce?

MR. STEINBERG. I'd like to say, in my judgment—I'm a regular school administrator and I've been appointed as an ex officio member just recently to CACSI, and I am going to say the dedication of the people, the large majority on that committee, to try and come up with something that's a reasonable plan. Their willingness to meet at all hours, to devote untold numbers of hours and energy to getting a program is incredible to me, as I went there last Saturday and watched them, one committee working all day. They are trying to do the job.

The difficulty is, you know, we've got the second largest school district in the country here, and they're trying to deal with 600,000 stu-

dents who collectively would comprise one of the 10 largest cities in the country, just as the 600,000 students without any of the adults in the community. That's not an easy job, and as a consequence, they have got a rough one ahead of them, but I sincerely believe they're trying to come up with answers. Whether they're going to succeed or not, that's something else and I pray that they will.

I'm wondering are we going to be allowed to make some comments, because there are a couple of things that I'd like to make some—if I may, if they are relatively brief.

CHAIRMAN FLEMMING. Well, I'd like to give my colleagues the opportunity of asking any questions that they might like to address to you, and then if we do more have time, yes, and if we don't have a little time, then please give us the benefit of those comments, so that we'll have it as a part of the record.

Okay, Commissioner Freeman.

COMMISSIONER FREEMAN. Gentlemen, I have a question with respect to the plan. It's not—perhaps the question is one of clarification. What we need to know is where is the duty, where is the burden with respect to the initiation and the development of a plan? Is this burden and duty with the board of education?

MR. MACK. Yes, yes, unequivocally, it is the board's responsibility.

COMMISSIONER FREEMAN. What the committee is doing, then, is carrying out or attempting to carry out a function that is the function of the board of education?

MR. MACK. That's correct. In effect, the courts, the Supreme Court of the State of California ordered the Los Angeles Unified School District to develop a plan for integrating the school system and presenting that plan to the court. And the board in that regard asked a group of citizens, appointed a 110-member citizens' committee to come up with a series of—a plan that might be presented in the form of a series of recommendations for the board to review, and then, of course, accept or reject.

But, you're right, the ultimate legal responsibility, the ultimate moral responsibility is certainly that of the board of education.

MR. STEINBERG. And I think the thinking behind that was, if the citizens' committee, composed of broad scope, representing various facets of the community, were to come up with a plan, there would be less of the feeling that this plan had been imposed upon the community at large and that rather the plan would have come from the community with certain changes made, perhaps by the board of education. But I think that's part of the thinking behind this, that this ought to be of the community rather than imposed on the community.

COMMISSIONER FREEMAN. Dr. Steinberg, you said that you are an administrator. Are you a member of that committee as a representative of the board administration, or are you there as a private citizen?

MR. STEINBERG. I am there as a representative of the area in which I am an administrator. Each of the areas was asked recently to appoint

or elect a representative. I happen to be in what we call administrative area F and was elected by my fellow principals to be their representative in an ex officio capacity as a member of CACSI.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. I have no questions.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER RUIZ. I do have a question. The witness was going to make reference to some thoughts at random that he had.

MR. STEINBERG. Yes.

COMMISSIONER RUIZ. You might make reference to what you had in mind so we can put it in the record.

MR. STEINBERG. Thank you very much. I appreciate this opportunity.

First of all, I think you ought to have a perspective on integration in Los Angeles. Back in 1947, on March 16, across the street from Fremont High School there was a strike of 300 to 500 students who were protesting the fact that there were 7 black students enrolled at Fremont High School. Considering that Fremont today is highly black in its student body enrollment, that's kind of interesting because that was kind of the start of concerns regarding integration in the city of Los Angeles. So, we go back to 1947.

It's also interesting to note that the nature of integration in Los Angeles, or the need for it, is a little bit different from some of the cities of the East in that our minority population in large numbers did not come into Los Angeles until after the war, and that's the point at which we began to grow in terms of total numbers of minority students, of people in our community.

Now, through the years, then, what we have had is the kind of pattern that you see regularly, the pattern in which you have a school which is white, then minorities move into the area and you get a school in transition, and then after a period of time it becomes again a segregated school, only this time segregated minority. We have had that pattern here over and over again in the city of Los Angeles, so this is a concern with which we must deal.

Now, the city human relations commission was concerned about this subject back in 1971 and conducted a survey, and I have got the results of the survey here which I will leave with you.

But, the survey was on integration in Los Angeles Unified School District and the reaction of people to busing, how long did they want people bused? Also, would they have their children stay on a bus a half hour, an hour, what did they want? That was one of the things in the survey.

The second thing in the survey, should every school be balanced. Should there be two-way busing? And this subject was at that time discussed. These—at that time, they favored busing and said it should be used, should be used on a two-way basis.

COMMISSIONER RUIZ. What year was that?

MR. STEINBERG. Seventy-one.

CHAIRMAN FLEMMING. If I can interrupt, I would like to say we appreciate your giving us the results of the survey, and without objection it will be entered in the record at this point as exhibit no. 3.

MR. STEINBERG. Here it is.

COMMISSIONER FREEMAN. Dr. Steinberg, you said that the minorities did not, your minorities, Los Angeles minorities, did not come in until after the war. Are you referring to the Spanish-surnamed minorities?

MR. STEINBERG. No. There were—I'm talking percentage-wise, you know, today.

COMMISSIONER FREEMAN. Which minority are you talking about?

MR. STEINBERG. Predominantly black, significant Asian Americans.

COMMISSIONER FREEMAN. Were not the Indians here?

MR. STEINBERG. Yes, but in smaller numbers compared with the total population. I am not saying there were—these groups were not here, I am saying in terms of being large percentages of the population, they were not.

COMMISSIONER FREEMAN. But you are referring primarily to the black minority?

MR. STEINBERG. Primarily to the black minority, more so to the black, but even the other groups were not here in large quantities percentage-wise. Statistics I'm sure will bear this out, no question about it.

I had to do my doctorate in this general field; I am a little more knowledgeable than I might otherwise be. Now, this, cutting this just short—

CHAIRMAN FLEMMING. If you will, two other members of the Commission still desire to ask questions.

MR. STEINBERG. I understand. The city human relations commission has felt that there are a number of things that ought to be included and considered so far as the plan is concerned.

Number one, we feel that this is not a school problem, not a school task. It is the concern of—it is a concern of the entire community. That is something we keep wanting to emphasize, which we as a community agency recognize and are attempting to do what we can.

We feel that any integration plan ought to preserve those schools that are naturally integrated, and what's more, not only, not—not hurt them, but do everything possible to assist them in remaining as integrated schools. We should take advantage of what has come about naturally, and while there are limited numbers of those schools, we ought to help them.

And one of the things that we feel should be done is the community center school concept, and we believe strongly in this and have emphasized this and stressed this. There is an experimental pilot program in the Los Angeles Unified School District. We hope that it will be successful and be useful in terms of helping other people.

We believe magnet schools should be utilized and the pairing plan. We believe that voluntary methods wherever possible should be util-

ized to reduce the amount of compulsory busing that may sooner or later have to take place. We feel that there should be a reorganization, perhaps of grade levels and structure so that we can help achieve integration in that fashion; that there should be a consolidation of some schools; that facilities in the mid-city schools clearly should be upgraded as much as possible. But, more than this, efforts should be made to get the very best quality teachers that we can get into mid-city schools.

We believe that site selection should be carefully done. One of the interesting things is they tried to put Crenshaw High School in an area that would be an integrated area. When they started to build it, it was an integrated area. Unfortunately, it took a while to build and by the time that school was completed it was no longer an integrated area, which is one of the kind of sad things, because I think there was an honest attempt being made, though it didn't reach fruition.

We really feel strongly that quality integrated education has to be the goal and that it must be a community effort in order to achieve it. And we have sent, fortunately, sent one of our members to be a member of CACSI. We are constantly holding meetings in an attempt to educate the public as to what integration means. And we think this has to be the real strong thrust today of this community—to let everybody know what is happening. For that reason, thank you very much for coming here, because you've brought attention to this important subject.

And, by the way, one additional thing. Perhaps there can be funds coming in from the Federal Government to help retain those schools that are currently integrated? I wonder, are we—

Proposals were made several years ago, as you know, were rejected nationally because of the pattern of—lack of integration of the L.A. city schools. Perhaps now is the time to turn around and restore those funds that were not allotted to the L.A. city schools to help us with our integration plan. We would hope that would happen. Thank you.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Because of the problem of time, I wonder whether I could ask you three gentlemen representing the human rights organizations in the community, is it possible for you to submit to us a plan, given—and without considering the adequacy of your resources, but a plan that each organization could develop for mounting a maximum kind of informational effort to bring facts to the community and also, furthermore, to marshal community awareness of the complexities and implications of all of the problems relating to the desegregation process?

Could you submit that kind of plan? Is such a plan available? Have your groups considered that?

MR. BOYD. I think, Commissioner Saltzman, that I referred earlier in my discussion of the mission of the Citizens' Advisory Committee on school integration that this really was a part of their mission, their

assignment. The commission on human relations, county commission on human relations has, in fact, developed already a team to accomplish that which you are requesting, but working through and with the Citizens' Advisory Committee on school integration rather than working independently.

I think it would be a tragic mistake, personally, to submit even for their consideration, plans which may ultimately work in conflict with each other. I think it is much more imperative for Mr. Mack, for an urban league to be working through and with the Citizens' Advisory Committee, with Dr. Steinberg, Weinberg working through—forgive me—the CACSI, and for the county commission do the same thing. Unless we have a coordinated effort—and this also includes my remarks with reference to the L.A. police department—unless they are working together, things which hit the media and press can become divisive. So, we do have the goals, objectives of that particular unit of my staff, which I will be happy to submit to you as a part of what we're doing. But I think it would be a mistake to do it otherwise.

COMMISSIONER SALTZMAN. Fine. You do have goals and objectives related to the cooperation and overall structure. Could you submit those?

MR. BOYD. Yes.

COMMISSIONER SALTZMAN. Does the Urban League have some outlines?

MR. MACK. Yes. We are in the process of developing what I think you are getting at—if you are talking about factfinding, rumor control, community mobilization kind of plan; we are currently involved with a number of other groups, and I do expect that we'll be in a position in the not to distant future to present such a plan. It won't be just Urban League exclusively but a coalition approach.

COMMISSIONER SALTZMAN. In cooperation with others—I recognize the significance of what Mr. Boyd has said. So that the three organizations you represent do have or are in the process of developing one?

MR. MACK. Yes.

COMMISSIONER SALTZMAN. Could I ask that these plans and objectives be submitted in the record at this point as exhibit no. 4, I believe?

CHAIRMAN FLEMMING. Without objection, that will be done.

COMMISSIONER SALTZMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. Mr. Mack, the National Urban League has been very active in communities throughout the country during the process of school desegregation. Have they gathered data in terms of media coverage of desegregation, and are any guidelines being developed by the national league that could be of use in an evolving situation such as Los Angeles?

MR. MACK. Through our public relations department we do receive some support. We don't have a specific study, Dr. Horn, as such, that

has focused on 107 local cities where there are local urban leagues active. But we have received information and do receive information through our education department and PR department that certainly addresses itself to this kind of thing.

VICE CHAIRMAN HORN. I suggest that that might be useful. This Commission in the major cities has conducted hearings similar to this; has had a panel on the media in each case. Sometimes you cannot get the major editor or publisher of the major print media on the stand, and that's the case in terms of Los Angeles. So I would wonder, if sharing all of your experience around the country as we've gone through the Tampas, the Denvers, and the Bostons, and so forth, might be very useful. I take it, although I was out of the room for a moment, I take it that as yet your media committee has not met with the leaders of the variety of Los Angeles media, is that correct?

MR. MACK. Yes, we have. I—we haven't met with every single group individually, no, but we—there have been contacts, yes. We've had meetings with them.

VICE CHAIRMAN HORN. But you haven't really developed any guidelines or asked the media to work on guidelines on how does one cover the story of desegregation?

MR. MACK. No, no, we've not, not to that point.

VICE CHAIRMAN HORN. Are there plans to get cooperative development of guidelines?

MR. MACK. Yes, yes. As a matter of fact, we have—there are two areas that our subcommittee has been—projected some plans along. On the one hand, we are attempting to come up with a workshop that will better inform those members of our committee as to how the media can best be utilized, because we recognize that we're dealing with people who for the most part are lay persons and don't really understand the intricacies and complications of even dealing with the media. How do you get your story across, how do you arrange a press conference, and these kinds of basics.

So we're hoping to get—put together a workshop that will be comprised of experts from the media to deal with that side of the coin.

On the other side of the coin, we're hoping to come up with a similar kind of workshop that will bring in representatives from the media, news editors, assignment editors, producers. We've already had contact pretty much with the people at the very top, the general manager level, and that kind of thing, and we know that these are not the daily managers. So we want to now take a look at the people who decide what stories are going to be covered, how are they going to be covered. We want to come up with a packet of information that maybe can be utilized by reporters who may not be familiar with the subject. Because we—one of the other problems that we're facing is that some of the reporters with newspaper, radio, and television are experienced or pros who may be specialists, if you will, in education. Others are not. And, we are particularly concerned that those who may not be

terribly familiar with this field or this area, that we can come up with a packet of information and try and have them better appreciate what it is that we are trying to get done. That's on the drawing board and I'm sure that we're going to be giving a great deal of attention to that subject over the next 2 or 3 months because we feel that now we are beginning to reach the moment of truth.

VICE CHAIRMAN HORN. I think that's commendable. I'm reminded, as I'm sure my colleagues are, in our Boston hearing of a little girl that described several hundred people rushing toward her as she got off the bus, and half of those people were in the television media, carrying equipment. This can be rather shocking occurrence of events.

I'd like to insert, Mr. Chairman, as exhibit 5, an article from *Editor and Publisher* from November, 6, 1976, entitled "Milwaukee Avoids Busing Troubles as Papers Assist," which shows the excellent work done by the *Journal* and *Sentinel* in Milwaukee in terms of covering the total aspects of desegregation, not simply the rock throwing that occasionally occurred.

CHAIRMAN FLEMMING. Without objection that will be done.

MR. STEINBERG. Mr. Chair, could I say one 30 second thing? To give you some insight into the problems that we have, I happen to be principal in a school which has 1,772 students, and of those, 876 were born in 60 different countries, and the kids speak 36 different languages. So when we start to talk about integration, we've got a lot of things to consider.

CHAIRMAN FLEMMING. All three of you are obviously in the—right in the middle of this development in this school district. Again, we're very happy that it's possible for you to be here and to share with us your insights which are going to help us a great deal as we try to get an overview of the issues that confront the school district. Thank you very, very much.

MR. BOYD. Mr. Chairman. Could I make one comment before?

CHAIRMAN FLEMMING. Sure.

MR. BOYD. I did have some thoughts—I think first of all we need to recognize the difference between the East and the West. The '54 Supreme Court decision was basically a black-white issue in the East because Asians and other minorities were considered as white in their classification.

In California and in the West, you have your Hispanic population, black, Asian, Indian, and Anglo to integrate. That creates quite a problem other than the magnitude of the L.A. Unified School District itself.

Secondly, the question of integration on a caste basis, in other words, ethnic, isn't going to really solve the total problem. There is a problem of class integration which is necessary and which we initially sought as a part of it and fought successfully in the *Hobson v. Hanson* case in Washington, D.C., in 1967, in which a ruling was made that the schools had to be integrated both for the socioeconomic basis as well as an integration basis.

This might well be considered in the city of Los Angeles. It also could be a problem in who looks at integration.

There is some question that the lower the economic level the less desire there is for such a program. That it is one which appears to be—I'm not certain of this; it's experiential judgment—that it's a middle income concern. This is borne out also by the concepts we've heard earlier about East Los Angeles and may hear also about south central. Any of the plans which come forward not having support of public figures, of the superintendent, the board of education, its administration and its field administration, especially the commercial community, which doesn't include an affirmative action program, which doesn't have an education program attached to it, and which does not concern itself with equal resource allocation of administrative professionals, paraprofessionals, support staff; buildings and facilities; instructional materials; equipment; supplies; using pupils themselves, white, black, etc. as resources; and develop an adequate pupil classification program for instruction is going to fail.

CHAIRMAN FLEMMING. Thank you very, very much. We appreciate it. Counsel will call the next witness.

MR. DORSEY. Dr. Robert Loveland.

CHAIRMAN FLEMMING. If you would stand and raise your right hand, please?

[Dr. Robert Loveland was sworn.]

CHAIRMAN FLEMMING. Thank you. Glad to have you with us. Let the hearing be in order, please.

MR. DORSEY. Mr. Chairman, if I might just before we begin the questioning to Dr. Loveland, there was one matter that pertains to the previous witness, Ms. Marnesba Tackett of the Southern Christian Leadership Conference. She requested as she left that a statement prepared by her office dated December 13, 1976, with attachments, be inserted in the record, and I would ask at this time for your consideration of that inclusion into the record at the point of her testimony.

CHAIRMAN FLEMMING. That will be done. Without objection, it will be entered as exhibit no. 6.

**TESTIMONY OF DR. ROBERT LOVELAND, CHAIRPERSON, CITIZENS'
ADVISORY COMMITTEE ON STUDENT INTEGRATION**

MR. DORSEY. Dr. Loveland, I wonder if you could, for the record, please state your name and occupation, both professionally and currently?

DR. LOVELAND. I am Robert Loveland. I am currently the chairperson of the Citizens' Advisory Committee on Student Integration for the Los Angeles Unified School District. By profession, I am a physician.

MR. DORSEY. Dr. Loveland, I wonder if you might briefly describe to the Commissioners just how it was and when it was you took over

the Citizens' Advisory Committee on Student Integration and something about the structure of that organization?

DR. LOVELAND. The committee was formed formally on the 1st of April 1976 by the board of education, and the board at that time designated me to be the chairperson of the committee. The committee has some 112 members, about 70 of whom are quite actively involved in its activities. It was charged by the board with the development of recommendations to be made to the board of education in accordance with the then assumed and later available mandate from the State supreme court in the *Crawford* matter.

The committee functions basically through 11 subcommittees, 4 of which have some special duties of relating to the community in different ways, and the other 7 relate to the functions of the committee.

The committee's first task, of course, was to learn. It spent a good deal of time learning about integration efforts throughout the country. Some of the works of this Commission provided very important data for the survey subcommittee which studied those matters.

Another large subcommittee studied the Los Angeles Unified School District, which, as you heard this morning, is a very complex organization both as to size, structure, and geography, and the racial and ethnic distribution of its citizens.

Another subcommittee began early on to develop concepts or criteria which would guide the committee when it came time to talk specifically about specific plans.

The planning committee coordinated all of these activities. There is a human relations committee, a feasibility subcommittee, and other committees from whom you will hear, I know, later today.

The committee is now close to the end of its task of developing the criteria, and criteria is sort of the word the committee uses to describe the basic concepts—the basic beliefs that it must set forth in order to give the technicians or the plan's consultants; the specialists who actually will, we hope, build for us some specific plans to which we can react. These are in a sense the parameters or the ground rules or the concepts which must guide those technical experts when they begin their work, and we hope that will be very shortly.

MR. DORSEY. Dr. Loveland, as regards the makeup of the committee, is that committee all lay people or did they come to the committee with any particular background or experience in education or school desegregation?

DR. LOVELAND. By and large, Mr. Dorsey, it is a lay committee. But it did have on it a great many people who had experience both in integration matters because of the organizations they represented or because of some personal involvement with the school district, some of them over a period of years.

There are some exceptionally knowledgeable people on the committee both as to this district and other districts throughout the country and the problems this district faces and the problems that have been

faced by many of the other districts in the United States. So it's a committee that has, I'm proud to say, a lot more knowledge than one would expect from that many nonprofessionals. It has on it 12 students, of whom we're very proud, who represent high schools throughout the school district.

It has on it experts from other fields, experts in planning and in computer technology and in statistics and in so many areas that have been helpful to us. It has on it, also, a lot of folks who have a deep interest, more than a casual or more than a customary layperson's interest in education as such. So I think it's a committee that has a tremendous amount of talent.

We have been given as resource people 24 educators—12 administrators and 12 teachers, whose presence represents, each of them, one of 12 geographical areas of the district. So that we have them as resource input, although they do not vote on the committee.

The school district has given us a professional resource staff, highly competent staff headed by Dr. George Edmiston, whom you'll meet later this week, that has provided a great deal of their own professional expertise and help in facilitating the work of the committee.

MR. DORSEY. In terms of resource staff and the administrators that have been assigned by the school district to assist, have they always been a part of the liaison, or can you say at what point they became involved with the committee?

DR. LOVELAND. The professional district staff, the full-time resource staff, actually antedated the existence of the committee. That office, the Student Integration Resource office, was formed several months before the committee was formed. The other resource people, the 24 I mentioned, joined us fairly recently. We entered a request sometime ago for that kind of help, and by the time the board processed it and the selections were made, those folks have joined us just literally within the last few weeks.

MR. DORSEY. As I understand it, you, yourself, were appointed chairperson. Can you tell us how the other subcommittee chairpersons were selected?

DR. LOVELAND. They were selected by me as what we call conveners. When the subcommittees were formed, I designated in each instance, an individual to convene the subcommittee, to meet with it, to help to understand its charge and begin to operate, and then each of the subcommittees was free to elect that person or some other person as the ongoing chairperson of the subcommittee. Several of the subcommittees have co-chairpersons so that at least one of the leaders in the subcommittee will be present at any given time.

MR. DORSEY. You also mentioned, Dr. Loveland, that the committee either had or is anticipating having consultants to work with them in developing the plan. I wonder if you could state some of the activities projected for the consultants, whether or not you currently have them, how many, and some more about that?

DR. LOVELAND. We have had, actually almost from the beginning of the committee's existence, access to a number of consultants, some from the Federal offices. We've had some good help, in fact, right from the beginning from Dr. Buggs and folks of your staff. We've had help from other Federal offices, from the Department of Justice, from other Federal agencies. We've had help from State consultants, from the bureau of intergroup relationships, the State department of education, and from some funds that were provided in some cases from outside the district. We've had access to some of the nationally known consultants who have worked with our staff, and have had a chance to meet our committee on occasion. We have had on our own staff that is added in a sense to our own resource staff, two consultants over the last month or two.

We will recommend to the full advisory committee tomorrow evening, coming from one of our subcommittees, the employment of two other nationally known consultants, now that we have sort of ground rules in order, we'll recommend, I think, to the board of education, should the full committee approve tomorrow evening, the employment of these two other nationally known consultants to begin the actual construction of plans to which the committee and the board could later react.

MR. DORSEY. As I understand it, your funding is totally that from the board, or do you have other sources of funding?

DR. LOVELAND. Our funding has entirely been from the board except for a good deal of help on a volunteer basis from some corporations and other agencies throughout the community. The city of Los Angeles has given us a great deal of help for which, up to this time, they've made no charge, to the best of my knowledge.

We've been blessed with offers of assistance and actual assistance from many other agencies. You heard from the county human relations committee a few moments ago. They've provided some staff people to work with us and to meet with us. We've had a lot of help of that sort. But the actual dollars that we must spend have come from the district and in rather sizable quantities, and without question, the district has been very supportive both as to personnel and money from the beginning of our operation.

MR. DORSEY. All right. I note as it's obvious that consideration has been given and apparently there's an intention to engage some consultants of national reputation. The district obviously has several extremely qualified people themselves, and I'd ask you now if there was a conscious decision to seek technical or consulting activities from outside as opposed to draw from the resources of the school district itself?

DR. LOVELAND. I would hope, Mr. Dorsey, it wouldn't be an as opposed to, I would hope it would be in conjunction with. We do have some fine experts in the district, and the district has established just recently, well, not so recently for one of them, two task forces of professional educators working full time at the district expense to

begin to implement some of the things they assume we will propose, and that will be part of the plan.

So that, we've had full access to some fine experts from the district. The district has demographers and housing experts as educational housing experts and cartographers and computer experts and all sorts of fine people who have been a great help to us.

We did feel though that there was some need for at least some overview from experts from outside the district as we begin the actual construction of plans.

MR. DORSEY. I would also ask if the Citizens' Advisory Committee has in the development, as it has developed, issued any recommendations to the board preliminarily or made any reports to the board that you could describe to us now?

DR. LOVELAND. We have done some of both. Early on last summer before school began in the fall term, we submitted some actual sort of interim recommendations relating to two particular ongoing programs within the district. One is the Permits With Transportation program, which is a voluntary transportation operation, a sort of modified open enrollment program, and we sent some recommendations to the board suggesting the strengthening, the broadening of that program. We sent also some recommendations relating to changes in the district's transfer policy or permit policy which allows students to transfer from one school to another.

We have, other than those, principally reported to the board on our progress. We have taken to the board certain requests for assistance. We have asked the board for help with some of the things we needed. Just mechanically we asked the board, for example, for the assignment of the teachers and the administrators to whom I referred. We asked the board for help in data collection, and they responded by authorizing the student racial and ethnic survey which has been conducted and is now in the process of, I think, further litigation.

So, the board has been supportive of our requests for process-type assistance. The board has not finalized its response to the recommendations we made regarding the Permits With Transportation program and the transfer program.

MR. DORSEY. Incidentally, do you recall when the recommendations on PWT [Permits With Transportation] and the transfer policy were forwarded to the board?

DR. LOVELAND. I would think in August, Mr. Dorsey, but if you need an exact figure, I'd want to check it.

MR. DORSEY. Thank you. In terms of the data, however, as you've indicated, you have received all the data requested from the board?

DR. LOVELAND. All that the board could provide for us. We have not, of course, received any input from the racial and ethnic survey. That is still involved in litigation.

MR. DORSEY. You indicated that—early on in your testimony, that the committee is currently fairly far along in the development of cer-

tain key criteria. I wonder if you could, if that is appropriate at this time for you to give us some indication of where the committee is, on what criteria you were referring to, and where they are in that development?

DR. LOVELAND. It's a little hard for me to prioritize those, to know which actually would be most important, but in some of our recent discussions, for example, with consultants from outside the district, there was general agreement on the part of almost everyone who looked at our progress up to this point that we still had some key decisions to make.

As has been noted earlier today, there was a meeting most of the day on Saturday of one of the key subcommittees dealing with those same problems, and they came up with a number of recommendations which they will make to a meeting of the full committee tomorrow night.

The tougher decisions, of course, are understandably the ones that have been left, perhaps last, and they deal with such things as the definition of an integrated school.

As Dr. Steinberg indicated a moment ago, we've had a commitment from almost the beginning of the committee's existence to find some way to avoid disrupting schools that are currently integrated. We must then obviously define the schools that meet that particular—those particular criteria for exclusion. We have not yet done that. We have not addressed completely the matter of the goals which we must reach. We were not given in *Crawford* as you know, any specific percentages or proportions or even guidelines as to what was reasonably feasible or how much integration was appropriate. We must make some assumptions, some rather firm assumptions for our planners to work toward, and we've not quite finalized that.

Those are some of the tough points that we will, I'm sure, reach closure on very soon.

MR. DORSEY. Among those considerations currently being discussed, is there also any indication as to whether or not methods which are to be used are now close to finalization?

DR. LOVELAND. Methods among—the committee has considered, ever since our survey committee finished its study of integration efforts throughout the country, about 10 particular methods: pairing of schools, boundary changes, boundary attendance area changes, magnet schools, special schools, closing of schools—all of the customary techniques. We have excluded the metropolitan plan because it's not, in our opinion, legally and educationally possible at this time.

We excluded educational parks and a few rather expensive options of that sort for, I think, rather obvious reasons, given the state of the district's budget and its resources.

Which of those other techniques we will use and in what order, or in what proportion, is actually being determined now. The, what we call the preliminary report subcommittee has just finished some very

complex, very thorough simulations, sort of a "what if" type of thing—if we use this particular option, if we use clustering, or if we use pairing or if we use boundary changes, under these ground rules what would the effect be.

This was in no way an attempt to make plans using these methods. Some folks who looked at the printouts and looked at the simulations—had the impression that the subcommittee was proposing these things be done as part of the final plan. This was actually just evidence, I think, of the thoroughness of that subcommittee in that they were hesitant to recommend any of these particular techniques until they had, in effect, looked at the fallout, or the changes they would produce, which—what the effect of those particular techniques might be on the district.

A number of decisions were made last week in this large, long subcommittee as to which of those techniques should be included and which should not. I'd hesitate to comment on those until the full committee has had a chance to ratify or to modify those assumptions, but I think by the close of tomorrow night's meeting we'll have some fairly definite idea as to which of the major techniques the committee wishes to see employed in the plan and perhaps some, perhaps informal indication as to the degree of involvement of each of those techniques.

MR. DORSEY. As my personal, final question—the Commission did receive earlier this morning some testimony regarding a letter recently sent under your signature, at any rate as what the testimony was, suggesting or at least spelling out a three-phase voluntary plan or system of integration. The witnesses that related that particular letter indicated that at least one of them was involved with the plaintiffs, and therefore indicated their reluctance to agree to such a plan.

But I wonder if you could clarify what exactly that letter included and what exactly that meant, since there was some confusion on that indicated on the record.

DR. LOVELAND. I would be happy to, Mr. Dorsey. In fact, we could—I don't have it with me—but we could supply you and the Commission with copies of that particular memo.

MR. DORSEY. If I could interrupt for a moment, I would ask that a spot be set aside in the record, Mr. Chairman, for inclusion of that particular document.

CHAIRMAN FLEMMING. Without objection, it will be entered in the record at this point as exhibit, I think, no. 7.

DR. LOVELAND. And I think when you see the memo itself, the introductory paragraph to it is, I hope, self-explanatory. It is our custom to mail to the members of the committee in advance of the full committee meetings which occur approximately every 3 weeks, generally on the Thursday of the week preceding the meeting, all of the material we then have available which, in our opinion, will come up at the next meeting. This includes, generally, proposals from subcommittees because they generate by far the largest proportion of the material which comes before the full committee.

We have protected always, though, on the committee the right of individual members to bring in specific items without taking those items through a subcommittee. This does not happen often and I am sure there's more weight given to those matters which come through the subcommittee process—but we have historically—on at least one occasion, I think two—included in this advance mailing material which individuals have given to us and said, "I plan to present this at the next meeting." We wanted the committee to have that kind of information.

I mentioned that just for the record. The memo to which I refer was not really in that category. What had happened in reference to that particular memo was that we had two subcommittee meetings scheduled after the time of the mailing, and if we had delayed the mailing, the material would not have been received by the members in time for tomorrow night's meeting. I have been advised by folks who were involved in both of those subcommittees that there was a possibility that out of those subcommittee meetings would come something similar to the proposal which was included in the memo.

It was not a letter; it was simply a memo and was in a packet with at least a half a dozen other items which were in the same envelope in the nature of informational pieces for the committee. And the paragraph which preceded the outline of this particular scheme indicated that several members of the committee had indicated to me that this or something like it might be coming up at the Tuesday meeting. Because of the importance of it, I wanted the committee members to know that it might come up and to know something about the form it might take. I think those who read the introductory carefully understood that my function was an administrative function of transmitting to them some matters which I considered to be of importance, which I wanted them to know about. Had I wanted to send it as a particular appeal from myself, or had I wanted to send it and say I personally am in favor of this or I am going to see to the introduction of it, I had that right and had I felt that way, I would have exercised that right. I did not do so. I simply provided this along with all the other information in the mailing so that members of the committee would know that something of this consequence might be expected or might come up without any other prior notice at the Tuesday meeting.

The matter is somewhat moot now because neither of the subcommittees involved did deal with the matter in the sense that we'll put it on the agenda for tomorrow night, although both of them did talk about it, one very slightly and one in some detail, and I have had no word from any individual that it will be brought up as an individual item under new business. To the best of my knowledge then, the mailing is sort of moot, but I think that explains why that particular item was in the packet.

MR. DORSEY. Thank you very much. Mr. Chairman, I have no further questions.

CHAIRMAN FLEMMING. Thank you. Dr. Loveland, first of all, may I say in behalf of the Commission that we were delighted to be in a position to respond to the request addressed to us by you on behalf of your colleagues on the Citizens' Advisory Committee, and in a few minutes I would like to give you the opportunity of, in effect, indicating to the Commission any matters that you would like to identify with the end in view of our exploring them as we move through these hearings.

We appreciate very, very much the kind of sacrifice in time and energy and resources that is involved in membership on a committee of this kind and certainly that is involved in serving as the chairperson of such a committee.

We have had the opportunity over the country of taking testimony on the activities of various types of citizens' committees, some of them set up after a plan had been developed and the community faced the question of implementing the plan. As you know, this is the first time that we as a Commission have held a public hearing in a community prior to the development of a plan and prior to steps being taken to implement that plan.

But, we welcome the opportunity of getting a bird's eye view, in effect, of what is going on in this very, very large school district, as you and your colleagues and others in the community confront the constitutional and moral imperatives that are at stake.

I just had one question relative to the interim recommendations to which you referred. Were those recommendations unanimous on the part of your committee?

DR. LOVELAND. As I remember, Dr. Flemming, they were not. I think the vote was rather overwhelming in favor of them, but I'm sure there were some nay votes cast on the adoption of those proposals.

CHAIRMAN FLEMMING. Has the board of education held hearings on those recommendations, public hearings, up to the present time?

DR. LOVELAND. The board has devoted parts of two of its meetings to those matters. I do not think they have had public hearings in the customary sense on those items.

CHAIRMAN FLEMMING. Did you or any other representatives of the committee have the opportunity of appearing before the board, discussing the recommendations and the reasons for them?

DR. LOVELAND. Yes, we did. We had a group of four members of the committee, one of our student members and three other knowledgeable folks from the committee who were privileged not only to meet with the board on the occasion of both of those board meetings but also to work with the district staff in the preparation of material for those meetings, so that we have had, I think, a thorough chance in that instance to be heard.

CHAIRMAN FLEMMING. Do you have any indication as to when action may be taken on the recommendation?

DR. LOVELAND. It would be my impression at this time that those recommendations now are rather mooted again. They were really designed and submitted before the opening of school, this current academic year, in the hopes, I think, that the district might want to do something to begin to show the court and to show the community some good faith and some effort to move forward, even absent our final full recommendations. And now that we are into this school year it would be, I think, somewhat administratively clumsy for the district to proceed to implement those suggestions, even if they did adopt them at this time.

So I presume now our best hope is to perhaps—and I have no guarantee the committee will want to do this—to reincorporate those particular recommendations or some modification of them in our final submission to the board.

CHAIRMAN FLEMMING. When did the board give consideration to them in terms of you and members of the committee appearing before them? As I understand it, you submitted the recommendations to the board in August, your thought was that these were recommendations which if implemented would help the situation during the present school year? When did the board actually give consideration to the recommendations?

DR. LOVELAND. In fairness to the board, Mr. Chairman, I'd want to check some dates, and I would be happy to do that and supply you with that information later.

It's my recollection, though, that at least the board's first reaction was early enough that it would have been appropriate or possible for the board to have to implemented at least some of the changes for the current year. I think the board's response was fairly early on, given the fact that our recommendations came in during the summer vacation period, and the board is not overly active sometimes during the month of August. But, as I remember, there was no unseemly delay on the part of the board, at least in its first study of the recommendations.

CHAIRMAN FLEMMING. After looking at them, the recommendations, the first time, they just decided to postpone action, in other words—

DR. LOVELAND. Yes.

CHAIRMAN FLEMMING. They didn't either reject or accept the recommendations, but postpone action?

DR. LOVELAND. That's correct.

CHAIRMAN FLEMMING. But in your judgment, the postponing of action really, in effect, was turning them down as far as the present school year is concerned, looking at it from a practical point of view?

DR. LOVELAND. Yes. I think that is true, although in fairness to the board, again, they did come in rather quickly before the beginning of the year. They were complex and I have difficulty feeling that they indicate, or that the board's failure to accept them indicates any lack of good faith or any unwillingness to help in the integration effort. I think it was just that those particular recommendations coming at that particular time did not gain widespread support on the board.

CHAIRMAN FLEMMING. Right. You refer to a meeting that you are going to hold tomorrow?

DR. LOVELAND. Yes.

CHAIRMAN FLEMMING. Tomorrow evening? Are these meetings public meetings?

DR. LOVELAND. Every meeting we have, Mr. Chairman, of our subcommittees, our task forces, which are sort of subdivisions of subcommittees, our meetings of the full committee, all are purposely open. We provide notice to the public of the time and place of all those meetings, and we welcome guests. We do not, under ordinary circumstances, permit the participation of visitors in the proceedings, but they are more than welcome to be present.

CHAIRMAN FLEMMING. Do you get a pretty good response, I mean, is there a pretty good-sized attendance at the meetings?

DR. LOVELAND. We have especially in the last few months. Our general meetings, the meetings of the full committee, have been visited by—I have not made a count—but I would guess sometimes upwards of a hundred visitors, perhaps a few more on occasion.

CHAIRMAN FLEMMING. Do you have a procedure under which a citizen of the city or the school district who wanted to appear before you and discuss a particular matter could arrange to do so?

DR. LOVELAND. Only through a subcommittee. If a citizen wished to make presentation, and some have—one was made just last week, in fact, by a citizen to a subcommittee. If the subcommittee felt that the nonmember of the committee had some material to present that could not be presented by some other method, the subcommittee would have the permission to request time on the agenda. This has happened—one of the few times it happened actually in the history of the committee, was when Mrs. Gleiter from your staff was meeting with one of our subcommittees and they were impressed with her competence, and they arranged time for her as a nonmember of the committee to address the full committee. But that procedure has not been used often.

CHAIRMAN FLEMMING. Well now, I would simply like to ask you if there are any comments or observations that you would like to make on your own initiative to the members of the Commission.

DR. LOVELAND. I would first of all wish to thank you very much for this opportunity to appear before you and for your presence here. As the Chairman of the Commission indicated, we were, I hope at least in part, responsible for the Commission's involvement at this time in this process. We felt very strongly that you had a great deal of experience in these matters, a great deal of knowledge gained from your studies of other districts. hoped we might take advantage of that during our process rather than after the fact.

So we would look carefully at your recommendations and your report relating to this district and our activities. We want suggestions. We are certainly open. This is the first time many of the members of our committee have been through this sort of experience, and we

need, obviously, all the help we can get, and we think you have some things to offer.

As for the progress of the committee, as was indicated earlier, it has been painfully slow, but I think that's a perfectly legitimate price to pay for what I think is great thoroughness, great input. If there is any element of the community, any consequential point of view that has not been presented to us, to our subcommittees and included in our thinking, I have yet to find it. I think we have had broad representation, broad input, and I am pleased with the fact that most of the decisions made by the committee are made by a rather preponderant vote. We have not had close votes on very many issues, and I think this indicates not an overwhelming power bloc, but simply deliberating and working on matters until there is fairly broad support for them.

The committee has a habit of sending back for further work those items that appear not to generate some firm support. I think that is good, but it takes time. I am confident that the committee will resolve these still open questions, that it will have a good set of instructions, a good set of guidelines for the technicians, for the consultants who, hopefully, will be given the opportunity to draft some specific plans to bring back to us for the committee to critique and to which we might react, and the community will have input at that time as it has had throughout all of our work, and I am confident that this community is going to respond well. I think the committee is going to do its job well. The school district has been and continues to be very supportive, and I remain, after all of these months, quite optimistic.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Horn?

VICE CHAIRMAN HORN. As you know, Dr. Loveland, from your own extensive experience working with community advisory committees to schools and now to the school district, one of the continuing concerns of the average citizen, regardless of whether or not a district is undergoing desegregation, has to do with the quality of education in the American public school.

To what extent does your committee see its role as going beyond advice on an effective desegregation plan in terms of the *Crawford* decision to assuring that quality education programs are developed in the Los Angeles Unified School District?

DR. LOVELAND. The committee, I am proud to say, Dr. Horn, has gone far beyond *Crawford* which, as you know, doesn't really treat with that matter very much. The committee, almost from the beginning of its process of accumulating these criteria or these beliefs, these commitments, has dealt with a strong commitment to the need for not only maintaining but improving the educational quality within this district.

We are pleased with the task force the district has created which is beginning to construct some configurations and models in order to provide for the parents and students served by the district some valid educational options.

Several years ago this district developed a new set of long-range goals for its guidance over the next decade or so, and a few weeks past, the committee, Student Integration Committee, firmed up its involvement, or its relationship to those goals as guiding principles for the implementation and the construction of an integration program. So there has been a close relationship between the concept of maintaining and improving educational quality and the integration plans, which we are in the process of building, far beyond anything that I find in *Crawford*.

VICE CHAIRMAN HORN. Do you feel in your conversations with the board of education and the school administration that they will be receptive to provision of the resources and administrative processes to assure a quality education program as well as a desegregated education?

DR. LOVELAND. I think within the limits of the obvious constraints upon them they will. We have had good commitment of people and dollars by the district up to this point, which, of course, is a tremendous amount of money to us, but a small amount compared to what would be required downstream.

But I sense a very strong feeling on the part of district staff and members of the board to that kind of commitment. They are faced, as we all know, with some horrendously complicated choices because of the nature of the mandate to desegregate, or as we like to call it, to integrate, and we make a distinction between those two terms and find integration much more important and acceptable to us than the mere mechanical desegregation, but establishing that as a mandate and as an imperative on the part of the court, we realize the district cannot do all of the things that may be required under the court mandate and still have tremendous resources left over for all of the expensive improvements.

We are impressed, and I have a personal strong feeling, which has been often expressed in this community, that many of the things that we need to do and many of the good things this district is doing are not things that necessarily cost dollars. They sometimes cost attitude changes or flexibility or opportunities for professionals to do those things they can do well. And I think I see the district feeling that same way, appreciating the fact that many of the things that need to be done to maintain the quality of our education or to improve it are not things that must necessarily have money thrown at them, but rather must be approached in other ways. And I see that commitment being implemented.

VICE CHAIRMAN HORN. This morning we had representatives, one of whom was black, one Mexican American, cited the various reading scores which I guess you could cite in every community in America. What's the problem, in your judgment, after all the years you had observing the public schools in this city, hearing about them in other cities? Are those of us in colleges and universities just turning out poor

teachers? Are they just not functioning effectively? What would you suggest?

DR. LOVELAND. Dr. Horn, I appreciate the compliment implied in that question. I've had quite enough to do to deal with the other matters before me, but I'll answer the question because I have some strong feelings about it, even though it, I think, is in some respects, outside the purview, the direct purview of our committee.

And I have to be impressed with the study that was made in this district this past year of those schools which did demonstrate some improvement in their reading scores as against those that did not, and this study formalized—and the reason I like it, I think, is because it formalized as a result of a scientific study some preconceptions I had already reached, and you always, I guess, like that kind of confirmation. But I think it clearly indicated that the biggest single factor in the achievement of good reading competence was the type of leadership exhibited on a given campus by the staff and the teachers, much more than by any particular method or any particular expenditure of dollars. It was a matter of professional commitment and professional competence, and I think you are obviously turning out some fine teachers in teacher training institutions. But somehow we are acquiring a few others some place who need some help, I think, in approaching these difficult jobs, and, heaven knows, teaching inner city or anyplace else, especially a subject as complex as reading in the polyglot population we treat within this district and is not an easy thing, and I have a great empathy for and appreciation of those who do it. Obviously, some are doing it better than others, and I think that is primarily the key. I think we need to find ways to identify those techniques and those talents, those skills that do produce good results and help the teachers who are not now using those approaches to employ them.

VICE CHAIRMAN HORN. One last question. As a desegregation plan evolves and interest, emotions are aroused, a lot of people pop up and claim to speak for various segments of the community, be it the majority or minority community.

Based on your experiences as chairman of first a high school citizens' advisory committee, now the school district Citizens' Advisory Committee, what advice would you give to the average citizen as to how they sort out who really is a "spokesman" for a community. I go on the assumption here that many, I am afraid, in the majority community do not realize there are differences of opinion in minority communities just as there are differences of opinion in a majority community. Go ahead.

DR. LOVELAND. There are tremendous differences, I think, Dr. Horn, not only within the different parts of our community, but in the motivation of those who would speak. We have, frankly, and I think Mr. Mack and some others may have mentioned this earlier—I'm sure we are going to be faced with a number of folks who for their own purposes will become involved or have become involved in this entire

integration matter. If history teaches this, as you would know so well from other parts of the country, I think we can assume there'll be some candidates for public office who will say this whole integration matter is an onerous burden. If you will elect me, I will somehow make it go away.

We think those individuals have to be atrocious historians because we are impressed with the fact that no district under a court mandate has yet escaped it anywhere in the country, to our knowledge, but there'll be folks who will make that kind of promise.

So there are folks who speak to constituencies for their own purposes. We think, I think, the people in this community are wise enough if the media will provide sufficient exposure to those individuals that their purposes and their motives will become rather clear. I have faith in the voters in this community and their basic good sense.

I think we have other folks who sincerely think they speak for a bigger constituency than they really do. It's difficult for some of them to know how many folks in their particular community agree with them. We've had a tremendous numbers of "surveys," for example, made throughout the district. Most of them to a statistician would be rather frightening because they're skewed on their face, and the data they collect is certainly biased data, but a lot of folks put great faith in them and say this represents the thinking of the community. And they do; they represent the community's response to that particular instrument, but I don't think they are valid determinants of what the community really thinks. It's difficult. I have no simple advice. I wish I did for the people in this community to sort out the folks who speak with authority and with good conscience and for the benefit of the community from those who speak either with questionable motives or with poor data or with unreal assumptions as to how many people they represent.

I think all we can do is just what we've always had to do in this country and that trust the good sense of the people. And as I've watched this community respond; as I have watched the religious leadership, the business leadership, the educational leadership, all of the components of this community respond, I am not, frankly, too worried about that part of it.

I think we have a community that may be fooled for a short time by some people, but by and large, I've watched it over a good many years. I don't think it's going to be too much misled by careless spokespersons who have narrow points of view.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Dr. Loveland, I also would like to commend you and the committee for the work that you're doing. My concern, however, is that we not lose sight of where the buck stops. The persons who are accountable are the members of the board of education, and my concern is especially in those areas in which the committee has made recommendations to the board, and the board has not acted on the recommendations and so the issue has become moot.

And, of course, as you can see, if that would continue, nothing would happen, and the committee would be getting the blame for the nonfeasance of or the failure to act by the persons who were elected and charged with the public trust.

So I wonder the extent to which the—your committee is communicating to the board of education that you are really doing what is their job.

DR. LOVELAND. I think, Mrs. Freeman, I'd have to refer back to a remark I made in the very, I think the first meeting of our committee, and it was not facetious, although some folks took it that way. I meant it very truly—that if this project goes well, the board gets the credit, if it doesn't, we get the blame. We understand that. Those are the ground rules in this kind of an operation.

But putting that aside, I think that the board has been responsive. My testimony about these recommendations we sent to the board last September may have escalated them a bit. We were disappointed the board did not react to them, but they were clearly interim recommendations submitted in a hurry in a short timeframe for the district at best.

Had the board adopted them the day we sent them, implementing them for this particular school year would have been difficult. So I have trouble feeling that those represent any type of bad faith or nonfeasance or misfeasance on the part of the board. How the board will react to our recommendations and all of the political overtones and all of the things that will certainly affect what happens to our recommendations, I think we appreciate the board has been responsive to our communications. We've had good communication with them.

We transmit to them our minutes, all of our work papers, all of the things with which we deal, and I know from conversation and other input that the board members are aware of that material, that they do study it. Our formal recommendations and requests and things go to them are carefully transmitted in a formal way. They've been responsive. I think they know what we're doing. I think they are awaiting some conclusions on our part. We do respect the fact that the legal authority does rest with them.

We're convinced though, partly because of the help the media has provided and exposure such as your Commission is providing and other opportunities we've had. We think sufficient importance will attach to our work. The board will be most unlikely simply to ignore it. It may differ with it. We've appreciated from the beginning that the board might modify our recommendations before they go to the court. We hope that we can submit a plan that doesn't require or permit any consequential modifications. And we all recognize, the board and the committee, that final authority, in the last analysis, rests with the court.

I think we all have to assume that the court will exercise some good judgment, and should the committee and the board differ in their ap-

proaches, we see the court as being in a position to reconcile those the differences.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. No questions.

CHAIRMAN FLEMMING. John Buggs, I think, has a question or two.

MR. BUGGS. Dr. Loveland, as this Commission has gone around the country holding hearings on this subject, and also with regard to case studies and national surveys that have been made, it has become extremely clear that perhaps the most successful ingredient in the whole process of school desegregation is a position taken by the leaders of the community. You have made some reference to that.

There are at least two kinds of leaders; those who really speak for the people as their leaders because they have their pulse, their fingers on the pulse of the community. They understand and, for the most part, do in fact speak for groups of people. There are others who may not have that kind of leadership responsibility, but who do speak to the community with regard to the principles that are involved in any issue of great community concern.

What, in your view, will the leaders who are of the latter kind, those who are concerned about the principles that are involved and who do hold in the community some position in the economic, business, religious field, etc., to what extent have they up to this time exercised that leadership? And what, to what extent do you believe they will exercise that leadership when your plan is finally presented?

DR. LOVELAND. I think, Dr. Buggs, that this has been a very good experience in our community up to this point. I hope as this series of hearings progresses, you'll have a chance to hear from some of those individuals.

It's been my privilege within the last 2 weeks to meet with about 40 leaders of the religious establishment: the cardinal, several bishops, the leaders of many denominations represented in our community. Their commitment was strong, a moral commitment which they expressed. In fact, that group is working now on a position paper which I think they will soon issue, formalizing their posture. I hope you'll have a chance to hear from some of them, but I'm impressed with the sincerity of their commitment and the practicality of it. It's not simply an ethereal sort of thing, but a down-to-earth type of commitment.

The county bar association has been exceedingly helpful. They've met with us on a number of occasions. They're preparing to be involved constructively, not only in helping the community understand the implications of *Crawford*, but in helping with the implementation of a plan.

The chamber of commerce as one of the agencies speaking for the business community has been helpful. Mr. Sullivan, the incoming president, Mr. Martin, the current president, and the staff members have been quite interested in finding ways in which they can be construc-

tively involved. They have made some studies on their own of the efforts made by their counterparts in other communities. They have accumulated just in the last few months, a good deal of material relating to things that were done by chambers of commerce and other business groups throughout the country.

So, and this is just a sampling, there are a number of other organizations and groups I could name. One of the most comforting recent developments surfacing just within the last month is the emergence of some citizens' groups, not formalized by being part of the establishment, of any identifiable sort. Simply good, solid, concerned folks who in some cases are tired, perhaps of the majority of statements and the mild demagoguery they've heard or who feel some need to be involved, who are constructively putting themselves in a position to help with this entire effort.

Considering the fact that all of these responses have had to be absent a specific plan, all these folks are making, in effect, a downstream commitment to something they haven't seen, I'm impressed. And I don't think we could ask for any more. You will hear from the superintendent and other parts of the school establishment and board members during the week. I'm impressed with the commitment of the superintendent and I say that publicly.

We were taught by some of your studies as early as anything in our work, the terrific importance of this involvement of community and school leadership. We've been preaching it every time we had a chance—all the members of our committee have. Dr. Johnston, the superintendent, has clearly committed himself to taking the lead educationally. And he will tell you, I'm sure, some of the specific things he's doing.

But I have had no way to fault and I think I would, it would be part of my duty if this were needed, I have no reason to fault the leadership in this community. I'm pleased and I think it's going to be consistently supportive.

CHAIRMAN FLEMMING. Could I just pursue your response to John Buggs' question for a minute? I'll go back to our hearing in Boston, which, as you know, was at the end of what was called Phase I of the desegregation plan in Boston, and prior to the initiation of Phase II.

At that hearing, we had a panel of leaders of the religious community testify. And I think I'm being fair in summarizing the testimony in this way: Most of them said to us very frankly that they had not taken a strong position in behalf of Phase I. They recognized that that was an error, and that they intended to take a strong position in connection with Phase II.

The evidence that has come to us since then through our staff, regional staff, indicates that actually they did move in that direction.

Now, you had indicated that you'd recently had the opportunity of meeting with a group of the religious leaders, about 40 of them. You were encouraged by their approach.

Recently the Supreme Court of the State of California handed down a decision, which at least sets forth the ground rules for consideration of this matter by the board of education, and by the district court judge. Have there been a significant number of religious leaders in the community who publicly have supported the decision of the Supreme Court of the State of California? Have they come out and said they're—they're right in terms of the constitutional and moral issues that are involved?

Obviously, as you pointed out, they don't have any opportunity to comment on a specific plan because there isn't any plan before the community at the present time. But I'm just wondering if you have taken note of leaders in the religious community, or you can take other parts of the community, but I'm just focusing there, who'll come out and in a very unequivocal manner said the Supreme Court of the State of California is right, and it's up to us to take that basic decision and see to it that it is implemented in such a way as to achieve the objectives identified by the court.

DR. LOVELAND. That's a fascinating question, Dr. Flemming. I think I'd have to approach it rather precisely, because the response, I think, of all the folks to whom I've referred, and interestingly enough, this meeting with religious leaders was sponsored not only by Rabbi Alfred Wolf, who is chairman of the clergy subcommittee of our group, and of an advisory committee the superintendent has, and the superintendent, but also by Mr. Paul Sullivan, who is the incoming president of the chamber of commerce and is currently the local chairperson of the National Conference of Christians and Jews. So this sort of involved not only religious leaders, but religious leaders brought together by, in this instance, a man high in the field of finance and the rapport there was good.

I mention that because I think the response to your question would apply to all of these individuals. I think, if I read them correctly, and it would be good to hear this from them, of course, they have sort of accepted the supreme court decision as a given. I don't think they've commented whether it was right or wrong. They just said it is the opinion of the supreme court. The key word being supreme; there is no appeal from it, there is no reason to argue about it. I think they have sort of given up their right to comment on whether it was correct or incorrect; this doesn't mean they think it was incorrect. I think they just say, "It is the decision. It is the law. We will abide by it. We will see to it that our community carries out that mandate in a constructive and peaceful fashion."

I've heard very little comment actually from those leaders on the merits or the demerits of the decision itself. I think part of that may be governed by the nature of the decision. It's a decision, as you know, into which most people can read anything they wish to read. It's a little hard to quarrel with it. It will be the implementation of it that may provoke the quarrels, so that there isn't really much in *Crawford* to

which very many people could take exception, absent some specific implementation mechanism that translates it into reality.

So while I haven't, it's kind of an involved answer, but while I haven't heard any people actually get up and strongly defend *Crawford* or speak in favor of it, I think the absence of that kind of statement doesn't prove much except the fact that they just sort of take it as a given and go from there.

CHAIRMAN FLEMMING. Do you think, as you look down the road, that in terms of developing public support, that it would be helpful for leaders of various segments of the life in the community, to take a firm stand on the constitutional issue that the court dealt with, and then recognizing that they leave their options open in terms of how they comment on specific plans that may be developed to achieve that. But I've developed the feeling as we held these public hearings throughout the country, that oftentimes there's been a failure to come to grips with the fundamental constitutional issue and moral issue that is involved. And that we get lost in a lot of discussion really about details.

And that we haven't—our whole educational system, hasn't operated in such a way as to really put before our people, the constitutional and moral imperatives that are at stake here.

I'm just wondering if there was emphasis on that, on the part of leaders, emphasis on it in connection with educational programs that are carried on, whether or not that would help to pave the way for a more, shall I say, rational consideration of a plan, once a plan emerges?

DR. LOVELAND. I think if we broaden our discussion beyond this now rather knowledgeable group to which we've referred, these leaders who have been close to this, and who have a good deal of the awareness of the realities; if we broaden your question to take in the entire community, I'd say it was a terribly important question, and one with which we're not dealing very well.

We have in the community a large number of people who still feel—and they express this in many very effective ways, and I know our assumption of this feeling has to be correct because we have a great deal of evidence to support this—a lot of people who still feel that somehow the *Crawford* decision, the mandate will be made to go away and not only won't recognize the propriety of it or the constitutional mandate, much less the moral imperative; they won't even recognize the inevitability of it.

And one of the things, for example, that the bar association is looking toward and may be able to help us with, is some sort of a statement. And if I'm precommitting them to something they hadn't made up their mind to do yet, that's fine. If this helps talk them into it, I'm in favor of it, because we were in hope they as an impartial agency not involved in the school district or in integration matters, might be able to issue some public statements clarifying for the people in the community what *Crawford* really says and what it means. And not only

the logic of it and the constitutionality of it, and the clear changes in the way our constitution has been interpreted over the last 20 years for the benefit of people who have been isolated and segregated up to that time, but also the relative permanence of it in our lives. The fact that it is—we still find people who write letters to us and to their legislators and even to the judiciary saying, “Do something about this, make it go away, change it. This obviously can’t be for real, this can’t be permanent.” So in that context, I think we have a tremendous job to do to help the people in this community accept the reality of the moral imperative and the constitutional mandate.

So this rather select group to which you refer, I think has done that, but we’ve not had sufficient outreach to convince the large numbers of people in the community of the propriety, the logic, and above all the inevitability of *Crawford*.

CHAIRMAN FLEMMING. It seems to me you put your finger right on it when you said that there are still leaders who suggest, others who suggest that this will go away if we just ignore it, without realizing that the validity of the constitutional system under which we operate is at stake. And if it should go away, why, that would mean that we were tearing down the foundation on which the constitutional rights, both our Federal Constitution and the constitution of the State of California.

Well, I can’t begin to tell you how helpful it has been to have you share the way in which you have the experiences that you are having. And I certainly hope that as a result of the evidence that we’ll have the opportunity of evaluating, as a result of the report, that we’ll develop as a result of evaluating that evidence that we can be of help and assistance to you and your associates as you discharge this very, very important responsibility.

Thank you very much.

DR. LOVELAND. Thank you so much, Dr. Flemming and members of the Commission, for this opportunity to meet with you. We shall look with anticipation and with respect upon whatever you find for us. Thank you.

CHAIRMAN FLEMMING. Thank you very, very much.

Counsel will call the next witnesses.

MR. DORSEY. Mr. Chairman, just before that, I would like to, before Dr. Loveland leaves, note that we have been provided with the minutes of the school board meeting establishing the Citizens’ Advisory Committee on Student Integration and subsequent minutes of those meetings which relate the purposes, duties, and time frame of the Citizens’ Advisory Committee on Student Integration.

And I would like at this time to submit them for the record for inclusion.

CHAIRMAN FLEMMING. Without objection they will be included in the record at this point as exhibit no. 8.

VICE CHAIRMAN HORN. Let me ask Counsel how extensive are the memoranda and staff papers that have been circulated by the Citizens' Advisory Committee? Have you reviewed those?

MR. DORSEY. If you're referring to any working documents which constitute reports to the board, I know of none in writing.

VICE CHAIRMAN HORN. Because my point would be that it seems to me as long as we—we might consider keeping the record open and as part of the appendix, let's get all the documents from the beginning that the committee has circulated to its members and subcommittees so we can see the evolution of the decisionmaking process.

Do you plan to do that?

MR. DORSEY. We have several series of witnesses that go to various elements of the committee, and at that time I was intending to do that.

VICE CHAIRMAN HORN. Well, that's fine, but I would also then suggest at the end the Commission agree now we keep it open and should any not have been covered by some of the subcommittees, we then just get a complete picture in some where.

CHAIRMAN FLEMMING. Without objection, we'll proceed in that way. Okay.

If you'll call the next witnesses.

MR. DORSEY. Yes. Grace Davis, Raymond Fisher, Calvin Hamilton, Julian Keiser, all subcommittee chairpersons of the Citizens' Advisory Committee on Student Integration.

CHAIRMAN FLEMMING. I ask the hearing be in order, please.

If the witnesses will please remain standing and raise your right hand.

[Grace Montanez Davis, Raymond Fisher, Calvin Hamilton, and Julian Keiser were sworn.]

TESTIMONY OF GRACE MONTANEZ DAVIS, DEPUTY MAYOR, CITY OF LOS ANGELES; RAYMOND FISHER, ATTORNEY; CALVIN HAMILTON, DIRECTOR OF PLANNING, CITY OF LOS ANGELES; AND JULIAN KEISER, COMMUNITY RELATIONS CONFERENCE OF SOUTHERN CALIFORNIA

CHAIRMAN FLEMMING. Thank you, we appreciate very, very much your being with us. I might, just informally, say that when we come into a community or school district, we're very anxious to hear as many witnesses as we possibly can.

All members of this Commission have other full-time assignments, so it isn't possible for them to remain in a community for a week or 2 weeks, but in order to take the best advantage of our time, we sit continuously from morning until 6 o'clock, and do not observe any lunch hour recess.

Now, this means that from time to time a member of the Commission will go out to get a bite to eat and so on, so that's why we don't always have all five persons here at a single time, but we feel that following this procedure does enable us to utilize our time more effec-

tively, and to listen to more persons and ask more questions than would otherwise be the case.

Will Counsel proceed with the questioning of the members of the panel?

MR. DORSEY. Starting with Ms. Davis, I wonder if you would state your full name for the record, and your position on the Citizens' Advisory Committee, and also your professional position within the community?

MS. DAVIS. My name is Grace Montanez Davis. I'm deputy mayor of the city of Los Angeles. I'm chairman of the feasibility committee of the Citizens' Advisory Committee on school integration. I'm also a working member of the criteria committee of the school integration committee. I'm one of seven appointees by the mayor's office to represent the city on the Citizens' Advisory Committee.

MR. DORSEY. Thank you, Mr. Hamilton?

MR. HAMILTON. My name is Calvin Hamilton. I'm the director of planning for the city of Los Angeles. I was also appointed by the mayor, and I am, I guess I'm chairman of—chairperson of the preliminary report committee and was co-chairperson of the logistics committee, which was gathering data essentially. And then I'm on the planning subcommittee.

MR. DORSEY. Mr. Fisher?

MR. FISHER. I am an attorney in private practice here in Los Angeles. I am an appointee to the committee of one of the board members, Mrs. Rice. I am chairman of the planning committee and a member of the preliminary report subcommittee.

MR. DORSEY. Mr. Keiser?

MR. KEISER. I direct a human relations organization, the Community Relations Conference of Southern California. It's an association of 95 member groups, racial and ethnic, religious, labor, and other community groups that are concerned about civil rights and minority issues.

MR. DORSEY. Thank you. I wish at this time to start with Mr. Keiser, and if you would, could you describe the particular duties of your subcommittee and the activities that have been engaged in relating to the development of the school desegregation plan in Los Angeles?

MR. KEISER. Well, the criteria committee is charged with the responsibility to try to set guidelines, parameters or whatever, that will help shape a plan of integration for the school district.

MR. DORSEY. In regard to that assignment, have you developed any particular recommendations or positions thus far?

MR. KEISER. As Dr. Loveland pointed out, our committee, like most of them, have tended to skirt some of nitty gritty issues that are the hardest to determine, and have acted on many other things, primarily dealing with the quality of education and seeing that criteria sets out very clearly that we want that to be upgraded and improved for all children in the district.

We've dealt somewhat with areas of safety, primarily in terms of aides from sending schools on buses and being available in the school to help with other emergencies that may arise.

We have some dealing with the various methods of integration, for example, we have indicated that we should maximize every possible voluntary option in any integration plan, and such items as that. We've also made some recommendations to the school district, where we've indicated that no new schools should be built or changes made unless they improve the situation with regard to integration.

We have made just a few statements dealing with the tough issues. One is that there shall be no schools of just one race in the school district. There are some 30 recommendations that have been made that have been approved by the large committee.

MR. DORSEY. In relation to the recommendation regarding no new school buildings being built which would not add or further integration, do you know whether or not that particular recommendation was forwarded to the school board?

MR. KEISER. No, the only ones that were recommended to the school board in advance of a complete report or plan were the ones that Dr. Loveland mentioned.

MR. DORSEY. So those and the other recommendations are still being held pending submission to the—

MR. KEISER. They are because we feel that from these criteria we hope to develop a plan that will be presented to the board as a complete plan, or at least the guidelines of a plan.

MR. DORSEY. Mr. Fisher, I wonder if you would briefly indicate what your subcommittee has been engaged in. What activities and what developments have occurred to date?

MR. FISHER. Yes, I would. The planning subcommittee was created to oversee the operation of the entire committee in the sense of kind of acting as a, I suppose an executive director would be one way of phrasing it.

I say that with some reservation because we are a highly democratic committee, referring to the whole committee. And basically what we try and do is to meet each week to be sure that the full committee's agenda and the agenda of the subcommittees are moving forward with some deliberate speed.

We have most recently been focused on attempting to stay within a time line which was adopted by the committee some months ago. That time line was set up in an effort by the planning committee to set some goals by which we could expect to produce certain products. We are now in the process of attempting to wrestle with some of the tough issues which you have heard about so far.

This last weekend we had a meeting of the preliminary report subcommittee, which Mr. Hamilton will, I'm sure, refer to. This evening we are going to have another planning committee meeting, and I understand that Dr. Loveland indicated in response to a question about

the phase-in memo that was accompanied—the latest mailing, and I should point out that it is my intent tonight as chairman of the planning committee to raise that issue again, and it is my hope that that issue might be addressed in planning [committee]. It was not addressed, as Dr. Loveland said, in the other two committees. I think it is perhaps the most current item that the committee needs to deal with, and it is my hope that the planning committee will deal with that this evening and possibly take some recommendation to the full committee tomorrow night.

MR. DORSEY. In regard to the time line question and development of the recommendations to the school board, am I to understand that that is tied into a continuing projection of when you want to accomplish certain goals, and I wonder if you might share that on the record with us now?

For example, at what point do you have projected a preliminary plan? At what point do you project submission to the school board, and is that tied into an estimate of plan, of going into the plan in September of '77?

MR. FISHER. Let me answer that in the reverse order. Yes, the plan was, the time line is in anticipation of implementation in September 1977. However, the time line when it was adopted toward the end of the summer, assumed that we would have a district, or excuse me, a superior court judge appointed and interacting with the board prior to this time. That has not developed.

Nonetheless, we have gone on on the assumption that we ought to generate for the board's consideration a recommendation, at least a conceptual plan, sometime either this month, and if that does not appear to be—I don't think we'll be able to meet that deadline, but we are shooting now for sometime in January.

And it is our hope that we would take to the board enough of an outline of a plan with concepts in it that they could react to it and then take that, hopefully, to the court and interact with the court. Because the biggest concern, or I should say one of the biggest concerns that the committee has had is that we are attempting to move forward without really having some of the ambiguities in the *Crawford* decision responded to for us by the court, which ultimately is going to have to provide some interpretation of what some of those words mean.

Now, we have been attempting to come up with some concepts, but we can only guess what some of those requirements will be, and we are hopeful that we will begin to get some interaction with both the board and with the court so we get a little more specific guidance.

But our hope is, in specific answer to your question, to present something to the board, hopefully in January.

MR. DORSEY. Mr. Hamilton?

MR. HAMILTON. The preliminary report committee is primarily a committee composed of the chairmen or co-chairmen of the other sub-

committees. And it was put together to try and take the input from the many different subcommittees and pull them together and, as it says, to at least prepare a preliminary plan or plans, to look at them in their wholeness, and try and put these together in a fashion that then could go to the full committee for its consideration.

The first—I think we were formed about August, as I recall—and the first thing we did was to try and look at where we were going. So I—as I recall I don't know whether it was the planning committee or our subcommittee worked on this time line and tried to figure out just how long it would take and, for example, one of the dilemmas we faced is that if you get this racial survey, when would we get the results in a fashion that we could actually use it?

We decided that we had to prepare, as Ray, Mr. Fisher indicated, preliminary ideas, because we wouldn't get the data probably originally, optimistically until the end of December, and now it looks as if it's going to be the end of January or in February. So that was our first task.

Then the second task was how do you actually go about preparing the plan. That was the thing that we struggled with, because none of us had done this before, and it's not quite so simple, we found out, particularly with a school district as large as this.

And so we worked with the various committees and the kind of data which we had, and what additional data or information we needed. Then we decided we all needed to have some maps that we could look at and so in working with the school district, we determined that we needed a series of base maps with the schools located. We needed an overlay or a transparent overlay that would show the racial characteristics or ethnic characteristics of each school so when you looked at that school, you could tell what it was in 1970, 1975, and projected to 1978. And this was done.

Then we put on those maps the amount of school children at those different periods of time. So that we could—and then we wanted the school boundaries so it shows every school boundary. Then we have another overlay in which we rated the physical characteristics of each school and the school system staff was extremely helpful with this. So we have a bar chart that gives us a ranking, for example, of the physical quality of the school; that is, then the quality of maintenance, that is, did it need major maintenance items?

Then the environmental quality of the school. Was it under a runway for an airport, or was it in a nice quiet residential area? And that was ranked 1 to 10.

Then what kinds of special facilities were in that school. And then in an attempt to get at the differences in the quality of education, if you will, in each school, we then listed, I guess about 35 different special programs. And if a school had those programs, we gave it a series of numbers, and then we put down the math scores and the reading scores to get some idea of the differences of each school. So that took a great deal of time.

Then what we've been doing since that time is trying to come to grips with the nitty gritty questions. That is, when is a school integrated? What percentages are there, make sense, when are they racially isolated? Trying to get the data and information on the distance between each school if you had to provide transportation, and then we have, we first divided up into three task forces and experimented with these 10 alternative or methods of possible integration that had been explored in other school districts. And those three tasks forces then looked at those three portions of the school district, experimented with them. Then we changed the task force organization and in effect divided the whole school district into two major task forces, a green and a yellow task force. And then they have been going into far greater detail, exploring clustering schools, exploring different ways and methods, and the school district has been then running those figures out on their computers. We've been using resources in the city of Los Angeles, at UCLA, at Rand Corporation, wherever we could find information and knowledgeable people.

And last Saturday's meeting was an attempt to list, and we listed, I think, well, I guess about 40 of the nitty gritty decisions that we have to make that were recommended to us by the consultants or the people that we brought in as well as the results of our own work. And we spent the day trying to first reach a consensus on those that everybody could agree to. And then we tackled those where there was general agreement, and we had votes on those. Now, we got that far.

We still have about half of them to go, and those are the toughest. But we're going to try and make decisions on those next Friday. And when we have completed that, we will then have the base parameters on which the consultants can then, and technicians can take off and do several plans, because it's been the consensus of the committee that they've about reached a point in their ability, in our ability as laymen, to do a plan or plans.

We have now got to do the nitty gritty of exploring from where we are now further. And so that we've asked a team in the school board with outside consultants to assist us. And we foresee that with the decisions that we've made, then they can know how to construct the plan from here on.

So that's, I think, Mr. Dorsey, the summary of what this committee has been doing. It's worked very hard and it's really been a fascinating experience.

MR. DORSEY. Before I go on, I would ask, it appears that you have those deliberations in some form right now. I don't know if you need that one, but I could ask that if you could, if you could submit that for inclusion in our record, when it is reduced to writing, we would appreciate it. The 40 various key issues and—

MR. HAMILTON. Well, I'm perfect—my dilemma is this, is that we don't make any decisions. The full committee does. Now, we will bring to the full committee, on tomorrow night, for them to either agree or

disagree. I guess legally I—yes, I have no hesitation to it. The only thing is is that I would want to make, clarify those where our subcommittees made recommendations, where the full committee has taken action or where nobody has taken any action.

MR. DORSEY. Clearly with that clarification, it's the way we would want to receive it, so I would offer that at this time, Mr. Chairman.

CHAIRMAN FLEMMING. Without objections, that will be done.

MR. DORSEY. Ms. Davis?

MS. DAVIS. The feasibility committee became functional only, on—several months ago, probably in August. And the task for that committee was to review all of the recommendations and deliberations of the committee as a whole, in order to determine whether they were—these recommendations were feasible either financially, educationally, legislatively, or judicially.

We did go through the task of reviewing what had been deliberated up to that point, and we found that the deliberations really were not in sufficient detail for the committee to make those kinds of determinations. So what we did was then reconvene the committee with the criteria committee, so that since the first few meetings we have been meeting with the criteria committee,

We soon—after the preliminary committee report committee does come up with some recommendations, the committee will be convened again by itself and we will be looking at the more specific recommendations.

MR. DORSEY. Mr. Chairman, in view of the time frame, I would say no further questions at this time.

CHAIRMAN FLEMMING. All right, Commissioner Ruiz, do you have any questions?

COMMISSIONER RUIZ. How is the coalition that is being formed between the Chicanos and the blacks coming along, Ms. Davis?

MS. DAVIS. Thank you for asking. Well, I think I would like to preface that by saying that the fact that the minority members of this committee had to go outside of the committee to even begin to have their own deliberations is an indication of how far we have yet to go.

The reason—we do have minority people. We just identified 19 Spanish-surnamed people, and I know we have as many black members of the community, and we also have, I think two Native Americans and, I don't know, about half a dozen Asians.

While these people were participating in the committee—we have such a tremendous task to perform in terms of the overall perspective of the plan—but we have not been able to address ourselves to the specific needs of the minority communities, and so we have been having meetings on our own trying to come to grips with what we felt should be identified as the needs of the minority communities.

The only criteria that we have generated, however, we found we're going to serve not just the minority community, but all of the young people in the school district who have not been able to achieve their

full measure of achievement. In fact, I don't remember the exact wording, maybe Mr. Keiser might remember, but I know that the criteria addressed itself to students who were achieving two grade levels below their capability, and whose needs had to be assessed and had to be met within the integration plan, and made no mention of minorities at all.

However, we felt that this kind of criteria would be acceptable to the entire district in which we were addressing the needs. And you have heard, and you will continue to hear about the reading scores in our school district. Mr. Vahac [Mardirosian's] Hispanic Urban Center will be before you later, and I know that he's going to make reference to a study of the minority schools that were 85 percent and above minority, who—of which 150 of these schools had reading scores below 25th percentile reading scores.

Within the 6 years of work such as these, there was a black and a Chicano studies group, within 6 years we have achieved in bringing 100 of these schools above 25 percent. However, the schools that are remaining in 25 percent and less are the black schools. And they don't supposedly have a language problem, but let me tell you they have a problem with the English language if they're not reading above 25 percent.

So we feel that whatever we propose for the Spanish speaking, for the Asian, the Chinese who do have a language problem, we know it will benefit those other minorities or those other low-income families that do not, are not able to provide the kind of background to their children.

So we have recently as last week, the Chicanos, the 19 who are in the committee, have directed a letter to the committee asking that a Chicano coalition committee be established as an official subcommittee of the committee as a whole. There we hope that we will be able then to petition for some consultant services that will be able to make some determinations about the bilingual-bicultural programs that are in the school district, and that we will be able to ensure that these programs are maintained while we are achieving integration.

COMMISSIONER RUIZ. Have you been able to generate any interest, for example, the Mexican American Bar Association and the Langston Club have had several meetings where they invite distinguished guests? Have they, in this particular facet of activity, indicated any interest or has anybody approached those two organizations to work together in combination with what work you're doing there in the coalition?

MS. DAVIS. We have not approached those particular organizations. However, we do have representation or members of the educational department of UCLA and the educational department of Cal. State at Los Angeles. We have two professors, Dr. Hernandez and Dr. Hata who have both been participating at every one of our meetings. They attend the meetings of the committee of the whole.

We also have an attorney from the Center for Law and Justice, I believe it is. I don't remember, Mr. Munoz, Mr. Richard Munoz, an

attorney who also has reviewed cases for us throughout the country that have impact on the bilingual-bicultural programs.

COMMISSIONER RUIZ. Now, on this satellite thing that you're doing separate and apart, will that have input into the citizens' committee?

Ms. DAVIS. Yes.

COMMISSIONER RUIZ. In any fashion?

Ms. DAVIS. Yes, we have been working through—most of us belong to the criteria committee, and we, any deliberations, and we haven't had that many, but whatever we've come up with, we've been going through the criteria committee. Hopefully, if we do get this other Chicano coalition committee established, we will have to, you know, more direct input, but I'm sure it will still have to go through criteria and some of the other subcommittees.

COMMISSIONER RUIZ. Thank you.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. Mr. Hamilton, earlier we heard the demography of the Los Angeles Unified School District, where the whites are in a minority overall. And as you know, no court has ever required exact racial balance within any school. The court decisions over the years have generally said they would look at those percentages to determine whether desegregation had taken place, but they have specifically said they are not requiring racial balance.

So I assume what your committee or subcommittee is faced with is the possibility of having different minorities or the majority in the national sense of the term, be the majority in particular schools, since it will be very difficult given transportation, logistics, size of the district, etc., to really distribute people on any district proportion, even if it was legal—even if it were legal to do so.

What I'm wondering is, are the option—I'd like to know the options you see in that area, particularly in relation to the socioeconomic class of the members of either the white, black, brown, American Indian, Asian American communities. Because there are some theories that perhaps the most successful educational experience in desegregation is where white, middle class are desegregated in conjunction with minority groups that have a lower economic status.

There are theories in other directions, and I'm just wondering what is the thinking of your subcommittee at this point in terms of trying to bring socioeconomic class criteria together with the ethnic criteria to which most court decisions address themselves?

MR. HAMILTON. Mr. Horn, this has been discussed at great length. The subcommittee has definitely indicated, and I would read it to you, "That the racial or ethnic, racial percentage need not be the same in every school."

Now, they've decided on that. They have not to my knowledge taken a specific action on the economic level, along with the racial and ethnic level. They've discussed it. As a matter of fact, they discussed it quite a bit last Saturday and they have prior to this.

I think there are—I think, if I would reflect what appears to me to be a majority of the subcommittee is that their first task is to deal with the racial, ethnic mix, and then as a part of that, it appears to me they might want to take a look at the economic to see what it—in other words, if they have several options, to solve the problem of racial isolation, then they would look at the—at what, within those options, might also have other social advantages or educational advantages by economic mix or by other factors.

But I think the very frankly—I believe I reflect the majority of the subcommittee at the moment, that the task they face at the moment with the size of the school district and the problems involved in providing an effective integration plan appears sufficient at the moment that they had put aside that other issue at least temporarily, and would use it as another secondary factor of evaluation when we look at different types of methods, or one method with different options to it.

VICE CHAIRMAN HORN. Now, apparently you will be getting the ethnic mix data as far as the students are concerned sometime in February, I gather from your testimony?

MR. HAMILTON. Well, I would hope that we would get some areas in the—by the middle of January, and most of it—this is the latest word I get—by the end of January or first of February.

VICE CHAIRMAN HORN. Does the school system have a way to determine the socioeconomic mix of its students or is this strictly a sort of seat-of-the-pants guess based on housing in a given school area?

MR. HAMILTON. Well, I think we would have to use the census and other types of data which have been developed outside of the actual racial-ethnic survey as the basis for that. I don't think that would be too difficult, because we do have data of that kind by block and census tract, so you could extrapolate.

A great deal of analysis has been done, so that we have a good deal of data, and I'm not suggesting we can't make a preliminary plan without that detailed racial-ethnic data, but we cannot do a fine tuning. I guess it's a difference between doing the first job by hand, and the second job fine tuning it with detailed data which we're going to need to really do the final, make the final recommendation.

VICE CHAIRMAN HORN. Thanks.

CHAIRMAN FLEMMING. On the criteria, the work of the criteria committee, Mr. Keiser, as I recall it, you testified that you have reached agreement on, that is, the subcommittee, on quite a number of the criteria.

And I'm wondering whether or not you can indicate roughly how many instances it represented unanimous agreement, how many instances substantial agreement, and how many instances just a narrow majority as far as agreement is concerned? And you may not have those figures in mind, but just a feel on that?

MR. KEISER. Are you addressing Mr. Hamilton?

CHAIRMAN FLEMMING. No, no, as I understand it, as far as your committee is concerned, on criteria, you as a subcommittee are ready or have reported to the full committee, and Dr. Loveland indicated that this was the case also. And that the full committee will now be in the process of considering that.

Now, I am interested in the interrelationship between that and the work of Mr. Hamilton's committee because I notice that he also—he used the expression that there had been unanimous agreement in some instances, substantial in others. And now the hard ones are still to be worked on, next Saturday, as I understand it, comparing next Saturday—

MR. HAMILTON. It's Friday.

CHAIRMAN FLEMMING. With last Saturday. But did I get it correctly the feeling that your subcommittee is ready to report to the full committee on some of the criteria?

MR. KEISER. No, what's actually happened is that starting probably last July, we tried to move the criteria committee to take a position with regard to the racial and ethnic mix that would be acceptable, a flexible formula of some type.

CHAIRMAN FLEMMING. Right.

MR. KEISER. And the committee members felt they were unable to do this until they saw what effect this would have, what the implications would be. They then requested various simulations which have been done by the preliminary report committee and some subcommittees of that committee, so that many of the things that were started—in other words, we suggested various possible simulations that ought to be tried because we couldn't get them to decide without that. And the preliminary report committee then took up those issues. They also took up other issues that it was felt by the consultants and some of the rest of us that were the rock bottom necessities for beginning to lay out a plan.

And so the whole day was spent as Mr. Hamilton indicated on Saturday trying to do that. Now, on that occasion, there were some 40 members of the committee, I believe, present, along with visitors. And on that occasion we used a group process by which we broke up into five different groups and we tried to get consensus or general agreement on many of these issues in the small groups first.

And the ones he referred to that had general agreement or consensus were those where all—where four out of the five groups concurred in a particular issue.

However, I think he's reluctant to say what those are because we now have to go before the whole committee of the CASCI and see what their opinion is. And we have an agreement on the committee that will not indicate what the views of the committee are until the committee in fact has acted. So I would say that on a number of issues, there was consensus; that is, such matters as phasing, and he might want to read off some of the basic concepts where there was consensus.

When it came down to, for example, there was consensus that there should be phasing, but when it came to the matter of how many years, there was not general agreement. And that was partly because of the haste with which we acted, if we would go into this further, they might have come to an agreement.

On the matter of the ethnic mix, there was no consensus or general agreement. However, I believe that one of the interesting things that's happened through this whole process is that many people on the committee who have wrestled with these issues, particularly in terms of preliminary report in its subcommittees as they have seen what possible implications are, they have changed many of their preconceptions about what would be required.

And I have a feeling that in a short time down the line, we may be able to come up with that formula that would be reasonably acceptable formula, at least to me.

CHAIRMAN FLEMMING. Well, I'm fascinated by the process, and it seems to me it makes a lot of sense. And I certainly don't want to ask any question that would seriously impair the kind of a process that is under way. I was just curious, I guess I'll put it that way as to what, you know, what you were finding as issues that you could get quick consensus on.

I mean just an illustration and then some where in the concensus was not as substantial, but I imagine that I could guess at some of those issues on the basis of our experience in other communities. But we'd certainly be interested in the way the process moves forward, and what the full committee finally does with the various recommendations that come out of the process that you're following.

MR. KEISER. Dr. Flemming, I think when you realize that the whole CACSI and each of the subcommittees essentially represent the same variety of points of view that the whole committee does. And when you have people on the committee, some few who may be ardent integrationists, a few at the other end who are very strongly opposed to any kind of desegregation or integration, and then all of those falling into the range in between, it does take a long time and it takes a lot of jockeying and there's a lot of obstructive-type motions and things to lead us off the track and so on, which, because we're dealing democratically and in the open, we have to—have to allow and deal with. So it takes us longer than we would like.

CHAIRMAN FLEMMING. Do you encourage the filing of minority opinions or do you try very hard to get a consensus? And at times when you do, do you feel that maybe you're getting the lowest common denominator out of the group rather than—

MR. KEISER. So far I have not felt that.

CHAIRMAN FLEMMING. Right.

MR. HAMILTON. I might say, Dr. Flemming, that on Saturday, I felt because it had been expressed to me, that those that felt they wanted to file a minority opinion or explanation of their minority point of

view, should. And that it should accompany the majority so that when the full committee takes up these issues they have both on which to base their judgment.

And I think on the whole, the committee feels, as Dr. Loveland expressed, that, you know, if there's a—if it's a one-vote difference, then we haven't really resolved it. It's been sent back and we've rehashed it some more.

CHAIRMAN FLEMMING. Right.

And—but I think, I don't see any reason why I couldn't read you what the subcommittee, just examples, that more—I mean they agreed by consensus to the items I'm going to read: that the more children travel shorter distances, that more children travel shorter distances rather than have fewer children travel long distances; that the ethnic-racial percentage need not be the same in every school; that voluntary options be included in any mandatory plan; that students of all ethnic groups have the opportunity to choose schools which they and their parents believe provide the type of education that meets their needs; that schools be encouraged to develop unique programs based on types of instructional methodology and staff, school, and community resources; that the plan be phased in; that the most segregated schools be integrated first; that secondary schools should not be integrated before elementary schools, and so forth.

CHAIRMAN FLEMMING. Fine, that gives me a feel of it.

MR. HAMILTON. May I just comment that what's happening is that we're struggling with the simulations, as Dr. Keiser indicated. Then we're turning them back to criteria in certain cases and we're finding that in exploring by doing, we're learning more.

And—but I feel that if we can get the kind of technical help, and very frankly, one of the things I want to indicate very clearly is in my opinion, the school board is not giving us the resources we need. I think there seems to be a reluctance to act quickly on our request for enough money to hire consultants with sufficient time to help us, and it seems—

CHAIRMAN FLEMMING. What is the normal time lag, from a recommendation of the full committee until you get action?

MR. HAMILTON. Months. Or—almost never. In other words, I think, in my opinion, this is my personal opinion, I think the school board has been very reluctant to give us the kinds of resources or money and it's quite clear that at the moment, they haven't allocated any money for consultants. The student integration office has had to take it out of their hide to hire the consultants that we've had up to date. And in my opinion, they're just not doing the job that they need to, to give us this technical help, and I think it's a darned shame.

CHAIRMAN FLEMMING. Let me be specific, ask a specific question. The full committee has requested the board to provide resources for consultants, and no action has been taken?

MR. HAMILTON. To my knowledge, that's correct.

VICE CHAIRMAN HORN. Let's, Mr. Chairman, get a list from Dr. Loveland of the official requests that have gone to the school board on behalf of the total committee, the date of the request, the amount of money involved, and when the school board finally acted or a status report—and let us also ask the school board for their views on those requests and insert it as an exhibit.

CHAIRMAN FLEMMING. We'll ask Counsel to develop that exhibit and then insert it in the record at this point, and obviously as you indicate, we'll ask the school board to comment on the exhibit and of course, we'll have the opportunity of asking them some questions about it, because it seems to me this is a very important matter in terms of the—your ability to do the quality job that apparently the members of the committee want to do.

MR. HAMILTON. And it's crucial right now.

VICE CHAIRMAN HORN. It could be with the assignment of the judge to the case that that might be one of the first issues that would have to go into court in order to compel the board to provide the resources you need to do the job that you're expected to do.

CHAIRMAN FLEMMING. The kind of issue that went before Judge Garity.

VICE CHAIRMAN HORN. That's right.

CHAIRMAN FLEMMING. From time to time and still goes before him in Boston.

Just one other question I'd like to ask growing out of some of the testimony. Mr. Fisher, you indicated that you were going to ask your subcommittee to consider this question of a voluntary approach that we discussed with Dr. Loveland. Now let me assume that your committee takes some kind of action on that. Would that go in then to the preliminary report committee for further consideration in the light of all the other possibilities?

MR. FISHER. The motion which Dr. Loveland circulated in the mailing and the motion which I would intend to carry tonight is essentially directed toward the full committee. And it's cast in terms of a recommendation to the board. I'm not sure this will ever fly, through the full committee, but I think it needs to be surfaced and discussed and that is a conceptual recommendation to the board that they adopt a three-phase, phase-in program and that the first phase be essentially all voluntary.

Now, I know from our discussions of the preliminary report subcommittee on Saturday, which is why I generated this, that there is a great range of opinion as to how much time voluntary options should be given a chance to prove themselves. There are skeptics, and I would count myself among them, of the efficacy of an all-voluntary program, but I happen personally to be persuaded that we may have to demonstrate that in this district. And I think there are enough people of good will in the district that it may be that voluntary programs can do a considerable amount.

Whether the full committee decides that that needs to go to another committee after it's been adopted or whatever by the full committee, I don't know. Our process allows any person on the committee to bring a motion to the full committee. The full committee may then adopt it and it need not go anywhere else except to the board.

I happen to be wanting to have this raised in planning because at the meeting tonight I think it's a proper function of planning, because I think it is intended to, I intend it anyway to move the process along to comply with our time line. And it's my anticipation that if it is accepted, or some form of it is accepted in planning, that it would then be presented to the full committee and unless the full committee saw some reason to carry it to other committees, it would go on to the board.

Now, the motion also contemplates much further action by subcommittees. It does not define "integrated schools." It does not define "segregated schools." It does not specify a number of key items that have to be addressed and I would hope would be addressed in January and February of next year.

CHAIRMAN FLEMMING. Thank you very much. I want to thank all of the members of the panel for spending this time with us. It certainly gives us a better insight into the way in which the committee is proceeding.

Yes, did you have—

Ms. DAVIS. Yes, Dr. Flemming, along with the remarks that I made about the special programs, one of the problems that we have not been able to get an answer to, and maybe perhaps the Commission might: that is, that the guidelines that go along with the programs say that the programs have to follow the child, or cannot follow the child, I'm sorry, because they're given to the schools according to certain regulations and that has been one of the reservations that we have had in dealing with the special programs. That while the communities will be willing to participate in the effort to integrate, they'll be concerned because their total community has structured around the school community. And we have advisory committees of parents, or what have you, and I think this has been a very positive impact on the community.

CHAIRMAN FLEMMING. We are aware of that issue. We will pursue it in these hearings with representatives of the Federal Government, but in addition to that, we'll pursue it in Washington also, because we understand that the regional people are operating under instructions. And we want to know the origin of those instructions and whether they're based on a policy decision or based on some legal opinion.

So we will pursue that. We recognize it's a very important issue.

Ms. DAVIS. Thank you.

CHAIRMAN FLEMMING. Thank you all very much.

Counsel will call the next witnesses.

MR. DORSEY. Dudley Blake, Jean Cohen, Mary Keipp, Isabelle Hinkley.

CHAIRMAN FLEMMING. If the members of the panel would please stand and raise your right hand.

[Dudley Blake, Jean Cohen, Mary C. Keipp, and Isabelle Hinkley were sworn.]

TESTIMONY OF DUDLEY BLAKE, PROFESSOR OF EDUCATION, CALIFORNIA STATE UNIVERSITY AT NORTHRIDGE; JEAN COHEN, LOS ANGELES LEAGUE OF WOMEN VOTERS; MARY C. KEIPP, CHAIRPERSON OF THE SURVEY SUBCOMMITTEE, CACSI; ISABELLE HINKLEY, CHAIRPERSON OF THE VOLUNTARY INTEGRATION PROGRAM COMMITTEE

CHAIRMAN FLEMMING. Thank you very much for being here with us. Counsel will proceed with the questions.

MR. DORSEY. Could you please state your name, your position on the Citizens' Advisory Committee, for the record, please? Starting with Ms. Keipp.

MS. KEIPP. My name is Mary Keipp. I was appointed to the Citizens' Advisory Committee by the area superintendent of Area E, in which I live. And I serve as the chairperson of the survey subcommittee.

MS. HINKLEY. My name is Isabelle Hinkley, and I serve as chairperson for the voluntary integration program committee.

MS. COHEN. My name is Jean Cohen. I am serving as the co-chairperson of the logistics subcommittee and representing the Los Angeles League of Women Voters on the citizens' committee.

DR. BLAKE. My name is Dudley Blake, I am a professor of education at Cal. State, Northridge, and I am co-chairperson of the human relations subcommittee.

MR. DORSEY. Starting with Dr. Blake, I wonder if you could, please, briefly summarize the activities and the duties of the subcommittees that you represent?

DR. BLAKE. Well, our committee, the human relations subcommittee, was created sometime after the other committees had started. And the feeling of the entire CACSI was that we needed a committee that would be working in the area, particularly of human relations as it affected the community and as well as the interrelationships between the members of the CACSI.

And as a result of this, we have done a number of things, including such things as conduct a series of community meetings and parent workshops. We are in the process of involving ourselves in attempting to have a—what has been called a sensitivity training session for the members of the CACSI. It's rather late in the day for that, but better late than never, perhaps.

MR. DORSEY. Thank you. Now Mrs. Cohen?

MS. COHEN. Yes, the logistics subcommittee, which Mr. Hamilton referred to, as he has been the co-chair with me on that, is the committee that had been charged from the very beginning with gathering data, discovering what the district, school district itself had been doing, and we were one of the initial subcommittees.

And to get ourselves going, we subdivided into five different task forces which I shall name: There is first the education task force. This is the one looking into the various educational programs as they pertain to equal educational opportunity. The one that also surfaced that burning question that Mrs. Davis just referred to, the federally-funded program, special funds not being able to follow the child.

Then there was the school district actions task force, which were looking at specific programs dealing with desegregation, integration, and it was this task force that came forth with the recommendations for changes, additions to the board rule 2051, the permit policy, and the PWT, permit with transportation program. This you did speak at length with Dr. Loveland on, and I checked my calendar, seeing I was the one who helped carry this to the board and can give for the records those dates that you asked. First of all, the recommendations were adopted at the full committee meeting on July 29. We seem to have been last on the agenda, and so it was 11:00 p.m. when the vote was taken on these recommendations, which were accepted by the citizens' committee by a vote of 36 to 1.

The two times that these recommendations came into the school board at their request, the first was on September 7, at which time they asked for the total packet of recommendations, and after about an hour and a half, the board decided to refer things back to their staff feeling that they needed more background information.

Then on September 20, we were asked to come forth again solely with our recommendations on the permit policy. We have never been asked to come back to amplify our recommendations on the PWT Program, and this has caused a great deal of concern by many people, because PWT being the district's one effort toward any type of integration, it's a voluntary program, really grew out of the 1971 earthquake, when youngsters at schools that had to be rebuild or so, had—their home school choices were double sessions or going elsewhere for a full day. And it turned out most of the schools affected by the earthquake, many of them were minority schools in the central city in East L.A.

And so, out of the earthquake rebuilding program came the development of PWT, moving basically minority youngsters to schools where there was room and these schools, of course, happened to be primarily West Los Angeles, San Fernando Valley, where there were classes, empty facilities.

Now, this program now services a total of 11,000 students, one-way voluntary. Many people feel that the least it could do is have PWT offered as a two-way program. This was key in the recommendations that, as I say, we passed on July 29, that went to the board on August 4. They've never acted on it, and at least some of us on the full citizens' committee, especially on the subcommittee that dealt with this, really feel that we were a little bit led astray because we thought we were helping the district when coming and showing them what they could do on an interim basis to show good faith, and they sort of dropped the ball as far as we're concerned.

Okay. So I've sort of digressed as I was mentioning because this came out of the school district actions task force of logistics.

The other three task forces were the population survey task force; finance, physical plant task force; and transportation task force. And the data, voluminous data gathered by these three task forces, have been put to use by the preliminary report committee. Much of this information is found now on charts and footnotes on those overlay maps that Mr. Hamilton described to you.

So again, we have been basically the data-gathering internally from the district and the ones that are asked, hey, you know, what's happening here or there? And we're sure we're through the education task force, as I say, we really are trying to zero in on meeting the needs of our non and limited English speakers and are well aware that these are not only Spanish speaking youngsters. There are some better than some, I believe 57 different dialects, languages spoken by youngsters in the Los Angeles City Schools, and to see how the needs of all these young people can be met will be quite a challenge.

Another thing that we have found out under bilingual education is there is also State legislation, the Chacon bill of 2 years ago, and there will be a new bill taking effect the first of the year before next September that Chacon-Moscone bill which opens up the whole field of bilingual education following the mandate of *Lau v. Nichols*, which says, of course, if more than 10 youngsters in any grade level speaking languages other than English must be taught in their native language. The Chacon-Moscone legislation speaks to the effect that bilingual programs must be available for non and limited English speakers and shall be available for others.

Now, we know for a fact the district is currently not meeting the needs of its non and limited English speakers, and if we go into a program of desegregation-integration and these non and limited English speakers are moved throughout the district, and by the mandate of Chacon-Moscone they cannot be segregated in classes unto themselves, must be with English speakers. This is saying we're going to need all the more bilingual teachers to meet the needs and this we really see is a tremendous problem because over the years we have repeatedly heard the district does not have currently enough bilingual teachers.

MR. DORSEY. Mrs. Hinkley?

MS. HINKLEY. Well, we are relatively new. The baby of the subcommittees, because our first meeting was on November the 10. And that, we grew out of the motion that was made at the committee of the whole that was passed to—that we were to explore and implement voluntary methods of integration before the mandatory methods. And I believe then the preliminary report subcommittee moved that they establish a voluntary committee who would look into, would explore the successful voluntary methods in other areas, and to recommend them to the full committee.

This we have been doing in the four meetings that we have had since then. We have had a task force that visited the Pasadena Fundamental School, and reported back. We have had a task force that have gone to Grape Street School in the inner city, and we've had another task force that has visited the Canfield-Crescent Heights Open School, paired schools and found them very successful.

Now, we have come up at our last meeting with recommendations to the full committee and to the subcommittee, actually, to the preliminary report subcommittee Saturday. One of them being that we recommend to them that any plan proposed for school integration include an arrangement whereby voluntary integration methods will be utilized for a sufficient period of time to determine their effectiveness before mandatory techniques are employed.

Then another recommendation that we have was that at the elementary level that they be offered structured schools, traditional schools, schools within a school, continuous progress schools, bilingual-bicultural schools, year-round schools, magnet schools at the secondary level, magnet schools such as performing arts, math and science, foreign language school, and also schools within a school, etc. This was just suggestions, as the lateness of the hour when we concluded our meeting, we didn't want to go on and name all of them. We felt that they could—they would know some of the others that could be implemented.

MR. DORSEY. Mrs. Keipp?

MS. KEIPP. I was—I am chairperson of the survey committee, which was one of the original subcommittees established by CACSI.

Our task was a—our charge was a three-fold one: To collect and disseminate data about school districts that had desegregated, within California and throughout the country. Secondly, to provide some objective evaluation of the success or relative successes of these various school district efforts, and if at all possible, to identify those factors within each desegregation effort that contributed to its success or failure. And thirdly, to provide this information in a format that would be available—that would be available to anyone from the community that was interested in researching this subject for themselves.

We started off our task by developing a format for reporting on the various pieces of literature that we read and so we had a standard reporting format that all the members of our committee utilized in reporting their research.

We studied in detail about 20 school districts that had desegregated. Among those were many of the southern school districts, Tampa, Pensacola, Charlotte- Mecklenburg, as well as some northern districts, Denver, Providence, Rhode Island, Minneapolis, I—there were very many.

In addition to that we read summary-type information of about 30 other school districts. So we have studied, I think, in relative detail about 50 school districts.

In addition to this, we found that the literature regarding desegregation was woefully lacking. And had it not been for the many documents from your Commission, we would have been in sorry shape to do the kind of research that we needed to do.

One of the things that we did to augment the literature that was available was to develop a survey which we sent to 35 large school districts that had desegregated, asking them specific questions, regarding specially funded programs, what different methodologies did they use, a whole series of questions. And I can—or you probably have this survey format in your files, but we can provide it to you.

In addition to that we received large packets of information from many of the school districts, and we felt that through this survey we had identified where we could go to get more information if we needed it.

Out of all of this study, we came up with some recommendations to the full committee. We made two, three major areas of recommendations. We provided the CACSI initially with a set of working definitions regarding some of the terminology of desegregation; desegregation, integration, racial balance, these were working definitions, and we developed these working definitions from what we had seen or used as definitions in other districts.

Secondly, we provided a recommendation to the full committee regarding which methodologies should be tested by our preliminary report subcommittee, and there were 10 methodologies that we recommended. I believe Dr. Loveland mentioned them a little earlier. Some of them pairing, satellite zoning, changing of attendance boundaries, specialized learning, specialized schools, the whole list. The ones we did eliminate were the metropolitan plan and educational parks, that concept, if I remember correctly.

I think the most important information that we provided to the full committee was, what I consider a very objective evaluation of those factors which we had seen contribute to the success or failure of desegregation efforts throughout the country. The one thing that, I think, amazed us a little bit was despite the fact that school districts differ greatly, and the conditions and settings for the desegregation differed greatly, there were some pretty common elements that could be identified in almost every single school district that contributed to the success or failure of their desegregation effort. And we have tried to utilize those factors in our total planning.

We have made those recommendations available to all of the subcommittees, and we have seen the utilization and the development of those ideas come out of our various subcommittees.

The survey committee is now meeting on an oncall basis. We are asked to research every once in a while some individual question that comes up and I believe one of the commissioners, Dr. Horn, asked about the consideration of socioeconomic differences, and this was a request that came out of the planning subcommittee last week, that the

survey committee, as much as possible, research what considerations that has been given in other districts. So we are undertaking that task at the present time.

MR. DORSEY. Just to follow up on one thing, the last thing you said about the various elements that you found as you went around that are common to successful implementation, I wonder if you could give us some indications of what those factors that you found were?

MS. KEIPP. I'll try to remember, if I can remember those.

We found that there were two categories of things that were—contributed to a successful desegregation effort. First of all there were a few things that related to the plan itself. We found that in practically every single district, regardless of the size of the district, a variety of methodologies were used, and those methodologies were utilized in a way that met the individual needs of the community, while at the same time adhering to the goals of the desegregation effort. So that we recommended that we consider a variety of methodologies.

Secondly, we found that in school districts where the plan was developed with the input of community and school staff, that school district had a more successful effort.

Thirdly, we found that the plan, whatever it may be, needed to be drawn carefully with a certain amount of time allowed to design a plan that made sense for that school district. Probably even more important than the elements about the plan itself were the—the second category of things that we identified.

And this was relating to—that we call them the kind of peripheral things because they weren't directly related to the plan, but they were most important.

First of all, as someone has mentioned in their testimony, the most important thing I think we found was the manner in which the community leadership viewed the desegregation effort. And of that community leadership, I think the most important group would be the school board first of all; secondly, the school superintendent and his administrative staff; and thirdly, other elected officials and lay community leaders. Where these groups took a neutral or positive outlook on desegregation, the effort was much more successful. Where the groups were negative, the effort was almost doomed to failure. Something of course that you're well aware.

There were some other factors that we thought contributed to successful integration. Those included trying to upgrade or revitalize the quality of education that existed in any school district. We found that where effective staff development programs were present, and I underline effective, the school district had a much more successful desegregation effort.

We found that it was important that a safe school environment in every school was present, and when I visited Denver, I saw great evidence of this, in the policies that surrounded their desegregation effort. We found that a student code of discipline was very important,

and the application in an equal fashion to all children was an important factor.

There are a couple more, and I can't think of them. I can go look them up if you I want to—I'm sorry.

CHAIRMAN FLEMMING. If I may interrupt, I assume that those are in a document?

MS. KEIPP. Oh, yes.

CHAIRMAN FLEMMING. And I think it would be a very good thing for staff to talk with you about obtaining that document and entering it in the record at this point as an exhibit.

MS. KEIPP. Yes. I do not have it with me, but I'll tell you the document in which this is summarized. I don't have the date, but all of the subcommittee chairmen made a progress report to the board, and these recommendations or these that we made as our survey subcommittee, were outlined very specifically in that progress report to the board.

MR. DORSEY. Thank you very much. I have no further questions at this time, Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. Mrs. Cohen, you mentioned the earthquake situation in 1971, and how that happened to lead to a program that had to do with desegregation. Earlier this morning we had some testimony as we do in almost every hearing as to what is *de facto* and *de jure* segregation.

And as you know, one of the things which is required in a court case such as *Crawford* to prove that it is *de jure* not *de facto* segregation—gets down to such matters as where particular school sites are located.

I believe you were involved with the League of Women Voters in the early seventies when there was an opportunity for the Los Angeles Unified School Board to replace some schools that were at that time totally segregated, but were earthquake damaged.

Could you tell us a little bit about that incident?

MS. COHEN. Yes. Certainly it was the end of the calendar year, I think December 1971, when the school district's building committee started holding public hearings regarding the earthquake rebuilding program. I do remember that meeting exceedingly well, because as you say, I was prepared to give testimony on behalf of the Los Angeles League of Women Voters. At which time we were urging that the district not rebuild segregation, segregated schools, but to look to the positive opportunity of expanding sites of—elsewhere in the district where youngsters could be then re-assigned to integrated schools.

This was a curious happening. It was a meeting of the building subcommittee, the building committee of the school board. And that meeting happened that day to be chaired by board member Richard Ferraro, who was not the chairman of the committee, the chairman of the committee was Dr. Julian Nava who happened to be testifying at

the State board of education. So Dr., or Mr. Ferraro had a gavel which he wielded unmercifully during my testimony as I was trying to plead for not building, rebuilding segregation. He said, what you are saying has no relevance here. We are talking about earthquake rebuilding. We are not talking about integration.

So he could, needless to say, not grasp the possibility of bringing the two together, some other members, board member Dr. Docter did pick up on it, there were some efforts afoot to see what could be done. However, the rebuilding program did go on basically in the same way, but at least we got the start of a PWT, which I must say for the first 4 years, four phases of it was purely earthquake.

And then a year ago, Phase 5, there started to expand for integration purposes and again the PWT staff had to very carefully walk this through board committees because, again, and as one who has covered the community affairs committee of the board for 6 years now, including the year that Mr. Ferraro chaired it, he made it very, very clear that he just wanted to have nothing to do with expansion of PWT for purely integration purposes.

VICE CHAIRMAN HORN. In other words, at one time the Los Angeles School Board did have an opportunity to rebuild schools, because the others were destroyed or damaged severely by earthquake. And these schools could have led to a more effective desegregation of the district and they did not agree to that?

Ms. COHEN. That's correct. They went ahead. I do believe to some degree their hands were tied, because at least at the State level, the funds they got for earthquake rebuilding came forth on a State bond issue. And the requirements then were that they had to be rebuilt on site.

Actually, the San Diego League of Women Voters filed suit against the State for this express purpose, but that came to no avail. However, there were some Federal funds that were also obtained for earthquake rebuilding, and I personally am of the conviction that some creative thinking and planning could have gone into the earthquake rebuilding and alleviated at least some of our segregated schools.

VICE CHAIRMAN HORN. Now, you're also chairman of the logistic subcommittee. I wonder, has that subcommittee made any decision yet on the maximum bus ride that would be involved in desegregation at the Los Angeles schools?

Ms. COHEN. That does not follow, fall under our definition of logistics. That logistics really goes more or definition to criterion, in all seriousness, no.

What we—we were charged with, as I say, looking at what the district is doing. We did, of course, look into the ongoing transportation programs that the district does provide now, their home-school transportation for some 44,000 youngsters. We are well aware that some of the home-school transportation does exceed an hour, and that some of the transportation for PWT does exceed an hour, too.

VICE CHAIRMAN HORN. Mention was made in the course of the testimony here of the *Lau* decision. Mr. Chairman, I'd like the Counsel to insert at this point in the record, the guidelines that pertain to the number of students of particular language groups which must be in a school district school, or school level, if that's also included, to be eligible for consideration under that decision, and the programs related to it.

CHAIRMAN FLEMMING. Without objection, we'll ask staff to obtain that information and have it inserted in the record at this point.

MR. DORSEY. Yes, Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. It's been stated that the citizens' committee might have been programmed for failure, and I simply want to say this: Don't be discouraged for this reason: Our own United States Civil Rights Commission was originally programmed to self destruct in 2 years. That was a long time ago. And we have become valuable to the community at large.

And now we've been in existence many-fold times two. And then a couple of years ago we had a windfall. As a minority, we got the female, which is 50 percent of the population.

So it looks like we're in. I simply want to make that remark because I have noted that some of the speakers from the committee are a little exasperated, some of them don't know where to turn. Some of them believe that the cards are stacked against them, but don't you believe it. You're doing a very effective service for all of us. And our own little Commission is one example of it.

MS. KEIPP. Thank you.

MS. COHEN. Thank you, we need that.

MS. KEIPP. I just want to ask one question. Does this mean that the CACSI, are you implying that we're going to be in existence as long as the Civil Rights Commission? I just wanted to tell my kids, you know.

CHAIRMAN FLEMMING. I guess we might say that you're involved in what—in one way or another is apt to be a continuous process if we're really going to achieve some of the objectives that we want to achieve. But you're reporting yes?

DR. BLAKE. Some of us originally thought that we were going to be in business for about 3 months. That was—those were some of the conditions under which we agreed to be on the committee, and since it's turned into eight and will undoubtedly continue on a long period of time. I think that Mr. Ruiz comments are certainly well welcomed here. Most of us are getting jaundiced views about the entire democratic process perhaps, especially when we go out into the community and catch some of the flack that some people believe that the board ought to be out there taking.

But I do appreciate Mr. Ruiz' remarks.

CHAIRMAN FLEMMING. Well, we appreciate your sharing with us in this way, what you've been doing, what the problems are and what you're looking forward to doing. Some of this testimony that you've given in the last half hour or so is a clear indication to me of the value of a public hearing of this kind because it does put some things on top of the table.

That was the original intent as far as the Commission on Civil Rights is concerned in giving us authority to subpoena witnesses and put witnesses under oath. I indicated when we opened this morning that that was one of the objectives that the late President Eisenhower had in mind when he recommended bringing a commission of this kind into existence back in '56. Your testimony certainly bears out the soundness of the approach.

Thank you very, very much and best wishes.

MS. KEIPP. Dr. Flemming, may I just reiterate Ms. Grace Davis' comment about the concern with specially funded programs. As chairman of the survey committee, we found a great deal of ambiguity existing when we tried to elicit that information from other districts.

CHAIRMAN FLEMMING. We definitely have that in mind as an issue that we'll pursue.

Thank you all very much. Counsel will call the next witnesses.

MR. DORSEY. John Arguelles, Armando Chavez, Annie Richardson, Toshiko Yoshida.

CHAIRMAN FLEMMING. The witnesses will remain standing please and if you'll raise your right hand.

[John Arguelles, Armando Chavez, Annie Richardson, Toshiko Yoshida were sworn.]

TESTIMONY OF JOHN ARGUELLES, STUDENT BODY PRESIDENT, JOHN MARSHALL HIGH SCHOOL; ARMANDO CHAVEZ, TITLE I REPRESENTATIVE, AREA G; ANNIE RICHARDSON, TITLE I REPRESENTATIVE, AREA E; TOSHIKO YOSHIDA, VICE PRESIDENT, HUMAN RELATIONS COMMISSION OF THE CITY OF LOS ANGELES

CHAIRMAN FLEMMING. It's nice to have you here with us.

MR. DORSEY. Starting with Ms. Richardson, would you please state your full name and your position on the CACSI for the record, please?

MS. RICHARDSON. Annie Richardson, Title I rep from Area E to the Citizens' Advisory Committee.

MR. DORSEY. Could you also state what subcommittees, if any, you participate in?

MS. RICHARDSON. Logistics, preliminary writing, planning, all of them, I think. I made an effort to join all of them recently.

MR. DORSEY. Thank you. Mr. Chavez?

MR. CHAVEZ. My name is Armando Chavez, and I'm representing the parents from Title I committee, and I'm on the criteria committee and I'm also on the human relations committee.

MR. DORSEY. Ms. Yoshida?

Ms. YOSHIDA. I'm Toshiko Yoshida, and I'm a vice president of the Human Relations Commission of the City of Los Angeles. And I was appointed to the Citizens' Advisory Committee by Mayor Bradley to represent that commission.

I serve on the survey committee and also the human relations committee.

MR. DORSEY. Thank you. Mr. Arguelles?

MR. ARGUELLES. My name is John Arguelles, I'm student body president of John Marshall High. I'm also president of as it's referred in here as Districtwide Student Affairs Council but it's Citywide Student Affairs Council. And I'm also student representative on the board of education.

MR. DORSEY. Starting with Mr. Arguelles, I'd like to know if you could, for the moment, state what your involvement and the involvement the other student representatives to CACSI is, and how do you feel you have had impact on the CACSI?

MR. ARGUELLES. Well, first of all, we're actually 12 representatives from each administrative district, and I am on the logistics subcommittee as well as the human relations committee.

And we have, we're—myself—with other students, we have developed criterias for the permits with transfer so we can have student—so we can have student representation on the receiving school. And as well as there are students on almost all the other subcommittees depending on the times that they meet. Like there's one subcommittee which is a preliminary reports committee, which meets early in the morning on Fridays, about 7:30, and some of the students—let's put it this way, no student has been able to make it. It's too early.

And we, I myself, have felt that we have made substantial impact on the Citizens' Advisory Committee on Student Integration. But there are some students out in the district that feel that we really don't have input. But I feel we do.

MR. DORSEY. Thank you. I wonder if the Districtwide Student Affairs Council has taken any position on—

MR. ARGUELLES. There has—we have—well, will you permit me? I can read two resolutions that was adopted by our committee.

MR. DORSEY. Okay. If they're long, if you'd just summarize them, we'd appreciate it.

MR. ARGUELLES. They're—well, they're just short. It was moved and seconded and passed that—

CHAIRMAN FLEMMING. If you would just talk right into the mike so that we can be sure to hear.

MR. ARGUELLES. It was moved and seconded that each area representative have the responsibility of seeing that there is an area representation by an area student affairs council member on the Citizens' Advisory Committee on Student Integration either personally participating or through an alternative—alternate. That was one recommendation, or it was moved on by the whole committee that I am chairing.

Another one is that the Citywide Student Affairs Council receive information package from the student Integration Resource Office prior to any future presentations or any decisions by the Citywide Student Affairs Council regarding the student integration efforts. And this was acted on on November 17.

MR. DORSEY. Thank you.

If we could get a copy from you of those two resolutions? I would ask, Mr. Chairman, if they be inserted at this point in the record.

CHAIRMAN FLEMMING. Without objection, that will be done.

MR. ARGUELLES. May I add an addition? I was requested by the council, and I personally requested that I send out a copy of the *Crawford* case to all the student body presidents this semester as well as in the spring semester so we can better understand what is happening in the district.

MR. DORSEY. Thank you very much. I would ask each of the other members of the panel if you would give your reflections on whether or not you feel that the Citizens' Advisory Committee on Student Integration adequately represents the minority community. Mrs. Yoshida?

MS. YOSHIDA. As previously stated by Deputy Mayor Grace Davis, there are a few Asians serving, so I will talk from that perspective. However, as I attend the meetings I really do not see any extensive representation even from those few Asians that were selected. I do see occasionally interested spectators and observers in the audience who are coming from the community. And I do see members of the SIRO staff there who are Asians. But all and all, besides Mr. Tony Trias and myself, I do not see the kind of participation that should be there, so that the Asian input would be well covered.

MR. DORSEY. Do you think that the Citizens' Advisory Committee as to this point has in fact addressed the concerns of the Asian community?

MS. YOSHIDA. Yes. I have a feeling that they do have the interests of the Asian Americans in mind in view of the fact that many of our concerns are similar to those of the other bilingual-bicultural group which is the Spanish or the Chicano group, and the major interest of the Asians is the preservation of the bilingual and bicultural programs, so in that way there is an overlap. And if one should be well covered, I feel that, you know, there would also be a natural spin off so the Asian American viewpoint will be preserved.

However, we do have a very important situation that is not necessarily peculiar to Los Angeles, but which has impacted this school district, and that is the immigration of a large number of people from the southeast Asian areas and the Korean land—native land. So that means that there are a lot of children here whose first experience with American schools will be in the Los Angeles district, and naturally they do speak their own language at home, and there is a great need to teach them in the language which they best are—the language in which they are most familiar.

So that means we have a very high level of interest in this law which was addressed to—a minute ago, the *Lau v. Nichols* decision, and so we hope that that will be carried out even with the integration that will be coming.

MR. DORSEY. Thank you. Mr. Chavez, as vice president of Area G Title I Advisory Committee, and as a community worker and I wonder if you would also respond to the—

MR. CHAVEZ. Let me point out, I am not the vice president anymore. I personally feel that we, at least the Chicanos, are not really represented on the committee because I strongly feel that we were an afterthought. We really don't participate. We have to call and we have to yell, and we have to do all kinds of little things so that they'll recognize we're around. And I strongly believe that unless some—well, we're classified as minority, you know, we're all lumped as one thing. Unless we start defining what we mean by that, then we're going to have all kinds of problems.

I, you know, and then they keep referring to the Spanish—this kind of stuff, and I really keep telling them I'm not Spanish, I'm Mexican. So let's define what we mean. So until there is more sensitivity within some parts of that committee, I don't think we're really are capable of being heard, too much, you know. They always hear me because I talk too much.

MR. DORSEY. I would ask you to follow up on that, if you feel that the committee is adequately addressing the needs of the Chicano community.

MR. CHAVEZ. I think, again, you know, that again if you look at the leadership within that committee, we are supposed to be about 30 percent of the population in the Los Angeles City School District according to their survey. You know, we're 30 percent of them, yet we are not 30 percent represented; even in the leadership position we may have one or two tokens within that thing. You know, we are not in leadership capacities, and until those needs are met, we are again subordinate to the larger groups. When we address ourself in terms of bilingual education or any of these other things that are geared to us, you know, again, it's an afterthought. We are ignored or at least they go along to pacify but that's not what we want. We want equal.

MR. DORSEY. Thank you very much. Ms. Richardson?

MS. RICHARDSON. Would you like me to answer the same question?

MR. DORSEY. Yes.

MS. RICHARDSON. I do not feel like the black representation has been what it should be on that committee. This has been one of my biggest concerns. I have addressed this concern to the committee and subcommittees and the committee as a whole and made an effort to make it possible.

First, membership on the subcommittee, the planning subcommittee, was set up originally to be chairpeople of the committee as a whole, and you saw all the chairpeople of the committee as a whole, so if you

weren't a chairperson, then you weren't a voting member of planning. And I made an effort, and finally they decided that you could join other subcommittees, so that is how I came to be a member of most of the subcommittees, because I was very concerned about the lack of black representation. As far as meeting the needs of the blacks in the community, I feel like there has been a great void in communications. There has not been a sincere effort to reach the black community.

I don't know if this is the job of the district or where the fault lies, but, I feel like the people in our community are, a lot of them, are not aware of exactly what is happening, of where we are in the process.

MR. DORSEY. I would ask both Ms. Richardson and Mr. Chavez and the rest, whether or not—what the major concerns of the black and Mexican American communities are in relationship to school integration. Let's start with Mr. Chavez.

MR. CHAVEZ. Well, if—from experiences, at least that I observed in the past, I don't really know what they mean by school integration because if we are going to use the—what they call staff integration as a pattern, I don't want any part of it. Because, at least to my knowledge, we had several of the schools in East L.A., 90 to 99 percent Spanish speaking or Spanish surnamed, and there was not even one that was Spanish surnamed on the staff, and yet, according to the district, there is a minority balance, whatever that is. And until they, at least there is an honest effort in determining the district what they are talking about, there is really nothing I can say that will alleviate that particular problem.

Secondly, that from my own experiences in being involved with the school district for many years, that the school district really, you know, talks from both sides of their mouth and there's really nothing being accomplished. Personally I strongly feel that's what they are doing with this committee. They're letting us get involved in little futile exercises because they keep on coming up with—they just came up recently with an office of integration, whatever it is, and yet I really don't know what that means because they haven't really—because the committee was supposed to be working for whatever they were talking about. And they have a little game that they play with us and I think that until we all address ourselves to the board, we are not really going to get any satisfactory answers.

MR. DORSEY. Ms. Richardson?

MS. RICHARDSON. I feel basically the same way that Amando does. I feel very frustrated often with the committee. I feel like at some point at least it needs to be defined, if we are indeed going to integrate. Every other day I get an impression that maybe we aren't, you know. For instance, the fantastic survey that came out over the weekend, you know, if you worked all the week and came up with all the criteria and then the next day you get a memo from the chairperson that says, first, Phase I is voluntary, you know, to me this is a contradiction of what you have been saying all along the line.

So, until we can definitely see where they really mean what they say, I really am not very clear as to where this committee stands with the board of education. I feel like we often—I feel like we are being utilized, and as far as my community, I feel like we are the ones that are greatly involved in the fantastic PWT program, and because of this, the community is very doubtful that the burden will not be shared equally. And this is one of the greatest concerns.

And most of the people in the community are in a position of wait and see, because they doubt that, the board of education has done things often where the minority child, carries the burden. The PWT program the district's fantastic integration plan, is only a one-way vehicle. It only goes to the barrio, to the other schools, the bus doesn't come back to inner city; so consequently, the inner-city child is still totally isolated.

MR. DORSEY. Thank you very much. Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Could I ask a few questions about the district-wide student council? How many persons serve on that council?

MR. ARGUELLES. Basically, it is composed of 12 student-body presidents in essence who are elected from the student body presidents in that area in essence who are elected from the the high schools and the student body.

CHAIRMAN FLEMMING. So that that this is an overall body that does represent the entire school district?

MR. ARGUELLES. That's right. And I, in essence, am representative.

CHAIRMAN FLEMMING. You are the president of that student council?

MR. ARGUELLES. Correct.

CHAIRMAN FLEMMING. And then you serve as a member of the city-wide committee, is that right?

MR. ARGUELLES. It depends if my area, if the area representative from where I am, if he is present or not, but I am the chairman of the committee.

CHAIRMAN FLEMMING. You are a member, though, of the Citizens Advisory Committee on Student Integration?

MR. ARGUELLES. Yes, I am.

CHAIRMAN FLEMMING. And you serve by virtue of the fact that you are president of the districtwide student council?

MR. ARGUELLES. No. First, I was an area representative, and any area representative has a choice or option to be on the committee.

CHAIRMAN FLEMMING. I see. Are there any other students serving on the citywide committee?

MR. ARGUELLES. When you say citywide, are you referring to my council or to the citizens' advisory council?

CHAIRMAN FLEMMING. What I mean is the Citizens' Advisory Committee. Are there any other students serving on that committee?

MR. ARGUELLES. Yes. There are 12.

CHAIRMAN FLEMMING. What's that?

MR. ARGUELLES. Twelve students.

CHAIRMAN FLEMMING. Twelve students?

MR. ARGUELLES. From each of the 12 administrative areas.

CHAIRMAN FLEMMING. Now, do these 12 students then in turn serve on the various subcommittees?

MR. ARGUELLES. Yes. Some of them serve on two committees.

CHAIRMAN FLEMMING. Is there a student on every subcommittee, for example?

MR. ARGUELLES. Yes. There is a student on every subcommittee whether he was appointed or he asked to be on the committee, and whether he wants to participate on the committee depends on the time at which the meetings are held. Like I mentioned, on Friday mornings it's kind of difficult for some students to make it.

CHAIRMAN FLEMMING. I noted that earlier comment. Do you have a feeling that an effort is made to encourage the participation on the part of the students? You indicated, I think, a meeting was called while they were in school, for example. Is that correct?

MR. ARGUELLES. That's correct.

CHAIRMAN FLEMMING. Have you had many situations of that kind?

MR. ARGUELLES. Basically, they occur at the beginning of school, but still there are meetings that go on during school hours, and I myself am forced to attend those meetings since I represent the district.

CHAIRMAN FLEMMING. What committees do you serve on?

MR. ARGUELLES. The logistics and human relations.

CHAIRMAN FLEMMING. What was the first one?

MR. ARGUELLES. Logistics.

CHAIRMAN FLEMMING. Do you have as a student a real opportunity for making input into those discussions?

MR. ARGUELLES. Yes, I do.

CHAIRMAN FLEMMING. You feel that they give you a good opportunity to do that.

Now, on the 12 that are on the committee, the overall committee that serve on the subcommittees, do you have the feeling that minority students are well represented among the 12?

MR. ARGUELLES. I would say yes, without a doubt, because most of those members that are on the Citizens' Advisory Committee are also on my Citywide Student Affairs Council, and basically half are Title IX or females and as well as practically every sector of the minority groups.

CHAIRMAN FLEMMING. When issues come up at the various subcommittee meetings, do the students who are on those committees take those issues back to their own councils and have them discussed and so on before they make up their own minds as to how they are going to vote?

MR. ARGUELLES. No, they have to make an ontime decision, or but if there is an issue which will take, say, a week, or until the next time we meet, and a student might or may not take it back to the respective school or the respective area.

CHAIRMAN FLEMMING. Do you think there is a good deal of discussion relative to desegregation going on within the student bodies?

MR. ARGUELLES. I would say yes.

CHAIRMAN FLEMMING. And do you feel that students are concerned about it from a positive point of view?

MR. ARGUELLES. A positive point of view as well as negative. That is the one thing I've noticed better about students, I have noticed parents; students are more willing to sit down and look at both points of view before making a rash decision.

CHAIRMAN FLEMMING. Right. If you were summing up the general attitude on the part of students that you come in contact with, that you work with, and so on, relative to desegregation, relative to implementing the California Supreme Court decision, would you say generally it's favorable or generally negative or indifferent? How would you—

MR. ARGUELLES. I will put it in a percentage point, I would say 95 percent of the student body in the school district are looking forward, or if they are not looking forward, looking for some type of a multicultural experience where you can learn about different races.

CHAIRMAN FLEMMING. That is the point they put their fingers on, the opportunity for becoming acquainted and having a better understanding of other cultures and making friendships among the persons representing other cultures?

MR. ARGUELLES. Yes, sir.

CHAIRMAN FLEMMING. I appreciate that. I might say that where we have held hearings, where plans are already under way in various cities, we have always had quite a number of students as witnesses, and I think it is fair to say that most of the students put their finger on the educational value that you have just identified.

I note the comments relative to minority participation in the work of the committee. I noted that some efforts have been made to improve the situation, and that in some instances you got a positive response.

Are there any other efforts under way at the present time designed to bring about more effective minority participation in the work of the committee?

MS. RICHARDSON. Are you speaking to me?

CHAIRMAN FLEMMING. Any member of the panel.

MS. RICHARDSON. Not to my knowledge, there is not anything under the way. One of the most important factors for minority participation, I think, they overlooked from the beginning, the fact that you are minority, and they should have considered social, economic ramifications. No consideration was given for this. I originally thought it would be a 3-month job, and my employer was very considerate because he thought it would be a 3-month thing, too, but because most of the people are employed, do require child care, often require transportation, no consideration was given to this, and I think this might have been one of the reasons why minorities were not able to participate. We

often meet 4 days a week and at noon and 7:30 in the morning until 11:00 o'clock at night, and it requires a lot of child care.

They ask us to go out into the community and do speaking engagements. I have spent four nights a week away from home speaking at schools. It requires a lot of child care; a lot of money; and if you are employed, an understanding employer.

CHAIRMAN FLEMMING. And your feeling is that no one has really come to grips with that particular issue?

MS. RICHARDSON. Right. They have not even discussed this issue.

CHAIRMAN FLEMMING. Certainly it is always an issue in terms of advisory committees where people find it difficult to solve just the kind of problems that you have identified.

Has there been—as far as you know, there hasn't been any effort any place to come to grips with those issues so as to make it, so as to facilitate the participation on the part of minority representatives in the work of the committee?

MS. RICHARDSON. Well, it hasn't, when it has—when it was brought up, you know, most of the other people on the committees, doctors, lawyers, affluent people, and they really don't understand the problem, and I trying to relate to them that if you want the people to come, you have to be able to have it at a convenient time for them. At 7:30 in the morning, if you got kids at home that you got to get off to school. If you have it after school hours, you have to consider child care. These kinds of things. And it has never been really discussed and put on the agenda as an item to be discussed and decisions made on it.

CHAIRMAN FLEMMING. Any other members of the panel want to comment on that issue or those issues?

MR. CHAVEZ. In terms of the minority coalition we are talking about, the only reason that came about was because of the effort of the minorities and it wasn't because anyone extended anything to us. We discovered early in life that unless we got all together—

CHAIRMAN FLEMMING. Would you talk into that a little directly?

MR. CHAVEZ. We decided early at the meetings, unless we got together within ourselves, we really had no impact with the larger committee, so that is how the ethnic coalitions came about, not because anybody extended an invitation to get them together, because it was necessity for survival, that's what it was all about.

I think that I should clarify something, you know. One of the things that the district is doing is trying to pawn off the Title I program to follow the child, and I think people better take a good look at that because that is another way to diffuse the money that's needed in the inner city in the East L.A. schools. Because they really need the money to carry on their programs. If you diffuse that money, then you're giving them tokens and that doesn't really work. You have to look at both sides, and I know that there is some advocacy from many people to send some of the money to the fringes out to the district,

but they really don't need the money over there. It is needed in the inner cities.

CHAIRMAN FLEMMING. Thank you.

MS. YOSHIDA. I would like to share with you the fact that there are Asian parents who are deeply concerned about their students'—about their children's education. For example, we have a school here called the Castellar School, at which the enrollment is 75 percent Asian and, I believe, most of that is Chinese. However, they are having a parent's council meeting and they have had one already, at which time they made input on their feelings regarding the integration, and it appears that there were two points of view, there may be others, but I wasn't aware of that.

But these meetings are going to continue, and they have gone so far as to invite me to come and speak to them about what was going on with the student integration committee, and they are very anxious to let the school board know how they feel about integration. And my opinion is that most of them do not care particularly for their children to be sent away from their neighborhood schools. But that's because they do have a very special problem in that their children don't necessarily speak the best English or have a command of English which allows them to go out and do the best in the schools without a supplemental assistance through the English as a second language program. And we'll see that repeated in the areas of other schools where there are concentrations of recent immigrants, and those schools have gotten assistance from, I believe it's called, Title VII, and they have hired community aides to help them along in teaching the children in the schoolrooms, so there are special advantages to a concentration of the Asian minorities in select areas.

However, it is my own personal opinion, and I do think it could probably be a consensus, that an excessive concentration is not that advantageous to the student, and we lose the advantages of living in an integrated society when it's too much one way with overdependence on special programs.

So, at some point in time, I think the community will have to learn the matter, that integration is a helpful thing in getting them settled into this country and becoming a part of the American scene, just like everyone else.

CHAIRMAN FLEMMING. Thank you very much.

Commissioner Ruiz?

COMMISSIONER RUIZ. I listen to Spanish language TV and radio, and of recent date only has there been any discussion of a possible desegregation plan and its possible effects on the Chicano community.

I get the feeling that it's now, the time has arrived for active Chicano participation and that you, your patience, Mr. Chavez, may pay off.

As I've listened to testimony, apparently we have the elements to rally interest, and they are now coming up to the fore. There is leadership out there.

We listened to the testimony of Grace Davis to a coalition of Native Americans and Chicanos which was formed because, as you related, insensitivity to this particular segment of the population. Your impression was that it was an afterthought. Since there is a Mexican American coalition, since Grace Davis is deputy mayor, since we have a liaison with the citizens' committee, student liaison, and since, at least, the door is open, I think that if you gentlemen got together with Grace Davis that you could start a push at this time, and the coin is liable to flip, and I think the community, Mexican American community, is looking for you people as the entre to this.

I respectfully suggest it. Yes?

MR. CHAVEZ. I am not denying anything you are saying, and I agree with what you say. But one of the things that we have to, you know, that the coalition came about because we became an afterthought, had been an afterthought time and time again. I think that we should also look at in terms of the bilingual program that we're trying to institute. As it is now, with the district, at least to my knowledge, at least, I don't know, maybe 10,000 students who are not receiving any type of bilingual education.

The district is always relying on Federal funds or State funds to institute these programs, and I personally believe since, you know, I am one of the few taxpayers around that that taxes that perhaps they ought to use some of their tax funds to be able to do some of the programs when integration comes about. Integration, I think, should be tied in with the bilingual programs that are needed in whatever schools the students go to, because if it's not then, you know, whatever battles we fought in the past are going to be by the wayside, because there are a lot of us who fought way back at the beginning to bring bilingual-bicultural programs into the system.

COMMISSIONER RUIZ. Your thoughts on that are very cogent and I agree with you 100 percent. I was simply saying that you have got the elements to tie this in, and when I talk about integration, I am talking about integration with respect to curriculum as well, the bilingual-bicultural educational necessity. I am in agreement with you, but I was simply saying, get your forces together and don't give up.

MR. CHAVEZ. I think; I don't think that we will.

COMMISSIONER RUIZ. Okay.

MR. CHAVEZ. Another thing that I think you should be cognizant of, too, that at least there are many of us also feel that, you know, that integration may be one of our last hopes to get quality education in our local schools, because if we don't, we have had it. And that's one of the reasons that we fight so hard to be recognized as another separate ethnic group within the whole system, because otherwise we are lost in that whole bag they call minorities, whatever that is, whatever term they use. And that's why we have to look distinctly, so that there is recognition that there are different types of minorities within the area, and we all should recognize that as something separate, but also similar to the whole human population.

CHAIRMAN FLEMMING. Do any other Commissioners have questions? Commissioner Saltzman?

COMMISSIONER SALTZMAN. Mr. Chavez, were pupil transportation to be part of the plan, the desegregation plan, what are some of the problems you anticipate relative to making pupil transportation work as an effective instrument of the plan?

MR. CHAVEZ. I think that one of the biggest concerns, at least from the people I have talked to, is who else besides the driver is going to go on the bus, because, you know, whether we accept it or not, we have some concerns with that.

We also would like to know what type of safety we are talking about, you know. It's understood that, at least the feeling of most people I have talked to, that the school district better come up with a good insurance plan for children who are going to be transported wherever they are, because right now they are not being insured for any purpose.

So, you know, that safety is one of the biggest concerns, and I think that I heard recently that, you know, this really doesn't matter too much providing that all these other things are taken care of, and what happens at the receiving school. If there is no plan to sensitize teachers at the receiving school, then, you know, integration doesn't mean anything because they are the ones who really deal with the student at a particular school and they're not aware of the differences, then, you know, we've got problems. And even with the principals, at this point, you know, it's a moral, if nothing else, if not a constitutional, but it's a moral issue that the principals and the top administrators come out with at least some saying they're—we're all for integration, but it doesn't come about. You know, I keep fighting for it. Because unless they are very involved, at least by word, you know, nothing is going to happen because I have heard too many principals or other administrators who are just as racist as anybody else in the world. And they have to have some policy that they have to institute some, so they come out with at least a statement that we are all for integration, in whatever form they want it. But at least they're saying it. They have not participated, you know.

COMMISSIONER SALTZMAN. One final question. I'll address it to the entire panel.

Is it true that all minority-impacted schools, that is, schools where there is a majority of minority students, are receiving what you would estimate inadequate education?

MS. RICHARDSON. My feeling about that is that they are receiving because there is a concentration of minorities, and I'm thinking specifically of my community, when there is a concentration of people with problems, then I think this is a handicap within itself to the educational process.

When you integrate, bring about a mixing of different people, from different backgrounds in surroundings that are conducive to education, then I think that they will excel.

One of the studies that we looked at on the committee showed that Title I children that were involved in an integrated setting, not high achievers, gained as much as 10 months growth on a sixth-grade level when they were in a different setting, and they didn't have the special things that they have in Title I schools in that integrated setting.

So what was it that made them gain so fast in an integrated setting? And I believe that it was different surroundings, not a concentration of people that were in the same situation they were in and things that were more conducive to education.

MR. CHAVEZ. Well, to answer your question, you know, I strongly suggest you look at the reading scores. I also strongly suggest that you look at the compensatory education programs. I strongly suggest that you look at all the other variables that come into it, and, you know, and then just a few months ago, the board of education in the last year made a ruling that a high school students should be able to make an application form, to get a job, to make out an income tax form because they found out that many of the high school students, particularly in the minority areas, were functional illiterates.

You know, like I said, take that into consideration, and it would seem to me that somewhere down the line the school district has been very—hasn't really addressed themselves to the point where they can at least find out why minorities are being incapable of learning all these things, because I know they are, but they haven't addressed themselves to that.

MS. YOSHIDA. I would like to enter an opinion here, speaking for the Asian community here.

I feel that for the most part the Asians are fairly well motivated when they go to school and with a tradition of revering scholarship and having a high level of interest in achievement in education. Many of them overcome, shall I say, the inadequacies that might exist in a school situation by their own personal efforts or by efforts that are speeded on by their families. And I can see that if they were going to schools where there were a high level of minorities, and especially, I believe this goes back to more a situation of socioeconomics, more a level of economics, that that might be an influence in having a school that is not a top level school and having a lot of improvement that could be made into that school.

But I will venture an opinion here that the Asians, I have seen them come into this country as immigrants, and they are so much interested in getting ahead through the educational process that they do make special efforts, but I do say it is difficult when the school is inadequate, they have to make more of this special effort.

CHAIRMAN FLEMMING. Thank you. Mr. Arguelles, would you like to comment on that question?

MR. ARGUELLES. First of all, once you are a student, I consider every student a minority numerically. When you're considered ethnically a minority your task is twice as hard at learning, and it depends

really, first of all, at your administrative level at an area, then going out to the individual school, how the administration is interpreting what is said at the upper stage of the bureaucracy and so forth. That is the way I interpret whether there is quality education in each individual school or not.

CHAIRMAN FLEMMING. One—to follow up on this, I don't know whether Commissioner Saltzman had this in mind or not, do you see a difference in terms of equipment, in terms of condition of the building, facilities, equipment, textbooks, between a school that is predominantly minority as contrasted with schools where it's predominantly made up of the white community?

MR. ARGUELLES. I would say yes.

CHAIRMAN FLEMMING. You would say yes?

MR. ARGUELLES. Yes, depending on what sector of the district you live.

CHAIRMAN FLEMMING. The other members of the panel concur in that?

MS. RICHARDSON. Yes.

CHAIRMAN FLEMMING. We have had testimony from other witnesses along that line, also.

VICE CHAIRMAN HORN. Mr. Arguelles, I would like to follow up on this last exchange. Perhaps it was asked when I was out of the room, but I'm curious. You are a 12th grade student, you see hundreds of students around you, what kind of education do you think they are getting in terms of basic competencies so they can survive in a technological world in terms of reading, understanding mathematics, the ability to speak, think clearly, so forth?

And then I would like you to explain after your answer what conditions do you think are causing that.

MR. ARGUELLES. When you say hundreds, I am interpreting it as to my school.

VICE CHAIRMAN HORN. Well I'm assuming you know several hundred students in your own school. Just your own school.

MR. ARGUELLES. My own school. I consider my school—it's naturally integrated, for some reason I consider it above most of the schools any place in the district because we have a lot of—I wouldn't say a lot of facilities, but we have a lot of access to knowledge, such as local libraries, the textbooks that we have in the classrooms, and most important of all is the attitudes and the methods of the way it's being taught in the classroom by the teachers.

VICE CHAIRMAN HORN. As I gather, John Marshall you have described as an upper middle-class school?

MR. ARGUELLES. Yes.

VICE CHAIRMAN HORN. And you are saying that there are challenges in the classroom that, as a result, all of the students in the school are rising to meet those challenges?

MR. ARGUELLES. Yes, they are.

VICE CHAIRMAN HORN. Is this the burden of your testimony?

MR. ARGUELLES. Yes, I am.

VICE CHAIRMAN HORN. And it is naturally integrated, you mentioned. Are there people in your school despite that that just really aren't able to learn to keep up the pace of what's demanded to get out of high school?

MR. ARGUELLES. I would say in every school there is a group, I'd say at least a handful of individuals at each individual school who, for some reason of nature, they can't perform up to the expectancy level of what the State or city wants.

VICE CHAIRMAN HORN. How about any schools that are primarily minority in makeup that you are familiar with? Did you ever go to a junior high school, for example, that was largely minority in makeup, as opposed to an upper-class school, of both majority and minority students?

MR. ARGUELLES. I have attended integrated schools, I have gone to all integrated schools all my life, from elementary up to senior high.

VICE CHAIRMAN HORN. Okay. Thanks.

CHAIRMAN FLEMMING. We want to thank each one of you for the testimony that you've given us. We appreciate it very, very much. Best wishes.

MR. DORSEY. Mr. Chairman, I would ask also that the record be kept open to receive the documents and information which have been indicated throughout the testimony of the CACSI panels.

CHAIRMAN FLEMMING. Without objection, that will be done.

MR. DORSEY. Albert C. Martin, John Pincus, Ernest Shell, please come forward.

VICE CHAIRMAN HORN. I don't see Mr. Pincus. Is he in the room? Oh, here we are. Yes. Gentlemen, if you will stand and raise your right hand to be sworn, please.

[Albert C. Martin, John Pincus, and Ernest Shell were sworn.]

TESTIMONY OF ALBERT C. MARTIN, PRESIDENT, LOS ANGELES AREA CHAMBER OF COMMERCE; JOHN PINCUS, ECONOMIST AND EDUCATIONAL RESEARCHER; AND ERNEST SHELL, REPRESENTATIVE, MANAGEMENT REVIEW COMMITTEE, LOS ANGELES BOARD OF EDUCATION

VICE CHAIRMAN HORN. Please be seated. Counsel.

MS. GERE BENICS. Would you please all state your name and occupation for the record.

MR. MARTIN. I'm Albert C. Martin. I'm an architect, and here representing the Los Angeles Area Chamber of Commerce as its president.

MR. SHELL. My name is Ernest Shell and I am with the Golden State Mutual Life Insurance Company. I guess I'm here representing the management review committee of the L.A. Board of Education.

MR. PINCUS. I am John Pincus. I'm an economist and educational researcher, and I am not officially representing any group.

MS. GEREBENICS. Thank you. Mr. Martin, could you tell us about the Los Angeles Area Chamber of Commerce, its size and its membership?

MR. MARTIN. The size of the membership is around 3,500. It represents many facets of business, principally. Through the employees of the members, I believe, that it has contacts with 30,000 or so people. Generally speaking, I think there is a good representation of the business sector as members of the chamber of commerce.

MS. GEREBENICS. Thank you. Has the chamber of commerce taken any official position on school desegregation?

MR. MARTIN. The chamber of commerce has taken a leadership position, I believe, in developing a coalition of interested organizations dedicated to obeying the law, to—as soon as the law came down from the courts of the State of California—to play it as cool as possible and to encourage the community to act together positively regarding the program.

MS. GEREBENICS. To further that view, could you tell us about the press conference that the chamber of commerce called soon after the *Crawford* decision?

MR. MARTIN. There have been several conferences. I believe we had a press conference and we had a—we had a large meeting of the church leaders and other interested organizations, all those that we could conveniently contact to make certain that we did meet this possible challenge as a unit and meet it very carefully and coolly.

I'm not certain how many press conferences there have been because there have been three or four conferences, with the media, all with the same thesis.

MS. GEREBENICS. Do you anticipate that the Los Angeles business community will assume a very active role in the coming year in the implementation process?

MR. MARTIN. I do. We have been working with several meetings recently to try to determine a group of leaders that would undertake an educational process through the media and through some organizational system that would bring the information to the grassroots level of the various school districts—schools themselves within the district.

MS. GEREBENICS. Thank you.

MR. SHELL, could you tell us about the Citizens management review committee and what specifically your task is on that committee?

MR. SHELL. The citizens management review committee was organized in October '75. Its purpose was to take a look at the management and fiscal policies of the board of education. It was appointed—15 members were appointed. We subsequently were divided into five different subcommittees. A subcommittee on management, a subcommittee on budget and finance, of which I am chairman, a subcommittee on personnel, one on decentralization, and one other subcommittee that I don't think of at this particular point. Its purpose was to take a look at the whole management of the school system, on the basis that the school system has gone often to the public for support

of bond issues. They have not been able to get any bonds passed recently or any tax raises when they go to the public for it. They assume that an objective look by outside citizens might facilitate or give them credibility with the public, and so this is what we have been doing.

MS. GEREBENICS. And specifically on your budget committee, what are your—do you make reports to the board or—

MR. SHELL. Yes. We are working with an ad hoc committee of the board, three of the members of the board were appointed to work along with us. We have made out a first report about a month ago which was to segregate the budget into a program, programmatic budget, the basis being that instead of the line budget, is that the board seemed to be strapped for an understanding of where they can find money in order to make out specific programs. So we have developed a programmatic budget that seems to have general acceptance so that they can look and see exactly where the money is spent and where, if they wish to change it. We are going into our second step, which is to put up the money on the basis of that that is determined by law and then that by board policies and then what discretionary funds that they have, because some of the board members feel that they don't have money to work with in order to initiate new programs, in order to meet some of the challenges in the school system. We think this budget would do that for them.

MS. GEREBENICS. Have your studies on the budget included any impact studies on how desegregation would affect the budget or how priorities would have to be reorganized?

MR. SHELL. No, it hasn't at this particular point. We think our next step, will be to pull out all funds except those that are allocated by law. We take the position that board policies can be changed so all of this money will go into another fund and almost will approach a zero-based budget except that which is mandated by law. Then if they accept this, if they accept this, then it will give them the necessary funds with which to work.

MS. GEREBENICS. I see. Thank you.

MR. PINCUS, could you tell us briefly what the Rand Corporation has been doing in the field of desegregation, some examples of studies for instance?

MR. PINCUS. Well, they have done work for various clients, mostly Federal Government agencies, including the United States Civil Rights Commission, for which we did a few years ago design a long term study evaluating the effects of desegregation in the United States. This study was never carried out because the cost would have been excessive in the view of the Civil Rights Commission's present budget level, and the other agencies involved had other priorities.

We also have done work on special programs for minority students here in the district. We did an analysis of the school district's preferred reading program carried out in a number of schools in the district. But

we focused on those that were entirely minority and looked at what kind of programs were most effective to help advance the reading skills of minority children. And in the 20 schools, 10 of those mostly were black students, and 10 were mostly Mexican American or Spanish surnamed.

In background, then, we do quite a bit of evaluation of national programs of different kinds aimed at helping children of disadvantaged backgrounds.

MS. GEREBENICS. What are some of the factors you have isolated in your studies that contribute to successful desegregation?

MR. PINCUS. Well, we found that the results are quite consistent with what the Civil Rights Commission has found in some of its past work, that is, the three main factors associated with successful desegregation seemed to be community leadership, the different leadership groups in both the white and minority communities taking a strong position and working a number of ways officially and unofficially to help promote desegregation.

The second, as related to the first, is community acceptance, and that is perhaps the major function, in a certain sense, of the leadership factor that I mentioned.

Third, I think the far most important, is the parents and children, some assurances for all groups that the quality of education will be maintained or improved, because if it isn't, it's clear that the white parents have very little interest in collaborating in terms of self-interest. They generally believe that the schools their children go to are better than the ones the minority children go to. Unless they have some incentive to cooperate with it, they will put their children into other locations possibly out of the system, either private schools, parochial schools, or move to districts that are not under a desegregation order.

A district like Los Angeles, it's not so easy as it might be in Washington, D.C., which has 96 percent black children in its schools, while the population of the entire area is predominantly white. In Los Angeles a wholesale movement would be quite impossible because the district is so vast; nevertheless, to pretend to reduce white students in percentages to all students would be accelerating the parents' belief that good education will decline.

MS. GEREBENICS. As a former member of the State board of education, how do you perceive its role in the desegregation process in Los Angeles?

MR. PINCUS. Their role, as the members of the Commission and staff may know, is somewhat limited thanks to action of the supreme court in the *Santa Barbara* case where in the process of overturning a State antibusing referendum, the Wakefield amendment, they retained in effect in the law, a prohibition on the State board of education to maintain guidelines. Now just exactly what the extent of that prohibition is is a little hard to say, but it certainly has restricted their ability.

They have maintained, developed a requirement since Governor Brown's appointees began to serve on the board, that every district have an affirmative action plan for hiring and promotion of staff.

MS. GERE BENICS. Are you familiar with the desegregation guidelines that they are now developing?

MR. PINCUS. I know that they are developing desegregation guidelines, but I am not sure of either their nature or their legal status.

MS. GERE BENICS. Okay, thank you. I have no further questions.

CHAIRMAN FLEMMING. Mr. Martin, you may have answered this question when I was out for a couple of minutes, but what official action has the Los Angeles Chamber of Commerce taken relative to the desegregation issue?

MR. MARTIN. We have taken an official, established an official policy of being in favor of desegregation and in favor of integration in—a broad policy. And until we have some more definitive guidelines, that hopefully will be developed by the citizens committee, we have taken no specific action.

In all cases, however, our action has been to support the findings of the court and to give encouragement to that by taking a leadership position which is now in the process of being established.

CHAIRMAN FLEMMING. In other words, your board, in effect, has gone on record as supporting, backing, endorsing, the decision of the Supreme Court of California?

MR. MARTIN. It has.

CHAIRMAN FLEMMING. Now, you're waiting to see what kind of plan is developed in order to implement that decision?

MR. MARTIN. Yes. But as I said, in any case, it is in favor of making certain that the rulings of the court are followed positively.

The problem that we have at the moment in endeavoring to find a group of leaders of the particular sector that we are working with is that we have no idea what the elements of a plan will be. We have no inkling whatsoever as to the findings of the committee as yet, and yet we are trying to, at this moment, establish a system of committees and subcommittees and a, you might say, a strategy for reaching the leaders of the community to further this cause.

CHAIRMAN FLEMMING. I gather from that that there are a fair number of leaders in the field of business within this city that are willing to go out of their way and say to people, look, the Supreme Court of California came out at the right point, and it's up to us to back it.

MR. MARTIN. I would say there are lots of leaders of various groups, including the school board itself, and certainly under the leadership of the Chief of Police Davis who is encouraging the formation of such a committee.

CHAIRMAN FLEMMING. Mr. Pincus, on the basis of your studies, would you say this is the kind of support that results in very positive impact on a community that is confronted with the opportunity for desegregation?

MR. PINCUS. I think this is the kind—I think as Mr. Martin recognizes better than I, there is a difficulty in Los Angeles in that our community is so diffuse and so large compared to communities like Dallas where the chamber of commerce and associated bodies have been extremely effective in supporting and taking the leadership in desegregation. One could virtually say that in that case people associated with them wrote the plan, but in Los Angeles while the support of the chamber of commerce is essential, it's only, I think, a small part of the entire jigsaw that has to be put together.

The school board, as Mr. Martin mentioned, and many unorganized leaders, that is, unorganized in the sense that they're not affiliated with any particular interest group, also would have to come into the picture as well as minority groups in substantial numbers, and if, as I understand it—this is in part the task that certain members of the chamber and the chamber itself has taken on, I congratulate them on their courage. It's a big job.

CHAIRMAN FLEMMING. Well, following that up, we have taken testimony in other cities where leaders of the business community have indicated that they were willing to do whatever they could to help the schools improve the quality of education and so on, but were unwilling to take a firm stand in terms of the suddenness of the court decisions providing for desegregation. Now here I am talking about the principle, I am not talking about the specifics of the plans.

MR. PINCUS. Yes, in principle, I think that helps a great deal because people, the average person is just as aware as the next person, and they can tell when the support is complete or whether the support is only pro forma. There's a big difference.

CHAIRMAN FLEMMING. Do you feel that the business community is helping to deal with the attitude that so often exists in communities, that this is something that if you give it time it will go away and we really don't have to confront it and deal with it head-on? Do you think that leaders of the business community are being helpful in dealing with that kind of an attitude?

MR. MARTIN. I think the attitude that prevails in the Los Angeles Area Chamber of Commerce board and all of its committees is very positive on the working with the minority group to the extent that we sponsor the minority trade fairs, the education of minority contractors, and through our youth opportunities programs we are putting high school students to work in the summers, like 13,000 of them last summer we found jobs for, and so forth.

CHAIRMAN FLEMMING. Mr. Shell, do you have a feeling that, as you work with the ad hoc committee of the board of education, that they recognize that as the city, when the city finally adopts a plan of desegregation and proceeds to implement it, that it is going to put renewed fiscal demands on the city, and do you get the feeling that they are thinking of alternative ways of responding to those demands?

MR. SHELL. I get the feeling at least four members of the board of education see it that way, and that they are looking very aggressively for alternative means of increasing the allocations of funds to do this job. At least two or maybe three that are not too favorable towards desegregation. And I think that is part of the problem in the city because the board itself is not aggressively seeking to solve this problem. I don't think there is unanimity among the board members.

I am working in other groups in the community that are very supportive of it. I have worked with some groups that are integrated groups, that are seeking to get all the ministers involved across all lines, Methodists, Baptists, Catholics, and all lines of ministers and making moral thrusts at the community, and this was a meeting held within the last 3 weeks. I think this has a great potential as it moves forward.

CHAIRMAN FLEMMING. We took some testimony earlier this afternoon from some of the chairpersons of subcommittees to the effect that they had, that is, the overall committee, had requested some funds from the board to use for the purpose of employing consultants and they hadn't had a very affirmative response to that request.

Do you think that is a reflection of this lack of, lack of, a positive approach to the whole matter that you just identified?

MR. SHELL. I think it would be because I think they could find funds. But I think the question is a divided board with some wanting to support and some not wanting to support.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. Mr. Martin, in the exchange with the Chairman, you mentioned this resolution in support of the desegregation, integration. I have got here a copy of the one from your education committee dated April 22, 1976. It says, approved by the board of directors, it says the following:

This is a recommendation of the committee, that the board of directors of the Los Angeles Area Chamber of Commerce go on record in support of Los Angeles Unified School District efforts to establish a program of racial and ethnic integration that is both reasonable and achievable.

Was that the one that was approved in toto by the board or was it changed in any way?

MR. MARTIN. I believe that was the one. I can't assure you positively that it was.

VICE CHAIRMAN HORN. Perhaps we could check and confirm it at this point in the record. The reason I read that, I would like to ask you your own feelings on what is reasonable and achievable. Are there some outside parameters that the chamber would feel make it unreasonable and unachievable? What sort of discussion goes on within the business community?

MR. MARTIN. I believe that one of the most difficult things is the transporting of students across the Santa Monica Mountain Range from one side of the city to another into the San Fernando Valley. If integration should be desired by transporting those students across the mountains into the other side, I think it starts to get unreasonable because of the time and the burden on the students.

I have been encouraged by discussions which relate to the establishment of different types of curriculum and different kinds of schools to accomplish this goal. I can't really say what is unreasonable unless it should be prolonged forced busing that would be a real detriment to the welfare of the student and his family.

VICE CHAIRMAN HORN. I take it along that line that the chamber would not find unreasonable, though, in light of existing decisions of the Supreme Court of the United States, such as *Charlotte v. Mecklenberg*, that the transportation of pupils within a reasonable time period would not be unreasonable.

You cited the Santa Monica Mountain Valley, for instance, and already that is a fairly long bus ride.

MR. MARTIN. Right, well, I—

VICE CHAIRMAN HORN. Just getting them out of the canyons.

MR. MARTIN. I believe that transportation of students to accomplish some degree of integration can be reasonable, provided the percentages are not too precise to make unusual situations a burden to all that's involved. It's very difficult for me to have a feeling about that, because too many intangibles related.

I'd say the chamber certainly would not feel that transportation of students is unreasonable.

VICE CHAIRMAN HORN. This is the point I wanted to get on the record, since we all live in the freeway society of Southern California, we are used to being transported individually or collectively.

Did the chamber add any additions to this resolution after the *Crawford* decision was handed down by the supreme court, or is it standing with this one in April?

MR. MARTIN. To the best of my knowledge, we did not add to that basic resolution.

VICE CHAIRMAN HORN. Let me move to another area that concerns the businessmen, chambers of commerce, citizens generally all over the country. We often hear a lot about white flight. And there is a lot of evidence to show that whites were leaving the cities long before somebody first talked about the desegregation of the public school. There is evidence to show that a lot of people who could afford to, if they were middle class, upper-middle class, were leaving the cities of America, going to the suburbs. One of the problems is that a lot of industry is fleeing the center cities throughout America. Our suburban access hearings of '71, report in '74, showed that graphically for St. Louis and Baltimore in particular with other parts of the hearing concerning plant sites in New Jersey in relation to workers in New York.

What I would like from you is your summary as a business leader of what is the situation of the economy within that boundary known as the Los Angeles Unified School District, in terms of what's happening to the plants, manufacturing, the service industry there, which ones are growing, which ones are decreasing. Are they moving to the Orange County suburbs or up to Ventura. And what does this mean for better opportunities in jobs, housing so forth in that district, if perhaps the wealth of the district, or some of it at least, is leaving?

MR. MARTIN. Well, there have been some important headquarters-types of businesses leave the area of the Los Angeles School Board—the district, notably the Edison Company, the Pacific Mutual, and there is talk of Prudential Life Insurance Company going to Ventura County. The reason for that flight has nothing to do with the school integration, that I know of, nothing whatsoever.

I do have a strong feeling that the level of economic health has depreciated in the boundaries of this school district, and the reason is, I believe, that the taxation on some of the industries is becoming very burdensome, and that it is better for them to go, for these businesses to go where you do not have such heavy taxes as in the city of Los Angeles. So, there is some negative factors that seem to appear.

In regards to your question of trends, obviously, the trends for dirty industry are to leave because of the controls on air pollution. Anything that is heavily labor sensitive, I believe, has a tendency to move away from some of the areas of the city, depending upon the nature of the industry. There is so much redevelopment that is needed in the central city, by that I mean the area that we are talking about. There is so much need for a reappraisal of the structure of the city, that until we come to grips with that, perhaps we will never even solve the integration problem.

This is a feeling of some of the members of the school board, that it's not a school board problem, it's a society problem. And in some way I certainly agree with that. By that I mean other elements of our society. It's a strenuous and lengthy subject, I think, filled with variables.

VICE CHAIRMAN HORN. Of course, we've had a great renaissance in downtown Los Angeles in terms of office buildings, service-type economy, replacing the older manufacturing economy, which isn't unknown in many center cities. Do you see this new development in downtown Los Angeles, such as the ARCO building, earlier the Occidental building, others as a way to provide economic opportunities both for the parents and the students, now a majority being minority students in the Los Angeles Unified School District?

MR. MARTIN. Well, I'm prejudiced, being an architect and having designed many buildings in downtown Los Angeles. I'm fairly convinced the reorganization of the center core of this city is good for the parents and the students of our educational system. It invites good transportation, invites healthy environments for productive work, and

it provides other amenities that are not necessarily found in most automobile-oriented environments. We are separating the pedestrian from the automobile.

It's starting to be a very acceptable thing, very fine asset. The central city is moving like a giant amoeba and moving about an area that's too large for the population within it, and, so, therefore, it is constantly generating open space, some might call it obsolete or other names, but it is generating open space and closing in on open space in different areas related to the function of the city. And all cities have always been this way, and there is nothing different about Los Angeles.

It has lots of things that I think are very healthy and constructive to the whole school board, the whole school district.

VICE CHAIRMAN HORN. As you eyeball the office staffs of the members of the chamber in downtown Los Angeles, do you detect an increasing employment of minority community members, primarily black and Mexican American who are on the east end?

MR. MARTIN. There has been a great change in the last 3 or 4 years, particularly in the Latin-surnamed members and a great many Asians. My own office, we have 30 percent of our staff are Asians, being an architect in an engineering firm, and quite a few blacks, but a great influx of the minority races has taken place in the downtown central core within the last 4 years.

VICE CHAIRMAN HORN. Thank you.

Mr. Pincus, you have written a number of articles pointing out that integration can be an aid for reform of our school system. And Counsel, I don't believe they've been introduced in the record. I would like to have articles that Mr. Pincus had published on the editorial page of the *Los Angeles Times*, in the opinions section, put in the record at this point. I think they are commendable and are a good succinct summary of what can be accomplished in assuring quality education as well as desegregation.

I wonder, Mr. Pincus, would you just like to sum up—well, let's get it in the record.

CHAIRMAN FLEMMING. Without objection, it will be entered in the record.

VICE CHAIRMAN HORN. Would you just like to sum up from your experience with Rand, looking at other desegregated districts around the country, having the feel for the opportunities here in Los Angeles, what you see happening along the line of bringing about a quantum improvement in the quality of education as well as achieving desegregation?

MR. PINCUS. Well, I think I've started from the assumption in some of this work that you might be able to get improved education for minority students, and either improvement or no significant decline in Anglo students' education if you have enough of a crisis. I don't mean the kind where people are getting angry at each other, but just enough of a situation where people say, well we have to start doing things dif-

ferently, and things which before were impossible because of habit or ways of thinking of things, then become possible in a crisis. It's one of the few advantages of crises. And given that kind of situation, it's possible to consider things that the district wasn't doing before.

Now, it's always seemed a little odd to me, for example, that Cincinnati has a performing arts high school but Los Angeles doesn't, when there are very few actors, I think, hired in Cincinnati. Nevertheless, just because of tradition, and they didn't have specialized high schools, the system, by that I mean both the elected and appointed officials, were reluctant to deal with the issue. At the present time, I think they are universally willing to look at the such so-called magnet high schools.

My impression from talking to the board members and the senior staff of the school district is that they are also willing to contemplate giving parents choices in the kinds of schooling their children get at the elementary levels. In the past, the public school system has operated on the premise you can have any flavor you want as long as it's vanilla, and I think that's changing. I see very clear signs that intellectually and probably in practice, the district is willing to accept the idea of things like a fundamental schools, open schools.

Of course, they have already accepted bilingual-bicultural programs, although not wholly on their own original initiative, and schools that specialize in certain subject matter fields, which means that in a desegregation program it would be possible for a parent to choose the kind of elementary school his child went to. And in a high school, it would be possible for the child himself to choose the kind of magnet program he wanted to attend. That's one way of you can think of improving the opportunities for a lot of people, creating a little bit more of the kind of thing we do in college, where a child or a parent or a young adult or a parent can choose the kind of college he wants to go to and the kind of offerings it offers him. And we think that's a better system in higher education and I have never understood frankly why we haven't considered it a good system in elementary education and secondary education also. But you ask me also to look ahead a little and try and anticipate, and everybody knows what forecasting is worth if your name isn't Jean Dixon, but I'll try anyway. I forecast that next fall it would be unlikely that we'll have a compulsory desegregated system here because no plan has been prepared yet, and there are fairly long lead times on a city with 650 schools or so and over 600,000 students to organizing to make any substantial change. And those lead times are clearly, I would think, longer than could be met by any date by which an approved plan is likely to come about. So I think we are talking for '77-'78, unless the court takes a very strong stand, and maybe whether or not they take a very strong stand, about at most, a voluntary program for '77-'78.

Now, this is no official position of the board or the superintendent, as I said originally, I don't represent any official group and may soon represent no unofficial one either.

So '78-'79 looks like the soonest for a compulsory desegregation program in the district. Now what could we expect by '77, '78-'79.

Again, sort of going along this future line, I think we can see some tendencies that allow us to do a little predicting. First of all, it seems to me, from my own experience in talking to people and in giving speeches around to parents and stuff, that by and large the public is not ready to accept the idea of compulsory school desegregation, at least the white public, for compulsory school desegregation for Los Angeles next fall.

An interesting question, I think, from the viewpoint of the leadership, the chamber of commerce, the school board, and so forth, is whether they're likely to become ready to accept it for the fall beginning '78. I would think there is every chance that that might be the case, that given the kind of leadership Mr. Martin has talked about and given the existence of a plan to work from so that the chamber isn't handcuffed as it now is by the absence of a plan. Then I think after all Los Angeles people like most people are realists, and as long as they recognize that desegregation is inevitable and that it can be made the agency of schooling opportunities, that if not perfect, are at least better than they feared, then I think that you will get various degrees of acceptance, ranging from a few people leaving town to most people saying: "Well it isn't exactly what I had in mind, but it seems to work."

I don't think there's a big problem with the children themselves, at least not as among blacks and whites. I think Mr. Arguelles who spoke earlier was correct in his estimate of the attitude of the students.

Now, there are certain interminority stresses which I am not familiar with, but which I am told exist, and I don't know how that would work out. The problem that I see beside the leadership task and the community acceptance one, I think—well, I think two problems, one is the one of money. This is a very large area as we keep repeating, and it's going to cost money. And given the present state of California school finance law, the present level of funding of the Emergency School Assistance Act and the present probability of the voters agreeing to have their property taxes increased, I think that it is sort of a major difficulty, which I hope that kind of budgeting Mr. Shell discussed may at least make an opening into it, but it does mean that the educational improvements we discussed will have to be purchased at the cost of something else not being quite so good, or at least as good but less of it.

VICE CHAIRMAN HORN. Let me interrupt at that point and ask you: Given the question of money, can the Los Angeles Unified School District really carry out an effective desegregation plan in terms of its broadest context which would include a variety of programs to meet special needs, the need for some transportation to involve people of different socioeconomic classes and ethnic groups without the State having faced up to the *Serrano v. Priest* decision. Can the unified

school district really do it, given the resources demanded out of their own resources, or does *Serrano v. Priest* have to be implemented simultaneously?

MR. PINCUS. I would rather not give you a yes-no answer. It'll take a little longer but be more accurate.

VICE CHAIRMAN HORN. You are going to give me a college professor's answer?

MR. PINCUS. Well, I will try to compromise.

VICE CHAIRMAN HORN. Okay.

MR. PINCUS. I'll be like a high school teacher.

VICE CHAIRMAN HORN. Because I'll be back with you.

MR. PINCUS. I think the answer is that would be very hard, a lot would depend on the extent which the plan required this kind of transportation. I think if it requires very substantial transportation, then the answer is clearly no, there's not enough money. There is enough money to do that but not also to do all the other things.

The *Serrano v. Priest* probably won't help L.A. very much. L.A. is right in the middle of the spending level of school districts in the State, and obviously the State legislature isn't going to spend a nickel more than it has to, because it all comes out of our taxes, to increase the level of school spending. So, L.A., if it benefited, I would think, would benefit very little. So I think that's, essentially, no help from the viewpoint of the district. The probability of people's voting additional funds would depend on whether the legislature decides to transfer some of our present tax burdens like education or welfare to other sources, like—well in the case of welfare, Federal, of course. And if that were the case, then I think, yes, that probably the public would be willing to vote some money for programs they thought were good and would help their children. I think normally they do unless they feel just very burdened as they do now.

VICE CHAIRMAN HORN. Okay. Thank you very much. Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Freeman.

COMMISSIONER FREEMAN. Mr. Pincus, there is one, I have listened to your interchange between you and the Vice Chairman, and there is one concept that troubles me, and that is the fact that there must be community acceptance with respect to enforcement of civil rights laws. Now this is not something that is required in any other area, and if to that extent, and to the extent that the persons who are making the decisions are always the majority, I wonder if we would ever have a desegregated society?

MR. PINCUS. First, in respect to school desegregation, it's possible to have school desegregation whether or not the community accepts. Boston is a good example. All I meant was successful desegregation.

And, now, with respect to the other, yes, I think we won't have an integrated society until people accept it. We may have a desegregated society.

COMMISSIONER FREEMAN. Mr. Martin, your point, your resolution of the chamber with respect to desegregation, I would like to ask because we have—if there is a similar position statement of the chamber with respect to equal housing opportunity and equal employment opportunity.

MR. MARTIN. As far as equal employment opportunity, I think that there possibly is—I'm not certain about some of the approvals that have existed through the last few years. Equal housing, we have been encouraging the distribution of ethnical groups into various districts and into new housing projects. We have had some resistance because of financing problems. People that build these things don't buy this forced inclusion of low-cost housing in certain levels of housing, for example.

COMMISSIONER FREEMAN. Well, the chamber is aware of Title VIII of the Housing Act of 1968?

MR. MARTIN. Is what?

COMMISSIONER FREEMAN. The Fair Housing law.

MR. MARTIN. I am certain it is, but I'm not personally. That is my problem here.

COMMISSIONER FREEMAN. But you don't have any independent information about the chamber's position on housing?

MR. MARTIN. I do not.

COMMISSIONER FREEMAN. Could you furnish this, because we are concerned about the trilogy, the interrelationship between housing, equal housing, equal employment, and equal educational opportunity, and since this chamber has taken a position with respect to education, would you check and find out if the chamber has taken a position, its 3,000 members, with respect to housing and employment and submit for the record at this point, Mr. Chairman, such documents.

MR. MARTIN. I would be glad to.

CHAIRMAN FLEMMING. Without objection, it will be included in the record at this point.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Mr. Martin, you talked about Latin surnamed new members in the chamber of commerce. I believe your family has lived in this area for over 100 years. Could the name Martin also be a derivative of the Spanish name Martine?

MR. MARTIN. I'm sorry, Mr. Ruiz?

COMMISSIONER RUIZ. You don't know?

MR. MARTIN. No, but we have been here since '47, that's right.

COMMISSIONER RUIZ. The chamber of commerce, I understand, has a task force on the adoption of busing alternatives which may be used, is that correct?

MR. MARTIN. I'm not aware of it. There may be one, but I'm sorry, I'm not aware of it.

COMMISSIONER RUIZ. Oh, then I won't pursue the question further.

Mr. Pincus, do you know of any organization specifically that refers to busing alternatives?

MR. PINCUS. Any organization that refers to busing alternatives? I'm sorry, would you mind elaborate a little?

COMMISSIONER RUIZ. Well, instead of busing children, alternatives such as redistricting, for example, in specific areas?

MR. PINCUS. Well, in Los Angeles, that could be a part of a desegregation program, but if you wanted to have a large scale desegregation, it could only be a small part.

COMMISSIONER RUIZ. It would be as to certain areas that could be redistricted?

MR. PINCUS. Yes, yes. And that creates some other problems in some cases, because if you redistrict there, then you may have to bus other people further.

COMMISSIONER RUIZ. We had a witness earlier this morning, a Mr. Meckler, director of multicultural education, on this matter that we were just discussing—the changing complexity of the community with respect to lines—and he had a map here, it was very interesting, that had overlays.

And I was wondering whether that map was being distributed or used by other people that were involved in the redistricting, and that's the reason I engaged in this question.

MR. PINCUS. Well, I guess I do know only one thing, and that is really all I know, is that the citizens' advisory commission has access to those district maps on locations and racial mixes and changes in them, so I assume they are using them in the construction of their plan.

COMMISSIONER RUIZ. No further questions.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Mr. Martin, with respect to the Citizens' Advisory Committee, are you satisfied with it, one, from the perspective of its representation and, two, from the perspective of the work it's doing presently?

MR. MARTIN. I really don't think my understanding of its representation would be meaningful because I'm not that close to it. I've been insisting upon the one point that I mentioned before in discussing the development of the citizens' community, and that is to have some kind of meaningful plan or strategy involved in their final outcome, so that one can get a hold of it. Right now vagary is the key point of discussion, and there is no way that we can get a group of a citizens' committee to attack the problem. So that indicates to you that I really don't know the composition of that committee. I have talked to them, to the leaders of that committee, quite a few times.

COMMISSIONER SALTZMAN. Mr. Shell, do you think that the pressure for desegregation—Mr. Shell, I am sorry—the pressure for desegregation, that is currently occurring in the community, would have occurred without the action of a court, that is, could it have occurred voluntarily?

MR. SHELL. Well, I don't think so. I think the court in finding that the Gitelson decision was essentially correct, forced certain pressures on the board to take certain positions. I think the pressure became aggravated when the board became somewhat dividedly on the subject. The question of forced busing became such a heated issue with the board. I remember we went down two or three times on this particular issue. The first time they insisted on busing under nominal conditions, then they reversed themselves, now they are in the process of doing it, reversing themselves again.

I think this has created a lot of pressure when you start to get division among those who are supposed to make policy decisions.

COMMISSIONER SALTZMAN. But there would be no—am I understanding you correctly, there would be no effort were there not a court decision to desegregate the schools? Is that what you are saying?

MR. SHELL. I'm saying there would be no aggressive effort to desegregate because it has been going on for years. They appealed the Gitelson decision, which was an evidence that there were no true intent on the part of the board to aggressively solve this problem, and they waited for—periodically I heard these discussions in board meetings, we will wait and see what the supreme court of the State says first.

So, I think that was the catalyst that started this where the board is concerned.

COMMISSIONER SALTZMAN. Mr. Pincus, having placed such a premium as the Commission does on community leadership to bring about successful school desegregation, could you—are you prepared to evaluate the presence or absence of that community leadership factor at the present time in Los Angeles?

MR. PINCUS. Well, as I said earlier, at different times, but not together, the chamber of commerce is to be commended for being willing to take such a leadership position and the difficulty now—there are two difficulties now, as I see it. One, if there is no plan, so as long as there is no plan, you can't sort of lead in a vacuum.

The other difficulties, the one I referred to earlier about the size and diffuseness of the Los Angeles community, which makes it difficult to have a completely unified leadership effort as was in the case of Dallas or Minneapolis.

COMMISSIONER SALTZMAN. Thank you, Mr. Pincus.

CHAIRMAN FLEMMING. Thank you very, very much for your extremely helpful testimony. We appreciate it.

Counsel will call the next witnesses.

MS. GERE BENICS. Dr. Stephen Knezevich, Dr. C. Wayne Gordon, Dr. Philip Vairo, and Dr. Anthony LaBue, and Dr. John Nelson.

CHAIRMAN FLEMMING. May I ask the members of the panel if they would stand and if you'll raise your right hand.

[Dr. Stephen Knezevich, Dr. Wayne Gordon, Dr. Philip Vairo, Dr. Anthony LaBue, Dr. John Nelson were sworn]

TESTIMONY OF DR. STEPHEN KNEZEVICH, DEAN OF THE SCHOOL OF EDUCATION, UNIVERSITY OF SOUTHERN CALIFORNIA; DR. C. WAYNE GORDON, CHAIRMAN, DEPARTMENT OF EDUCATION, UNIVERSITY OF CALIFORNIA AT LOS ANGELES; DR. PHILIP VAIRO, DEAN OF EDUCATION, CALIFORNIA STATE UNIVERSITY, LOS ANGELES; DR. ANTHONY LABUE, DEAN OF THE SCHOOL OF EDUCATION, CALIFORNIA STATE UNIVERSITY, NORTHRIDGE; AND DR. JOHN NELSON, DEAN OF THE SCHOOL OF EDUCATION, CALIFORNIA STATE UNIVERSITY, LONG BEACH

CHAIRMAN FLEMMING. Thank you very much for being with us.

MS. GEREENICS. Would each of you please state your name and occupation for the record and the school with which you are affiliated?

DR. KNEZEVICH. My name is S.J. Knezevich, dean, school of education, University of Southern California.

DR. LABUE. Anthony LaBue, dean of the school of education, California State University, Northridge.

DR. GORDON. C. Wayne Gordon, chairman of the department of education at UCLA, associate dean of the graduate school at UCLA.

DR. VAIRO. Philip Vairo, dean, school of education, California State University, Los Angeles.

DR. NELSON. John Nelson, dean, school of education, California State University, Long Beach.

MS. GEREENICS. Thank you. Now would each of you individually indicate whether your school of education has taken any steps to provide either expertise or resources to the school district to aid in the desegregation effort of Los Angeles.

DR. NELSON. In terms of direct contact with Los Angeles city schools, we have not been directly involved except through several faculty members who have been asked to serve in various capacities as individuals, experts in certain fields such as Neil Sullivan, Consuela Nieto, and other persons like this.

Our main thrust has been in terms of preparation of professionals, both preservice and inservice, to work effectively in the schools, as we in the schools see this as the most appropriate need.

DR. VAIRO. The school of education invited Mr. Zane Meckler as a witness this morning before this group. He made a faculty meeting at our invitation. It was for the purpose of giving our faculty some orientation, some background data. Consequently we have been in communication with Dr. Handler from the L.A. city schools expressing the faculty's interest to participate in future plans. We have had no formal meetings other than the informal communication that has gone between ourselves and Dr. Handler, and the visitation from Mr. Meckler. Also, we have invited Mr. Meckler back to meet with our student groups, and that is the only contact we have had in reference to this question.

DR. GORDON. I believe that from our school my involvement has been the most direct; and it goes back to the *Crawford* hearings, the trial in which, on the basis of a study of the Mexican American aspiration achievement in Los Angeles, I served as expert witness to the

court and spent about 35 hours on the witness stand in that trial, as the record will show.

Since our center for the study and evaluation has submitted a proposal for the studies of desegregation process which are pending for funding, otherwise, participation has been largely through that of individuals.

DR. LABUE. Our situation has been rather unique in that two members of our faculty at Cal. State, Northridge, are on the school board. As you know, Dr. Robert Docter is a professor of education; Dr. Julian Nova is a professor of history. We also have much contact with Zane Meckler, a gentleman that appeared before you this morning. He made a number of presentations on our campus, to our faculty, and to the academic senate of the university, and just last Friday to the Tri-Valley Alliance, which is an organization of presidents initiated to bring together with our campus the junior colleges in the Tri-Valley area. We have also had a number of faculty involved in direct consultation. You heard one gentleman this morning, Dr. Dudley Blake, who is one of our department chairmen in the school of education who serves as chairman of the human relations of the subcommittee.

DR. KNEZEVICH. USC has not been directly involved in either the development of a plan or the implementation of a plan for desegregation in the Los Angeles Unified School District. We have indeed at various times operated a desegregation institute for varying periods, but this institute has served the schools outside of the Los Angeles area but within Los Angeles County.

However, indirectly, our faculty has been involved with innumerable teacher core programs over the past 10 years in the bilingual-bicultural area, as well as to provide individuals as entrepreneurs or consultants on their own and servicing school districts including Los Angeles Unified.

MS. GEREBENICS. Thank you, Doctor Knezevich. I was wondering if the other four gentlemen would indicate on the same line right there the kind of efforts your school of education has made to coordinate program offerings with the needs of the LAUSD in terms of bilingual-bicultural, multicultural classes, whatever.

DR. LABUE. You might say we have a long history of attempting to provide for the L.A. city school district and other districts in the area the kinds of teachers that we think would best help them to implement their programs. Some problems that I sense relate to our inability to attract sufficient numbers of students that would implement, for example, programs in bilingual-bicultural education. Out of our total enrollment in the school of education at the present time, I would say that no more than 10 percent of that, of those students, are, for example, students with Spanish surnames.

I tend to feel that we can attract students when we have programs on campus as we do have Title VII programs and State-funded programs that permit students, of course, the opportunity of having a

stipend while they're studying. But the difficulty of recruiting students without that kind of help is, we find, is very, very difficult. Now, it may be as well that we happen to be located in an area where we don't have large pockets of students who are of college age.

DR. GORDON. UCLA's contribution in the area of bilingual-bicultural education has been largely centered in our teacher education laboratory in which in the last 2 years we have organized a special bilingual-bicultural team which we intend to expand.

DR. VAIRO. At California State University, Los Angeles, we recently made a survey of new students entering our program. Forty-eight percent of these students are ethnic minority students. Approximately 37 percent are bilingual.

We were very curious to find out what's happening to the students who complete our programs, including our advanced credential programs. Of approximately 1,500 students who completed our programs, we're just going to take a rough number, about 500 were ethnic minority. Of that number, very, very briefly, close to 200 were of Hispanic background.

Now, I don't have the exact figures of that particular number, how many were bilingual. The school of education operates several programs in this particular area which might be of interest to you. We have a bilingual teacher course supported with State funds. We have approximately 35 interns in this program. This program we used a basic credential of elementary school teachers with a bilingual focus.

Then we have a graduate program credential, it's a bilingual specialist credential program. We have four options in the program: the Chinese option, Japanese option, a Chicano studies option, and a Pan African option.

We also have introduced 2 years ago, a master's degree with an urban ed. option, with a bilingual focus. In the short time we've had this program on campus, we have over 100 majors. As far as grants go from the U.S. Government under Title VII, we received this past year 30 fellows who are now majoring in our urban education program, taking either a bilingual focus in Chicano studies or in the Chinese option.

As far as faculty goes over the past several years, during the past 4 years we've employed 17 faculty; of the 17 new faculty we've employed, 5 have been ethnic minority and 7 have been white Caucasian females.

It might also be of interest to the Commission in terms of recognizing if we're going to have programs, we be able to recognize the colleagues that are on campus, especially those ethnic minority colleagues. We've had 38 promotions during the last 4 years: 20 were minority folks including white Caucasian figures of that particular figure, 10 were ethnic minority. So we at Cal. State, I think, have students, our geographic location serves a large minority clientele, and on campus we're still trying to recruit new colleagues and recognize those colleagues who are ethnic minorities in terms of promotion.

DR. NELSON. I think there's several kinds of ways of having input, and I think the program development and program evaluation is one of the areas we involve a number of teachers, and administrators, and community persons on the development aspect of our Ryan programs and also our other programs. Also the Title—we have a Title VII grant and a 2817 State grant, and virtually all of this money goes to traineeships for students, and a large number of those students are working as aides now, and hopefully will be employed in the L.A. city schools.

We, approximately 20 percent of our students eventually teach in Los Angeles city schools, and we are constantly getting feedback from them as we do from all students, as to ways to better improve our program to meet the needs of this particular district as we do with any district.

MS. GEREENICS. Dr. Vairo, I'd like to go back to the meetings you mentioned with Mr. Zane Meckler and Mr. Handler of the school district, and you mentioned at that time that you had direct contact with them frequently; and at this time did you offer resources or expertise of your department to LAUSD, and what was their response to that?

DR. VAIRO. At the time Mr. Meckler met with our faculty and gave us the data presentation, probably very similar to the one he gave here, he asked the faculty if we were interested in participating in a joint venture. It was certainly not a vote of any kind, but it seemed to me the consensus was overwhelming that the faculty that was present at that particular meeting expressed an interest.

I publicly stated that the school of education would be—would welcome the opportunity and the challenge to participate in a joint venture.

My conversation with Dr. Handler was simply a telephone call reiterating my position. I've had numerous contacts with Mr. Meckler. He's met with the deans from L. A. city on numerous occasions and also through the auspices of the L. A. County superintendent, and we have shared feelings, concerns, so that's the extent of it.

I don't want to over—certainly over emphasize that we've had formal contact and were participating, but we've talked about it. We've expressed interest. That's the extent of it.

MS. GEREENICS. What sort of resources, other than assigning teachers, are the schools willing to supply or able to supply to the district in terms of implementing desegregation?

Would you like to start, Dr. Nelson?

DR. NELSON. I think the—beside the new teachers coming in that I talked about—I think that we have to recognize that there's a very large pool of existing teachers out there. Turnover is very small.

We have been attempting to work as much as we can on inservice. One looks at our offerings, summer session offerings in particular, when teachers generally come back, and they have been responsive to the desires of the teachers, including the teachers in L. A. city schools.

I think that probably the 3.3 of the Title V requiring that any school district, any school that has 25 percent or more minorities must offer 60 hours of instruction; we have been involved with that. We have—a number of us have served on advisory committees, both in L. A. and other places, and have offerings in the 3.3 program for inservice, which is the hope that they will get to the inservice teacher.

MS. GEREENICS. Dr. Vairo?

DR. VAIRO. In addition to some of the points that my colleague Dean Nelson has made, the school of education has just recently obtained a grant to establish a national dissemination and assessment center. We're probably now in the beginning formative stages; but we hope to review materials, disseminate materials, and share this information with the local district.

This material deals with multicultural education, and I think this would serve as a form of catalyst in terms of promoting desegregation.

Additionally, in our bilingual-bicultural center, we have in the last 2 years employed four colleagues, three Chicano and one Chinese. We provide field services to the community without any charge; through the grant they're able to do this. And we feel that through their leadership in the field, in the community, working with Title VII directors in the Los Angeles Unified District as well as L. A. County, this is another way we can provide expertise out in the field.

Also, we have worked in the past closely with the Reverend Vahac Mardirosian from the Hispanic Urban Center, and we've worked with Dr. Kendrick and Mr. Robinson from the Afro-American Cultural Center, where we've offered courses at these particular sites. And I think in turn indirectly, not perhaps directly, we have promoted the spirit of what we're trying to do right here at this particular meeting.

Also during the past 4 years, we've had perhaps more than 150 teacher aides from Los Angeles Unified School District come through our career opportunity program. Perhaps more than half of these people who came through were ethnic minorities and in turn came through our preparation program and went back into the districts. So this was one way, I think, of feeding people who had expertise and credentials and who had a feeling for multicultural problems back into L. A. city.

I'll just pass for now.

DR. GORDON. In addition to the special bilingual-bicultural team for teacher preparation, all of our inservice teachers are obligated to take their supervised teaching, at least one of their major assignments in a—in an inner city, or in a school of ethnic characteristics other than their own.

In addition, all students receive modular instruction with options for all the represented ethnic groups in the—as part of their professional preparation.

I should have mentioned also a graduate training program for the training of mid-level administrators, largely vice principals and prin-

cipals seeking professional development to come from inner city schools and prepare for returning service in inner-city schools. This leads to a doctoral program, and this has been a federally-funded program and one of our most successful efforts.

DR. LABUE. Specifically related to your question, and I think I know what you're trying to get at, I don't think the schools of education in this part of California really are equipped to do very much to assist the Los Angeles city schools in developing an integration plan. We have not been asked, I doubt that we have offered our services, and I don't know the extent of the quality of services we would be able to offer, to be very honest with you.

Furthermore, I think that this whole matter of university involvement, I think they should be involved, I think they should train the appropriate kind of teachers that may be needed to implement an integration plan. I think the university should provide consultation services. It probably should make whatever research facilities it has available. But, frankly, I think the problem is a university problem, not a school of education problem.

I know there's one president of a State university campus here, I wish there were four or five others. I think some of these questions ought to be directed at them.

MS. GERE BENICS. Thank you.

DR. KNEZEVICH. It's interesting that Dean LaBue sort of took some of my words, and I want to preface my comments with the fact that whatever we have been able to achieve at this point in time, we have a feeling of inadequacy in our—and I am of the general opinion that the schools of education as professional schools preparing practitioners both for entry into initial teaching positions as well as in leadership positions simply are not doing as much as they should be doing. And we can point to the fact that there is clearly a lack of adequate resources to get the job done.

But likewise, the problem is a relatively new one. And the kinds of expertise needed at university level has not been developed as yet, and this is not an excuse, but a sincere regret.

USC is well known for training a substantial number of individuals in leadership positions in Southern California. We do, we have been extremely fortunate in attracting outstanding people from minorities to complete programs leading to both the administrative credentials and perhaps a doctorate.

The winners of two recent prestigious awards for people in preparation for administration awarded by the American Association of School Administrators to illustrate, the winner this year is Alice Kehoe, who is a black female. And the winner last year was a female from—Mexican heritage. We've been fortunate in attracting these kinds of people into our programs. We are considering a preceptorship program which would help ensure or enhance the success of those from minority backgrounds in administrative positions. This is a pro-

gram which has been developed, really suggested, by our educational support group, Educare.

I might add that the bilingual-bicultural program, the drive to achieve excellence in this area is a commitment of the school of education, and is calling upon the resources of the entire university, including the linguistics department, Spanish department, ethnic studies department, as well as the school of education.

MS. GERE BENICS. Thank you, I have no more questions.

CHAIRMAN FLEMMING. I'd like to ask one question. It grows out of the comment that maybe we should have some university presidents participating in this panel. As Dr. Horn knows when I took a look at the list of witnesses representing the institutions of higher education, I expressed the feeling that there ought to be some university presidents in the list.

But, and the question I'm going to ask does go beyond a college of education, and does involve the resources of a university as a whole. In connection with Phase II of the Boston plan, Judge Garrity paired the public schools in that area with institutions of higher education. Now, he wasn't in a position to order institutions of higher education to accept the pairing. He did have some authority as far as the schools were concerned. But he apparently did confer with the institutions of higher education before he included it in the order. And apparently they identified some sums of money that would be available through the State. I don't know, maybe some through the Federal Government that could be used for this purpose.

But the idea back of the pairing was that the institution of higher education that was paired, let's say, with a particular high school, or junior high school, would move in as a partner and help that school improve the quality of education.

Now, in doing so they'd be dealing with all of the issues that confront the schools in connection with desegregation, such as major emphasis on human relations, and training involving faculty, administration, students, parents, and so on. But let me assume that the program evolves in this area to the point where in this case a State court judge, having taken note of what happened in Boston, decided that it might be a good thing to do in this area.

Do you feel that your respective institutions, and now I'm not talking just about college of education, because there are a good many other resources that could be used, do you feel that your respective institutions would be willing to respond affirmatively to that kind of a judgment on the part of a judge and move in as partners with specific schools designed to help specific schools improve the quality of education as far as they are concerned?

DR. LABUE. My response to that would be yes, I'm sure our university would respond, and we've had some experience with that, in that a period of over 5 years that was very heavy, heavy Triple T funding under EPDA, we did establish those kinds of relationships with a

number of schools in the San Fernando Valley and some of those programs have been incorporated into our regular offerings and are still continuing even though the funds are not available.

There is, however—my own feeling is that among the larger number of, that is, if you think the total university faculty, certainly there are some feelings as to the extent to which a university should get involved in the business of community problems or school problems. I'm sure you're aware of that. I can't help but recall, just completing a book called *The Fault of the American University* by a political scientist at Harvard, a man by the name of Euland (phonetic) who says this is one of the problems with the universities. They've gotten too involved in other people's affairs, and haven't paid much attention to their own.

And I'm sure there are people on many campuses, at least a few, that subscribe to those particular feelings. I personally do not, and I don't think our president does from the kind of reception that he gave to Mr. Zane Meckler when he made his presentation that you saw this morning to our university senate a week ago.

CHAIRMAN FLEMMING. Well, I happen to disagree with those who take the point of view you express, and I happen to agree with your point of view, and I don't think it's necessarily either/or. I think it can be both/and. My own feeling is that involvement brings strength, not weakness.

DR. KNEZEVICH. There's no question about USC's commitment as well as involvement to this. I think the very nature of our location. That is we are an urban university. We're located right in an area where there's substantial minorities and so-called urban redevelopment area, and the university has been committed for sometime to working and living with its neighbors. It chose many years ago not to leave that area of the city, because it was indeed populated by large minority groups.

And the same thing goes for the school of education. There's a clear commitment and a desire to do just that.

DR. NELSON. I think that there's no doubt about it. Our institution has demonstrated this, in terms of the kinds of internship programs that have been fostered—I think also—the large number of field centers where we actually operate out in the field; and I think our curriculum becomes much more responsive and we understand the problems and are maybe more helpful because many of our faculty virtually live out in those school districts. And the teachers and the administrators play reciprocal type of role. And I think that could be expanded considerably.

I think that inside the general academic program, I think there are many, many opportunities and I'm sure certainly not 100 percent, but the thing I hear from the faculty and certainly the administration is that that sort of thing would be very much encouraged.

DR. VAIRO. The school of education has roughly 130 people from the community serving on advisory committees in the various programs

we operate. We have students, we have housewives, we have parents, we have school administrators, a business manager, school board members, a variety of ethnic groups, that cut across our community. They've been an invaluable addition to our programs in the school in the past 3 years, and I, in turn, believe that if our faculty participated through invitation in the affairs of L. A. city, I think the same enriching experience would come about.

DR. GORDON. I would say that generally that the institution UCLA would welcome a challenge as suggested in the pairing of schools. However, I'd like to not be a Pollyanna about this.

Universities are not organizations that act with great single purpose and unity. There is great reticence among some of our colleagues on this issue. They have children; I have to persuade some of my own faculty that this is a positive move. I felt considerable pressure from some of my faculty when I was involved in the *Crawford* case. Someone questioned my credentials to be an associate dean. I thought—I didn't think we had to have credentials for that.

So that what we could look forward to would be great talent and great resources, particularly if there are funds to attract them into programs. What the university policymakers will, at the outset, commit resources, that is, money, time of faculty, centralized policy, I think we would have to search among our colleagues and find those that are prepared to get committed. We'd have to search among those departments and leaders as in the community to find those that would get committed and get involved.

I'm optimistic that such an effort could be organized, but I would not expect it to come forward with great voluntary enthusiasm at the outset.

VICE CHAIRMAN HORN. I just wonder, Dean Gordon, you operate in a different system than two of the deans there, since you operate under the University of California with the regents' authority to reallocate funds as opposed to the State legislature. There's no such thing in this world as a free lunch and this is a good example of it. It's easy to say why don't universities become more involved. Faculty, administrators, staff members, students are involved, many of them on a volunteer basis. But I assume what we're talking about here is actually making that off-campus opportunity, in this case a school, as in Judge Garrity's pairing example, a regular field laboratory in some manner for part of the university's programs, perhaps not limited to the school of education.

And the question comes as to what budgeting restrictions States impose on universities or systems impose. In the case of two of the deans in your panel, they could not assign a faculty member to that work unless they were either in a teaching situation off campus, which only recently was permitted without charging continuing education fees. Or they were on assigned time for curriculum development which, or perhaps instructionally related research, which could only last so long be-

fore the auditors would probably be asking both deans why they were doing this.

And I wonder if you have any comment to make on who pays on this particular example. Is it the Federal Government, the school district, we pass the hat, or what?

DR. GORDON. Well, I was alluding to source of the problem, and not as though I had an answer to it. I believe that in our particular situation, we have enough flexibility in assigning staff that perhaps projects in the supervision of students, research projects, we have enough flexibility to do that when we have faculty members who are committed to do that.

Now, as we all know, academic people exercise a great deal of freedom in choosing those problems and those areas of activity where they want to apply themselves. And few deans, I think, would presume to say that they can commit their faculty to that.

Now, where you have aggressive leadership and of the type that we have in our Good—John I. Goodlab, we, there's lots of persuasion and we do get programs organized. But I see considerable difficulty in simply finding funds and resources for organizing those programs that have to compete with other programs.

CHAIRMAN FLEMMING. Commissioner Freeman.

COMMISSIONER FREEMAN. Gentlemen, I still have a problem with the role of higher education because from my experience, I have a different background from some of my colleagues. It's the—some of the universities have been the problem. They have perpetuated the segregated system within their own academia. The faculty, and you referred to having difficulty getting some of your faculty to be sensitive to this. If that faculty were inclusive of minorities, well, were more inclusive of minorities, and if the student body were more inclusive of minorities, if the board of trustees, if the persons who make the decisions were more inclusive of minorities and women, it is my opinion that you would have less of a problem. Would you comment on that?

DR. NELSON. I completely agree. I came to Long Beach 5 years ago. I was somewhat appalled at the makeup of the faculty, and I think the reason we got some movement was the fact that out of five appointments, five appointments, there were four which gave us the possibility of having a real legitimate bilingual thrust without leaning on anybody at all.

I think in turn those people have had an effect on other faculty who were teetering possibly, and actually needed some education from within in terms of peer kind of education. So I completely agree. I think that you can have any kind of program, call it innovative, call it traditional, just give me the right kind of people and it will happen.

So I completely agree and also in terms of the students. You have resistance on the part of students like we have had, and I've documentation that I gave to the staff, where they say, why should we have a bilingual or multicultural experience? My position has been the fact

that even if they're going to teach in Beverly Hills or Carmel, they're going to do students more good if they have that kind of understanding.

But again, I think it's an educating process. And I think you're entirely right that the faculty, the makeup of the faculty and the pressure from the students saying we want this, has an effect. And I think it becomes a contagious effect. But you have to have a large enough corps of them so they're not sitting there as a real small minority, and then I think there is some real impact.

DR. VAIRO. I wholeheartedly concur with your position, coming from Cal. State, L. A., where our total student population head count may be close to 25, 26,000, approximately almost half of them represent the ethnic minority population as well as our own school of education entering group. And perhaps 35 or 30 percent of the ones who are graduating from our program. I definitely concur and I think that by having a cosmopolitan student population that represents the various segments of the society and we are making, we certainly haven't achieved it, but we are working, making concerted effort to recruit new colleagues even in a steady State enrollment climate that represent the various ethnic minorities that we serve in our community.

I think an offshot of this is simply a survey we recently made of our entering group and by having a cross section of the community as a student population, we had discovered that when we asked our students who are beginning our program what was their area of preference in teaching, is it L.A. County, is it Northern California, and 92 of the respondents indicated they wanted to teach in L. A. city, and that was the highest number, and it varied right down to five who wanted to go overseas. So we felt this certainly reflected this concerted effort we're trying to make.

In the last 3 years, our assistant dean for school and community affairs, Fernando Nanus (phonetic), in conjunction with L. A. city, has had minority ethnic day on campus. Minority students in Los Angeles city who want to become teachers and we've brought these students on campus, had lunch with them, toured the campus, introduced them to the teaching profession, and discussed with them the opportunities and challenges ahead.

I think efforts of this type reflect the type of sentiment you're expressing, and I think it only could do something that's good.

DR. GORDON. I agree. The introduction of the bilingual-bicultural team added an enormous quality and feeling and overflow of activity to the entire teacher education program. So there's no question that those who are most likely to implement these programs are representatives of the groups that need to be served.

DR. LABUE. I don't know what I could add with what's been said already. I might say that on our campus, again I think because of our location, we have very few minority students on campus, in comparison to the total student population of some 27,000 heads.

Very few of these students seek to go into credentialed programs. Out of some 1,100 students, I was told this morning that we have about 100 students with Spanish surnames and just a sprinkling of black students, Native Americans, or Orientals. Maybe not more than a half a dozen in each of those categories.

Nevertheless, long before anyone talked about desegregating the schools in Los Angeles, we did make an attempt in the school of education to hire the best qualified people that we could hire, and we do have black professors on our faculty. We have professors with Spanish surnames, and it's been as long ago as 1962 that we began to implement programs to serve the needs of the urban city schools. And I do agree with your point of view.

DR. KNEZEVICH. I don't know of any faculty member in the school of education at USC that would propose any activities in desegregation. I would suggest that most would go the other way.

We may be proud of what we're doing in terms of preparing people in the bilingual-bicultural area, but there's another side of the problem which I think has been virtually untouched by universities. And that is to identify people who have the special competencies to help others who will assume leadership positions in education to perform successfully in an integrated or desegregated situation, whichever word you want to use.

The problems of human interrelationships, the generations of the kinds of plans that will make steps to achieve integration more successful. What do you do when you're paired with another school and to help that school solve some of the problems that confront them in desegregation. These are the kinds of competencies that have not been developed to the extent they need to in institutions of higher learning, to be of service to the people out in the field.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Yes, Dr. Knezevich, what is the current total enrollment at USC of students seeking teacher's credentials?

DR. KNEZEVICH. This has been dropping. I would say that at this point in time we are preparing somewhere between, of course it depends—at the undergraduate level—we award about 250 degrees, and the LAS probably would add another 3—400, so I would say in the neighborhood of 650 to 700; master's degrees, roughly about 650.

COMMISSIONER RUIZ. Is that a year?

DR. KNEZEVICH. Yes sir, that's an annual figure.

COMMISSIONER RUIZ. For teaching purposes, teaching credentials?

DR. KNEZEVICH. Yes, sir.

COMMISSIONER RUIZ. How many Spanish surnamed students are seeking teaching credentials in bilingual education at USC?

DR. KNEZEVICH. At this point in time, I would estimate that—the number has varied from year to year, depending upon the projects we had available. At one point in time, I think the number would have

been about 150 to 200 that cross the stage at this point in time. I would say because of completion of projects, it's closer to about 75 to 100.

COMMISSIONER RUIZ. Now, when you mentioned the number of degrees issued a year, how many—is the total enrollment for teaching credentials at USC? If you graduate that many per year, what would be the total enrollment of those that are studying to procure teaching credentials?

DR. KNEZEVICH. This, of course, depends upon where you start. We don't start with freshmen and sophomores in these programs. They usually come in as juniors and seniors.

Some, of course, would be working for their postbaccalaureate permanent credential, so I think you could multiply that figure by about no less than two and probably three.

COMMISSIONER RUIZ. Well, would there be as much as 3,500 students in credential, masters, and doctoral programs at USC?

DR. KNEZEVICH. I think that figure would be relatively high; I think the figure would probably be closer to about 2,500.

COMMISSIONER RUIZ. Twenty-five hundred, all right. Now, of those 2,500, how many Spanish-surnamed students are involved?

DR. KNEZEVICH. We have not conducted an accurate ethnic count, but I would say that roughly 20 percent.

COMMISSIONER RUIZ. Twenty percent. Does USC have any sort of an outreach program in large—in this community to recruit Spanish-surnamed high school graduates in order to seek teaching credentials?

DR. KNEZEVICH. I'm not sure what is meant by outreach. There is a definite effort to obtain, to attract students from minority backgrounds, but I don't know of any that happen to be specifically aimed at Spanish speaking. We do have a special Spanish, we don't call it Spanish speaking alumni, Mexican American Alumni Association, which offers scholarships and does its best to attract such students.

We do have a Chicano center which attempts to do that as well, but outside of those agencies, I don't know of any universitywide service.

COMMISSIONER RUIZ. In other words, does the University of Southern California receive any Federal funds under the Higher Education Act for the specific purpose of recruiting teachers in bilingual programs?

DR. KNEZEVICH. No, sir, we do not.

COMMISSIONER RUIZ. Now, one last question. How many students per year did you say receive teaching credentials at USC, approximately?

DR. KNEZEVICH. You probably jotted that figure down and have it there. I was thinking out loud. I'd have to come back and look at the record. I was thinking in the neighborhood of about 600 at the undergraduate level, but I'd have to check back on what I did say, as I thought it through. And then if we added the master's people to that, some of which would be credentialed people and others which would

be seeking other—teaching credential people and others who would be seeking other credentials; I'm sorry, I don't have that data with me to give it to you precisely.

COMMISSIONER RUIZ. Would you say it was approximately 800?

DR. KNEZEVICH. In teaching credentials only.

COMMISSIONER RUIZ. Yes.

DR. KNEZEVICH. No, sir, I think that's too high. I think it would be closer to six.

COMMISSIONER RUIZ. And again one—the last question, what percentage of these are students with Spanish surnames? Approximately?

DR. KNEZEVICH. Again, realizing we have not conducted any such ethnic survey and this is the best guess that we have, I'd say in the neighborhood of 20 percent.

COMMISSIONER RUIZ. Thank you.

DR. KNEZEVICH. As a conservative estimate.

COMMISSIONER RUIZ. Yes.

CHAIRMAN FLEMMING. Commissioner Saltzman? Commissioner Horn?

VICE CHAIRMAN HORN. Dean Nelson, let me ask you, mention was made earlier of the so-called Ryan Act. Could you tell this Commission what is meant by the Ryan Act and what are the Ryan Act's requirements in terms of sensitizing faculty to the multiracial, ethnic, bilingual situation in our urban schools?

DR. NELSON. In 1970, Teacher Preparation Act of 1970 was passed, later officially called the Ryan Act after Mr. Leo Ryan, who sponsored the legislation.

In that particular act, there was a number of changes from the old Fisher Act, but in terms of the cross cultural, multicultural aspect, it didn't go into great detail, but it did clearly, at least imply that the preparation of students would have some input.

Now, the reason I mentioned, it's strictly a skeletal act. The real Ryan Act is what the Commission for Teacher Preparation and Licensing has made it. They put the meat on the bones and they have come out with manuals specifying what the act meant. And that has not been challenged by anyone.

Give examples of this: The '73 manual for the basic credentials still stands, and on page 22 it states that evidence must be provided that assure for each candidate a student teaching experience in one or more cultural settings substantially different than his own.

Also, on another page, it says they require the schools to give a description of ethnic and socioeconomic composition of schools in which the teachers are assigned. And how the input by the district, by the school is implemented. In other words, we had to formulate a plan to show how we were going to do this.

I think it's quite specific, they do mention student teaching. Some of us have gone beyond this, believing that merely to have multicultural aspects of the program isn't enough. You need some additional kinds of things.

However, the Ryan Act as now interpreted, a lot of people interpret it as meaning strictly for student teaching. My main concern, I might as well open it here, is that any requirement is only as good as people implement it, and I would hope that people are taking it quite seriously because as we mention about like desegregation, people sometimes really may or may not believe in it sometimes don't believe in it, unfortunately, consequently, do rather a token job, I think, of meeting that particular requirement. I parenthetically also make the statement that some people have interpreted this to mean multicultural experiences for students who are going to teach in schools that have a great number of minorities. I don't happen to believe that's at all valid. I believe that a student, as I've indicated before, who is going to teach in Beverly Hills, Carmel, or La Jolla, needs that sort of thing to give the best education to the students in those particular areas.

VICE CHAIRMAN HORN. What have you done in your school to carry out both the letter and the spirit of the Ryan Act with regard to multicultural sensitivity of your graduates?

DR. NELSON. We took the bare requirements which we felt were too minimal, we obviously complied with this. We have required and have the concurrence of the faculty, that every course in the professional preparation will have appropriate instruction to make people sensitive and have understandings.

We also have a commitment concerning the student teaching and adhere to it quite completely. The material I gave to the staff indicates that this has been challenged and with the support of the administration, very strong support of the administration, we have been able to keep our position. And I believe have turned it around in terms of students, including some California legislators who now understand that it was not just a legislative action, it had a greater meaning to it.

The next thing we do is that we require a certification from each instructor. At the end of the time of the credentialing, they sign off that the student has had those things that they specified they would get in that particular class.

In the materials I gave to the staff, I gave examples of those sign off cards, and the following thing now is that we've been into it for several years. I have just requested and have gotten back some of the papers where I asked people now that we've gone a couple of years, and settled down, you got your plans submitted, actually what are you doing in the classes? In the materials I gave are examples of what is happening in methods classes, foundations classes, student teaching, and the like.

I might say this met with some resistance in the beginning, but I would say at this particular time, I hear very little unhappiness once people understand why, and also as Mrs. Freeman mentioned, people make a difference in terms of having people on the faculty who can explain to other faculty why this is a very valid request.

VICE CHAIRMAN HORN. Mr. Chairman, at this point in the record, I'd like as an exhibit the material which Dean Nelson has furnished the staff, which describes the origin and implementation of this particular program.

CHAIRMAN FLEMMING. Without objection, it will be entered into the record.

VICE CHAIRMAN HORN. Now, Dean Nelson, one last question. You mentioned that the Ryan Act really had spoken primarily toward a multicultural context for student teaching experience?

DR. NELSON. Right.

VICE CHAIRMAN HORN. In your judgment, has the Commission for Teacher Preparation and Licensing really monitored the implementation of that program on the various institutions in this State?

DR. NELSON. I would say no. The reason I say this is that there has, they no longer have what they call accreditation. They call it external assessment, which is another word for accreditation. I have been involved with that in several institutions, and I have a belief that it is not happening because of people's interpretation of what is required. I have not seen those institutions. I don't believe they should be eliminated, but I think they haven't even been written up in effect for nonconformity. I think all that does is reinforce bad behavior. And I—I'm not happy about it because I see it slipping away, and those few institutions, and there are some who do it, as Dr. Gordon mentioned here, UCLA requires this of their students, but I have not seen any evidence that the commission actually has monitored this particular situation.

I was also able to serve on a committee for another system, and for another purpose. And it became very clear that that particular institution was not doing it, and did not really emotionally believe that it was necessarily a good thing, otherwise they would be doing it.

VICE CHAIRMAN HORN. Could I ask the other deans present who represent both public and private systems to—what their feelings are and do they differ at all, or agree with Dean Nelson's views as to the degree to which there has been effective implementation of the Ryan Act in terms of requiring multicultural experiences for the teachers prior to credentialing?

DR. LABUE. On our campus, it's been effective only to the extent of meeting the requirement of the law with regard to student teaching. We do place students in the central city in Los Angeles to give them that experience, and also place students in the Pacoma area to do this. It's a rather difficult problem because of some distances involved. But I don't know of any faculty member who's objected to having the supervisory assignment in those areas, and we get no objection from students because they know that in a sense this is one of the requirements for them to be able to get a placement in the schools where they do their student teaching.

Now, I do agree with Dr. Nelson that I don't think the process itself has been monitored to any great extent. On our campus, our basic credential program did go through the so-called assessment process, and I don't recall that in that process any specific action was taken to really see whether or not we were following even that part of the Ryan legislation.

But my feeling is that we do it, and do it quite adequately.

VICE CHAIRMAN HORN. Any dean have any other comment on this?

DR. KNEZEVICH. I think because of our location we are in a better position to implement this more fully.

It's traditional in our situation for an individual to have spent one semester in teaching in one kind of a situation, and then the second semester in another different cultural situation, if you will.

DR. VAIRO. I think in spite of the Ryan Act and the commission, a good number of the activities and programs that have been developed on our campus hopefully would have come about regardless.

But in all fairness to the commission and the Ryan Act and the legislation, I think in this time I've been here at California, the past 4 years, I believe legislation and the commission efforts have served as a catalyst. I think they should be recognized for that.

Secondly, our own campus, I think the commission, not necessarily through monitoring, but perhaps the word counsel might best fit the description, worked through us, and I think with their pushing and perhaps the recognition on our own part of our own faculty and ourselves, that we needed to have community, grassroots community participation lay participation in the activities of the school, input, that came about in part through commission efforts. That's the other side of the coin.

VICE CHAIRMAN HORN. I take it, Dean Nelson, that the program you describe applies to all candidates for all credentials, not simply those for teaching?

DR. NELSON. All candidates for all basic teaching credentials, specialist credentials, and services credentials, and those cards are on file before I—the commission requires that an application be made out by the student we recommend. Before I will sign it—I personally sign all those—before I will sign any of them I must see that card, and I have rejected some because they have not come up with them.

VICE CHAIRMAN HORN. Would the Ryan Act require administrators who are seeking the administrative credential to have this multicultural experience?

DR. NELSON. As far as I understand it, it's just for the basic credentials. My colleagues might—

VICE CHAIRMAN HORN. Mr. Chairman, at this point in the record I'd like to have a letter of exchange between our General Counsel and the executive secretary of the Commission for Teacher Preparation and Licensing which asks the extent to which they are monitoring this particular provision of the law and the degree to which the institutions in California have complied with that law.

CHAIRMAN FLEMMING. Without objection, it will be entered in the record at this time.

Thank you very, very much for being with us in providing us with this testimony. We're grateful to you.

DR. KNEZEVICH. Mr. Chairman, might I ask permission to submit to the Commission the more precise data that Mr. Ruiz asked me?

COMMISSIONER RUIZ. I'd like to have it all at this time. Thank you very much.

DR. KNEZEVICH. I'm sorry about that.

CHAIRMAN FLEMMING. We'll be happy to receive it. We'll put it in the record.

All right, Counsel will call the next witnesses.

MR. BACA. Mr. Mont, Mr. Robertson, Mr. Springer, please.

Mr. Mont, Mr. Robertson, Mr. Springer, please.

CHAIRMAN FLEMMING. If you stand, please, and raise your right hand.

[Max Mont, William Robertson, and Hank Springer were sworn.]

CHAIRMAN FLEMMING. Thank you very much.

**TESTIMONY OF MAX MONT, LOS ANGELES COUNTY FEDERATION OF LABOR;
WILLIAM ROBERTSON, EXECUTIVE SECRETARY-TREASURER, LOS ANGELES
COUNTY FEDERATION OF LABOR; AND HANK SPRINGER, PRESIDENT, UNITED
TEACHERS OF LOS ANGELES**

MR. BACA. Would you each please state your name and give your position for the record?

MR. ROBERTSON. My name is William Robertson. I'm executive secretary-treasurer of the Los Angeles County Federation of Labor, AF of L-CIO.

MR. SPRINGER. My name is Hank Springer. I'm president of United Teachers, Los Angeles.

MR. MONT. I'm Max Mont, and I am the regional executive director of the Jewish Labor Committee. In addition, I am also representing the Los Angeles County Federation of Labor at this hearing.

MR. BACA. Thank you.

MR. MONT. I'd like to request, however, that although the schedule indicates that I'm to testify first, that Mr. Robertson be requested to testify first. My testimony is in the nature of a sort of supplement to his testimony.

I wonder if that can be arranged even though the—

MR. BACA. That would be no problem. Mr. Robertson, starting with you, then, does the Los Angeles Federation of Labor have a position at this point on school desegregation?

MR. ROBERTSON. Yes, we do have. I'm grateful to be here today and I'd like to read a statement, if I may.

MR. BACA. Is it a brief one?

MR. ROBERTSON. Relatively brief. I'll just hit some high—I won't read it all.

MR. BACA. Is it something you could summarize for us and then submit to the record?

MR. ROBERTSON. Yes.

MR. BACA. Thank you.

MR. ROBERTSON. We believe the labor movement in Los Angeles County has been demonstrating by word and deed that it is committed to developing a metropolitan community which will be a model of forward-looking effort in America.

Labor has always tried for a goal of a community striving for not only balanced economic growth and a flourishing economy. We want to see the elimination of poverty in providing satisfying occupational opportunity for every individual, which means, of course, quality education.

And we're employing all of our resources to this end. Now, we, together with the rest of the community, are confronted by a challenge in the Los Angeles city unified school district which can become either a wrenching crisis or a model of civic success.

And of course differences of opinion are inevitable. And contention and debate are to be expected. But we are going to see, if at all in our power, to see that these differences will be resolved in a democratic process that will benefit our children.

And we trust that the community leadership will act thoughtfully and firmly and courageously and cooperatively.

And the Los Angeles County Federation of Labor reaches beyond the city of L. A. and embraces the unions of the entire county. And I point that out because it should be noted that the other 95 school districts in Los Angeles County outside of the L. A. city unified school district, contain more than half of the county's kindergarten through 12th pupils.

And in harmony with the AF of L-CIO principles nationally, the Los Angeles County Federation of Labor concerns itself with a wide range of issues reaching into every phase of civic life. Thus we approach the problem of school desegregation on the basis of clear and explicit statements of principle enunciated by the national AF of L-CIO, as well as our own dedication to the practical application of these principles in accordance with the law in California.

The head of the national AF of L-CIO, of course, President George Meany, who testified and said in a statement to this Commission on June 14, 1976, "School desegregation does not have to involve turmoil." And again said, "The issue is quality education, the issue is a right of every child to have equal access to that quality education." And we embrace that philosophy, and we will submit this statement, and these are the main points.

MR. BACA. Mr. Chairman, if we could make space in the record for this statement.

CHAIRMAN FLEMMING. Without objection it will be entered in the record at this point.

MR. BACA. Thank you. Am I to take it from what you say there, sir, that the local affiliate of the AFL-CIO has now formally adopted the position of the national AFL-CIO?

MR. ROBERTSON. That is correct.

MR. BACA. And can I ask you then, does that mean that there is unlikely to be, in Los Angeles, an organization like United Labor Against Busing?

MR. ROBERTSON. I think that is highly unlikely.

MR. BACA. Thank you. Mr. Springer or Mr. Mont, are you ready now?

MR. MONT. No, I'd prefer Mr. Springer.

MR. BACA. Mr. Springer, does the United, does the union, the United Teachers of Los Angeles, have a position at this time?

MR. SPRINGER. Yes, we do. I have a statement which I would also like to have entered in the record. And I'd like to briefly highlight points of it, if I might.

MR. BACA. Could you please?

MR. SPRINGER. Surely. I can say that United Teachers of Los Angeles was formed on February 1, 1970. At that time a constitution of the union was formed. In the constitution I would like to read an exact quote:

The UTLA will support public education as a social institution with cooperative efforts with the community, the students, the board of education and its administrative staff and other school public employee groups. And two, support the integration of staff and student bodies, and three, teach, foster, and practice concepts contained in the Bill of Rights.

Now, I can tell you that teachers in Los Angeles are like teachers anywhere else in this country, and what we're interested in is quality education. And certainly it's been proven throughout this country that integration is a great step forward in quality education.

We are not interested, that is, UTLA is not interested to see what happened to the teachers happen to the students. The board of education, in a rush last spring to get a teacher integration policy, tried to ram something down our throats which we would not accept. I can only tell you that I do not see that happening at this point with the student integration.

We have, and UTLA has from its inception, someone on the committee of student integration for the Los Angeles city school district.

I can also tell you personally that, as a teacher in a predominantly minority school in Los Angeles, and as a vocational teacher in that school, that I have testified before State and Federal vocational commissions on the integration of students and its application and problems related to minority education and vocational education for the school district.

I would also like to say that UTLA is unique in that we are affiliated both with the National Education Association and with the American Federation of Teachers. We are quite unique in this respect, and in both cases, both affiliates have taken positions on integration, student integration that I'm sure that you have in your records, and I can only say that both of our affiliates have supported UTLA in working to try to get Federal grants to help our teachers go through transition periods of teacher and student integration. Thus far we have been unable to get grants. I'm not saying that we're ceasing in our efforts, we are not. We feel that teachers make the best teachers of teachers. And that's where we're trying to work. We're really trying to help in that case.

In closing, I can only say that if a student integration plan is put forth in this city, that with the support of Los Angeles school community, that I can tell you categorically that United Teachers of Los Angeles will work to support that plan. Thank you.

MR. BACA. Can you tell me, you mentioned in passing the teacher transfer program. Could you expand a bit on UTLA's position on that?

MR. SPRINGER. How much time do you have?

MR. BACA. Please be brief.

MR. SPRINGER. It's very difficult to be brief on such a complex matter, but I'll try.

MR. BACA. Thank you.

MR. SPRINGER. In March of last year, the Office of Civil Rights decided that—upon investigative work done in this city, that the staffs of this city were not integrated. In fact segregated. And gave the Los Angeles city school district *X* amount of time to come up with a plan.

That is, by September of this past year, of this year, '76, that they had to come up with a formula, and as I remember the formula, it was 50 percent, to—50 percent no more than 50 percent minority at school, and no less than 15 percent majority. Okay?

Now, or perhaps it was the other way around. I've been through it so many times, I've forgotten. At any rate, the district decided that in order to implement this plan, that they would have to come up with a fair and equitable solution. And they found the solution to be the lottery plan. That is a combination of bingo and astrology in order to pick its teachers.

Now, UTLA took some exception to that. I would say that we took extreme exception to that, and I would also say that UTLA, during the entire fracas, which took some time, that we were never opposed to teacher integration. We never have been, it's in our constitution. We never have been. There was never a motion brought forth in any government structure of UTLA that stopped or tried to stop the integration of teachers in the city, not once. It was never even a motion put forth.

I can also tell you that it took us some months to show the board of education the error of its ways, and we had to work in Sacramento. And we had to do some work in other parts of the State, but ultimate-

ly 300 teachers were transferred by use of the lottery plan in September of '76, and the board of education at the same time passed a motion in September stating that they would meet in good faith to negotiate with the teacher union, a staff integration plan that did not incorporate the use of the lottery.

So they won with 300 and we won with 25,000. I can only tell you that we're now in the midst of a bargaining election in this city. We'll be through with that on the 14th of January. And I'm prepared to sit down on the 15th of January, after we win that election, and negotiate a teacher transfer policy that has some equity for all the teachers in the city.

MR. BACA. Thank you. Mr. Mont, are you prepared now?

MR. MONT. Yes.

MR. BACA. If I could ask you first to explain something of the Jewish Labor Committee and the regionalization of it?

MR. MONT. Yes, Mr. Baca, the Jewish Labor Committee is a national Jewish community relations organization which is tax exempt and tax deductible. It provides the special services of arranging for cooperation in those areas of common understanding and agreement between organized labor and the Jewish community. In those areas the Jewish Labor Committee attempts to achieve coordination and cooperation in programs.

Now, at the same time, the Jewish Labor Committee also provides services to organized labor in those areas where organized labor requests such services, so that, for example, in this area where I've served as regional executive director of the Jewish Labor Committee for some 25 years, Mr. Robertson does on occasion appoint me to represent the L. A. County Federation of Labor on committees or in specific functions.

In this particular instance, I'm here both in the capacity as representative of the Jewish Labor Committee, and as a designated representative of the L. A. County Federation of Labor, designated by Mr. Robertson on the Citizens' Advisory Committee on Student Integration of the Los Angeles city unified school district, board of education. So I'm speaking, in a sense, in both capacities.

But primarily I'm concerned here in giving testimony as a representative of the L. A. County Federation of Labor. All of the statements, of those that are presented to you, were rather brief and concise. I regret that we couldn't read them all into the record. I have copies of all of them for you. And mine in particular was in the nature of a supplement to Mr. Robertson's statement.

MR. BACA. Do I take it you have a statement as well?

MR. MONT. Yes, I do, and I'm not going to attempt to read it since you are putting a limitation on our time. I think it might have, however, facilitated matters somewhat if you permitted the reading of full statements, since they were brief.

I want to address myself particularly to two matters. One is the clear reluctance on the part of many leaders of this community, who are leaders of power groups in the community, to bite the bullet in effect, to say that those measures which may mean—may be necessary to achieve real desegregation in the Los Angeles city unified school district, will require clear and forthright statements on the part of those very power leaders. They may require affirmative assertions by them, that they will tell their constituencies that it is both futile and undesirable for them to spread the notion that perhaps a court order, for example, for mandatory busing is one of the features, one of the elements in a desegregation order, that such a final court order can in some way be defied or postponed. That can do nothing but cause havoc in our schools and could damage our children. And in the end, history indicates that under constitutional law it's essential that we comply with the law.

The process of desegregation in Los Angeles has already gone through a rather lengthy procedure, as you're aware. It is now at the stage where the courts have ordered the plan to be drawn by the L. A. city board of education. A Citizens' Advisory Committee has been appointed as it should, representing a cross section of the community, to come up with such a plan. That is in the process of being drafted and formulated. Okay, going—it's a rather difficult process.

It could be that certainly in initial stages reliance could be placed entirely on voluntary measures. I personally foresee however, that at some stage, as looking at it realistically, some degree of mandatory busing will be necessary. And I think it's essential that community leaders get together individually and collectively to say to their constituencies that compliance with the law in that case, court orders requiring mandatory busing, should be taken, should take place peaceably.

Now, the second thing I want to bring up outside of my written presentation is that there is another method to approach school desegregation in Los Angeles that has not really been fully explored. Now, the L. A. County, the Citizens' Advisory Committee on school integration, did pass a motion calling for the exploration of possible, of a possible metropolitan plan in Los Angeles, as a—one of the methods to achieve integration.

Now, as you know, there are 94 other school districts in L. A. County besides the L. A. city unified district. The other 94 districts have a total larger pupil population K through 12 than the city district has, the city unified district has.

Now, there is already a structure in which there's a relationship between the county superintendent of schools and the county board of education, and all of the 95 districts, including the L. A. city unified school district in L. A. County. As I say, the Citizens' Advisory Committee did adopt a motion calling for exploration of that approach. I'm not sure where there is a jurisdictional and legislative basis for that ap-

proach, but certainly if that approach was possible, then from the point of view of logistics, it would be much simpler, less wrenching, less dislocating than one that was confined simply to the L. A. city unified district and again this I can only present to you in the form of a written presentation. It would take too long.

I do have, however, the material which indicates first what the total pupil population is K through 12 in each of the 94 districts, and in the districts in total. I do also have a breakdown of each district and the ratios in each individual district. I have, if you want to inquire about that, what the present authority is of the county superintendent of schools as against that of each of the individual districts.

Let me add to that, that if you look at the county as a whole, the pupil, the minority, I'm sorry, the pupil population ratios, K through 12 in terms of the minority percentage as against Anglo and other whites, is one where, if I remember the figure correctly without looking at my notes, roughly 57 percent of the total pupil population in the entire county, including L. A. unified district, is Anglo or other white. Where, and this is much more cross sectional and much more typical of the general population pattern in the United States, it would therefore seem to me, make it easier to achieve desegregation in that kind of setting.

Now, on the other hand, in the L. A. city unified district, roughly 44 percent, a little over 44 percent of the pupil population K through 12, and by the way, I'm quoting 1973 figures, there are no 1975 figures for the county as a whole, it's 1973 figures. The 1973 figures for the city of—city unified district is roughly 44 percent Anglo and other white. You can see this is highly untypical of the population patterns in the country as a whole, and certainly in the urban centers as a whole. And more than that, it's one where many individuals of good faith and good will might anticipate situations that they're fearful of, unjustifiably fearful perhaps, but nevertheless fearful.

And so what I'm suggesting is that this plan be facilitated, be closely examined. In addition to which I'm also stating in this forum that the leading elements, the leading—leaders of the power blocs in this community want to speak out forthrightly in favor of making it clear to their constituencies today that nothing is to be gained by presenting the vision or the illusion that if the courts come down with an order, which include some forms of mandatory busing, that that can be defied or ignored or avoided.

I think that would conclude my summary at this point.

MR. BACA. Do you have copies of that for us?

MR. MONT. Yes, all of the statements here, I believe, are—we have copies of.

MR. BACA. As well as those statistics that you cited?

MR. MONT. Yes.

MR. BACA. Could we have that for the record?

MR. MONT. Yes.

MR. BACA. Mr. Chairman, could we accept these for the record, please?

CHAIRMAN FLEMMING. Without objection, they will be put in the record, with appreciation.

COMMISSIONER FREEMAN. Does Mr. Mont have extra copies of his statement?

MR. MONT. I have extra copies, but in limited number, I'll have to admit, of the data, but there are enough copies for the Commission in—with respect to the main presentations each of us have made.

COMMISSIONER FREEMAN. Yes, we won't have to wait for the record.

CHAIRMAN FLEMMING. Counsel's ready?

MR. BACA. No further questions at this time.

CHAIRMAN FLEMMING. Okay. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Gentlemen, when we speak of the constituency and their responsiveness to the leadership as you did, Mr. Mont, has the labor leadership taken a role in informing its constituency in advancing the commitment of its constituency about the present situation and the direction of the desegregation process?

MR. MONT. I think Mr. Robertson, who is my boss in the situation, can speak more effectively on that.

MR. ROBERTSON. Mr. Saltzman, yes, I'd like to respond to that and develop something Max said about it.

We think it's extremely important that there be a coalition of business, civic, religious, and labor leadership to get the message to our constituents. In response to your question, I think if there has been any catalyst at all to getting such a coalition formed, it is the labor movement. We've met with civic leaders, religious groups, and politicians, and as Mr. Mont expressed before, we're a little distressed because we hadn't received the type of cooperation which is needed.

And when the court makes their final ruling, I think at that time we'll have that coalition formed and we're going to do all we can, not only to express our viewpoint to our labor membership, but to get the total community involvement which we think is so necessary.

COMMISSIONER SALTZMAN. Do you think the political community, a person like Mayor Bradley, would be receptive to an approach by your leadership representing the labor movement and those in business and the religious and the educational community who are like-minded as yourselves to have the political community form such a coalition?

MR. ROBERTSON. I don't wish to sound presumptuous, but I think that this can be done. The reaction we've had in talking with political people and business people is that the way I read it, is that they're waiting to see what the final court decision is.

But I, despite what it is, and I think busing personally is inevitable, that they will take a forceful leadership in this. We are concerned that they are not involved now. That's where our concern is, but I think ultimately they'll be out there when necessary.

COMMISSIONER SALTZMAN. I'm pushing this point because coming from Indianapolis, which is also awaiting a court decision, the political community has formed a citizens' group of political, religious, business, labor leadership, and they are preparing a structure which can be effectively operative when the court decision is rendered.

And apart from that, the educational community, the board of education has created its own structure, so that there are two ongoing and cooperating structures—one from the political community and one from the educational community—which are broadly-based in the community.

And I wonder whether some approach to the mayor might inspire the bringing together of such a coalition. Obviously you've tried, but perhaps it has to be tried again.

MR. MONT. I believe, I firmly believe that the mayor of the city of Los Angeles will join us in this coalition. And the educational committee I also understand will take their position. There will be, I'm sure, two blocs, the educational bloc and the politicians, business, and industry and labor in a coalition. And I said that, and I trust that it happens before the court decision.

And we're working on that. We're talking with the mayor and the mayor has been receptive to it. I'm sure that the mayor is going to be out front on this.

COMMISSIONER SALTZMAN. Thank you, sir.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. No questions.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. No questions.

CHAIRMAN FLEMMING. Dr. Horn?

VICE CHAIRMAN HORN. Mr. Springer, you mentioned the transfer of teacher assignment plan. I wondered, what is your idea of the basic criteria that are necessary in the development of such a plan?

MR. SPRINGER. How can one fairly assign teachers within a district?

Well, first I think one has to sit down with the teachers and talk about it. That didn't happen in this city. It will happen in the future.

I can say that from our perspective, we feel that a plan that, and I'll generally give you the broad based parameters that we're talking about. We feel that a plan that would be successful would leave the beginning teacher alone. You would not touch the beginning teacher for a period of 3 or 4 years. You would allow them to stay where they are, learn their discipline, and not be involved in teacher integration.

But you would then start a seniority plan for teacher integration that would start with the fourth, fifth, or sixth year, and then you'd use district seniority. That's our position.

VICE CHAIRMAN HORN. Well, this is what I suspected. In other words, the beginning teacher of the first 4 years would be assigned based on where a vacancy might have occurred?

MR. SPRINGER. That's right, yes.

VICE CHAIRMAN HORN. The vacancy might well have occurred let's say, in the minority schools, the center city, therefore most beginning teachers would be assigned to the minority schools, since the "better" assignments, if that means more in middle class suburban aspects of the unified school district, would be going to those teachers that have seniority. Is that a fair interpretation?

MR. SPRINGER. It would be fair except that in Los Angeles city school district, they're not hiring any teachers, and haven't been for a long time.

VICE CHAIRMAN HORN. They're hiring no teachers?

MR. SPRINGER. Very few, very few.

VICE CHAIRMAN HORN. Very few teachers?

MR. SPRINGER. Very, very few. Very few.

VICE CHAIRMAN HORN. So basically what we're saying is that the—and this is what I would assume based on the union position nationally, is that you want all assignments after the third or fourth year to be made on the basis of seniority?

MR. SPRINGER. That's right.

VICE CHAIRMAN HORN. The teacher with the most seniority gets his or her choice?

MR. SPRINGER. I don't know what—

VICE CHAIRMAN HORN. And so on down?

MR. SPRINGER. I don't know about his or her choice. I will say that—

VICE CHAIRMAN HORN. Well, get rights of rejection, I take it?

MR. SPRINGER. Well, let us say that from the viewpoint of UTLA, that that's a viable alternative to the lottery system, yes.

VICE CHAIRMAN HORN. Mr. Robertson, organized labor has a very effective network in most cities and you, of course, represent the epitome and the top of the hierarchy of that network through a central labor council.

I wonder what your feeling is as to the degree to which the rank and file of labor and the very diversity of unions that are in the Los Angeles County area under your jurisdiction, the degree to which the members of these unions understand the full constitutional context surrounding the quest of desegregation of the public schools.

And whether or not, outside of articles that might appear in national publications printed by the AFL-CIO, there are any plans for some sort of educational program in conjunction with your statement in the resolutions and other things that you have expressed an interest in personally supporting today.

Are there any plans to get at the rank and file of membership?

MR. ROBERTSON. We have already, in our labor organ, published the national AF of L-CIO position. We fully intend to utilize our labor organ and that of other labor unions that are affiliated with us, to get the information out to their membership, the educational information, to prepare them for the possible busing which will come out of the court hearing.

Yes, we are dedicated to doing all we can to get the right type of propaganda out to our membership so we can do a worthwhile job in informing our constituents. I think that if the rest of the community will follow our leadership in informing their constituents, we'll be a long way to achieving the type of harmony that we need in the city and county of Los Angeles.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Commissioner Freeman has a question.

COMMISSIONER FREEMAN. Mr. Springer?

VICE CHAIRMAN HORN. Wait a minute. There's a comment from Mr. Mont.

CHAIRMAN FLEMMING. Oh, I'm sorry. Mr. Mont wants to make a comment.

MR. MONT. I hope Mr. Robertson will permit me to add one word to that since he has assigned me to some of these chores. And I think I, if the Commission isn't already aware of it, I think you should be aware of the fact that the L. A. County Federation of Labor has an internal network of its own. For example, it has an education committee, which, in turn, deals with these matters and passes them on to delegated bodies representing all the local unions of the AF of L-CIO here. And from there, in turn, they go out to the individual local unions.

They thus have what you call yourself a network through which this information is passed on, and the decisions of the central body are passed on.

In addition to that, there's also a fair practices committee of the Federation of Labor which in effect is another name for the civil rights committee of the Federation of Labor. Here too, these matters are taken up, discussed, policy recommendations are made and they are passed on to the affiliated organizations.

And lastly, I think it should also be pointed out there is a Mexican American labor affairs committee, which takes up special problems of Hispanics.

I am assigned to some of these chores. So I hope Mr. Robertson will permit me to make a remark on that. But that, in fact, has been the case during these last several months.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Freeman?

COMMISSIONER FREEMAN. Mr. Springer, you made a statement that—it's a little confusing to me because I understood you to say that the first year teacher "is not involved in teacher integration." Is that what you said?

MR. SPRINGER. Well, the position that we're taking is that the first 2 or 3 years the teacher should not be involved in moving. And let me amplify that, if I might.

We're interested in quality education. To become a quality teacher, one, of necessity needs some stability. And you leave the new teacher

alone and let them learn their disciplines onsite, without moving them about, like chess pieces, then they do become proficient practitioners of their disciplines. So it's our position that you do not use a strict seniority basis. That is, you do not use just the younger teachers, that you do start like the fourth or fifth year to integrate your faculties.

COMMISSIONER FREEMAN. Well, does your sentence contemplate that you have assigned them in the first place on racial basis?

MR. SPRINGER. I wish, Commissioner, that that had been true. It's our position that had the teachers been integrated by the district that does the hiring, that we wouldn't need forced transfer of teachers today. Had they done that in the past, we wouldn't be involved in it at all. But they did not do it in the past. So it's ourselves who have to work out and be creative enough to come up with solutions to a problem that we ourselves had no play in.

COMMISSIONER FREEMAN. So that you have—the teachers have been assigned, the white teachers have been assigned to the white schools?

MR. SPRINGER. That's correct.

COMMISSIONER FREEMAN. The Chicano teachers to the Chicano schools? And so forth and so forth?

MR. SPRINGER. In great measure, that's right, yes, ma'am, absolutely.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Our Staff Director, Mr. Buggs, has a question.

MR. BUGGS. Thank you, Mr. Chairman.

I suppose that Mr. Mont has—I was just about to say, Mr. Mont, that I suppose that you've been as much involved over the 25 years that you mentioned your tenure as executive director of the Jewish Labor Committee, with a major issue in this community, and I don't know anyone better prepared perhaps to, if not totally answer it, as to make some conjecture about it.

You will recall that years ago almost any problem of any serious consequence in this community in the field of human relations, civil rights, was usually given to a group of individuals who represented a leadership cross section of all of the racial and ethnic, religious, labor, etc. groups in the whole Nation, in the whole area. And it was that forum which generally provided the leadership which dealt with those problems and which in those days was somewhat successful in dealing with it.

What is—has anything happened to that? Is it still as viable as it once was, and if not, why not, and who can do something about it?

MR. MONT. Mr. Buggs, I think you're familiar with the Los Angeles Seniors Self (phonetic), since you have had some contact with it in the past. And I know you were referring to not one, but actually a network of agencies of that kind.

There is one voluntary complex of such organizations that no longer had—has as much stature as it had before; but it no longer has all of the segments of community life within its operational area any longer.

Its impact, therefore, on many segments of the communities is more limited than it was before. That was one grouping that was cross sectional of some 95 or so human relations, civil rights, and simply general organizations.

Now then there, well, it is the county commission on human relations, whose authority is somewhat limited in this area. That too, reaches a large part of the community in a geographic sense, but large segments of the community do in fact go their own way. They no longer have the kinds of ties and influence that they may have had before. And there are a complex of other organizations like that.

The difficulty is that this new problem which was developing over a period of time, which might have been faced earlier, might not have, I'm not going to second guess, needs to be faced at some point with a total mobilization of forces; and up to now, everyone has shirked taking the leadership in that.

Now, the courts, as should be the case, have required us to do something. And what's happened is we need to erect something that's more inclusive than anything we've had before.

As I said—Mr. Robertson indicated, labor is ready to take the initiative in this matter and still is, and has already made—taken some steps in that direction. Other entities are somewhat more hesitant. And labor's willing to do this not because necessarily our entire constituency is of one mind. It is not. But simply because we do try to act on principle. And I hope I'm not speaking out of turn when I speak for the labor movement as well.

I'd like to add one other thing: When the court order came down in June, when the *Crawford* decision came down, there was a joint statement by community groups in effect welcoming the decision. I should say that the statement issued separately by the L. A. County Federation of Labor said the same thing except it was more comprehensive and sharper in its tone than any of the other statements. And I should say that was also printed in the labor press. That's one of the attachments to the material that you have here.

I ought—want to add another matter. At a time, before the Los Angeles County Federation of Labor was able to act because it has to go through its machinery, the question had arisen at the board of education as to whether or not busing should even be permitted as one of the possible elements in any future plan. There was a motion made at the board of education by a member of that board which would have excluded totally the utilization of busing, mandatory busing as an element in such a plan.

Now, because the motion was made by a person that was thought to be associated with the Jewish community, and this is no secret, therefore Jewish community organizations among others, were asked, were called upon to respond. All of the Jewish community responded against the motion.

I should say that my organization, the Jewish Labor Committee, however, quite explicitly—and this is contained in one of the attachments, in the attachment a *Los Angeles Times* report of the meeting—the Jewish Labor Committee very explicitly criticized the motion and called for its rescinding.

Now, at that time we were the only Jewish organization that did so. Later on, all of the Jewish organizations jointly did the same thing.

I think we've given an indication that we are willing to take the initiative in this matter, but that there has been some fragmentation of forces which were pro-integration and anti-desegregation, and I attribute it in large part to a failure of leadership myself.

MR. BUGGS. Mr. Mont, what you've mentioned with regard to the motion made at the board, and keeping in mind the fact that there has been tension of some vintage between various elements of the population here, on a racial basis, blacks, Chicanos, Jews, etc., which is not necessarily an unusual phenomenon anywhere in the country. But would such a statement have contributed more to the cleavages that exist?

MR. MONT. I'm not sure what kind of statement you're referring to now.

MR. BUGGS. The statement that you referred to, a motion on the board of education.

MR. MONT. You mean a motion prohibiting busing?

MR. BUGGS. Yes.

MR. MONT. I think it did in fact at that point, and certainly if permitted to remain, it was rescinded, if permitted to remain, would have at that very moment. It did in fact begin that, and then subsequently in spite of the rescinding, continue the eruption of tensions and hostilities and frictions, that would never have arisen in the first place if things had been permitted to take their normal course.

I think it was a totally, not only destructive motion, but it was unnecessary besides even from the point of view of those who may have wanted to question some of the procedures that they foresaw in the future.

MR. BUGGS. Thank you.

CHAIRMAN FLEMMING. I'd like to ask Counsel whether or not we have available the statement that was issued by a number of organizations Mr. Mont has referred to following the Supreme Court decision last summer. And then also a copy of the statement issued by the Los Angeles County Federation of Labor. Do we have those?

MR. MONT. That's all contained in this material.

CHAIRMAN FLEMMING. Yours is there, is it? But I'm now—how about the statement issued by the other organizations, do we have that?

MR. BACA. Yes, sir, we do.

CHAIRMAN FLEMMING. Okay, I'd like to see copies of both of them before we start tomorrow morning.

VICE CHAIRMAN HORN. Well, would you like on the record at this point—since they've been mentioned?

CHAIRMAN FLEMMING. Yes, let's include them in the record at this point, and then I'd like to have copies before we start tomorrow morning.

MR. BUGGS. May I ask raise this question, Mr. Chairman, if Mr. Mont is suggesting that both those are in the statement that you have already asked to be included in the record, are they both included in that?

MR. MONT. Yes. Well, no, excuse me. The joint statement of—is not. The statement of the—the press reports and the AFL-CIO statement are on the record.

CHAIRMAN FLEMMING. Right. Staff says they have the other statement. I'd like to express my positive reaction to the affirmative approach that is being taken by you as leaders of very, very important organizations in the life of the city.

All of us have been very grateful to Mr. Meany for the leadership that he has taken on the desegregation issue. And as we all know, he's met with some opposition in some parts of the country. And we're delighted that that is not the case here, it's quite the contrary, that you are taking the point of view that he's expressed in implementing in a very significant manner in connection with a development that's going to mean—going to mean a great deal not only to Los Angeles, but to the entire Nation.

We're very appreciative of your being here and sharing your points of view with us.

Thank you very much. The hearing is in recess until nine o'clock tomorrow morning.

Tuesday, December 14, 1976

PROCEEDINGS

MR. BACA. Ellen Endo, James Cleaver, Arthur Schreiber.

Mr. Schreiber, could you remain standing while the oath is administered? Thank you.

CHAIRMAN FLEMMING. Would you remain standing and raise your right hand?

MR. BACA. Apparently the other two members of this panel are delayed. We'd like to proceed with you. We'd like to proceed with you and have them join us as they come in, if we could.

MR. FLEMMING. Would you remain standing and raise your right hand?

[Arthur Schreiber was sworn.]

TESTIMONY OF ARTHUR SCHREIBER, GENERAL MANAGER, KFWB

CHAIRMAN FLEMMING. We appreciate your being here very much.

MR. SCHREIBER. Thank you.

MR. BACA. Good morning, Mr. Schreiber.

MR. SCHREIBER. Good morning.

MR. BACA. Could you give us your name and your station, and your position with that station, please?

MR. SCHREIBER. Yes. I'm Arthur A. Schreiber, general manager of KFWB.

MR. BACA. How long have you been in that position, sir?

MR. SCHREIBER. Since January 19—I'm sorry—July 1969.

MR. BACA. Can you tell us some of the steps that your station has taken to—

CHAIRMAN FLEMMING. Could I ask that the mike that the General Counsel is using be stepped up a little—the volume—a little difficult to hear him. We can hear— we can hear the witness all right.

MR. BACA. Can you tell us some of the steps your station has taken to ensure maximum coverage of student integration?

MR. SCHREIBER. Well, our station is an all news radio station, therefore our whole programming is obviously news; and we believe that—in very much in news setting its own format in the sense that whatever are the major stories, any particular day or moment in time, those are the stories who—which receive coverage. And we view the student integration story in Los Angeles as one of major significance and therefore we treat it accordingly.

We assign person power according to the needs of the story as dictated on a day-by-day basis.

MR. BACA. I understand that. But I remember when we spoke before, you told me, for example, of a series that your station had done on the *Crawford* decision for example. Could you go into things like that?

MR. SCHREIBER. Yes. Let me say this, Mr. Baca, I view any story of major significance as being treated in three parts. I am talking about the way KFWB views it.

We have the day-by-day news coverage. We also have what I view as public affairs or public affairs programming, as well as editorials. We believe that a story of major significance should be treated, obviously, in news coverage; but we also feel that we should go further than that in trying to enable our listeners to know all sides of a controversial issue of public importance, and this story certainly is of that nature. Therefore, we have attempted to do programming other than the daily news coverage which will enable our listeners to do that.

We did a series on the *Crawford* decision—on explaining what it was, and tried to point out its effect. Then we have done other series in talking to the principals in the school integration controversy, both sides or as many sides as we could determine. We have interviewed them—we have done a series of programming which enabled, as the

best of our ability, our listeners to understand the story fully. And we have done that. I have copies of those with me.

We entitled one series "The School Series," which we did, and it was at least a six-part series. We did another series which were several broadcasts, and then the *Crawford* decision was done over a 2-week period.

MR. BACA. Could we have copies of that for the record, please?

MR. SCHREIBER. Yes, you may.

MR. BACA. Mr. Chairman, I respectfully request that that be included in the record at this time.

CHAIRMAN FLEMMING. Without objection, that will be done.

MR. BACA. Thank you.

Mr. Schreiber, you've described some of what your own station has done. but how do you perceive generally the responsibility of the media in this area particularly, as we get into the period of implementation of *Crawford*?

MR. SCHREIBER. Well, I view the media's role also in the areas I have described. I think in news coverage—I think the media must determine on its own how the story should be covered and how it will be covered. I have every confidence, however, that the media also will do the kind of programming that I have talked about, in explaining and going indepth of what this decision, the ramifications of it—how it's worked in other cities, what have been the pluses and the minuses. I think I'm very confident that the media will meet its obligations in that regard in Los Angeles.

MR. BACA. Are you presently a member of CACSI?

MR. SCHREIBER. Yes, I am.

MR. BACA. Can you tell us what committees or subcommittees you've served up on and how those are proceeding?

MR. SCHREIBER. The business subcommittee I'm on—I also attend other subcommittees as time allows, such as the planning subcommittee, and I have been—when a group went to visit other cities to study their plans, I went to Denver and to Dallas.

MR. BACA. Yes, sir. Have you also sent—excuse me—let me rephrase that—have you also participated on the media committee or subcommittee of CACSI?

MR. SCHREIBER. Yes. I don't think you could say that I have participated as a formal member of that committee, but John Mack and I are friends; we discuss it periodically. I will see John on various occasions and we will discuss it.

I was instrumental just last week in arranging for a meeting of the Southern California Broadcasters Association with the school superintendent, Bill Johnston. I believe that meeting is now scheduled for early in January.

MR. BACA. Thank you. You referred to, just a moment ago, to those travels. What were some of the things that you discovered in the travels?

MR. SCHREIBER. I'd like to preface my remark about the travel, Mr. Baca. The CACSI committee was authorized to send certain members around the country to visit various school systems and see their plans. I was invited to participate in that. I participated strictly on my own and as a representative of KFWB and did not submit any expense vouchers to the committee for the simple reason that I felt that I wanted to remain as objective as possible and I didn't want anyone to say that I had used school funds for that—reimbursement of that trip; and so therefore, it was strictly as a representative of my own company.

What I discovered in Denver and Dallas versus Los Angeles was these are two communities that are much smaller. The problems, in my opinion, are very much varied and different than they are in Los Angeles, although the Dallas system, the configuration of the school system, is very similar to Los Angeles, only on a much smaller scale. You can compare the certain boundaries of Dallas with northern boundaries of Los Angeles, predominantly white, Anglo—

MR. BACA. Excuse me, Mr. Schreiber. [To the audience.] Could you keep it down, please.

MR. SCHREIBER. Predominantly black, a Mexican American section, but it was my opinion that the sheer size of both Denver and Dallas were not easy systems to study in comparison to Los Angeles because we're just dealing with such a greater geographic area.

It's also my opinion that in smaller communities you have a much stronger leadership. I mean it's smaller and consequently it's concentrated.

In Los Angeles it's my opinion that you have leadership spread throughout the whole district. There is more than just a downtown area of Los Angeles and a central business community. We have various centers of businesses in Los Angeles; and so, therefore, those differences make it very difficult to compare when you are studying plans as CACSI was doing.

MR. BACA. Back to CACSI for a moment. Do you think the community is prepared to accept—has the community been educated to accept what CACSI finally recommends?

MR. SCHREIBER. I can't answer that, I don't know. I hope that the community is aware of the tremendous time and effort that is being spent in trying to formulate a plan, but I don't know. I hope that's the case, and I can't—I really don't know.

MR. BACA. You have no real impression then?

MR. SCHREIBER. No.

MR. BACA. Thank you.

Mr. Chairman, at this time I would like to interrupt so that the witness Ellis Endo—excuse me—Ellen Endo can be sworn.

CHAIRMAN FLEMMING. If you could stand, please, and raise your right hand.

[Ellen Endo was sworn.]

TESTIMONY OF ELLEN ENDO, EDITOR, RAFU SHIMPO

CHAIRMAN FLEMMING. Thank you. I appreciate your being with us.

MR. BACA. Thank you, Mr. Schreiber.

Ms. Endo, could you take the microphone, please?

Ms. ENDO. Sure.

MR. BACA. We have been talking about coverage of the process of desegregation in Los Angeles. Can you tell us to what extent *Rafu Shimpō* has covered that process?

Ms. ENDO. Well—as you may already know, I'm also a member of the CACSI committee, and we've covered it at this time point strictly from the news angle and not editorially so far, because there is such a difference—the Asian community itself, the Japanese American community that our newspaper serves is basically as diverse and the opinions are as diverse as the larger Los Angeles community.

We find that there are Japanese American parents who are against desegregation because they like the schools, even the inner-city schools that their children attend, and we find that others are dissatisfied. There's a program, for instance, in Chinatown where desegregation would hurt the—or at least the parents feel that any desegregation plan would disperse this program because it's bilingual, its special for Chinese students in particular.

We do plan extensive editorial coverage, yet it's awfully hard for me to do it myself. I play a very major role in setting the editorial policies, of course and being on the committee, I just feel that it's my duty not to force my opinions on the readers just yet. If the readers want to express their opinions, they haven't so far, they have on other school-related issues.

The Japanese American community, in general, places a great emphasis on education as do most Asian parents, and we've covered it newswise very extensively.

MR. BACA. You mentioned CACSI. What committees do you serve on?

Ms. ENDO. I served on the survey subcommittee and the community relations subcommittee.

MR. BACA. Could you tell us some of the activities those committees, subcommittees, have been involved in?

Ms AND ENDO. Well, the survey committee was primarily involved in information gathering, and once that was done—that was in the initial stages of the committee formation—there didn't seem to be any need; it's kind of phased out. The community relations subcommittee is a little bit different, a great deal of work involved there a lot of it is—

MR. BACA. Would you repeat the name of the committee again.

Ms. ENDO. Community relations and—I'm sorry, it's been changed—

MR. BACA. Speak up.

Ms. ENDO. Okay, okay. That committee is involved with going out and conducting community meetings in various areas and working with

the other committees and having—well, it's just, you know what the name suggests—the name has been changed—but I can't think what it is now.

MR. BACA. Let me ask you just one more question. Is it your impression that CACSI represents the minority community, generally, and particularly the various groups within the Asian community?

MS. ENDO. No, not really. I think there are probably five Asians on the CACSI committee, which at face value looks like it represents, at least the student population in the school. There are no Koreans. The Korean community has a very, very serious problem because a lot of them are new immigrants. They're concentrated in the Los Angeles high schools and other local elementary schools, and they have need for bilingual programs and that sort of thing. There is no Korean representative on the CACSI committee that I know of, at least the last time I looked at the list and—in fact, when the Korean community has concerns, they bring them often to me, and I try to relate them to the right people, but it's a shame that they have to come to me, and they should have someone there themselves.

MR. BACA. Thank you.

Mr. Chairman, I would like again to interrupt the hearing to have witness Cleaver sworn.

CHAIRMAN FLEMMING. Please stand, Mr. Cleaver, and raise your right hand.

[James H. Cleaver was sworn.]

TESTIMONY OF JAMES H. CLEAVER, EXECUTIVE EDITOR, LOS ANGELES SENTINEL

CHAIRMAN FLEMMING. Thank you. Very happy to have you with us.

MR. BACA. Thank you for coming, Mr. Cleaver.

Could you tell us, first, for the record, your name, your affiliation, and the title that you have, please?

MR. CLEAVER. My name is James H. Cleaver; I'm the executive editor of the *Los Angeles Sentinel* newspaper.

MR. BACA. And how long have you held that position?

MR. CLEAVER. Eight years.

MR. BACA. Eight years. Could you tell us if the *Sentinel* has developed an editorial policy on the issue of desegregation?

MR. CLEAVER. Yes, it has.

MR. BACA. Can you describe that policy to us?

MR. CLEAVER. Well, it's the kind of thing that I'm not sure I can give it in so many words as such, but it's a matter of dealing with the rights and wrongs as we see it as it relates to the desegregation of the schools.

We've taken a very firm and very positive stand towards total desegregation of the schools. We've editorialized to the degree that we've tried to state as concise' and as clearly and as regularly as we

can that the schools in the Los Angeles area must be desegregated, and that they must provide quality education for the children.

MR. BACA. Thank you. What about regular news coverage? Have you covered the *Crawford* decision and the things that have happened since that time?

MR. CLEAVER. To the best of our ability. I think that it's necessary to point out here that we have a limited staff, and we are able to cover not all of the things that take place but as much as we possibly can as relates to the school desegregation.

MR. BACA. What do you see as the *Sentinel's* particular responsibility in this matter?

MR. CLEAVER. Inasmuch as that is a philosophical question, I'm going to have to try to give you a philosophical answer as it relates. I think that we have—any black newspaper or any ethnic newspaper as it were, has the responsibility of serving those people who are essentially its readers; but, moreover, it has the responsibility to stand for the concept of right, the basic constitutional principles on which the whole thing is laid out. I think that we have an obligation because we are, in fact, to some great degree, the recipients of segregation, both *de facto* and *de jure*, to attempt to break down those barriers that would be thrown up in the area of education, and that's what we've been working towards for the past several years—to try to tear them down, to try to create quality education, to desegregate the schools, to bring about a balance, a true balance of education.

MR. BACA. Ms. Endo, could you care to comment on that last?

MS. ENDO. Personally, I agree with that and I'm sure that eventually that philosophy will be adopted by our newspaper, and the Asian community were also the victim of various forms of segregation, and I would just agree wholeheartedly. I wish I could put it as well as Mr. Cleaver did.

MR. BACA. Thank you. No further questions at this time, Mr. Chairman.

CHAIRMAN FLEMMING. First of all, we, as I've indicated, do appreciate all the three representatives of the media being here with us.

Mr. Schreiber, there's one aspect of the educational process in connection with desegregation that I'd like to explore with you.

You indicated that following the handing down of the *Crawford* decision by the Supreme Court of California you did devote time to explaining that decision, the significance of the decision.

In the course of explaining that decision, did you or did your associates relate it to the basic constitutional issue that is at stake not only in this community but in all other communities?

We appreciate, as a result of our having had hearings in various communities, as a result of our having studies made in various communities, that the situation does vary from community to community when it comes to the development of a specific plan; and yet we feel that there is a very fundamental issue at stake in all communi-

ties—namely, the constitutional issue of giving all an equal chance. And as I've listened to the testimony over the country from various communities, I have the feeling that insufficient emphasis has been placed on the relationship between all of these plans that evolved and so on, and this very fundamental constitutional issue that people have failed to put emphasis on, what it would mean to our form of government if we retreat on an issue of this kind.

Have some of your presentations dealt with that fundamental issue?

MR. SCHREIBER. Yes, Mr. Flemming, they have. And I'm sure that as we go on into this, and as the coverage continues and as further programming is established, we'll do even more of that.

But I concur with you that it is a basic fundamental issue to which we must address ourselves, and we're trying to do that to the best of our ability.

CHAIRMAN FLEMMING. As a result of your membership on the committee and also as a result of your knowledge of the community, do you feel that this basic issue is being emphasized in the schools as teachers discuss this issue, as administrators discuss it, as students discuss it, and so on?

MR. SCHREIBER. Yes. In fact, I think that's where a great deal of the arguments that I hear following the committee meetings, or following my dealings within the community and all aspects, not just dealing with CACSI, but this subject comes up, it's discussed, it's argued, it's debated. I think that in itself is the fundamental issue. I don't know how well it's being accepted or being understood, but it's certainly the issue that is being debated and being argued.

CHAIRMAN FLEMMING. As a member of the Citizens' Advisory Committee, how would you evaluate the progress of that committee to date, both from a substantive point of view and also from a time point of view?

MR. SCHREIBER. Well, I feel that, you know—let me explain that I'm—I think I'm very well aware of the criticisms within the community, generally of the committee. I have debated and argued this subject with many people throughout Los Angeles. It's very difficult when one doesn't sit on the committee, doesn't participate in all the many meetings, of feeling that it should be much farther down the road and the plans should have been already formulated and we should be on with it.

But what I have learned in being involved with the committee, that there are so many issues and subjects to be resolved such as even the feasibility study and the criteria subcommittee, all the many things that those committees, subcommittees, must study before they can formulate a plan. I'm impressed with the kind of work that the committee has done.

It's very frustrating to be on the committee and I speak now for myself. The committee is very large, as you people are very well aware I'm sure, and, you know, it's difficult to come out with anything

quickly when you are dealing with that, those many people, all having a certain point of view. And many, even though they are, would agree philosophically, would disagree in how it should be accomplished.

So, therefore, I'm impressed that the committee is as far along as it is, given all those roadblocks, and I mean that in the good sense.

I—where I get very frustrated is that the people who come and observe at the subcommittee meetings seem to feel that the committee isn't representing the community—isn't this or isn't that—and the posture that I have tried to take, and I certainly believe, is that the school board appointed the committee, gave it a charge, and that was to formulate a plan. There have been much argument on the committee about expanding its size, changing the demographic makeup of the committee and I don't believe that's the committee's responsibility I believe that's the school board's. And the committee members, I believe, are doing the very best job possible understanding that all of those individuals on the committee are extremely busy people, and the amount of time that this is taking is truly incredible.

I had no idea, personally, before becoming a member of that committee, the tremendous amounts of time that it was going to take. I try to explain that to people who are critical of the committee. I don't know how good a job I do in explaining that.

But, overall, I believe the committee is doing the best job that it possibly can and I feel that a plan is going to be forthcoming very soon and I have no inside knowledge of that, it's just as a member of that committee.

CHAIRMAN FLEMMING. The views that you've just expressed to us are the views reflected from time to time in the editorial comments as far as your station is concerned. I noted that you kind of divided your coverage in day-by-day coverage, editorial comments, and then special programs dealing with the issue.

MR. SCHREIBER. Yes. That, it's certainly been pointed out in the news coverage. We do cover the committee's work and activity extensively, and it's has been pointed out, and we get all those differing points of view or as many as we know of, and as many as we can, in the normal coverage of that story, and they certainly are expressed.

CHAIRMAN FLEMMING. What is your feeling as to the coverage by the media, generally, of the deliberations of the committee, both the full committee and its subcommittees? My understanding is that all meetings are public and, therefore, can be covered by the media. What general impressions do you have relative to the adequacy of that coverage?

MR. SCHREIBER. Overall, I would say that it is extremely good. Again, the media's frustration in covering this complex issue is that so much of the work is done at the subcommittee level, and when the general committee meetings are held, they have a tendency to go long, and there are a lot of viewpoints to be heard. The chairman allows those viewpoints to be expressed, and I think he's to be commended

for that, but it tends to be very frustrating for people—for observers and also frustrating for the media, in the sense that, you know, a meeting may go 3 hours with seemingly not so—not anything being done, and that's difficult to boil down and to either a print story or certainly in electronic media to get in a couple of minutes.

CHAIRMAN FLEMMING. Do the media cover the subcommittee meetings? We certainly got the impression yesterday, listening to testimony relative to the work of the committee, that the subcommittees are playing a very important role. And do the media cover the subcommittee meetings as well as the meetings of the full committee?

MR. SCHREIBER. They do, but they don't cover it in the same way. I mean—as this hearing is being covered is the way that the general membership meeting is covered.

Subcommittees are not covered in that way. Reporters may see the subcommittee chairmen or call them or talk to them, but I think it is being covered. It's just so complicated and there are so many subcommittees, that it's very difficult to be able to make that judgment, you know, in a day-by-day news coverage; but I certainly believe that the media is covering it, and I think it will, as the plan—once the plan is formulated, it's going to then be much easier to cover. And I think you will see the increasing activity of media once that plan is formulated.

CHAIRMAN FLEMMING. Do you feel that the board of education has responded in an adequate and timely manner to recommendations made by the committee up to the present time, especially recommendations for making resources available so that the committee could have the benefit of consultants?

MR. SCHREIBER. Yes, I do.

CHAIRMAN FLEMMING. All right. The other two members of the panel have listened to the questions that I have addressed to Mr and Schreiber. I'd be more than happy to've you comment on one or more of the issues that I have identified. Ms. Endo?

MS. ENDO. Ok well, I've also been impressed with the committee itself, the dedication of the people that do attend the meetings regularly. I don't get to as many meetings as I would like, but as far as the media's coverage of those meetings, I—as a member of the news media, I'm a little bit more cynical than maybe the committee members are. I see the news media there, and discussion takes place, and there may be one or two people who express dissenting opinions and those people are taken aside by the press and interviewed after the meeting.

Now, I recognize the need for a balance in coverage, but it gives the impression there is more dissension than there really is. I think that the committee people do agree philosophically on a lot of things and when you take something out of context like that, and I'm sure you can understand that it gives the wrong impression. So I think the media has a responsibility in that sense to balance it so that it reflects the actual opinions of all of the committee members and not just a few

who—and some of the committee members do recognize that the cameras are there and do stand up where maybe otherwise they wouldn't have. That's the only thing I have to add as far as that, but the committee itself is very good. I think they, the people that take major roles, are very dedicated. I wouldn't criticize them one bit, even those that I disagree very vehemently with.

CHAIRMAN FLEMMING. Thank you. Mr. Cleaver?

MR. CLEAVER. I feel that from the outset the committee, as it were, has attempted to do a credible job with the restrictions that are placed on it.

Mr. Schreiber pointed out the various subcommittees that go on. That's where we run into problems, because we're not always aware of what's going on in the subcommittees; we're not always aware of when the meetings are being held, and when we get back to the fundamental issues, we're generally talking to one person who was there who gives a version of a subcommittee meeting that may not totally reflect the overall structure of what really took place. So we come away with mixed emotions, and not really knowing for certain what really happened in the subcommittee meetings.

In the general meetings then there's not much question. It's all open, you see what's going on—but we're not aware of what is going on in the subcommittees meetings and we can't really give the kind of balanced view that's necessary, so that kind of handicaps us because we don't have one person or two people to say, "Hey, that's your bailiwick." You follow through, check with each subcommittee member and see what's going on. So we come up a little short because we can't find out what went on behind the closed doors.

CHAIRMAN FLEMMING. Could I interrupt there?

My understanding is that the subcommittee meetings are open and can be covered. Now, I recognize the limitations of staff and so on to cover them, but—

MR. CLEAVER. They are open, they can be covered, but we don't have the people. When I say behind closed doors, we're talking about in the meetings when we don't have the people to go into individual subcommittee meetings and we can only get the answers that come back from one person who might happen to be on the subcommittee. So that's—I think that we're getting reasonable coverage. I think the media by and large is giving reasonable coverage within the limitations that are placed upon it.

CHAIRMAN FLEMMING. I forgot. Are you a member of the committee?

MR. CLEAVER. No, I'm not.

CHAIRMAN FLEMMING. Right. What is your impression of the relationships between the committee and the board of education in terms of the few substantive recommendations that the committee has made to the board and also in view of the recommendations that the committee has made for staff or for resources to employ consultants? Do you have any impression at all of that relationship?

MR. CLEAVER. Yes. I feel like Mr. Schreiber just pointed out a minute ago, that often when the subcommittees and committee makes recommendations to the board, there's a lot of sounding and fury, but little else. Sometimes it's that I think the board is trying to act with all expediency. I think that I personally am not always in agreement with the role they take, but I think they're trying to deal with it; I think they're trying to put forth an effort, but because of all the rhetoric that goes, on, and all the conversations that go on, very little really gets done, in my mind, sometimes.

CHAIRMAN FLEMMING. Thank you. Commissioner Horn?

VICE CHAIRMAN HORN. Let me ask Mr. Schreiber, did the committee and the subcommittee of the CACSI ever discuss the possibility of issuing a summary statement at the end of subcommittee meetings or full committee that would reflect the varying views and the consensus arrived at and the recommendations?

MR. SCHREIBER. Mr. Horn, I can't answer that. I don't know. To my knowledge, that hasn't been discussed, but it could well have been discussed on the committee or at the subcommittee level, and I don't know about it.

VICE CHAIRMAN HORN. The reason I asked that is the obvious—that given the diversity and fragmentation of the media in Los Angeles where you not only have the major news outlets such as your own station, KFVB, KNX as all news radio; the *Los Angeles Times*, but you have dozens of weekly, daily, regional, suburban, district newspapers, thinking of the *Herald American* chain among others—many of these will publish, especially the shoppers, almost everything that's sent to them.

Looking at the press clips from my university, as an example, some are very good to us and I just wondered why the committee, knowing the difficulty that Mr. Cleaver points out of trying to find out what's going on in the subcommittees when you only have one or two reporters on some of the smaller papers, who could even cover the full committee, let alone the subcommittees, did not take it upon themselves to try and issue a summary statement to raise the general level of insight about the discussions as they emerge and evolve over a time period in order to prepare the community for the options and the choices that they have?

MR. SCHREIBER. Well, it's certainly a good idea, it's also one, though, where I can see a lot of disagreement even among the subcommittees saying who's going to agree to that summary?

VICE CHAIRMAN HORN. Certainly I know it would be difficult, I didn't say it wouldn't be. It just seems to me that I'm a little concerned about the degree with which the community is really aware of what is going on.

Along that line, Mr. Schreiber, what do your surveys show as to the most effective way to reach the seven or so million people of Los Angeles County and the several million that are in the unified school dis-

trict? What's the most effective combination of media that your surveys show would do this job? Is it radio, is it a mixture, or what?

MR. SCHREIBER. Well, of course, now, you're going to get a prejudicial viewpoint.

VICE CHAIRMAN HORN. Well, I realize that.

MR. SCHREIBER. I think it requires all media, and I'm talking about in the dissemination of news as regards to CACSI—certainly print, television, radio are the three major sources, and as you have pointed out, which is another difference that I've noted on my travels to Denver and to Dallas. You, again, speaking in Los Angeles, you know, you're dealing with some 70-plus radio stations in the Southern California area, and you're dealing with numerous television stations plus numerous newspapers; consequently, the media's much more diversified than in those other communities that I visited. And you have just pointed out, it's much easier when you have a fewer number.

But, certainly, the committee is well aware that it needs all the media; there isn't just one.

Yes, radio can serve a function that others don't, and newspapers and television all have their unique features; speed and instantaneous news can be done very easily by radio compared to the others. But, certainly, I would believe that it's going to take on the committee's part and the board of education's part an effort to cover in media that it possibly can.

VICE CHAIRMAN HORN. Your experience showed you that the degree to which some of the media in other cities have had an opportunity to educate their reporters and correspondents as to how you cover this evolving story. Are there any efforts by, say, the press associations in Southern California, newspaper publishers, radio, TV executives, to provide training programs for reporters as to how one covers the desegregation story?

MR. SCHREIBER. Well, I know that this is being discussed by Sigma Delta Chi in Los Angeles, and I'm sure by other associations.

Speaking for my own station, we have periodic meetings at the management level with our editors and reporters and news management people to make sure everyone is aware of the principals in the story of—where the status of the story is at that time, and we do that on a continuing basis.

I meet with the staff, since I'm a member of the committee as well as, I hope, a responsible broadcaster, and consequently, you know, I do that along with my management people at KFWB.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. I, my question relates to the role of the board and also the role of the committee, and it seemed to me as I have listened to the testimony that there may be some confusion on the part of the board as to where the burden is with respect to the adoption of the preparation of a plan, and I would like to know if each

of you will comment on the extent to which you and your respective media have reflected this in the coverage or if you see that there is any confusion about roles.

MS. ENDO. Yeah, I don't know if it is confusion as much as—I have just gotten the distinct feeling on the committee that the board would like us to have more of the—at least in that, maybe not the official responsibility, but as far as dealing with the initial heat of the issue, to serve as a buffer between them and the com—the board would like to commit us to serve as a buffer between it and the community, and I'm not that comfortable with that role myself because I feel that the board is there for a purpose, and that one of their purposes is to respond to the community first when it needs and not to rely upon the committee as much as it does. I think that that role needs to be maybe discussed a little more. I don't know if it can be clarified, but it needs to be discussed very openly and frankly with the board members themselves.

MR. CLEAVER. My feeling is that there is a great diversity among board members, and they are attempting, or so it seems, to shift the burden to the committee, the committee in turn is trying to shift the burden back to the board and there is a great deal of confusion in between the two because no one really wants to accept the responsibility of making concrete moves. While the committee itself cannot make a concrete move, it can only make recommendations, I sometimes feel that the board would rather take the committee's recommendations and table them or just not deal with them right now because it happens to be something that they don't want to handle.

That's about as simple as I can put it.

MR. SCHREIBER. My comment is that I don't know that we—that I can make that judgment at this time since the committee has not come up with its recommendations; and therefore, we haven't been able to see what the board's action is going to be, there's certainly going to be a lot of tugging and pulling, as Mr. Cleaver has indicated, but I think we'll just have to wait to see what the committee comes up with as far as the plan is concerned and then what the board does with it.

COMMISSIONER FREEMAN. This is the aspect that troubles me. It seems to me that there's a possibility that with the shell game—while for the potential of a shell game, the board is accountable, the board has delegated a responsibility to a committee. If the committee does not—prepares a plan that is not acceptable to the board, then there will be no plan, the board will then put the burden, try to put the burden on the committee. The city, the citizens of Los Angeles will not have schools desegregated, and the accountability is with the board, but the people will still be confused. Is that about the way it is?

MR. SCHREIBER. I would not argue with that.

COMMISSIONER FREEMAN. Well, I certainly would hope that the media, if this is an accurate analysis, would deal with that issue as part of its role in educating the community about desegregation.

MR. SCHREIBER. I think the media will deal with that issue, but I don't think that is an issue at the moment, because no specific charges can be made.

COMMISSIONER FREEMAN. But you still have no plan?

MR. SCHREIBER. As a committee, you're talking about?

COMMISSIONER FREEMAN. Yes.

MR. SCHREIBER. That's right.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Mr. Schreiber, I understand that the integration story is significant and it will be reported upon a day-to-day basis from an objective point of view.

How many members are there in the Southern California Broadcasting Association? Does that include the 70 radio stations or is it restricted to the TV or—?

MR. SCHREIBER. No, it's radio and television, and I don't know the—in the entire membership it's well over 100, it's probably 130, but you must understand that does include stations in San Diego, all the way from Santa Barbara to San Diego.

In the Los Angeles area we are talking about some 70 radio stations, and I guess 10 or 12 television stations.

COMMISSIONER RUIZ. Now, when we speak of the Los Angeles area, I understand you are a—or—the representative within the citizens' committee with relation to this broadcasting group, is that correct?

MR. SCHREIBER. Yes, I am. I represent the Southern California broadcasters on the committee.

COMMISSIONER RUIZ. As a representative, what are your duties?

MR. SCHREIBER. Well, my duties are as a member of that committee and to participate in the committee's activities. Then I report back to the Southern California broadcasters as to what is going on in that committee.

COMMISSIONER RUIZ. Now the Southern California broadcasting group, then have a meeting; do they attend a meeting as a group? How is this group put together for purposes of a report back or a feedback?

MR. SCHREIBER. Well, I serve on the board of directors of that association; and, in fact, I've just mentioned earlier in my testimony that we are having a meeting of the entire membership early in January with the school superintendent.

COMMISSIONER RUIZ. Instead of just being a board meeting at that time, you anticipate having a group meeting, is that correct?

MR. SCHREIBER. That's correct.

COMMISSIONER RUIZ. Now, up until this point, with relation to the board, has there been any advanced planning by the association as—apart from the citizens' committee?

MR. SCHREIBER. No, there hasn't.

COMMISSIONER RUIZ. What is a public service program? You mentioned it earlier in your testimony. You made mention of the fact of a public service program. What is that?

MR. SCHREIBER. Well, I was referring to it as it related to our station because our station is different from others in the sense that we are all news all the time, but in addition to the daily news coverage, we do public affairs and public service programming that take many forms. For an example, the public affairs programming can be done in spot announcements for various organizations. It also can be done in what we refer to as an expanded news series, of which I just submitted at least two examples, in which we do an indepth study of an issue; and it gets to be a gray area in relation to KFWB, what is daily news coverage and what is the public affairs and public service programming as it relates to the committee, the CACSI issue, for the simple reason that we just feel as responsible broadcasters that we have an obligation to point out all sides of issue, of a controversial issue of public importance. And so, therefore, we make that attempt to do that kind of programming. But other broadcasters do it in their way.

They—for example, a talk station probably, and does, have members of the committee, members of the school board, the staff of the school administration on as guests, and listeners are able to call in and ask questions, express opinions.

Other stations will do what we refer to as documentary-type programming, where they will take a block of time and expose the sides of the controversial issue. That's what I was referring to as public service or public affairs-type programming.

COMMISSIONER RUIZ. Now, with respect to the mix that you've just made reference to, expanded services, spot announcements, indepth studies, with relation to the *Crawford* decision, which of those did KFWB use?

MR. SCHREIBER. Well we've—as I pointed out, and as the scripts that I submitted, we did an explanation of the *Crawford* decision. We then did a series whereby we interviewed various members of the committee, both sides—representing as many sides we could, as we felt was a fair and balanced presentation of that issue, and we presented that in what I refer to as a vignette form which ran daily, several times a day throughout our programming. That was how we did it on KFWB.

COMMISSIONER RUIZ. I just have one more question. With relation to this activity that you're making reference to, in connection with the other stations that no doubt will devote time to this, is there any on public service program, cross-feeding cooperation between stations with relation to preparing a public for a definite—for example, reference is made to a possibility of a coming earthquake, etc. These are matters of public things, is there a—is it too competitive or do they get together in any fashion with respect to cross-fertilization?

MR. SCHREIBER. Well, speaking as a long-time member of the media, the competition is such that you're always aware of what your competitors are doing; and, therefore, I think there's lot of cross-fertilization in our industry, but not on a formalized basis.

I think it behooves each broadcaster to do what he or she feels necessary in the areas that we've been discussing this morning, and I'm very confident that the media in Southern California is meeting that responsibility and will continue to meet it.

I'm proud of what our industry has done and is doing and will do in the future.

COMMISSIONER RUIZ. Thank you.

CHAIRMAN FLEMMING. Mr. Saltzman.

COMMISSIONER SALTZMAN. Without meaning to ask an inappropriate question by reason of your positions on CACSI, Ms. Endo and Mr. Schreiber, however, relative to your position of leadership in the community, and assuming an informed status on your part, are you able to suggest to us any component parts a desegregation plan that you consider necessary in responding to the law of the State of California and the supreme court decision?

MS. ENDO. Well, I don't—I have some ideas of my own, I just—I don't know, I'm not an expert in this area. I'm a community person and also a member of the news media, and I can read what I think the community is thinking, at least my own community, and I can tell you what I'm thinking. But as far as component parts, I leave to people that know more about the logistics involved, and I mean there as got to be there's got to be some vehicle involved in—

COMMISSIONER SALTZMAN. Vehicles? By vehicles, do you mean pupil transportation?

MS. ENDO. That's right. There's got to be. I'm convinced of that, yes.

COMMISSIONER SALTZMAN. You believe that is crucial?

MS. ENDO. Yes. And I don't know when we're going to start dealing with that. We've been talking around it for a long time on the committee and even in the community. When other community leaders get together, we talk well, we say we've got to find out, we've got to ask people what they want, and I think this, more than that. We have got to prepare them for the reality that there is going to be busing, there is going to be mandatory assignment and then bodies are going to be moved somehow. And I think that's of course probably in every city, that has been the issue, and I don't like to see it become the focal point of media coverage.

Getting back to that, but I do feel that we have—as a committee and as a community, we have to deal with that issue and prepare people, because in the end that's what it's going to be; there's going to be transportation.

MR. SCHREIBER. Well, Mr. Saltzman, I speak personally on the issue that you raise, and there is no question it's a difficult one. I believe that we, in order to achieve true integration, I don't see how at this point in time that we can avoid some kind of mandatory busing an assignment as just as has been pointed out. It's the hope that we can do it with the least amount of disruption to the entire community and to

achieve quality education for all the students in the Los Angeles School District.

I wish I had the answers. I don't. I've discussed it with many people I consider experts in that field, and the great difficulty in Los Angeles as I am sure you people are already almost tired of hearing is the logistical problem and the size of the Los Angeles School District. It certainly—I don't think anyone's desires to inconvenience children by, you know, requiring long periods of time on any means of transportation. And what the committee is wrestling with is that attempt to meet the *Crawford* decision, at the same time make it as least disruptive as possible but I don't see at this point how we can do it without some form of mandatory transportation, a shifting of students from one area to another.

COMMISSIONER SALTZMAN. Mr. Cleaver, at an earlier hearing in Denver I was impressed with the fact that in a school district contiguous to the Denver School District called Jefferson County School District, where the population was essentially white middle class, and that busing involved 98 percent of the children in that community. There was no massive protest to such massive busing, and I asked the reason for this, and the answer was given me that it's not us, it's not the bus, but it's us, which was given by a black person, implying that busing is okay in any community as long as its motive is not for desegregation or racial integration.

Would you characterize what you think might be the motive behind opposition in this community to a pupil transportation component in the desegregation process?

MR. CLEAVER. Well, I am going to have to be as candid as I know how in relationship to this.

For the last several years the issue has been of paramount concern to the overall community, and while all—to me, what appears to me to be all of the facades of inconvenience, all of the stories of disruptiveness, they all boil down in my mind to the fact that there are elements within the framework of the community that do not want black children or brown children going to the same schools that white children go to.

It's reasonably simple in my mind that there is a very definite element of bigotry, bias and that it's being perpetrated by those people who take the idea of disrupting school children and build it into something that it really isn't. When you recognize from the outset that, according to some figures that I read last week, more than 60 percent of the children across the country at some point or another are being bused from one area to another with little or no ill effects, it seems to me that this particular fight, this particular argument is being based on a racial motivation. The fact that there are elements in certain so-called elite areas that say: We don't want black kids in our school because they'll bring the quality of our schools down; we don't want black kids in our school because we don't want to associate our kids

with these black kids and so they tack on to an issue: Well, it's too far for our kids to go to school; it's too far them to be bused from one area to another; we don't want this, it's inconvenient but when you look at the kids, when you look at the youngsters who get along under most sets of circumstances without any help from the parents, then it becomes to me patently obvious there is a racial motivation behind the fight.

COMMISSIONER SALTZMAN. Mr. Schreiber, could you respond to that characterization by Mr. Cleaver?

MR. SCHREIBER. Well, I think that seemingly that the big issue is this: Traditionally we have had so-called neighborhood schools, and I believe that we feel—when I say we, I think communities speaking generally feel that neighborhood schools are not be tampered with.

COMMISSIONER SALTZMAN. May I interrupt?

MR. SCHREIBER. Yes.

COMMISSIONER SALTZMAN. Would you characterize the black community as having neighborhood schools? Hasn't it been true in many cities that the black children have often been bused out of their neighborhood in order to maintain segregated schools, so that only the white community has really had neighborhood schools?

MR. SCHREIBER. I think that's probably true. I think that, you know, when you get into the issue—no one seems to object as long as someone else is being bused. But, the moment it's going to hit them, then they're immediately up in arms and saying: Well no, we can't disturb our school district. It's all right to have those blacks and browns and non-Anglos coming in as long as the white students don't have to be bused and I think that's, I feel that is generally true.

I think that where it goes beyond that, however, because it's traditionally in the minority communities the schools are not equal, the facilities are not there. Many times staff is not there. Many times all kinds of equipment in relation to athletics—it's not there. So, therefore, people don't want their children now going into a school district or school, specific school, that has less than what they've had before. And, of course, the answer is to upgrade all schools in order that they're equal and they're good.

If that—I want to get back to this neighborhood concept; however, I'm not so sure and I'm not an expert in this, and I'm speaking strictly from my own personal opinion. I'm not so sure that the neighborhood school concept is necessarily one that we should stick with. I think there're maybe other ways of doing it, that once it is accomplished, once it is done—that I think people would look to whatever school that their students are going in and take pride and take part in that school, the same as they do now with the neighborhood school concept.

But it is breaking with tradition, it is doing something that we haven't done before, and that therein lies the issue that must be resolved; and it's going to take time to do that. Not meaning that we

don't do it immediately, but we do it and hope that through education, through experience, that people will discover that many of their fears that they have had in the past are not realistic and they are not something that needs to be feared.

You get into the whole issue the—in my discussions with people, it's the fear of safety for their children going into minority communities. Yet, I know that in Los Angeles within the last couple of weeks there was a very serious problem in a predominantly Anglo school which wasn't safe, where a bomb went off in a locker.

Now, you know, we have a tendency to always say: Well, we worry about our students going into the minority communities because it isn't safe. There are also incidents in Anglo schools where it's not safe. So, it's a fear—

I spoke with Mexican American people about this subject where they fear for their own children's safety in going into the Anglo area. So, it isn't just what the traditional white community feels about safety. I think the safety issue is felt in every segment of the school district.

COMMISSIONER SALTZMAN. Thank you.

CHAIRMAN FLEMMING. May I express to the three members of the panel our gratitude for your coming here and talking with us about these basic issues and giving us the benefit of your insight, your competitiveness. It's very, very helpful to us. Thank you so much.

Counsel will call the next witnesses.

MR. BACA. Rabbi Joseph Smith and Reverend Robert Chafin Rusack.

CHAIRMAN FLEMMING. May I ask the witnesses to remain standing, and if you will raise your right hands.

[Rabbi Joseph Smith and Reverend Robert Chafin Rusack were sworn.]

TESTIMONY OF RABBI JOSEPH SMITH, BOARD OF RABBIS OF SOUTHERN CALIFORNIA AND REVEREND ROBERT CHAFIN RUSACK, EPISCOPAL DIOCESE OF LOS ANGELES

CHAIRMAN FLEMMING. We appreciate very much your being here with us. Counsel may proceed.

MR. BACA. Bishop Rusack — is this working now? Okay, Bishop Rusack, could you tell us if the church you represent has taken any official position in the matter of desegregation of the public schools of this district?

BISHOP RUSACK. No, the Episcopal—

CHAIRMAN FLEMMING. Pardon me, the members of the Commission cannot hear Counsel. We're adjusting the mikes to try to correct the situation. Pardon me.

MR. BACA. Should I—can you tell us, Bishop, if your church has taken an official position regarding the desegregation of the public schools of this district?

BISHOP RUSACK. No. The Episcopalian Church is working with ecumenical bodies to work towards desegregation in a nonviolent and peaceful manner, and we met recently with religious leaders, particularly Christian and Jewish community to try to come to grips with this, and met with members of the committee and members of the school board to determine how we could be of help.

MR. BACA. Can you tell us something about those meetings?

BISHOP RUSACK. This was a meeting called by the interreligious council, meeting with, as I say, some members of the school board and the chairman of the committee. He outlined for us some of his hopes and anticipations but did not unfold a plan for us, and most of us in the religious community felt that we should get together and issue a statement of support for the program when it is developed.

MR. BACA. Thank you. Rabbi Smith, has the Board of Rabbis taken any position on the desegregation of schools?

RABBI SMITH. Yes, sir, Mr. Baca. We have—yesterday morning at our executive committee meeting—culminated five sessions of our social actions commission which has a school division as well, and this was unanimously adopted yesterday morning. In 2 weeks when we hear from the rest of our membership—I represent 175 rabbis of Southern California, mostly the Los Angeles area—if within 2 weeks we have no appreciable objections to this statement of the executive committee which, as I say, has been working on this for four or five meetings with membership in attendance of 30 people—then it will become the official statement. I'll be very delighted to read this statement to you. I feel it will become the policy; it's not very long.

MR. BACA. Please proceed, then.

RABBI SMITH. This is the statement adopted by the executive committee of the Board of Rabbis of Southern California.

Whereas the welfare of the Jewish community is inseparable from the health and peace of the larger community, and whereas the American Jewish community has a long-standing commitment to public education and the elimination of all forms of discrimination, and in particular has consistently supported efforts to end racial segregation in our society; and whereas we are dedicated to the rule of law in our society, recognizing that only under law can we and our fellow citizens be free and secure; therefore, the Southern California Board of Rabbis hereby, one, affirms its dedication towards achieving integrated public education of high quality in the Los Angeles Unified School District and declares its desire to help bring about the peaceful and lawful integration of our schools in implementing the decision of the California State Supreme Court of June 28, 1976.

Two, it calls upon the Jewish community of Los Angeles to take an active, constructive role in preparing for the integration of our public schools, to do so in the spirit of goodwill and cooperation with all who share this city with us, and to refrain from acts which may hinder or jeopardize the achievement of integration.

Three, it compliments the Citizens' Advisory Committee on Student Integration, CACSI, for its sensitivity to the vital interests of the Jewish community in its afterschool religious educational programs, and calls upon CACSI to continue to bear in mind that these programs are essential and integral to our community. We urge CACSI to develop a plan of integration that will not reduce the efficacy of these programs.

Four, it calls upon the board of education to initiate a communication center; to disseminate information; and to facilitate dialogue, understanding, and rumor control throughout greater Los Angeles.

And, finally, five, it calls upon the board of education, the superintendent and his staff, and all educators in our city schools to do all within their power to guarantee that integration will be based upon the highest standards of education for all children; that the safety and well-being of all children will be protected; and that learning to appreciate the worth and uniqueness of all individuals and of all religious, ethnic, and racial communities will be a primary goal of our schools.

This is the statement passed unanimously by 30 members present at our meeting. It's the end of the five meetings of serious work.

MR. BACA. Thank you very much. How will that statement be disseminated? What effect—

RABBI SMITH. This will be mailed out to our membership within the next few days, and then our procedure is that it becomes policy of the board if within 2 weeks after it has reached the membership, there is no significant protest to this.

I am very confident that there will be no such significant protest.

MR. BACA. Have you or your representatives participated in the meetings that Bishop Rusack referred to a moment ago?

RABBI SMITH. Yes. As a matter of fact, one of my colleagues is a former president of the Board of Rabbis—will be testifying shortly in the very next group of witnesses; and he also has served on CACSI, which I haven't—and also our executive vice president has been a member of the CACSI committee actively working on this.

These meetings of our school committee have been taking place in various synagogues in the area, deliberately to be sure that we have involvement of the people in the areas concerned. I personally have not been on the committee because I live outside the L.A. district. Living as I do in Orange County and serving a congregation in Whittier, so we purposely thought I should not be involved in making something for some other people's children.

MR. BACA. Thank you. Could each of you in turn, perhaps you first, Bishop Rusack, comment on what you think generally that the role of religious leaders such as yourself should be in this kind of situation?

BISHOP RUSACK. I think all major religious leaders certainly must take a stand that would reflect pretty much what the Rabbi has read, and I understand that my committee on Christian social relations will be presenting such a statement to our February 4-5 diocesan convention. I think that the major religious leaders must set the moral tone for this and urge their people to give great understanding to the problem, and to cooperate in every way with the law of the land, and to work together as parents and as students to prevent any violence.

MR. BACA. You, Rabbi?

RABBI SMITH. I think that we have the task of helping to prepare the way, for we were committed to whatever plan the board of education would come up with, keeping in mind, of course, and I think the board of education is sensitive to the fact that we have a very large network of schools meet after public school sessions are finished. We have some 20,000 to 25,000 students who come to us for religious education during the week as well as on Sunday; and our only problem is that we hope the sensitivity will continue to be reflected in whatever plan the board comes up with, so that the religious values which are inculcated in our schools and the moral values in our religious schools will not have to be disrupted to any great extent.

But, through the sermons, through our bulletins, through public meetings, we are attempting to bring into the open the fears of the people and trying to talk them out, and try to show that the Jewish community is 100 percent committed to the highest quality education for every single student in our schools regardless of ethnic or religious composition of that body. And, therefore, we want a society where the very highest, best educated people will be occupying the various positions and all the professions, in all walks of life; and we would be, therefore, hurt if any student anywhere in our schools would be receiving a lesser education and inferior education to our detriment, to our hurt; therefore, we are committed to this quality education.

We want to move minds, we want to move hearts, and if that does involve to some degree moving of bodies, then that's a very small price to pay for it.

MR. BACA. Thank you. Did both of you or either of you or your representatives participate in the press conference that was held after the *Crawford* decision was handed down?

BISHOP RUSACK. No, I did not, but I did sign a statement that was in the *L.A. Times* some time ago when major city leaders and religious leaders asked that the community cooperate with the decision that had been handed down.

RABBI SMITH. I was in the same position, unable to attend the conference, but I was a signator.

MR. BACA. Thank you. I have no further questions at this time, Mr. Chairman.

CHAIRMAN FLEMMING. I'm very much interested in the reaction of leaders in the community to the *Crawford* decision. Following that

decision, did some religious leaders at least take the position that the objectives set forth in that decision are the kind of constitutional and moral objectives that this country should try to reach, and that because the objectives set forth in the report are right, they should be supported, I mean, on constitutional and moral grounds?

Now, I—as we go throughout the country, we know there are those who say, “Well, the court has spoken. We’ll support it whether it’s right or wrong from our point of view.” And obviously, that a position that is open to leaders and a position that helps—but it seems to me there is a position beyond that. I mean, the court has spoken, and what it has said reflects moral and constitutional imperatives that should be supported.

Were some of the reactions along the latter line?

BISHOP RUSACK. I believe that the interfaith council and the Southern California Council of Churches have come to grips with the moral issues. I think the religious leaders are very conscious of this and are doing everything within their power to persuade their people to study the issue to come to grips with it, to have their churches serve as rumor control centers, to be informed on the moral attitude regarding this issue. So, I think we’re very supportive and want to be very supportive.

CHAIRMAN FLEMMING. Rabbi Smith, the statement you have already read, the responses to my question, and I appreciate personally that note very much.

Now, this is a question that probably could more be appropriately addressed to the panel that is going to follow you, but I would like to address it to both of you and then I’ll address it to the members of the panel also.

As you know, we have held a number of public hearings relative to the implementation of court-ordered desegregation plans. One of those was in the city of Boston. After the one in Boston came at the end of the—what is referred to as Phase I of the Boston plan and prior to the implementation of Phase II—and in our public hearings, we did ask leaders of the religious community to appear as witnesses. We issued a special report on Boston which contains rather detailed findings and recommendations. Within the overall report that we issued in August of this year, we have referred again to the Boston situation, and speaking solely in terms of Phase I, this sentence was included in the report, “Relatively few of the clergy provided strong moral leadership.”

Now, we feel that the record of the hearing backs up that particular statement. In fact, the leaders—many of the leaders of the religious community who appeared before us, said that in their judgment they had not provided that kind of leadership in connection with Phase I. They said that they were going to do this in connection with Phase II, and the evidence that’s been available to us would indicate that that has proved to be the case.

We held another hearing in Denver, where there has been substantial progress in the direction of implementing the plan of desegregation, and in the summary of our hearing in Denver, we said this: Leaders of the religious community in Denver, through ecumenical efforts of the Council of Churches and individual participation in another local ecumenical organization were also—were an act of moral force supporting peaceful school desegregation. Melvin Wheatley, Methodist Bishop of Denver, testified: We communicated with all of our clergy from the beginning of the plan that our position for the integration of schools is unequivocal part of the design that we interpreted as God's will.

Then, in Tampa, Florida, we held a similar hearing. Tampa has been operating under a court-ordered desegregation plan for a period of 6 years. There we said religious leaders and law enforcement administrators played lesser, although essentially positive roles in the county's desegregation crisis. Acting independently of one another, most clergymen urged their congregations to accept desegregation as in keeping with the Judeo-Christian tenant of the equality of people before God. Regarding collective action, however, one minister testified that religious organizations and associations had a role to play at the time of desegregation, but they did not become involved.

Now, those are summaries of the situation in three cities where we have held hearings.

Would you be willing to prophesy as to the kind of conclusions that people would be able to arrive at at some weeks or some months down the road, as far as the role of the religious community, the religious leaders, in dealing with this issue is concerned, Bishop Rusack?

BISHOP RUSACK. Well, I already been in touch with the officials of the diocese of Massachusetts, and they've sent me a briefcase full of materials and sort of summed it up by, evidently, "This is what not to do," and how to come to grips with the program; and lots of tips, I think, have been given to us, at Episcopalians particularly as to how we can be more fully involved. And, Dr. Flemming, I think from your experience with the National Council of Churches, that very often the religious voice is not listened to as much today as it has been in the past by a large number of people within the community.

So, I think particularly we of the ecumenical community have to work harder on this issue than we have any other, and I hope that we will have the full participation of the Roman Catholic community. We know that we have the participation from the Jewish community. So I'm looking forward to working together with major religious leaders to come to grips with just what you've mentioned.

CHAIRMAN FLEMMING. Thank you. Rabbi?

RABBI SMITH. I may be a descendant of prophets, but I'm neither a prophet myself and—but we're very optimistic. We're very hopeful that as soon as we can see the forms of the specific plan and can address ourselves to that, rather than to merely the various fears and the

nebulous vague idea; or we'd rather have a conception than misconceptions, to fight, to advocate—and advocate, and I think that once that happens we'll continue. We feel that we would rather be "on high" like Denver rather than like Boston or even Tampa.

CHAIRMAN FLEMMING. But in this interim period between the court decision and the final adoption of a plan by the lower court, do you feel that there is an opportunity to carry forward a program designed to identify the constitutional and moral issues that are at stake, and so that when the plan is formulated, there will be a better chance of people relating the plan to those basic issues, as contrasted with kind of getting lost in the wilderness and discussing the details?

BISHOP RUSACK. We already have a meeting scheduled in Cardinal Manning's office on December 23 to try to come to grips with some of these issues. I've already communicated with my particular clergy that we must be involved and I think all of our Episcopal schools are standing ready to be as helpful as they possibly can.

RABBI SMITH. We're also involved right now in the very same process in terms of formulating specific plans in each individual congregation through the leadership of the congregations involving not only the rabbinic leadership but our lay leaders as well, so that we do not let the ground lay fallow, we have to prepare the ground for the seed to take root and to flourish.

CHAIRMAN FLEMMING. I appreciate that very much because exactly as you refer to my relationship with the National Council of Churches as president, and during that period of time I always felt that on issues of this kind, the potential for developing strong support for the kind of issue that we're talking about now was tremendous, and one did become a little frustrated from time to time in terms of trying to see that potential realized.

Commissioner Horn?

VICE CHAIRMAN HORN. I want to commend both gentlemen for their statements. In each community that the Commission has visited we have had a cross section of the denominational leadership, usually representing some aspects of the Protestant community, Catholic, Jewish, perhaps a major member of a primarily black church. I would like to ask the General Counsel at this point just for the record to state what the Commission's attempts were in Los Angeles to have a broader cross section of the denominational leadership. I think it's important for the question I'm about to pursue.

MR. BACA. We are trying to work out now with the representatives of the Catholic Church and with the American, the African Methodist Church to have representatives here at a later time at the hearing.

VICE CHAIRMAN HORN. All right, the staff did interview Cardinal Manning, and at this point in the record I would like to enter in two excerpts from the administrative handbook for secondary schools of parochial schools and the administrative handbook for the elementary schools of the parochial schools, and read two portions of those

guidelines into the record, since, obviously, one question that has come up in each of these cities, and has been mentioned by both of you gentlemen in your own school operation is the degree to which private, religious, or parochial schools can be an out from getting out from under a court-ordered desegregation plan. In the interview with Cardinal Manning, the following guidelines were given to a member of the staff, which state as follows for the secondary schools: IV, A, 1.1 says under archdiocesan guidelines:

A student may not be refused admittance to an archdiocesan high school because of race, color, or national origin. Catholic schools of the archdiocese should not become havens for students who may be seeking to avoid the pressure of integration in any part of the archdiocese. The following directives are suggested for individual school policy:

One, public school students may be accepted into the Catholic schools only as normal transfer points. That is, after public junior high school and when there is moral certitude that the application made by the student is not for unacceptable and unethical reasons.

And then they go into several other criteria, including a notation in IV, A, 1.2 on the tax exempt status, that the Internal Revenue Service requires that nonpublic schools maintain a racially nondiscriminatory policy as to students in order to be recognized as tax exempt. The rulings require that schools be made to demonstrate the existence of such a policy by annually publicizing such a statement, and then lists a series of procedures to carry out that IRS directive.

With reference to the administrative handbook for the Catholic elementary schools, 301 paren 1 paren, notes under open admission that:

Archdiocese schools maintain a pattern of open admission, according to the policy indicated in article 301; however, to avoid allowing archdiocese schools to become havens for those desiring to frustrate efforts of the public school administrators complying with court-imposed desegregation decisions, principals should exercise vigilance in ascertaining that transfers of pupils from public schools are sought for worthy motives.

Bishop Rusack mentioned meeting with Cardinal Manning in his testimony. Our staff has met with him—possibly he will appear later at a more convenient time, but I think it was important at this time to stress, since only two members of the denominational community are here when we had hoped to have five, that a major group of schools in Los Angeles, at least by their administrative procedures, are committed to not use those schools as a way to dodge public school desegregation, and I take it, gentlemen, from your own school system, and from what I have heard this morning, you have a similar commitment.

RABBI SMITH. Commissioner Horn, we, as a matter of fact, are working on another addendum to this statement, where the sentiments being expressed now are precisely as those. While we of course, offer Jewish children—recommend the maximum amount of Jewish education possible which perhaps is only attainable in a day school combining both the religious and the secular subjects which some of our students do attend, we are stressing, and I'm positive that the Jewish community will not support the proliferation of day schools, Jewish day schools, to be a haven of refuge for those who are seeking to get away from the implementation of this plan.

As a matter of fact, I know it's difficult in my particular community, where we're not blessed with sufficient numbers of different minority peoples. But we consider ourselves fortunate and blessed, when we have in our intercommunity nursery school, in our religious school, we have children who are not Jewish and who are not white. And we had non-Jewish children who have attended our after day, after public school religious school education whose parents wanted them to be receiving that education. They happen to be children of ministers in most cases, but we think it's a loss to us as members of the community not to be able to live together next door with, play with, have our education alongside of all of the fellow people in our human family. And so we will not support—I know the Jewish community has great feelings on this—the proliferation of schools, day schools which would be serving only the purpose of trying to evade what we feel is indispensable to a democratic society, which we are committed to.

VICE CHAIRMAN HORN. Thank you very much. As I share the—Bishop Rusack, would you like to add anything to that?

BISHOP RUSACK. Well, I would say, first of all, for the panel's information, that Episcopal schools are conducted in a different manner than the parochial schools of the Roman Catholic archdiocese.

Most of our schools are part of independent corporations called parishes, and the bishop serves as the chairman of the board of Harvard School for Boys, but really has no active participation in the other schools except for moral suasion, but I would also like to say that all of our schools have been as open as those you described in the statement of the archdiocese, and that we are committed that our schools will not be a flight or a haven—place of flight and a haven, nor will we use our churches to establish independent schools in the facilities for this purpose.

VICE CHAIRMAN HORN. Well, I appreciate the statement of both of you gentlemen. I share the Chairman's feelings and long have about the potential for good in terms of public policy such as this that the religious community do. As one of the team that helped draft the Civil Rights Act of 1964; and at the staff level helped assure its passage, I've said many times we wouldn't have been able to accomplish it without the efforts of the lobbyists, very frankly, for the various religious groups in Washington, D.C. They provided the key to passing

that legislation, and while I believe basically Federal Commissions should stay out of activities of the religious community, I must say I think in this area we do have a common cause in terms of carrying out the Constitution, and I guess as the son of a Lutheran father, Catholic mother, being married in the Episcopal Church, and with a Jewish daughter, I have a rather ecumenical view of this matter. So I commend all that you and your colleagues are doing.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Yes, I was just thinking of the fact that when I was a youngster I used to go to mass, and then my best friend was the son of a Methodist minister. I used to go to his church and teach Sunday school, which occasioned some difficulties with the father and my church.

I have no further questions, but I would simply comment, it appears that the religious leaders interviewed are unanimous in the commitment that there are constitutional and moral objectives which are imperatives, and it's just not the law—that integration is right both from a moral and a philosophical point of view.

CHAIRMAN FLEMMING. Mr. Saltzman?

COMMISSIONER SALTZMAN. Speaking to the point that Rabbi Smith raised about the proliferation of day schools on a religious basis, could you give us your impression? Is that happening in fact within some of the religious communities in the city of Los Angeles?

RABBI SMITH. I'm not really sure whether that is happening. We, as I said—I'm a member of the Bureau of Jewish Education of the Jewish Federation of Los Angeles, and I know our procedure in how we assist schools and how we start schools; and I know that there is a determination on the part of the leadership that these procedures—before a school is accepted and subsidized to some extent by the official Jewish community—that there have to be quite a lot of work done. There is a period of 3 years of intensive preparation. There has to be a need, and we are trying to consolidate rather than form new schools.

We're trying to—we're in an effort right now to, because of the problem that most schools—public schools—as well face as well as we do with temporarily, right now, the population decreasing; we economically find it difficult and, pedagogically, we find it unsound to try to start new schools with a lack of teaching personnel qualified, and so we would be looking askance at any such moves. We're trying to anticipate that, and I know how we would feel about letting that be, as the word was used, a refuge or a haven for those who are seeking to escape that which is not only legal, but that which is moral, that which is right, that which is religiously dictated, namely, that no child of God, no brother of mine or anybody else in this room, no sister should be deprived of having the very finest education. Any person who is deprived of that would be depriving society, and, therefore, me, members of society, of having the very best services that I would require and anybody else would require so we would be unsympathetic to supporting any such scheme.

Now, again, I made the point earlier, that this in no way takes away from the privilege that any individual parent might want to include more Jewish studies than his child may be able to receive after public school. There is that right that we have, anybody has as a citizen of this country; but as I said in the statement, we are committed to the public school system. We want it to work. We want it to be the very, very best possible place to educate our children.

My two children, who are now past school, are the products of public school education and a Jewish education after public school; and we in no way will lend any kind of help to a movement which will try to escape that which we feel has to be done.

We feel that if the public school were to disappear, our democracy would be weakened irreparably.

COMMISSIONER SALTZMAN. Bishop Rusack, can you comment for the Christian community in general, not only for your own judicatory, whether or not there has been—or is in the process of being—a proliferation of school systems under religious auspices that would be a substitute for the public school education?

BISHOP RUSACK. No. A very general statement should include, I think, the fact that some parochial schools have seen a drop in attendance and enrollment. Our Episcopalian schools have held pretty steady with some moderate growth over the last few years.

I would say there has been a proliferation of so-called Protestant nursery schools, at the very low level, preschool, often to fit the needs of the community where child care is necessary and where education is part and parcel of that, but I don't think we could see any kind of significant growth in religious-oriented schools.

COMMISSIONER SALTZMAN. Can I ask you whether either of you see any paradoxical tension between the concept of quality education and of integrated education?

RABBI SMITH. Well, no, I don't see any conflict. The only—I happen to be personally the result of—the products of, in my elementary school days—of an all-day Jewish school. And then I went on to public high school and public colleges. Only to the extent that a private school would have more hours of instruction and smaller classes would perhaps there be a greater, higher degree of success in the teaching of those students. But I do not see an essential paradox or conflict or a contradiction between having high, highest kind of an education in an integrated public school.

COMMISSIONER SALTZMAN. Would you conclude that quality education, if it is to be quality education, must inherently provide an experience with the diverse population of the community in which the individual lives?

BISHOP RUSACK. I would say this certainly should be the case so that people of all racial and religious backgrounds are brought together and their lives would be enriched by such an experience in public education, and certainly I think the Episcopal Church, for whom I can

speak, would certainly be behind that. We have always had a tradition of high quality education, but I don't see why that cannot be consummated in the public schools if proper attention is given to it.

COMMISSIONER SALTZMAN. I have no further questions.

CHAIRMAN FLEMMING. Bishop Rusack and Rabbi Smith, thank you so much for coming here, and thank you for your testimony. We appreciate it.

BISHOP RUSACK. Thank you very much.

CHAIRMAN FLEMMING. Counsel will call the next witnesses.

MR. BACA. Thank you, Mr. Chairman.

Reverend McClellan, Reverend Beebe, and Rabbi Wolf, please.

[Reverend Quinn Beebe, Reverend Donald McClellan were sworn.]

**TESTIMONY OF REVEREND QUINN BEEBE, PRESIDENT, COUNCIL OF
CHURCHES OF LOS ANGELES; DONALD MCCLELLAN, PRESIDENT, VALLEY
INTERFAITH COUNCIL**

CHAIRMAN FLEMMING, AND Thank you, and we're very happy to have you with us.

MR. BACA. At this point, Mr. Chairman, I'd like to remind the Chair that we had been advised that Rabbi Wolf would be a little late this morning, but he will be with us.

Would each of you please state your name and your ministerial organization?

REV. BEEBE. I'm Quinn Beebe. I am pastor of the Culver Palms United Methodist Church and president of the Council of Churches of Los Angeles.

MR. BACA. And you, Reverend McClellan?

REV. MCCLELLAN. I'm Donald McClellan, pastor of the Woodland Hills Community Church, which is a member of the United Church of Christ; and president of the Valley Interfaith Council.

MR. BACA. Thank you. Before we get into the specifics of your organizations, can you tell us in general what you believe should be the role of religious leaders as we go into this process of implementation of *Crawford* Either of you?

REV. MCCLELLAN. I see my role—and I prefer to speak to that then; rather than religious leaders at large—as trying to call forth the elements of justice which are inherent within our religious tradition, in calling attention to those persons who are being deprived of equal opportunity or being deprived of justice, and trying to marshal all of the forces of the religious community to encourage peaceful and cooperative social change.

MR. BACA. Thank you. Reverend Beebe?

REV. BEEBE. Yes, I feel we have a moral responsibility prophetically to lift up the cause of integration in our city. That that is a very positive goal for which we are working, that we have a responsibility, as reconcilers, to provide the kind of information that's available to us

from all over the country, so that persons within our parishes, within the community may be informed about the positive side of integration, and our hopes for it.

MR. BACA. Along that line, can you tell us something of the activities of the Council of Churches in this area?

REV. BEEBE. The Council of Churches, I think, has had a history of activity that's been very strong. Back in the early part of '76, our Los Angeles Council of Churches provided a forum along with the National Council of Churches to have persons from all over the country—from such cities as Louisville, Boston, Detroit, San Francisco, Pasadena, Denver, and Stockton—to come in and share their experiences in expecting court orders and fulfilling court orders, concerning this matter.

That meeting was at the Ramada Inn out near the airport. I was a little saddened by the fact that we made the media aware of this gathering and yet the media didn't cover it in any way. I heard the earlier interest in integration, but I'm not sure that the religious community is covered quite as sufficiently as it ought to be.

We have an integration committee in the Council of Churches that has been active. We have a 2-page statement which commits us to that cause, and I'd be glad to read that in detail sometime or submit it to the Commission.

MR. BACA. Could you summarize it briefly and submit it for the record?

REV. BEEBE. Well, we—with several whereases omitted that you might expect—we affirm a commitment to equal educational opportunity for all children. We affirm our commitment to racial integration of our public schools. We recognize that in the absence of integrated housing among the many effective methods which have been, can, and should be used to achieve higher degrees of equal educational opportunity and racial integration, is the deliberate and selective busing of school children for all racial groups.

We recognize that the absence of integrated education not only deprives all children of a rich and rewarding educational experience, but it works psychological damage upon white children as well as upon nonwhite children. And therefore precludes quality education in any event.

It subordinates the values of the neighborhood school and its convenience to the greater goal of equal educational opportunity for all children, and the value of constructive exposure to persons of all races, religious, and ethnic extractions despite any related inconvenience.

That's the heart of the resolve. In terms of action we are committed to a consciousness raising within the constituent churches and have done this by communications of several varieties: Informational dissemination to the churches and through the churches to the communities to help reduce the fears and the misconceptions fostered by those

who oppose equal educational opportunities, community cultivation and affirmation of the acceptance of the goals of quality education through integrated classrooms, and providing the leadership resources of our constituency to bring about an understanding that all children suffer when denied integrated educational opportunities.

MR. BACA. Thank you. When was that statement adopted?

REV. BEEBE. That statement was adopted at a board meeting early in '76.

MR. BACA. And has been disseminated how?

REV. BEEBE. And has been disseminated by mail to our churches—and which are about 300 in number, as far as the mailing list is concerned.

MR. BACA. Thank you.

Reverend McClellan, could you tell us something of the activities of the Valley Interfaith Council?

REV. MCCLELLAN. The Valley Interfaith Council was organized about 12 years ago in response to the fair housing initiative which was dealing with equal opportunity to purchase property in California. So that, in a sense, was our founding principle. We have at various occasions addressed problems of fair housing and equal opportunity in education.

We have established a task force of the council early in '76 to deal with student integration; the chairperson of that task force sits upon the Citizens' Advisory Committee. We have had statements of the board; we were participants in the press conference after the *Crawford* decision. We have supported and organized several seminars for the Valley and for Los Angeles on the area of school integration, and we have continued to try to give interpretation to some of the misplaced facts and rumors in our publication, *The Valley InterFaith Reporter*, which has a mailing list of about 1,600.

MR. BACA. Thank you. No further questions at this time, Mr. Chairman.

CHAIRMAN FLEMMING. Were both of you in the room when I read the testimony from Boston, Denver, and Tampa? That is, the conclusions that the Commission reached in its report on desegregation relative to the role of the religious leadership in Boston, in Denver, and in Tampa. Were you here at that time?

REV. MCCLELLAN. I was.

CHAIRMAN FLEMMING. Were you?

REV. BEEBE. Yes.

CHAIRMAN FLEMMING. Would you mind commenting as did your—commenting on those observations in relation to what you think is developing and will develop here in Los Angeles?

You undoubtedly heard the comments of Bishop Rusack and Rabbi Smith, and do you concur in those comments, or do you differ in any respect?

REV. BEEBE. Well, I feel that we're way ahead of the game as far as being able to enjoy the prior experience of others across the country. That the religious community is gathering its forces, that we are making statements in many places, that there are many district groups within denominations which are following the progress of the CACSI committee. That we have spokesmen on that committee, and I believe that we're helping to bring about that kind of community coalition that is very important to the success of any integration program.

CHAIRMAN FLEMMING. Yes.

REV. MCCLELLAN. I think I would concur with Mr. Beebe. I'd like to speak particularly as a representative of the San Fernando Valley, however—because that is where I live and that's where the Valley Interfaith Council is organized.

The Valley has about a third of the residents of Los Angeles, about a third of the schools and the students. It finds itself without equal representation or without voices because most of the business population, the political center of Los Angeles, even the religious centers, are downtown.

I'm concerned that there are not enough voices in the Valley being raised. And I would consider the Valley to be the critical area in Los Angeles—when we consider the success or failure of school integration in a peaceful and cooperative and positive way.

So my particular anxiety is that spokespersons within the Valley will emerge with some credibility and with a prominent voice.

CHAIRMAN FLEMMING. I ask this question: Does the Los Angeles Council and the Valley Interfaith Council have plans for developing what I might refer to as action programs at the level of the local church?

What I have in mind is: Do you have plans for suggesting the desirability of the local church undertaking over a span of time, a consideration of the constitutional and moral issues that are involved? Do you have plans—either on the basis of your doing it yourself or utilizing other materials that possibly are being made available—to make available to these local churches materials which can be used as a basis for a frank discussion of the constitutional and moral issues at the level of the local church?

I think you heard me comment earlier, the great respect for the potential that is involved in the members of a local church really focusing on an issue of this kind, really giving one another an opportunity to share their respective views, and then, ultimately, coming out at a particular point which, I believe, normally would be very helpful in terms of providing support for the kind of a plan that ultimately a court will approve as far as Los Angeles is concerned.

I have—I respect resolutions and statements and so on, that are adopted by Councils of Churches, or by interfaith groups because I think they're a very important starting point, and I think the time and thought that is put into those statements means a great deal.

The thing I'm always concerned about, and have been concerned about, that those statements never really become the focal point for a frank confrontation of the issues at the level of the local church. And that consequently, they don't oftentimes result in producing the kind of moral—the kind of support for constitutional and moral issues that we would like to see come out of the local church.

I know both of you are pastors of local churches in addition to representing the Council of Churches, but I'm just wondering whether you think enough has been done along that line—to—for this to really get down to the level of the local church so that the members of the local church will really come to grips with these issues.

REV. MCCLELLAN. I find the local church to be the last bastion of pure democracy. And they're very resistant to anyone suggesting anything to them.

Our council is a coalition of religious individuals committed to social change. We have no congregation, synagogues, or churches as members. Therefore we have an opportunity to get around all of those lines of authority. We are encouraging dialogue. We have an information packet on school integration. We have models for seminars and local churches. We have resource persons, and we are either establishing or encouraging or offering support to congregations that wish to have some dialogue on this issue.

Our agenda is to let people express their angers, fears, and concerns, and hopefully to come to a little better balance than they might come to otherwise.

CHAIRMAN FLEMMING. Well, I personally would concur in that approach, and I believe that the local church should be the—should operate in such a way as to reflect the democratic process. And I wasn't, by the questions that I addressed to you, suggesting that the local church would go on record as an institution in connection with these issues. Although where they're willing to do it, why, it certainly makes a very real contribution.

But what I was driving at is the opportunity at the level of the local church to carry forward, in a systematic manner, an educational process that would make it possible for the members of the church to have the opportunity of confronting together in various types of forum the constitutional and moral issues that are at stake.

REV. BEEBE. Your dream is certainly our dream, and your statement shows a lot of personal experience in the church. I feel I can say positively there will be one church that will do it. The Council of Churches, however, is really restructuring its program and profile in the city to set up a special task force in the field of integration that will have representatives in many of the churches that are a part of our organization.

And, all I can say is that the president of the Bible society in this area, who makes a very fine chairperson of this committee, I think, has the kind of skill that will bring many churches to this kind of a study

and dialogue, and I hope that we'll have that kind of a dialogue between the central city and the Valley. We are sitting very close here today, and I hope that the very near future will bring our committees together. We'd be glad to go over the mountain and meet in the Valley, with a sizeable committee that's interested in fulfilling this *Crawford* decision.

CHAIRMAN FLEMMING. I gather that—from testimony that we've already heard—that there are some opportunities for reconciliation and mediation as between the two areas that you're talking about?

REV. BEEBE. Yes.

CHAIRMAN FLEMMING. And I'm delighted to hear you express yourself along that line.

I—and again, I don't want to be misunderstood—I know that no Council of Churches can impose on local churches any kind of a program of this kind. They can simply provide leadership, provide resource materials, and so on. And I'm delighted to know that there are some plans along this line, because I feel that it's only in this way that we'll develop a solid foundation of support for the application of the constitutional and moral issues that are at stake.

REV. BEEBE. Could I just add that we have a program group in the district of our Methodist Church, for example, which includes 40 churches throughout the city. And it meets every 2 months with the pastors present, and with lay persons present. And in that program group, we have regular reports from the CACSI committee. And we are well aware of the progress that's being made, and will recommend through our Methodist churches in the area, the study of this kind of an issue.

CHAIRMAN FLEMMING. Thank you very, very much.

REV. BEEBE. It depends upon the local pastor, however, and upon the local program people.

MR. BACA. Mr. Chairman?

CHAIRMAN FLEMMING. Commissioner Freeman.

MR. BACA. Mr. Chairman, may I interrupt, please, to have Rabbi Wolf sworn?

CHAIRMAN FLEMMING. Well, good. I'll do that, and then could we complete the questioning as far as the two witnesses are concerned? Then you may have questions that you'll want to ask Rabbi Wolf, and we in turn may have questions.

MR. BACA. Very well.

CHAIRMAN FLEMMING. But Rabbi Wolf, if you'll stand and raise your right hand?

[Rabbi Alfred Wolf was sworn.]

TESTIMONY OF RABBI ALFRED WOLF, CLERGY SUBCOMMITTEE, CACSI

CHAIRMAN FLEMMING. Thank you, and we're very happy to have you with us. Commissioner Freeman?

COMMISSIONER FREEMAN. My question will be directed—is directed both to Reverend McClellan and Reverend Beebe. I'm not so sanguine as the Chairman, cause, as I see it, the local church in L.A.—as well as in St. Louis where I come from and other places—is part of the problem.

In the Valley, for instance, it is a community that is predominantly white, is that correct?

REV. MCCLELLAN. Yes, that is correct.

COMMISSIONER FREEMAN. And, is it right to assume that the fact that that population is predominantly white, it reflects the effect of racial discrimination in housing?

REV. MCCLELLAN. That is correct.

COMMISSIONER FREEMAN. Is that also true in your community, Reverend Beebe?

REV. BEEBE. Well, I happen to live in Culver City, which is surrounded by the Los Angeles School District. And Culver City has not had a fair share of minority persons; although that is changing rapidly, and to our delight. I am of a different school district although I've had experience in the Los Angeles School District to a considerable degree.

COMMISSIONER FREEMAN. But both neighborhoods, the larger neighborhoods, there is discrimination—racial discrimination in housing?

REV. MCCLELLAN. There certainly is a history of it in Culver City.

COMMISSIONER FREEMAN. What I would like to know is the position of the church with respect to the elimination of discrimination in housing both as to race and class?

REV. MCCLELLAN. When you say the church, are you asking for—

COMMISSIONER FREEMAN. Take it from—

REV. MCCLELLAN. —the bodies we represent?

COMMISSIONER FREEMAN. The body you represent or any other body that you know about.

REV. MCCLELLAN. Well, I think that our denomination, our local church and certainly the Valley Interfaith Council, is opposed to any kind of discrimination—economic or racial.

COMMISSIONER FREEMAN. Has it taken a position for enforcement of the law against discrimination in housing?

REV. MCCLELLAN. Yes, it has, and many of us have been supportive of and active in the Valley Fair Housing Council, which is the primary instrumentality for calling that problem to the attention of the community.

COMMISSIONER FREEMAN. Do you have an opinion as to why, if that is correct, the Valley is still white?

REV. MCCLELLAN. I certainly do. Because the inherent racism in our society is not eliminated by a few bodies that propose solutions to it.

And I want to point out that much of the discrimination in the Valley is economic at this point, rather than racial. And it is racial because of the deprivation of economic opportunity to racial groups.

But I think at this point a person of any racial background could find housing in any area of the Valley that they—where they wish to live. Perhaps with some problems, but there is sufficient support to make sure that they can live where they wish now. But not too many people can afford to live in the Valley. And that's one of our major problems.

COMMISSIONER FREEMAN. What is the range of—the price range in the Valley?

REV. McCLELLAN. Well, in our community, which is Woodland Hills, I would say probably the least expensive single family dwellings would be \$45,000 to \$50,000.

COMMISSIONER FREEMAN. And you're saying that not too many minorities have that money?

REV. McCLELLAN. I've not seen a large number of minorities that have moved into the Valley, although there are certainly minority persons in all areas of our community.

COMMISSIONER FREEMAN. Would the church be willing to assist—if minorities who can afford such housing would call upon the church for assistance, do you believe the church would help them—since you've said that it's purely economic?

REV. McCLELLAN. Do I believe that the church would help them?

COMMISSIONER FREEMAN. Yes, your church?

REV. McCLELLAN. Financially?

COMMISSIONER FREEMAN. Yes. No. No. They've got the money. Let's assume they've got the money.

REV. McCLELLAN. Oh, if they have—absolutely. Yes, if anyone were finding opposition because of race, we would be with them 300 per cent.

COMMISSIONER FREEMAN. Reverend Beebe?

REV. BEEBE. I would say also that we have persons who would very willingly go with persons of a minority race to find housing in our community.

Two general elections ago there was a Proposition 14 in our area and in our State for open housing. The church very strongly supported that proposition, and, in my own personal pastoral experience, I know of several real estate persons, for example, who left the church because of the church's stand in that area. It was a controversial issue and yet a moral issue the church felt, where I was, and in our Methodist denomination, and also, I think, in the Council of Churches.

COMMISSIONER FREEMAN. Well, I just want to say one thing, and that is that even though it's controversial, the—it is the law. Fair housing is the law, and racial discrimination in housing is against the law. So, I just wanted to say that it's more than just a moral issue. And I would hope that the media committee will then assist you in probably helping to desegregate the neighborhoods; because when we hear people talk about the neighborhood school, which of course is not sacrosanct, we—and then we look at a community that itself is all white, then the

fiction of the issue—of so-called issue of busing comes sort of in another perspective. Thank you.

REV. BEEBE. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. I have no questions.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Gentlemen, in some communities that we've had experience with around the country, and those we've had no experience with, there is a growing movement to organize ecumenical bodies that specifically address the issue of equality with regard to educational opportunities and other areas that have pertinence to equal opportunity in our cities. And these have represented the most significant judicatories and religious denominations across the board in the various communities. And we've also discovered that they've been funded by the individual judicatories of denominations with a significant amount of funds to make possible an effective program.

Is this happening in the city of Los Angeles?

REV. BEEBE. I can only respond by saying I feel that there is an inter-religious committee which is very representative of all of the faiths, which is very aware of this type of social issue, and I'm sure will speak to it at the appropriate times.

I would feel sure that they would lack funding for the type of purpose you would propose, but maybe that will be a part of the future.

COMMISSIONER SALTZMAN. There is not now such an instrument?

REV. MCCLELLAN. There's the joint strategy and action committee of a number of Protestant denominations, JSAC, which is organized around social concerns; and they funded one of our seminars on school integration. Valley Interfaith Council implemented the seminar. JSAC provided the funding. So there is a resident interreligious organization committed to this end which is presently functioning.

COMMISSIONER SALTZMAN. Basically Protestant?

REV. MCCLELLAN. That one is basically Protestant.

COMMISSIONER SALTZMAN. How about a larger ecumenical body? There is no such body?

CHAIRMAN FLEMMING. At this point—

RABBI WOLF. May I speak to this?

CHAIRMAN FLEMMING. —at this point, I'd like to ask Counsel if he has questions that he would like to address to Rabbi Wolf so that the Rabbi can respond to those, then we may have questions. But if you'd like to comment on his last question, Rabbi Wolf, we'd be very happy to have you do it.

MR. BACA. Well, my question will go to that, Rabbi.

RABBI WOLF. Yes, there are two instrumentalities that go beyond the Protestant, beyond the Christian community. One is there's a specific Interfaith Housing Corporation in which some of the Protestant Churches and the American Jewish Committee are partners, who actually constructed nondiscriminatory housing. At that time they had,

I believe, some Federal funding plus some private funding. Of course, their project was merely a drop in the bucket.

In addition, there are several commissions of the Interreligious Council of Southern California, which represents not only all the major Christian denominations—and it is representative of the denominations not of individuals—but also the Board of Rabbis and the various Eastern religions including, particularly, the Buddhists who are quite numerous here. These commissions—one on welfare, one on justice, one on employment, and one on housing—direct themselves specifically to all areas where there is inequality.

They've had some institutes on equality in housing, but beyond stimulating the real estate people and other civic bodies in this area by their statements and by their meetings, they have not so far been able to do anything practical like the Interfaith Housing Corporation.

COMMISSIONER SALTZMAN. If I may just carry this point a little further, Rabbi Wolf, do you think it would be beneficial to the Los Angeles community to have a broadly-based ecumenical effort that is adequately funded by the religious community to address this specific, crucial issue that faces the community in the next several years—specifically the desegregation of the schools?

RABBI WOLF. Of course the answer is in the affirmative. Whether it would solve it, whether the religious organizations have sufficient clout to handle this—thoroughly, that's another question. But it certainly would help.

Incidentally, there's one other organization that I omitted. The Community Relations Conference of Southern California, which includes many of the religious organizations but is not limited to them, also has had for many years an office on housing where they've tried to work toward equality in housing and they have done a number of practical things especially on the matters of rentals.

COMMISSIONER SALTZMAN. Is there any possible immediate process that can be undertaken? And who would be the initiator to organize such an ecumenical conference that would be adequately funded, that could speak to the issue of school desegregation from the viewpoint of the total religious community?

RABBI WOLF. I would say that the basic machinery is present in the Interreligious Council of Southern California; and with proper funding, a media campaign could be started.

CHAIRMAN FLEMMING. Counsel, do you have questions that you'd like to address to Rabbi Wolf?

MR. BACA. Just quickly, and perhaps the Rabbi has already answered these in part: Can you tell us something of your activities on the superintendent's clergy advisory committee and your participation on the clergy subcommittee of CACSI?

RABBI WOLF. Yes, the superintendent's clergy advisory committee has been in existence for the past 6 years, ever since Superintendent Johnston came into office. We've been meeting monthly with the su-

perintendent except for the vacation months during the summer. And in the last year or year and a half, integration has been the major subject which we discussed where we got information from the superintendent and his staff, where we gave feedback, usually in the direction of giving suggestions, and to some extent cooperation from the individual clergy or from our respective denominations in actions that the school board or the school superintendent and his staff were able to undertake at that time.

The clergy subcommittee of the Citizens' Advisory Committee has worked very closely with the clergy advisory committee. Specifically, our job has been one of being the communicators with the church, the synagogues, etc.—all the religious organizations, on behalf of CACSI. More recently, we were given the specific assignment of finding out how many young people are involved in religious or cultural afterschool activities who might be affected by additional transportation time. Otherwise—

Also, we have helped to bring together the judicatories of the various faiths and we hope that as result of that meeting there will be a general statement by the judicatories on the whole matter of integration.

MR. BACA. Thank you, Rabbi. No further questions, Mr. Chairman.

CHAIRMAN FLEMMING. Do members of the Commission have questions they'd like to address to Rabbi Wolf? Commissioner Freeman? Commissioner Saltzman?

COMMISSIONER SALTZMAN. One final question. Do you find any significant opposition in the judicatory leadership in Los Angeles to an effective ecumenical voice on this issue?

RABBI WOLF. No, we've found no opposition. May I be rather specific? While the clergy advisory committee of the superintendent is broad based and includes largely clergy of good will and of interest in the school system and from whom therefore you would not expect opposition, we did have a meeting a few weeks ago which included the judicatories; the leadership of the Roman Catholic Church, Cardinal Manning; the Bishop of the Episcopal Church; the Bishop of the Methodist Church; and the respective heads of the Board of Rabbis of Southern California; of various other Protestant denominations including the executive of the Council of Churches in Southern California; and also the leading representatives of the Mormons, of the Southern Baptists, and of Christian Science.

I mention these denominations because they do not usually participate in interreligious matters. A committee which is to draft a clergy statement was selected from that group and includes, in addition to the cardinal and the two bishops whom I've mentioned, and representatives of some of the black churches, also the head of the Mormon Church, and of the Southern Baptists; and I am very hopeful that a very positive statement will come out of that broad-based committee.

COMMISSIONER SALTZMAN. Thank you.

CHAIRMAN FLEMMING. We're grateful to all three members of the panel for giving us this time and sharing with us your insights and the involvement, not only of you as persons, but the involvement of various parts of the religious community in dealing with this issue. Thank you very, very much.

RABBI WOLF. Thank you.

CHAIRMAN FLEMMING. Counsel will call the next witnesses.

MR. DORSEY. Chief Edward M. Davis and Sheriff Peter J. Pitchess, please.

VICE CHAIRMAN HORN. Gentlemen, if you will rise and raise your right hand, please, we'll swear in the witnesses.

[Edward J. Davis and Peter J. Pitchess were sworn.]

**TESTIMONY OF EDWARD J. DAVIS, CHIEF OF POLICE, CITY OF LOS ANGELES;
AND PETER J. PITCHESS, SHERIFF, LOS ANGELES COUNTY**

VICE CHAIRMAN HORN. Please be seated. I assume the other two gentlemen will not be testifying; and will Counsel please identify all of the participants?

MR. DOUGHERTY. My name's Michael Dougherty. I'm here as counsel to Sheriff Pitchess. Mr. Chairman, we did have a question. We just arrived here a few minutes ago. Can you hear me?

VICE CHAIRMAN HORN. Let's wait 'till the sound is restored. Are we okay?

MR. DOUGHERTY. We arrived just a few minutes ago, and we did want to inquire as to the nature of the Commission's inquiry today.

VICE CHAIRMAN HORN. The Commission has jurisdiction over matters of violation of the 14th amendment. It has a clearinghouse function, established in the original Civil Rights Act of 1957, various amendments since that time. It has held a series of hearings on public school desegregation in the United States beginning in Boston in 1965, followed up with Denver, Tampa, Louisville, and a special hearing in Corpus Christi, as well as various State Advisory Committee reports.

This is the first hearing, as we announced yesterday when we opened this; and we'd be glad to furnish you with a copy of that statement at the appropriate time. This is the first hearing we've held in a city where there is not yet a specific court-ordered plan.

We were invited to this city by Dr. Loveland and others on our State Advisory Committee and other groups because they thought what the Commission had gained in these 1 year of hearings, the most intensive concentration of effort this Commission has had since 1957, might be helpful to the unified school district in Los Angeles as they undertake their own decisions in this area.

So it's in that spirit that we have asked the typical cross section of community and governmental leadership that we have asked in every city to appear and testify before us today.

Counsel, have any further questions?

MR. DOUGHERTY. No. We just had one further comment, Mr. Chairman. As I'm sure you're already aware, that the Los Angeles Unified School District's integration efforts, of course, are a result of a decision of the State supreme court; that decision was wholly under State, of course, not Federal law.

VICE CHAIRMAN HORN. That is correct.

MR. DOUGHERTY. I just wanted to mention that to you.

VICE CHAIRMAN HORN. That is correct. Counsel will proceed.

MR. DORSEY. Excuse me, I wonder—

MR. HARPER. My name is Jerry Harper. I'm an inspector with the sheriff's department and the sheriff's executive assistant.

MR. DORSEY. Thank you very much.

I wonder if you would please state your full names for the record, and your titles, please? Chief Davis?

CHIEF DAVIS. Edward M. Davis, chief of police of the city of Los Angeles.

SHERIFF PITCHESS. Peter J. Pitchess, Sheriff, Los Angeles County.

MR. DOUGHERTY. Michael Dougherty, I'm a member of the county counsel staff.

MR. HARPER. Jerry L. Harper, a member of the Los Angeles County Sheriff's Department.

MR. DORSEY. Chief Davis, I wonder if you would, please, give us a brief description of your organization and its jurisdiction in terms of geography, and please, if you would, describe what relationship your department has with the school system in terms of security?

CHIEF DAVIS. Yes. The Los Angeles Police Department is one of approximately 50 independent police departments within Los Angeles County, out of 80 cities, and we have a force of 7,300 officers, sworn officers. We comprise most of the jurisdiction of the Los Angeles Unified School District. If you wish, I can give you the cities that are within the district that are outside the city of Los Angeles.

MR. DORSEY. No, that won't be necessary. Sheriff Pitchess, I wonder if you would respond to the same question?

SHERIFF PITCHESS. As sheriff of Los Angeles County, our department is responsible for—well, the sheriff's position is listed as the chief law enforcement officer of the county. We have jurisdiction in the entire county. We exercise that jurisdiction primarily in the unincorporated areas and in 30 contract cities who receive their entire police service from us.

We have other duties, such as civil duties and custodial duties. We bailiff the superior courts and serve process emanating from the courts. We provide custody facilities for all of the county. We maintain record bureaus, etc., etc.

MR. DORSEY. Do both organizations provide services to the school in terms of security for school district schools?

CHIEF DAVIS. The onsite security of the school district is mainly provided by their own independent police force, which they tell me is the

third largest police force in Los Angeles County. I don't know those figures myself. That's mainly for general security purposes, and in terms of the physical plants themselves.

My department provides, within the city limits of Los Angeles, all of the general law enforcement services on school grounds, in and around school grounds. There are other independent cities, about a dozen, who also do the same things within the school district, and also, the sheriff can speak for himself, but he polices in the unincorporated territory—where it's—where it's—coterminous with the school district boundaries for the same services.

MR. DORSEY. Sheriff Pitchess, am I correct in my understanding that neither force provides inschool kind of security? Is that correct?

SHERIFF PITCHESS. That's correct. We supply basically the same type of a service as Chief Davis has indicated. There are approximately 63 schools in the Los Angeles city district within our policing jurisdiction. And there are, as he indicated, a total of 11 other cities, including his own, who have Los Angeles city school districts within their corporate limits.

We do provide one more function in connection with the Los Angeles city school system, and that is, we train or provide training for the security officers within the Los Angeles city school district.

MR. DORSEY. Starting with Sheriff Pitchess, has either department taken any public position or made any public statements with respect to school integration in Los Angeles?

SHERIFF PITCHESS. I haven't within my department. Our department has not made any particular statements regarding the subject of integration—publicly.

MR. DORSEY. Chief Davis?

CHIEF DAVIS. Oh, I've made several public statements since I started gearing up my department on May 6, 1976, toward the lines of "We're gonna have school desegregation," as contrasted to school integration. That's the portent of our supreme court decision. And we are asking for, and expect to get from our community, what Abraham Lincoln described as a reverence for the law regardless of anyone's individual feelings about the desegregation of schools, that the important thing for the future of our city and its current health is for everyone involved to obey the law, to have a reverence for the law.

And I have said that on the radio and television and in public statements, and since that period of time we have been organizing rather large scale investigative efforts in other cities. And we have done a lot of planning with other police agencies, including the sheriff's office, to handle anything that might occur should we not have reverence for the law.

MR. DORSEY. As I understand it, you've also created a task force—Operation Solidarity?

CHIEF DAVIS. That's correct.

MR. DORSEY. Could you tell us a little bit about that?

CHIEF DAVIS. Well, Operation Solidarity is designed to do all of those things that law enforcement has to do in a situation that has a potential for any kind of—disobedience of the law, in any kind of a large scale.

And so the first thing we did was journey to other cities—Boston, specifically, Louisville, and most recently Dallas, to talk to the police there; to talk to interested citizens there. To talk to school administrators there, to talk to news people there, to get a feeling for what went right and what went wrong. And then our Operation Solidarity is designed to be trained and prepared and to plan as best we can—because the plan, as you know, has not yet been even proposed to the board of education—and so that we can coordinate our efforts and see that we have a peaceful implementation of the desegregation plan.

One of the important things we did are the personal attitudes of officers, because obviously many officers live within the school district. They might have personal feelings one way or the other about whatever the plan is going to be. And we appeal to their professionalism, and in divorcing their own personal feelings and treating whatever they have to do in total objectivity, and pleading for that objectivity with the citizens they come in contact with.

And I have personally made the first of a series of video tapes that are played within our closed-circuit television system, that will kick off the training of our officers, which will start very shortly. One of the problems that I'm sure both the sheriff and I face is that the last massive sort of challenge that hit this area were the so-called Watts riots of 11 years ago. And there's virtually no one left, except the sheriff and I, who were in "high command" positions at that time. And so all of the deputy chief, captain, even lieutenant level people who did a job there and learned the sad lessons of how you handle police work in a setting where you have any kind of a massive civil disobedience, most of those people are retired, and so we are in the process of training command personnel on the lessons that were learned out of the civil rights incidents of the sixties.

Things such as the police not becoming the center of the controversy, and using a very minimal amount of obvious force, but being ready for—to protect the public should anything else happen, and so this is what we've been doing—some of the things we've been doing. I've been doing some other things in terms of relationship in the community in general. In fact, I had to leave such a meeting to come over here.

MR. DORSEY. Chief Davis, is this Operation Solidarity a coordinated effort between the law enforcement agencies, or is this, is this, involving also the sheriff's department and also the other independent jurisdictions?

CHIEF DAVIS. Yes, Commander John Demarest, Commander John Demarest, who commands Operation Solidarity, has met with all of the

policing agencies involved in the other 12 jurisdictions. And we do not pretend to tell them what to do, but we are coordinated. And this was a problem in Louisville, between the city police and the police out in the county area, and most of the great difficulty was out in the county area, which will not be the case here because the unincorporated county territory in which there are schools is miniscule compared to it being mainly the city of Los Angeles and the other 11 jurisdictions.

And so we are, I think, coordinated from a law enforcement standpoint.

MR. DORSEY. Sheriff Pitchess, could you describe to the Commission the planning activities that the sheriff's department has engaged in relative to school desegregation in Los Angeles?

SHERIFF PITCHESS. We have—we have no order on school desegregation, and I'm not going to speculate under oath on what may occur at a later date. So I can't answer your question.

We have made many plans in this entire field of policing. We have established a cooperative function with all the other law enforcement agencies. We meet with them, we are prepared to mobilize, and we are prepared—we are satisfied—to handle whatever situations may arise, whether they're as a result of school desegregation or whatever other problems. Other than that I can't answer any—I can't—I cannot speculate, especially under oath, about something that's as indefinite as what the program will consist of, when and if a court desegregation order emanates from the courts.

MR. DORSEY. Thank you.

Chief Davis, you mentioned in passing that you had just left a meeting involving some other organizational activities that you're engaged in. I wonder if you might describe to the Commission what activities you've been involved in regarding community leaders.

I understand there's an organization or a coalition, if you will, of what is termed community principals. Could you describe that?

CHIEF DAVIS. All right. For the last 7 years since I've been chief, on an ad hoc basis I've had a group of people who are not a committee of mine, but a group of community principals who come in on call or on their call, and discuss with us concerns about things that are religious or ethnic or that could in any way reflect on disorder in the community.

And sometimes we haven't met for 6 months or a year apart. We've been meeting rather frequently since May 6, when I undertook the challenge of being prepared for this thing. And these people reflect the—representatives who fairly well, I think, reflect the ethnicity of the community. Mr. Neil Sandburg, of the American Jewish Community is a member; we have several black members, Mary Henry of Avalon Community Center, a woman who happens to be black who's—who knows very much the care and concerns of parents and in that part of town, their fears about what might happen under the new plan.

We have Asian Pacific people, that's a new term, in case you don't have an Asian Pacific here; we're only—that goes all the way from the nation of India through all the Pacific Basin. And I might deviate a moment and tell you that Los Angeles is not a black-white type city which you so typically see. It's—defies real measurement of the Mexican or Mexican American community because of the failure of the Federal Government to enforce the immigration laws. But our best guess is that we probably—we—

VICE CHAIRMAN HORN. Audience will refrain from comment on witness' testimony during this hearing.

CHIEF DAVIS. This is why I think people don't want to come to be subpoenaed into this kind of a meeting and subjected to ridicule from a crowd. It sets up the opportunity for such ridicule. And I think this would have been much better handled in a private setting so we don't have the jeering from back there in the audience section.

Now the—I was explaining the ethnicity of the city, and its official figures show something like 20 percent Mexican American. In all probability, with the undocumented aliens from South America and from Mexico, we may be as high as 25 percent Spanish surnamed. We're officially about 18 percent black; we're probably approaching about 5 percent Asian Pacific—Asian, and if we went into Asian-Pacific in its totality, maybe 6 or 7 percent.

We are the third largest Jewish city in the world, we're 12 percent Jewish. And then there's some other people left in a miscellaneous category with less pigmentation in their skin. And so it makes for a much more diverse and interesting city.

It also complicates all of the problems of assimilation we have; just the sheer language difficulties in this city are tremendous.

Not a very large percentage of our almost 100,000 Korean community now know how to use the English language with any facility. And so that makes reaching that kind of a community, in addition to Japanese community or other rather large Chinese community—and the Filipino community is the fastest growing community in Los Angeles, a little known fact.

And so—so this community principals group has representatives from each of those communities, including Native Americans. It has clergymen, it has newspaper—or not newspaper but media people, as members of the committee, and we meet quietly. We have people who take, for example, different positions on school desegregation from what might—maybe most of those—might be the official view, let's say, of, ultimately of that committee that's doing the work now—and so as we get diverse viewpoints in there. And we try to—to listen to one another, to perceive the fears and tensions and so forth so that in our policing of whatever comes, that we will be much more sensitive and knowing how to handle it. We'll understand in advance, we hope, what the fears and concerns and expectations are.

We may not accomplish that, but I've found this in the past to be a very helpful process.

And we have another—do you want me to go on? Another committee which we had a meeting of recently. And this will be an unofficial community committee, which again will be relatively small; but—but we hope people who have a capacity to use leverage, whether it's religious, business, ethnic, or whatever, in helping see that we have peaceful school desegregation in the city.

That committee will meet on an irregular basis to help the school district in doing its job. I'm temporarily chairman and we are—we're drafting a chairman in this process because I'm just helping in the interim period. We hope to build about—around each school—there are about 600 schools involved—what we call a team. We do team policing in the city. We hope to build a team that will include clergy, legal people, lawyers, chamber of commerce people, students, teachers, neighbors, ethnic people, anyone who's interested around each one of the 600 schools. This overall committee, the school committee, will eventually interact with the 600, let's say, the Third Street School committee, with some chain of command in between for communication.

My feeling is that Los Angeles is coming along pretty well in terms of having a pretty good commitment to seeing that whatever the law happens to become, when the final acceptance is made of a plan by the court, that it will be peacefully implemented in the city of—in the Los Angeles school district, and the other, city of Los Angeles and the other jurisdiction.

MR. DORSEY. Thank you very much. I have no further questions, Mr. Chairman.

VICE CHAIRMAN HORN. Chief Davis, you referred to the Louisville situation, which I assume you have studied. This Commission was in Louisville. One of the problems we found was the coordination between the city police and the county police when incidents occurred in the county, both having, or at least the county having a concurrent jurisdiction within the city. There had been agreements on mutual reinforcement, but when push came to shove, a political decision outside of the decisionmaking power of the police authorities involved, determined that the city police would not reinforce the county police, and rather disastrous consequences resulted; and the city police were quite anxious, the professionals in the city police, to reinforce the county police.

What I want to know is, given the concurrent jurisdiction within the Los Angeles Unified School District, if push comes to shove, who does have the authority to determine whether the county sheriff's office support, your own, would be used in specific situations; what kind of agreements have been worked out that clearly delineate responsibility and authority in this area?

CHIEF DAVIS. Well, short of a severe, unusual occurrence where mutual aid compacts would go into operation, but in the—in the routine handling of these kinds of situations, you have to look at this county

as being probably the lightest policed county of over 7 million people in the country, and probably in the world. Because there's smaller jurisdictions run less than probably 1.5 officers per 1,000—the city of Los Angeles itself runs 2.4—and this contrasts on the, many of the other cities you've studied on the East Coast, for example, in Boston, more than 4 officers per 1,000.

So first of all, let me say that there are no really reserve forces. Almost everyone is doing his routine police job with not enough men. A very, very skimpy coverage.

And I think the sheriff does an excellent job in his contract cities and unincorporated territory, again in operating with a very small ratio of officers per 1,000.

The first thing we do, and we've discussed this with some of the other agencies, we can puff in our breath and double ourselves, and the way you do this, you cancel certain operations, including followup investigations; you cancel all days off and all vacations; and you start paying a lot of overtime money, if there's overtime statutes. And you in effect can double the number of officers on the street. So probably in most agencies that would—most jurisdictions, that would probably take care of the situation.

If push came to shove and that wasn't good enough, then my good friend the sheriff has always been ready, willing, and able to come in. We, on occasions in Salazar Park, were able to go over and help the sheriff a little bit. And we've never had any problems that I know of in this county wherein anyone has said, "The dickens with you—you're out of our political jurisdiction, you can't have any help."

There've been delays in getting people in, and that's caused mainly by a real low ratio of police officers; but I don't foresee that as being a big problem because I'm sure the sheriff and the highway patrol—if agencies don't help one another—would step in and he has that power and authority. And that has happened in past major situations such as the 1965 Watts riots, and I think this county would handle it.

But there is not any formalized day-to-day agreements between the individual cities. We will take a further look at that because of your question and concern.

VICE CHAIRMAN HORN. All right. There's no formalized agreement; there has been a spirit of cooperation, mutually, in cases in the past. There has been some delay. Let's say an incident does occur, you need help from the sheriff's department or vice versa, and these forces come in. Under whose command are those forces when they're operating in the Los Angeles Unified School District area?

CHIEF DAVIS. Well, the traditional thing within our city is that the city retains command and has supplemental help. We had many deputy sheriffs in the riots. We had Santa Monica police, Culver City police, marshals, and eventually the National Guard. And all of those worked under our field commanders because obviously we know the street names, we know the geography, and we know the people better, and we probably know the problems better.

And if we went in to help somebody else, I'm sure that our men would go in only a supporting role to other agencies. The sheriff has the power to come in under certain circumstances; he can better describe it to you, as the chief law enforcement officer of the county. If law and order breaks down, we depend on Sheriff Pitchess. We'll take a closer and harder look, but my point is that there's no place to go to get any massive supplies. They don't exist in this area. There are no wall-to-wall cop situations here.

VICE CHAIRMAN HORN. Let me ask you now: If you do have command when forces come in, is there anyone besides the chief of police of the Los Angeles Police Department that has command? Would you have to listen to the police commissioner or the mayor in a tactical situation where you're confronted with minute-to-minute decisions?

CHIEF DAVIS. The police commission is the true legal head of the police department. And so the police commission can do virtually every one of my charter responsibilities if three of them get together in an open meeting and decide to do that.

The few exceptions are under the charter in disciplinary proceedings; I'm given rather single role that the commission probably cannot invade in terms of discipline. But the commission, with three votes, can do whatever it wants with the Los Angeles Police Department.

Now, I'm sure that in the middle of a very difficult situation, they're not going to have a hasty meeting and, with the little time that they'd be able to spend understanding what the situation is, second guess the field commander or the chief of police. It's never happened. I doubt very much it would happen.

VICE CHAIRMAN HORN. What is the role of the mayor in relation to command functions of the police department?

CHIEF DAVIS. The mayor appoints the board of police commissioners, and the mayor is the chief executive officer of the city. And the mayor, most mayors, most generally, have addressed themselves via the police commission to the police department.

VICE CHAIRMAN HORN. In other words, to your professional knowledge, mayors in the past have not intervened in crisis situations of one sort or another in terms of giving commands to the chief of police to be carried out?

CHIEF DAVIS. They've only intervened in a very supportive role. I happen to be civil defense director of the city of Los Angeles; and during the February 9, 1971, earthquake, I, by virtue of the charter, took command of those portions of other city departments that I felt had to change their operations, building and safety. I had work on a 3-day weekend, for example, so people could get back in their homes. I had to get more geologists to study the dam to see if it was going to break. And the mayor was very supportive. It was Mayor Yorty, at that particular point, when I ordered the building and safety people to work over the 3-day weekend; the general manager was concerned about

overtime, and I said I'll take care of that. I arranged with the mayor and city administrative officer, and all of that was taken care of.

And so we have a long history of handling critical incidents very successfully, with generally the chief of police being the director of operations. And I would hope that we never have a situation where a board or commission in the middle of a heated situation would be debating for a majority vote.

VICE CHAIRMAN HORN. Chief, another option, it seems to me, which has occurred in some cities, is not simply the back up of the sheriff's department—

CHIEF DAVIS. Pardon me, if I might say, you know, if a—if a, somebody outside the chain of command gave what we thought was an unlawful order, we would do our legal duty.

VICE CHAIRMAN HORN. Right.

CHIEF DAVIS. I'd disobey—disobey an unlawful order.

VICE CHAIRMAN HORN. Well, this is the point I think that's very important for the Commission to understand—that given the origin of the reform movement in Los Angeles, and the really fragmentation of power, this city is very unlike many eastern cities the Commission has visited, or southern cities where there is much more of a role for the chief executive of the city in terms of command function or influence on the police department. It's clear from your testimony that you have the responsibility unless a majority of the police commission wants to meet in open public session and assume the legal authority they could assume.

CHIEF DAVIS. That's right.

VICE CHAIRMAN HORN. Now, one other option besides backup from the sheriff's department, is certainly negotiating agreements with neighboring independent cities related to the city of Los Angeles. This is often done in fire control, in many cities of the country. I wonder if this has been explored?

CHIEF DAVIS. Yes, I'm—I'm not certain, but we proposed, and I think it's on the books, but I cannot say with certainty, an agreement where we would work one-on-one with individual cities in a signed contract. That if we went in to help them, or they went in to help us—that the clock would run and that jurisdiction would be billed for services.

Now, I—I can't recall definitely that the city council passed that. I think they did. I don't think anyone has executed the agreement. We wind up, we surround some cities, such as San Fernando. And somehow or another, the policemen working together—whether deputy sheriffs or policemen of a municipal jurisdiction—go in when it's really needed and they do a job, and they don't worry about whether the big bosses give their authority to it, or what the costs might be.

And that has been a pretty general tradition in this, in all the cities that surround us, and with the sheriff's people helping us and our helping them, when things have to be decided just like that.

But if there was long term trouble, I'll look to whether or not that ordinance was passed. I think it was. If it hasn't, we'll resurrect it and see if we can effectuate it.

What it really means is none of us can afford to make much of a donation of our taxpayers' money to another jurisdiction, and if we do there should be some reimbursement. So we'll—I'll review that. I'm glad you brought it up.

VICE CHAIRMAN HORN. Let me ask Sheriff Pitchess, you've heard the testimony of Chief Davis. Is there anything you would like to add from your perspective on the problems of coordination, reinforcement of reserve forces, so forth?

SHERIFF PITCHESS. Not a great deal. I spent 1 hour with your staff member, Nancy Langworthy, and with my aide; we thought we gave her all of the information that would be necessary for this Commission. I doubt that you people have reviewed that, I don't know.

VICE CHAIRMAN HORN. I have read every word, Sheriff, as I read every word you utter in the press, and I will wonder if I have your permission to use most of that interview as your testimony for the hearing, if that's appropriate?

SHERIFF PITCHESS. Well, I think that that would be adequate because I'd prefer—now one more thing I want to make clear to you is this: The sheriff's department here is a relatively large department, and you must understand also that the city of Los Angeles is a something less in population than 3 million people. And there are a total of 7 million people in this county, which means that over 4 million people are outside the jurisdiction of the city of Los Angeles.

One million eight hundred thousand of those people are policed directly by the sheriff's department. The remaining population is policed by roughly 49 other independent cities.

The sheriff has the responsibility and the prerogative of going into any city wherever, in his discretion or his department's discretion, the assistance is necessary. We have never yet experienced a problem here in the city of Los Angeles or any one of the other remaining 49 cities, in cooperating and coordinating.

Unlike the city, I am subject to no other operational control. I am responsible, with my staff, for the entire operation of my department. There is no other political influence, power, no commission, no board of supervisors who can intervene between me and the decisions as far as operations are concerned in our department.

For that reason, it makes it relatively simple for us to effect a relatively simple working program with other cities; where there are planned emergencies, we compute the figure and the cost and that's reimbursed to the county. When they are unplanned emergencies, we don't stop to worry about the cost. Our primary concern is the protection of life and property, and so we proceed on that basis.

And we think that we have been able to meet every situation that has ever arisen, and I would even speculate, which I don't like to do

under oath, that we will be able to meet those responsibilities in the future.

I think that, as the chief has told you, that you people would do much better—I don't care whether you have it a closed session or have it a public session—but when you subpoena me rather than inviting me, when you put me under oath to discuss matters which are purely speculative, I think that you're interfering with the best efforts that you could produce. Because I have appeared well over 100 times before congressional committees in Washington and in Sacramento, on the basis of invitation, not under oath, because I don't believe that I'm here under investigation, neither is my department, neither is the chief or—

VICE CHAIRMAN HORN. Well, I think I ought to clarify this, Sheriff, just to put you at ease, that it has been—

SHERIFF PITCHESS. Oh, I'm completely at ease.

VICE CHAIRMAN HORN. Well, but I was concerned that you don't seem to be on this question of subpoena—because some other witnesses felt the same way. And I think just for the record, we ought to make it very clear that since 1957 it's been the practice of the Commission to subpoena all witnesses so there would not be individual distinctions between those they had to subpoena and those they didn't.

It is simply meant to afford the protections of Title 18 of the U.S. Code to all witnesses before the Commission in case any threats are made, and we have had threats made against witnesses before this Commission all over the United States.

So it's simply practice, and I must say we have subpoenaed cardinals and bishops in Boston and other places—sometimes at their request, sometimes not at their request. So it is not meant to be—have the traditional onus which, unfortunately, the media sometimes gives to subpoenas.

Subpoenas, as you know, do not necessarily mean you're guilty of anything.

SHERIFF PITCHESS. I'm not—I'm not responsive to the media's attitude.

VICE CHAIRMAN HORN. Yes, Sheriff Pitchess. It's my own attitude and feeling, and I'm merely offering that as some voice and suggestion to you. Well, we appreciate and we know we can count on you anytime.

I've got one last question before I yield to my colleagues, and that is this: Repeatedly in this hearing and in other hearings around the country, charges are made by people in both minority areas and majority areas about fear of transportation of pupils because of "violence in the schools." What I would like to ask both of you gentlemen is—do you have any evidence you could submit to this Commission, perhaps you don't have it with you today, as to the degree to which crimes, violence, whatever has occurred in schools in primarily white areas, be it drug situation or other crimes, or primarily minority

areas, that would be helpful to this Commission and perhaps alleviate some of the public fears that often go on in an evolving situation such as this? Do you have anything you could contribute one way or the other?

CHIEF DAVIS. Well, I think Pacific Palisades High School is in an essentially white area. My recollection is that it probably has about a 30 percent student population that are nonwhite.

I have not heard and I don't think there exists any general criminal actions on the part of students who go to Valley High, and the people there are very sensitive to any law enforcement deficiencies, and I think in all these years, I would have heard.

We have many other voluntary busing—these are all voluntary busing programs and going into other schools, and I have not heard this brought up as a matter of concern. The most sensitive place I hear it from is about 2 days a week, in the afternoon, I listen to my policemen who are the senior lead policemen in 65 different teams around the city, and they're the ones that are sensitive and bring these things up. I have never heard that brought up as a matter of concern.

VICE CHAIRMAN HORN. Sheriff—

CHIEF DAVIS. Now, with one exception, and really it isn't a busing program—is when Los Angeles High School was declared unsafe because of earthquake damage, and those students, many of them, were transferred at that point to Fairfax. We had some difficulties there.

That's the only situation in the city that I can recall in my seven and a half years as chief.

VICE CHAIRMAN HORN. Sheriff, would you like to add anything?

SHERIFF PITCHESS. No, I basically agree with Chief Davis. I, however, don't feel that there is a general feeling of apprehension among the citizens of this community—maybe, to the credit of the school system, maybe to the credit of the Los Angeles Police Department, to the credit of the sheriff's department, or the remaining law enforcement agencies. I don't feel that there is that kind of a prevailing apprehensiveness that such a disturbance will occur that we can't control. And so I don't, in answer your question, think that there is that feeling existing here in the county.

VICE CHAIRMAN HORN. Commissioner Freeman.

COMMISSIONER FREEMAN. Chief Davis, and also Sheriff Pitchess, my question is with respect to the personnel of each of your departments.

Would—you have indicated the breakdown of the city of Los Angeles of 25 percent Spanish surnamed, 18 percent black, 6 percent Asian, 12 percent Jewish, Korean, etc. Would you also give us a breakdown with respect to your personnel as to the number of minorities or percentage of minorities personnel in each of the departments?

CHIEF DAVIS. I can give you those figures because your staff talked to my staff about it.

COMMISSIONER FREEMAN. Yes, but—we would like to have it answered here, now, for the record.

CHIEF DAVIS. Yeah, okay. For Caucasians, sworn is—

VICE CHAIRMAN HORN. Could we have quiet in the back, please, so we can hear the witness?

CHIEF DAVIS. Sworn is 84.7 percent and sworn—

COMMISSIONER FREEMAN. 84.7 white?

CHIEF DAVIS. Yes. It's 50.6 percent in civilian, and blacks are 5.8 percent in sworn and 30.8 percent in civilian.

Now, I have an affirmative action program going to get more Caucasians into our civilian work force—affirmative action.

Latin is 8.7 percent sworn.

COMMISSIONER FREEMAN. Is Latin, does that include Spanish surnamed?

CHIEF DAVIS. Yes. Here we—Spanish surnamed—okay—8.7 sworn and 14.1 civilian; Asian-Pacific, we have 0.7 percent sworn and 5.1 percent civilian. Native Americans, one-tenth of 1 percent sworn, one-tenth of 1 percent civilian.

COMMISSIONER FREEMAN. Sheriff Pitchess?

SHERIFF PITCHESS. This is an approximation. I didn't bring all of these figures with me, but, from my best recollection, I think the black population of the overall county is roughly around 13 percent.

COMMISSIONER FREEMAN. Your personnel?

SHERIFF PITCHESS. Yes. I'm giving you the county personnel.

COMMISSIONER FREEMAN. Oh, the population and then your personnel.

SHERIFF PITCHESS. In black personnel within the department, we have a total of 8.1 percent black sworn personnel; 28.1 percent civilian personnel. Spanish surname, 7.7 percent Mexican American, Spanish surname sworn personnel; and 11.2 percent civilian.

Do you wish others?

COMMISSIONER FREEMAN. Yes, I do.

SHERIFF PITCHESS. Oriental, or, I mean, Asian, excuse me, I apologize for the use of the term Oriental.

VICE CHAIRMAN HORN. Asian Pacific.

SHERIFF PITCHESS. Oriental, 0.5 percent sworn, 5—4.1 percent civilian; Indian, 0.1 percent sworn, 0.1 percent civilian; other, 0.3 percent sworn, 0.2—2.4 percent civilian.

COMMISSIONER FREEMAN. Within your category of sworn, do you have a breakdown by classification? What is the highest rank and the lowest rank? Do you have such a breakdown? Both of you.

SHERIFF PITCHESS. The highest civilian service rank in our department is division chief. We have one black division chief.

Oh, let's begin at the top. We have one sheriff of Greek descent, first generation American. It's rather unusual, the poor Greeks don't even get any mention otherwise.

COMMISSIONER FREEMAN. Who is that?

SHERIFF PITCHESS. That's the sheriff of Los Angeles County.

COMMISSIONER FREEMAN. That's you?

SHERIFF PITCHESS. Yours truly. Then I have a black division chief. Immediately retired, inspector of our department. The second highest rank we have, I think, we have one black captain.

COMMISSIONER FREEMAN. How many—what is the total number of captains you have?

SHERIFF PITCHESS. Total captains?

COMMISSIONER FREEMAN. Yes.

SHERIFF PITCHESS. Fifty-three.

COMMISSIONER FREEMAN. Fifty-three? One black?

SHERIFF PITCHESS. Right.

COMMISSIONER FREEMAN. How many Spanish or Mexican or—

SHERIFF PITCHESS. Captains?

COMMISSIONER FREEMAN. Yes.

SHERIFF PITCHESS. Two.

COMMISSIONER FREEMAN. Two? Asian?

SHERIFF PITCHESS. Captains, none.

COMMISSIONER FREEMAN. Indian?

SHERIFF PITCHESS. None.

COMMISSIONER FREEMAN. Other minorities?

SHERIFF PITCHESS. Well, yes, we have Jewish captains.

COMMISSIONER FREEMAN. How many?

SHERIFF PITCHESS. I would guess, I would estimate four captains, maybe one inspector.

CHIEF DAVIS. One under sheriff.

SHERIFF PITCHESS. And one under sheriff. The second ranking officer in our department is Jewish. I don't know how many Masons there are, and I don't know how many Catholics nor how many Protestants.

COMMISSIONER FREEMAN. Do you have a written, you have that information, both of you, that you could submit in writing to this Commission for our records?

CHIEF DAVIS. Yes, we do have it and it's a matter of record in the Federal court, where we have just completed a testimony, where we provided the Federal court with that information.

COMMISSIONER FREEMAN. Could you make that available?

CHIEF DAVIS. Yes, we can.

COMMISSIONER FREEMAN. Mr. Chairman, I would like to request that it be, that the staff follow through and get it and it be submitted to the record at this point in the testimony.

VICE CHAIRMAN HORN. Without objection—

CHIEF DAVIS. And incidentally, I would like the record to show that we were not asked to have even these figures that I gave you prepared for you today.

VICE CHAIRMAN HORN. Since you have said it, the record will show it, and without objection, the exhibit will be entered into the record at this point.

COMMISSIONER FREEMAN. And as soon as we get it, we will be reviewing it.

CHIEF DAVIS. Mr. Chairman I would like to suggest to you that we were subpoenaed, we were given no choice. Our calendars were not considered, our other duties and responsibilities. I was told that we would be here 30 to 40 minutes; and I think all of the information you want, from both the sheriff's office and every police department in the country that has ever taken LEAA funds, are on file in Washington, D.C., and in the Department of Justice, and I think a lot of time could be saved by—we've been through this with FEPC's, with LEAA, with the Justice Department, Federal revenue sharing, and if that's the purpose of this meeting, then I now register my protest about being subpoenaed here, particularly without being told that we should bring this kind of data. I think it's going aside from school desegregation.

VICE CHAIRMAN HORN. Chief.

COMMISSIONER FREEMAN. Mr. Chairman.

VICE CHAIRMAN HORN. Let me just say something, Commissioner. Chief, the purpose of this meeting is very clear, which is to examine all of the facets having to do with the emergence of a plan for public school desegregation in the Los Angeles Unified School District. During the course of that plan and/or that testimony, based on our experience in hearings of this Commission since 1957, it is not unreasonable for a Commissioner to determine what the attitudes are in any governmental group or private sector. And we have asked this question repeatedly by asking the question you've just been asked. It's not an inappropriate question. It gets to the patterns and practices that we have in all institutions of society.

Commissioner Freeman?

COMMISSIONER FREEMAN. And I would like to pursue this because this Commission has found that the quality of law enforcement in any community is determined by the extent to which the personnel reflects the population of that community.

Again, I would want to say to you that both of you are lawyers, and you also know as lawyers that when a subpoena is granted to a person to appear in court, very often that person has to stay a little bit longer than was anticipated.

SHERIFF PITCHESS. A subpoena in court, Commissioner, entails testimony about an act that has occurred in the past, and we testify as witnesses in relation to that.

Here you are subpoenaing us and asking us to testify about purely speculative matters. I cannot agree with the Commissioner's—the Vice Chairman's statement that an examination of the ethnic makeup of our personnel is germane to the subject of school desegregation.

What you're really doing here now is investigating us and our makeup. Now, you don't have that jurisdiction without some basis for a complaint against us. And this is what you are making this—an entirely separate type of an investigation, and I just wanted to express my position now. And on the advice of counsel, I do not care to testify any longer except as to my name, my rank, and my serial number.

COMMISSIONER RUIZ. I have a question that has to do with desegregation. I wonder if I might proceed to that, Sheriff Pitchess.

VICE CHAIRMAN HORN. If Commissioner Freeman is done with her line of questioning, you would be the next one to call on. Commissioner Ruiz.

COMMISSIONER RUIZ. I feel very comfortable with you two gentlemen. I am an Angeleno and I know you've been around for a good many years, and I was particularly interested in this matter of desegregation.

By the way, I was born in Los Angeles and am a resident of longevity. I've been growing up right along with you two gentlemen.

What kind of a rumor control setup with a single base to sift facts from fiction has been established? Has there been any probing into that particular problem? A rumor base?

CHIEF DAVIS. Well, we have plans for two. One will be—I can do it better without the participation of the audience—one is within the department itself, or the law enforcement agencies concerned. The other is in the PTA. The PTA's have agreed to handle the rumor control center mainly for concerned parents. At this point, we have plans for two.

COMMISSIONER RUIZ. Well, the reason I queried about that, Chief Davis, is because in 1942 I recall you were a young man in the department.

During the "zoot suit" riots I chaired a coordinating council for the Latin American youth meetings. We were working together with the police department and a rumor was spread that a group of Mexican Americans were meeting to conspire against the public peace.

A raid ensued to break up the meeting, which ended up by the raiding police unit and the police officers at the meeting having to mutually identify themselves, apparently working at cross purposes. And we have found out in our various meetings throughout the country that rumors are purposely set up, and you've indicated that this has already taken place with respect to parents, teachers, etc.—and I was wondering whether perhaps you might not give that area some thought with relation to a central place to sift, as I said before, fact from fiction, and it might be a good idea.

CHIEF DAVIS. Commissioner, I agree with you 100 percent. We do have that in our Operation Solidarity plans.

I think today, contrasted with 1942, that we have the blessed or cursed benefit of television and a lot more radio than we had then, and I think when we pick up a bad rumor, we have an opportunity through the media today, particularly electronic media, that we didn't have before, and I would hope to maybe learn about rumors through this center and try to put them down through the center. But mainly I think it would empower the superintendent of schools, the chief of police, the mayor, any other principals of a school—any other actor—an opportunity to do it by the electronic media and really put it down better than we ever could before.

COMMISSIONER RUIZ. And you have police training methods now that didn't exist at that time, also?

CHIEF DAVIS. That's right.

COMMISSIONER RUIZ. Which means the personnel is probably ready for that?

CHIEF DAVIS. Right.

COMMISSIONER RUIZ. I remember when I first met Sheriff Pitchess, it was over in the office of Eugene Pitchacol—he hasn't heard what I've said.

CHIEF DAVIS. Commissioner Ruiz was just complimenting you.

SHERIFF PITCHESS. Excuse me. Thank you, sir.

COMMISSIONER RUIZ. No, I was just commenting, Sheriff Pitchess, that when I first met you you were in a, you were a young man with the office where the sheriff was Eugene Pitchacol, a very close friend.

Thank you, gentlemen.

SHERIFF PITCHESS. May I ask a question, please?

Commissioner Freeman, in your inquiry about the ethnic makeup and minority makeups and so forth, and personnel, you neglected to ask about females.

COMMISSIONER FREEMAN. I didn't get that far.

SHERIFF PITCHESS. I see.

VICE CHAIRMAN HORN. I was going to twit my colleague on that because usually, with regularity, she does ask about that. I must say that the sheriff has been kind enough to hire a few graduates of my university in his department, so I know he employs females in fairly good officer positions.

SHERIFF PITCHESS. They've done very well. I commend you for the educational, academic background that you provide these people.

VICE CHAIRMAN HORN. Well, we'll be glad to have more of your people in our placement office any day, Sheriff.

COMMISSIONER FREEMAN. Sheriff, would you want to give me that breakdown now?

SHERIFF PITCHESS. It's over 10 percent. We have approximately 650 something, I would roughly estimate, sworn personnel among women—which is probably the largest of any department in the United States.

COMMISSIONER FREEMAN. And that includes captains and majors?

SHERIFF PITCHESS. There's one captain, and probably the only female captain in the United States, and about 12 lieutenants and so forth and so forth.

VICE CHAIRMAN HORN. I'm glad you got that on the record, because I wanted to put in a plug for our female alumni.

Commissioner Saltzman?

COMMISSIONER SALTZMAN. Before I ask just one question, I'd like to make a personal comment to Sheriff Pitchess.

Sheriff, we operate under oath. We are Presidential appointees by the consent of the Senate. We're volunteers. We, all of us, labor under

the burden of having to make a living outside of our work here. We're trying to do a good job for the well-being and the future of this country along with, I'm sure, your own convictions, that that is your responsibility.

I would hate to assume that there is a hostility between our purpose and your purpose. I think we're both working towards the same ends, sir.

My only other question to complete at least my view of what's happening—Sheriff Davis, you made reference to Operation Solidarity—Chief Davis—excuse me, I didn't mean—

SHERIFF PITCHESS. You just promoted the chief.

COMMISSIONER SALTZMAN. I didn't mean to impugn your office or his office. Chief Davis, does that task force include representatives from Federal law enforcement agencies also?

CHIEF DAVIS. No, it doesn't. It includes members of the police department and liaison with the other 12 agencies, and so it doesn't include other agencies; however, the meeting I just left, our community principals, we had the Department of Justice Community Relations man there, and we have met with other people in other levels of government about this.

COMMISSIONER SALTZMAN. So, the planning—

CHIEF DAVIS. The planning, you see, for the internal Operation Solidarity is an internal LAPD program, versus the other external work that I'm doing personally.

COMMISSIONER SALTZMAN. But there will be planning that will run the gamut of the law enforcement agencies, including the Federal agencies?

CHIEF DAVIS. We hope to keep the Federal Government totally out of this. You know, if we do a good job, we hope to never see any Federal authorities.

COMMISSIONER SALTZMAN. But is there any contingency that would, in planning that, that would involve the role, possibly, of Federal agencies?

CHIEF DAVIS. There's a possibility—if we ran out of—if we had a terrible situation and we exhausted all or our own internal resources and all the sheriff's and all of the highway patrol, that the National Guard would then come into it next, and we would—If we plan properly, if our citizens respond the way we think they will, I can't foresee anything like that happening in this situation. We are dealing here with children and parents and people who love children and love their city and have investment in the future of the city. I think we're going to have a very peaceful situation here. We do know how to gear up, though, for the worst.

But the way the Federal Government comes in is via the community relations people, your people, and we certainly talked to them. Mr. Buggs was in my office not too long ago. But if you ultimately got to enforcement people coming in from the Federal Government, then you

have in essence a preemption, and the President sends troops, and I couldn't possibly foresee that.

COMMISSIONER SALTZMAN. I'm not speaking of troops, sir. I mean the FBI or the marshals and—as well as the Department of Justice people in their community relations—obviously the community relations people are involved. But, in terms of civil rights under Federal statute, any civil rights abridgement under Federal statutes, obviously, then the Federal legal agencies or law enforcement agencies would have a role apart and beyond Federal troops, and I don't refer to that.

CHIEF DAVIS. We do have a—all of the departments, I think, have a very good working relationship with the Federal Bureau of Investigation on all kinds of criminal matters on a day-to-day basis. And their role would be one of investigating civil rights violations, and they would not be involved in the day-to-day operations of handling, of how you would try to enforce the law in the street, except to follow the investigation.

COMMISSIONER SALTZMAN. Thank you, sir.

VICE CHAIRMAN HORN. Mr. Buggs?

MR. BUGGS. Thank you, Mr. Chairman. I have known both of these gentlemen long enough so that I don't get the titles mixed.

I am concerned, Chief Davis and Sheriff Pitchess. I do recall that, I suppose more than 20 years ago, I was involved with both your departments in connection with the development of community relations sections—and it had been my view then and since that time that they had proved to be quite helpful to both the sheriff and the chief.

With regard to various kinds of issues that developed in the various parts of the community, it was not just an information gathering activity, but an activity designed to bridge a gap between the police and the communities, of whatever communities that might exist throughout the various jurisdictions.

I was a little concerned to read in a newspaper account some time ago, with particular reference to the Los Angeles Police Department, that the community relations budget had been, if not depleted entirely, certainly lessened. That obviously is of concern to anyone who has ever worked in the field of human relations or in the field of civil rights, and I'm wondering if there was any particular reason why that was done?

CHIEF DAVIS. Well, I pled with the board of police commissioners, and Commissioner Salvatore Montenegro did. But last Thursday, after hearings on that day and on the preceding day, week or so before that, they voted 4 to 1 to eliminate the position of community relations officer, a lieutenant position, in 16 of the 17 geographic areas. I pled with them that the problems posed by school desegregation bring about all kinds of fear of the unknown, and there'll be all kinds of concerns. If the program is time phased it'll be in different areas at different points; and if we ever needed community relations officers that small discreet communities could go to or organizations could go to, we need them at this time.

Now, they're abolishing that position. Their hypothesis is that because we have done a good job with team policing and basic cars, that every uniformed officer is now the community relations person. And that's true to a great extent with the average citizen. But it's not true if you are dealing with a very small, discrete ethnic minority, you're dealing with a religious group, you're dealing with older people, whatever happens to be. If you're dealing with an organized group, I think you have to have someplace other than going to every policeman; and we find the Asian Pacific problems sufficiently acute here in terms of their getting good service from law enforcement that I formed an Asian Pacific task force that's composed only of Asian Pacific officers, and they go into these communities, including our very, very old, established Japanese and Chinese communities, and because they speak the language and they understand the culture, they're able to bring a measure of help to people in there who otherwise would never be heard by the official establishment. And so in each of the 17 geographic areas that community relations lieutenant, I think, is absolutely vital, but it'll be up to Mayor Bradley now whether he reinstates what his police commission asked to be deleted.

I share your concerns, absolutely.

MR. BUGGS. Does the mayor have that authority, Chief?

CHIEF DAVIS. The mayor will get that budget very soon, and the mayor is in a position to send his own budget to the council. He can listen to the advice of his police commission or he can disregard it. The city council after that then has an opportunity to cut and trim, and they usually do.

MR. BUGGS. Do you know what the position of the city council is on this matter?

CHIEF DAVIS. The mayor advocated the abolition of these positions last year, and the city council saw fit to vote them all back in. So it—that was the disposition of the council a year ago. If they ask my professional advice, I'll tell them precisely what I said here.

MR. BUGGS. Sheriff Pitchess, would you support the position of Chief Davis?

SHERIFF PITCHESS. The chief and I do not mind sharing positions. I appreciate that. We consider it a promotion whichever way you want to use the title.

MR. BUGGS. Do you support the chief's position with regard to at least the philosophical position he has taken with regard to that?

SHERIFF PITCHESS. Very definitely, as you yourself know, because we worked so closely when you were with the county human relations, we have laid great emphasis on the community relations.

We have done our best in spite of budgetary restrictions to continue the programs that we have started, and we consider it a vital part of our function.

MR. BUGGS. Thank you, sir.

SHERIFF PITCHESS. I share the chief's position.

MR. BUGGS. Thank you. You did it, too.

Chief Davis, I would like to also ask one other question, and that is the same article indicated that you felt you were being shorthanded with regard to intelligence officers that might be needed in connection with this issue.

Would you mind indicating what the nature of that shorthandedness means?

CHIEF DAVIS. The city council and the mayor in 1970 created an organization known as the public disorder intelligence division, and that organization now has 60 investigators. It operates under guidelines that were drafted and established by the board of police commissioners. Now they come up for public discussion, I think in a week or so again, with anyone who wants to discuss them.

We think this has been a highly ethical and effective organization.

For an example, when Judge Gitelson who came down with the school integration order as contrasted with the present desegregation order, one of my men was hired by a right-wing extremist for a fee of \$500 to murder Judge Gitelson. Then his mission was to write out on a piece of paper, "This is for the Jews," and then take a spike after Gitelson had been killed and to drive this note into his forehead for all to see. Obviously, my officer did not fulfill the terms of the contract, and we arrested that man and put him in jail. He later went to a mental hospital. I'm not sure whether he is back in prison, but in any event, our ability to uncover people both on any extreme that would bring disorder is a very important thing, we think, to the city.

Now, the police commission's action last week cut those 60 investigators to 30, and I gave them my professional opinion that that will materially reduce our ability to be able to be warned in advance of any group that might want to take advantage of a potential exacerbation of religious or racial feelings in a situation. What could be more beautiful to exploit for people like that than a school desegregation process.

The sheriff's men worked last week in bringing in an incredible arsenal of weaponry that could do tremendous harm, and there are those kinds of people in society, unfortunately who would—who are irrational or, for whatever reason, will stimulate either public disorder or will attempt to execute people, terrorists from both sides of the political spectrum and I think, knowing the other coach's plans in advance if you can, and then trying to thwart that by seeing that the law is enforced at a certain specific place to protect human beings and to protect the community from disorder is a very, you know, number one priority of the police.

We're either going to be reactive, and after a bomb has gone off in a school bus, we're going to try to investigate it and try to figure out who done it, or we're going to be proactive and we are going to try to find out in advance who has bombs and who might be of a disposition to do that sort of thing. And there has never been any appreciable legitimate indictment of the processes that the sheriff's department, my

department, I think both undertake to protect our people in advance by knowing who the players are, if nothing else, maybe not necessarily knowing the place, but knowing who the players are. I think has helped us have a relatively peaceful, you know, 1970s in this city. But that is cut in half now. My professional opinion is that will, that is replete with great danger.

MR. BUGGS. Thank you, sir, I very much appreciate both of your presences here today.

VICE CHAIRMAN HORN. Thank you, gentlemen, on behalf of the Commission, let me second Mr. Buggs' appreciation for your testimony. I think it's well known to most of us on the Commission as well as most residents of California that you gentlemen head two of the most highly professional law enforcement organizations in the country. We're grateful for your testimony.

CHIEF DAVIS. THANK YOU ALL VERY MUCH.

VICE CHAIRMAN HORN. Council will call the next witnesses.

MR. DORSEY. John Howell, Anthony Trias, Walter Jones, and Ruby Aguilar,

VICE CHAIRMAN HORN. Are all the witnesses present, Counsel? I only account for three.

MR. DORSEY. John Howell, Anthony Trias, Walter Jones, Ruby Aguilar.

VICE CHAIRMAN HORN. If the witnesses will stand and raise their right hand. If the witnesses will stand and raise their right hands and take the oath, please.

[John Howell, Walter Jones, Anthony Trias, Ruby Aguilar were sworn]

TESTIMONY OF JOHN HOWELL, COMMUNITY RELATIONS WORKER; WALTER JONES, NATIONAL INSTITUTE OF EDUCATION; ANTHONY TRIAS, COUNTY EXECUTIVE INSURANCE; RUBY AGUILAR, MEXICAN AMERICAN EDUCATION COMMISSION

VICE CHAIRMAN HORN. Thank you. Please be seated. Excuse me a minute, Counsel, Commissioner Ruiz cannot see the witnesses with that light on over there. Could we have that one scrubbed?

MR. DORSEY. Mr. Chairman, the witnesses will be questioned by staff attorney Louis Wilmot.

VICE CHAIRMAN HORN. Fine. Proceed.

MR. WILMOT. Starting with Mr. Trias, would you please state your name, address, occupation for the record, please.

MR. TRIAS. My name is Anthony Trias, I'm an account executive, insurance. My address is 2330 Moss Avenue, Los Angeles, 90065.

MR. WILMOT. Mr. Jones.

MR. JONES. My name is Walter Jones. I'm an administrator for a program funded by the National Institute of Education looking at community problem solving.

VICE CHAIRMAN HORN. Could you get the microphone a little closer? Will the clerk move the microphone closer to the witnesses? Some of those are television microphones, I think, and not our speaker system. Get them so we can hear the witness.

Go ahead, Counsel.

MR. WILMOT. Mr. Jones, were you finished?

MR. JONES. My name is Walter Jones. I'm the director of the Urban Education Project, and I live at 1032 Masline, Los Angeles.

MR. WILMOT. Ms. Aguilar?

MS. AGUILAR. My name is Ruby Aguilar. I am a business administrator for a nonprofit organization doing teacher inservice training.

MR. HOWELL. My name is John Howell, I'm a community relations worker for Buffy St. Marie.

MR. WILMOT. Starting with Mr. Trias, I believe that all of you are chairpersons of your respective education commissions, and as chairpersons, would you please tell us when and for what the purpose your commissions were organized. Mr. Trias?

MR. TRIAS. Can you hear me? I don't have a microphone.

MR. BUGGS. Could you pull one in front of you, please.

MR. TRIAS. Okay. Fine. The Asian American Education Commission was formed April 29, 1971, approximately 5 years ago; and, of course, this was stated on the paper as written by Lopez Lee, our position in the district. We are formed under the auspices of the board of education to get community input to the board of education relative to the Asian groups. In this case we have approximately six groups now, stating, Chinese, Filipino, Japanese, Korean, Samoan, and now we have the Vietnamese. We still have other Asian-Pacific groups that have not come in and served in the commission. And, of course, our objective—do you wish to bring it out?

MR. WILMOT. Yes.

MR. TRIAS. Okay. Our objective is to give the needs and sensitivity of the Asian community, especially the children in the district from K through 12, the cultural and educational needs that the board must be aware, and be sensitive to the needs of these particular groups.

Of course, our situation is rather unique, since we have five groups of different ethnic backgrounds. It isn't a homogeneous situation, which, of course, the district must be aware of these particular needs.

MR. WILMOT. What are the issues that you have primarily dealt with as a commission; educational issues? What type of problems or issues have you dealt with that you have submitted to the board as major concerns of the Asian-Pacific people?

MR. TRIAS. Well, one of the biggest issues is that we have a stereotyping of the Asians, and we have to get away from the stereotype because not all the Asians are straight A students. One of the biggest factors is that after two or three generations, the children in the school are, the students, they are just like any other students. They do

have problems that any students, whether black, Chicano, or white is facing, that perhaps the need is not met by just saying you are Asian, therefore, you must be a straight A student. The teachers seem to stereotype. That's number one.

Of course, we have cultural shocks. As you know, the Vietnamese migrated here recently has been brought up. That's the biggest problem, and prior to that, we have the Chinese and the Koreans, the lack of understanding of their background, the cultural situations. They are faced with the immediate shock in the educational system that we face in this district.

MR. WILMOT. Thank you, Mr. Trias.

Mr. Jones?

MR. JONES. The Black Education Commission was established in February of 1970. It was established for the purpose of leading or advising the board of education regarding the educational concerns of the black community and services which it provides to the black children in Los Angeles.

A VOICE. I can't hear you.

MR. JONES. You can't hear?

VICE CHAIRMAN HORN. We're adjusting the mike. Just a moment.

MR. JONES. The Black Education Commission was established in February of 1970. It was established for the purpose of being an advisory group to the board of education, advising it of the educational needs and services that people felt the board of education was not sensitive to in the black community.

It has attempted, on numerous occasions, to try to provide this information to the board, hoping that the board would act in a respond to the community's needs, in a more effective manner.

MR. WILMOT. Some of the issues, briefly?

MR. JONES. Some of the issues which the board has, the commission has placed before the board, is regarding facilities.

Many of the schools in the south-central area of Los Angeles are pre-1933. There have been some changes in terms of building new schools. Other issues regarding lighting on athletic fields in south-central Los Angeles, which prevents athletics from being held in the evenings, which has also affected the athletic programs of schools in this area.

It has also advised the board regarding its previous volunteer integration plan.

It has also advised the board regarding various federally-funded programs and board action that was pending on those programs.

MR. WILMOT. Ms. Aguilar, same question.

MS. AGUILAR. The commission was born, the Mexican American Education Commission was born out of the student walk-outs which began March of 1968, the blowout.

Number one on their list of demands were bilingual education reading programs and better academic curricula; also reduction of dropouts and more Mexican American teachers.

The community organized under the name of EICC listened to the students and began the sit-ins at the board room. Finally, the board decided to designate one organization to speak in behalf of the community, of the Mexican American community.

On February 20, 1969, the community elected 26 members out of the EICC body, and the board added an additional 14 members, feeling that those 26 were activists. To this date the body has remained at 40 members.

The commission's first objectives were to consider the demands of the students, those students' demands were refined, listed, and adopted by the commission as its goals or concerns. To this date, we are still working on them.

MR. WILMOT. Are you finished?

MS. AGUILAR. Yes.

MR. WILMOT. Mr. Howell, would you speak to the same issues, sir?

MR. HOWELL. Yes. The American Indian Education Commission was founded in September of 1975. It was founded for the purpose of integrating the curriculum with Indian input, which there is none—what Indian input is there is stereotyped from a hundred years ago—for the purpose of integrating the staff with Indian representation at all levels, from teachers on up to administration.

To date, the American Indian Education Commission has brought before the unified school district the issue of the declaration of independence, this issue of integration, the issues of lack of employment of Indians within the Los Angeles High School District, lack of Indian input on committees.

We have fought for Indian students' rights. We have intervened in disputes between the school district and Indian parents and students, and to date we have 37 commissioners.

MR. WILMOT. Thank you. Now, on the issue of integration, Mr. Howell, what are the major concerns of the American Indian community on this issue of integration? I believe you have a position paper?

MR. HOWELL. Yes, we do.

MR. WILMOT. Okay. At this point, Mr. Chairman, I would like to submit this position paper into the record.

VICE CHAIRMAN HORN. Without objection, they are entered into the proceedings at this point in the record.

MR. WILMOT. Briefly, will you tell us what the feelings are of the American Indian community.

MR. HOWELL. Yes, the American Indian community feels that this issue is a black and white issue.

We feel that the Indians have been drawn into it because we have been labeled minorities, which we do not agree with.

We feel that we are a separate entity because of our relationship with the United States Government as wards of that Government, as treaty Indians. So we feel that we are integrated within the Los Angeles Unified School District. So, therefore, you know, I think the Indi-

an community feels that we should look at integrating the curriculum and integrating the administration, integrating the teachers instead of trying to move Indian people around because they are not segregated. They are spread out throughout the Los Angeles County.

As far as busing, Indian people have been bused for hundreds of years. We've been moved from one place to another in this country. The Government has set up boarding schools, they have moved Indian children away from their homes, 6,000 miles when they had an Indian school right in the same locality. So we have been bused—Indian children. I was bused. Almost all Indian people that attended boarding schools was bused. So the busing issue is nothing new to us. The Indians people look at integration as a form of assimilation because of the lack of Indian input within the curriculum, because of the lack of Indian input within the administration, the policymaking bodies of the unified school district. You know for us to be moved to another school and still be reading about savage Indians out of history books and savage Indians out of social studies books, seeing no Indian teachers. All we hear about is stereotypes that are demeaning and degrading to the American Indian.

You know, this is not a form of integration—just to move bodies, you know, to another school. The concept, the American Indian community feels that the concept of integration is good if—but we're worried about the implementation of this concept. There is a lack of Indian input within CACSI, there is a lack of Indian input within the school district; there is a lack of Indian input at almost all levels, and if we're to be drawn into this issue, which we don't feel like we should be, then we should have the right to have our input heard.

Los Angeles has the largest Indian population of any city throughout the United States. We are not recognized as an entity, I mean, as Sheriff Pitchess and Chief Davis here said, miscellaneous, that is the way people look at Indians. He listed Indians as miscellaneous. I am sitting here giving my input to a body that there is no Indians that I can see.

So, I agree that it's the makeup of the structures, and the Indian commission agrees that it's the makeup of the structures, like the United States Commission on Civil Rights, their office here in Los Angeles, the unified school district, the sheriff's department, all agencies, there is no Indians represented any level in those agencies or, if any, very few.

So, you know, we feel that there is a lot more to integration than just moving the bodies around in the unified school district. We feel that the administration staff the organizations, they're going to have to be sensitive to ethnic people; they're going to have to give ethnic people something to look at.

So that's basically the stand that the Indian community, their concerns.

And one other concern which is really a great concern, is Title IV, the Indian Education Act of 1974. If an Indian student is moved from a school and that brings the Indian population down of that school less than 10, then that school and all the other existing Indian students there will lose the Title IV program funds. And if one is moved to another school, and there is not 10 there, then they are not eligible to apply for the Title IV funds, so we will be losing out on our Title IV program.

MR. WILMOT. Thank you, Mr. Howell.

Ms. Aguilar, has the Mexican American Education Commission taken any official position on integration, and if it has, what are the issues, concerns, problems that it has with integration?

MS. AGUILAR. Yes. The commission has taken a stand. We do have a position paper on it. I would like to submit it for you later for the record.

Basically, we feel that the concept of integration is a good concept. Also, like the Indian commission, we feel that just the moving of bodies will not do. That integration should be to provide equal education for all students, and that simply by moving a brown body into a white school, that does not make for equal education, just as in Title VII, having the same kind of teachers as everyone else and the same kind of textbooks does not make for equal education.

We are concerned that, because of time and because of monies, that we will end up just simply being moved, that there will be no programs at the receiving school to do staffing service training that is very vital to do, human relations training with the parents from both ends, with the students that are coming and those that are there already.

And our concerns are, our fears are based on all the negotiations that we have had with the board in the past.

I'd like to mention those that have to do with, specifically, with integration in some way or another. Certainly if we are 30 percent of the student body in the school district and we have only, we are only represented by about 5.9 percent of the staff, we are not going to have enough bodies to integrate staff. And that happened recently with staff integration.

I would like to submit into the records the statistics, that we got from the district itself, which shows schools in East Los Angeles areas, G and H, where you have the student representation up as high as 99 percent, and you will have no Mexican American on the staff. Yet that school is considered racially balanced, staff balanced. We are concerned about those things. At least six are in Area G, and I think it would be good, I hate to go school by school, I think the staff committee should review this.

Related with this, we have been involved in the hiring of Chicano teachers. The school district has interviewed as many as 350 Spanish-surnamed teachers who are bilingual, and have only given about 56 contracts. That is a shame. If they are really committed to affirmative

action, they should be hiring more Chicano teachers. I also have documentation to that effect.

The district, when it makes committees of any type, for instance, the community, the management review committee, and they were dealing with personnel, they never ask the ethnic commissions to come before them and give testimony on the hiring practices of the district. This happens all the time.

I have some correspondence with that committee—I think about three letters—just to prove how difficult it is to get in there and give input on the communities they have.

The area of student rights is very important. We have had a very difficult time to get a dual process of law for students. The area of bilingual education has been very difficult for us to deal with. Just recently they passed—in fact, a week ago—they passed a bilingual policy. It took us all summer to work on that, just to get rid of one area, the area, the one sentence which read that bilingual education was an option, and usually the principal interpreted it as his option. The law, *Nichols v. Lau* and Chacon bill, and all the courts have ruled that bilingual education is not an option of the school district.

So we are concerned that because of all these areas where we have been unable to communicate with the district. I speak English, the commissioners speak English, yet we are unable to communicate.

We have schools in East Los Angeles, the Roosevelt High School, for instance, where 5 years ago we had at least five administrators that were Mexican American. Today we have two. We seem in many areas to be going backwards. The district picks up other priorities and does not listen to the Mexican community.

MR. WILMOT. At this time, Mr. Chairman, I would like to submit into the record all the documents in the possession of Ms. Aguilar.

VICE CHAIRMAN HORN. Without objection, it will be entered into the proceedings at this point in the record.

COMMISSIONER RUIZ. That will include the correspondence with the city advisory committee?

MS. AGUILAR. Yes.

COMMISSIONER RUIZ. Which is still in limbo, as you say?

MS. AGUILAR. We have finally given testimony, yes. The report has not been finalized from that committee.

COMMISSIONER RUIZ. But you have given testimony?

MS. AGUILAR. Yes.

COMMISSIONER RUIZ. How recently was that?

MS. AGUILAR. Last week.

COMMISSIONER RUIZ. Last week?

MS. AGUILAR. Yes.

COMMISSIONER RUIZ. And there's no feedback on that as yet as to your testimony?

MS. AGUILAR. No, we don't—

COMMISSIONER RUIZ. Or where it fits into the picture?

MS. AGUILAR. We do not know at this time what the final report will look like.

MR. WILMOT. Mr. Jones?

MR. JONES. The Black Education Commission has not taken an official position on school integration at this point, but we have discussed at a number of the meetings the whole issue of school integration.

We believe that the issues are such that most of the burden of integrating schools appears to fall on the black community. We are talking about the staff integration, it falls upon black school teachers; if you are talking about students, it falls on the black student. If you look at the size, well, the present volunteer busing program, a large percentage of those children who are part of that program come from the black community.

I think probably those individuals are most interested in busing their kids, that is one of the reasons why they have children that are part of the program.

There are others in the black community who feel that one-way busing is out, that the onus of integrating schools should not be placed on the black community where black children are bused anywhere from 45 minutes to an hour away from home to attend school. There are others also who also believe in looking at the recent school district's decision of transferring or lottery system of transferring teachers to other schools, that they have gotten the short end of the stick.

There existed for black teachers who were in schools that had a predominantly black teacher population, a printout that gave the number of years of experience, programs that they were coordinating, and supposedly a number of them were supposed to be exempt. What we found happening, though, is that after those people were identified, many of them were actually transferred from the school, and that school didn't know the shape, color, or what they were going to get until the Friday before school actually had begun.

One of the things, the continuing complaints that we get from either teachers or parents, is that the schools are in a shambles. Supposedly, morale is very low, teachers are not familiar with the programs because most teachers who were transferred were the ones who were the coordinators of programs, meaning that teachers who come into the schools are either long-term substitutes, or they are first year teachers who recently have been given contracts.

One of the things that the commission proposed to Mr. Pasamoto, who was the head of the school district's voluntary integration plan, was that what the school district needed to do, rather than try to shift bodies around, was to adopt an affirmative action program which would actually bring the minorities into the school staff.

In 1972 the school district had roughly 4,000 plus minority teachers in total. Since that time that number has decreased to roughly 3,000 teachers or certificated staff.

What we are finding is that, rather than there being an increase in minority staff, that the school district has adopted the policy which began roughly about 3 or 4 years ago, where many minorities, long-term subs or substitutes were gradually phased out of the school district, that in integrating the schools, there isn't a pool of, say, substitute personnel to draw from within the black community, but you have in the other community a larger pool of substitute people or long-term subs who are in turn being sent into minority schools.

We believe that this violates Title VI of the Civil Rights Act that says that there must be comparability in staff integration. That has not taken place.

I think if the Commission is interested in finding out some of the things that the school district is doing, we have reason not to have any faith in any kind of integration plan which is developed by the school district.

I sincerely believe that we have not been involved in the planning stages; I don't think any of the commissions were consulted. We received letters inviting us to submit names of persons to sit on that committee whom the superintendent would then select as the representative, which I feel is another way of sort, he was the determiner of who the person should be to actually represent us.

I think there are other things that have occurred regarding the school district's policy with the PWT program, which is the voluntary busing program. I think, largely, we talk about the various plans, but busing, one-way busing is something that we feel is coming about. This past summer a lot of pressure, or people were urged to enroll their children in the PWT program, which actually, if you get enough people to volunteer to be a part of the PWT program, one-way busing, then you would solve the integration problem.

I don't think that we can find sufficient numbers of people to actually integrate schools totally or if to the letter of the law, that I think we would like to see integration implemented.

MR. WILMOT. Thank you, Mr. Jones.

MR. TRIAS? Same question. Do you want me to repeat it?

MR. TRIAS. Go ahead.

MR. WILMOT. Any positionss, do you have any position on the issue of school integration?

MR. TRIAS. All right.

MR. WILMOT. If any, and concerns or problems which you feel that the Asian-Pacific people are concerned with.

MR. TRIAS. Okay. Our commission has not taken an official position on paper, but the consensus of opinion to be submitted at a later date is that we do not believe in mandatory busing, and we do agree that, with my colleagues here, that originally the issue is a black and white issue, but this does not apply to the Los Angeles School District.

As you know, it's a very unique district. We have quite a population of Spanish or Chicano, over 2 million, and also we believe that we

have the largest population of Asians outside of San Francisco area, maybe even larger considering the Asian-Pacific.

Now, our position is clear from the standpoint that we would like to see a plan that would be very much a situation where—voluntary integration. But then we have a problem of areas such special area we, we, specifically, for example, the Castro School, the elementary school. This concerns the bilingual-bicultural problems. It's primarily Chinese and Chicano or Spanish surnamed.

I agree with my colleague, the Chicano commission, that there are certain programs that would be eliminated and federally-funded you have overall integration, it would really affect certain Asian community and concentration of Asian children for that matter.

Now, recognize also the Korean community, certainly that's rather obvious the concentration of Korean children. Again, we have a problem of bicultural-bilingual. So some of these problems it's not as simple as busing or integrating or just plain body situations, it's not acceptable. We feel that we must consider the cultural and the needs of the specific Asian community.

There are other schools that may be considered—I can name specifically Belmont High School and Marshall High School. This school to me, or to our commission, appears to be a balanced school. To disturb certain situations like that would be a crime as far as the educational system is concerned.

So I can't go any further, but I do agree with our colleague, the Indian and the Chicano and the black commission, we do not believe that the shifting of bodies will accomplish integration. We must face the needs of individual groups.

MR. WILMOT. Thank you, Mr. Trias. No further questions.

VICE CHAIRMAN HORN. I was very interested in a comment that Mr. Jones made, and I'd like to ask Mr. Dorsey, his testimony pointed out a concern about the imbalance in the primarily minority schools as to the use of part-time faculty. One problem is just, I think, the use of the part-time faculty in minority schools versus majority schools say, in the San Fernando Valley. Another problem is the affirmative action characteristics of that part-time pool and their assignment versus the affirmative action characteristics of the part-time pool and their assignment in the majority community.

Are you going to elicit evidence when the school officials coming before the Commission as to the breakdown of the application of full-time, part-time faculty by ethnic group in these areas?

MR. DORSEY. We had not originally intended to go into that area. We do now have time to advise them that they will be questioned on that tomorrow.

VICE CHAIRMAN HORN. Yes, please do advise them that they should bring the appropriate data, and we'll leave the record open to file that data. I think I'd like to just see how that looks.

The thrust of your testimony, as I gather it, is that most of the leadership in the commissions that you chair do not favor mandatory pupil transportation, although you are for desegregation, you are for voluntary integration.

One of obvious questions that arises out of the testimony such as that is the experience in other parts of the country and the experience that the Federal courts have had since *Brown v. Topeka* in 1954, that unless the majority community, in this case, the white community, that has most of the resources and makes many of the policymaking decisions, have their children in the schools without regard to race, color, whatever, that there seems to be a deterioration in the quality of those schools.

When have had children on the stand in the other cities we visited, we do not have them on the stand here, but in those that have had court-imposed desegregation plans, it's been amazing on how they described changes that have occurred after court-imposed desegregation. All of a sudden they have textbooks that aren't 20 years old. All of a sudden fences are built, there's green grass on the lawn, there are other extracurricular resources made available. The old school even seems to get a coat of paint now and then.

Now, what I'd like to know is if most of the leadership in your respective ethnic groups takes that stand on voluntary integration, how do they expect to really see an improvement in the quality of the schools throughout the Los Angeles Unified School District? What do you suggest be done?

I know your program suggestions, but, you know, there's a long experience here that things that people can talk and want them, but they don't seem to happen until the whole community realizes that what happens in Watts or East Los Angeles affects what happens 10-20 years down the line in the San Fernando Valley, just to use the local example.

MR. JONES. I think your point is a good one. One of the things that we believe that has been overlooked in talking about integration and all of that is the quality of education that exists throughout the school district. I think everyone assumes that there is quality education in the San Fernando Valley and there is no quality education in the inner city. I would say that probably from my own judgment is that there is only a slight difference in the quality of education that students receive in these various areas.

I think one of the things that we do see happening, though, is that when it comes to items like, well, putting up a fence, things like that, those things to me are not really what provides an education. What we are talking about is the person who is in the classroom; that is, the one-to-one relationship with that child. No one wants to look at what that person is actually presenting to the child, whether or not they are allowing that child the opportunity to explore, to understand his culture and other things, whether that student has an opportunity to

develop to his full potential or whether or not he is existing in a situation where the teacher is primarily a baby-sitter or nursemaid, and he's just being held in a holding pen until some day somebody grants a certificate and he walks out in the street to meet the adult world.

It's true that services in south-central Los Angeles are very poor in terms of the quality of education that children get. I don't think you are going to get it just because students are moved.

What has to happen is that the school district needs to, or should have had, even as part of its present policy or program of integrating, it should have taken some steps of orienting teachers or providing training to teachers, prior to the time that they actually were transferred. I only know of one area right now that has undertaken some kind of program to provide some kind of orientation or work with teachers to sort out or have them to deal with some of the problems that they feel—well, we talk about racism. Nobody wants to talk about racism and institutionalized racism as it exists. We all know it exists, but we don't want to talk about it. It's something that's kept under cover.

We find teachers, and I participate in a number of workshops, where teachers don't want to deal with their real fears of being either in a Chicano school or a black school. The school district hasn't even tried to work with them to even resolve that particular problem that creates a problem in terms of learning.

What I am suggesting is that whether you leave a kid in south central Los Angeles or you send him out to the Valley, somebody is going to have that fear that this kid is going to mug me, he is—steal from me, he can't learn, he shouldn't be listened to, and we have a situation has that is just changed the places, we've first changed the places. Until we deal with the other problem, we won't get any place.

VICE CHAIRMAN HORN. I take it then, Mr. Jones, that you would say, if you had a choice, the emphasis ought to be on the assignment of qualified teachers that can work in a multicultural, multiracial context, rather than the movement of students? Is that the thrust of what you are saying?

MR. JONES. That's what I am saying.

MS. AGUILAR. I'd like to respond to that. I think the issue you make, yes, those schools, those areas that seem to have and do have better facilities than the black area or Chicano area. I think, but as far as education, I think that the only thing that it proves is that white middle class teachers are very capable of teaching white middle class children.

The fact that you're going to move minority children into those areas will not make those teachers any more effective teaching those kids than when they attend schools in their own areas.

VICE CHAIRMAN HORN. Of course, some would argue that the problem is not simply in the schools and now we're talking about an economic problem that cuts across white, black, Mexican American, Asian American, and Indian American. It's in the total community en-

vironment as to the learning resources, the reinforcements that parents provide, so forth. What's your response to that argument?

MS. AGUILAR. We are very much concerned about a student's self-identity and when you move children to an area that they will not fit into to begin with, not only because of color or race, but also because of economic background, there's no way that they can compete with each other, I don't—we're fooling each other if we think that they will. It has or will create a worse identity problem for the minority students.

VICE CHAIRMAN HORN. I think I—

Unless the teachers, as I mentioned before, unless the teachers, the staffs, and the parents are totally sold on this and are very well trained in service.

MR. JONES. If we're talking about the economics of the community, I think one of the things that one has to recognize is that accessibility within different communities to influence the school—you will find in minority areas that minority parents do not have that access that is granted other members of the community.

Every attempt to exert their influence or exercise some influence over what is happening with their children is denied.

There is, there are a number of schools in this school district where parents have organized and sought to influence the programs in the schools where their school advisory councils were disbanded. Police prevented parents from entering the school. These are the kinds of things that I think we overlook in terms of talking about the quality of education.

I can give an example of a school, so-called integrated school, which has a very high percentage of white pupils where the school advisory council is included in making decisions about the curriculum, that they would give French, Spanish, and foreign language to seventh graders; whereas in a minority school, I doubt very seriously whether the school administrator would allow, if the school advisory council or parents in their community wanted to make those kinds of changes, he wouldn't allow them to do it.

I think what we are talking about is the institution's perception of worth of individuals when they make suggestions about what is, what they feel is, within the interests of their particular cultural group. All you have to do is look at the number of things that, I imagine, that both—all four commissions—have recommended to the board and the times in which the board has accepted that advice.

As I stated earlier about lighting in south central Los Angeles for athletic fields, in 1970 that recommendation was made to the board of education. It is yet to be acted upon.

VICE CHAIRMAN HORN. Let me at that point ask Counsel, do we have for the staff and for the record a list of all the recommendations made by these four commissions and the responses of the Board of Education to them?

MR. DORSEY. No, we do not.

VICE CHAIRMAN HORN. I would suggest that at this point in the record we request copies of those recommendations from the commissions, secure the school board's response to them, and insert them at this point in the record as to time, action, so forth. Without objection, it is so ordered.

COMMISSIONER RUIZ. Mr. Howell, with relation to what the Chairman was just saying, so you might not lose Title IV funding, have you prepared a formal paper on that yourself and handed it to our staff, or will you do so, if you have not?

MR. HOWELL. Yes, we will. I am on CACSI, and I have given this input into the various committees that I'm on, the community's concerns about Title IV and the community's concerns about integration.

And you know, the question that the Vice Chairman put to the commissions—you know, we feel that no way with the existing educational system can Indian students get a quality or an equal education.

COMMISSIONER RUIZ. Well, I was making reference to this Title IV that you had in mind.

MR. HOWELL. Yes, sir.

COMMISSIONER RUIZ. I didn't want it to move away from a group by virtue of the fact that it would result in your not procuring certain funds.

Now, with relation to that particular paper, will you submit a position paper on that so that we may make it a part of the record here?

MR. HOWELL. Yes, sir. I said I would but then I was addressing the Vice Chairman's question, which I haven't addressed yet.

COMMISSIONER RUIZ. I am sorry.

MR. HOWELL. Our rationale behind the opinion that an Indian student cannot receive a quality or equal education is because the Indian people of this country are the biggest part of any history for any ethnic race in this country, whether it be black, Chicano, Asian, white, whatever. This has been completely ignored. It has been completely ignored, the Indian contributions to this country.

As far as medicine, 85 percent of the medicine the United States has come from Indians. It completely ignores that, and until the unified school district looks at their books that are being taught in school and sees the lack of Indian input, the lack of Indian contributions, until the publishers start publishing books to be used in the schools that give people a good image of Indians all over the United States and gives Indians themselves a good image of the Indian input to this country.

You talk about Title IV is a good program, but Title IV is for Indians. You know, it's the other non-Indian people that need to learn about Indians. Why should we, we know about Indians I mean, through the Government's plan to assimilate us, a lot of us have lost some of the culture, some of the traditions that we did once have.

So this is good, bring these back, but it is not only Indians that need to learn about Indians, and that's what Title IV is for. It needs to be everybody. And I feel like it's a lack of knowledge on the part of

everybody in the administration, the teachers, the lack of knowledge of Indians, the lack of knowledge of the Indian culture, the Indian ways, the Indian tradition. So until this is taught in the schools, people are still going to be looking at Indians as nonexistent, savages, drunkards, people that live on reservations that don't have anything to do with other people, and until something is done about the form of education and how it is delivered, then the Indian people of this country cannot get a quality or an equal education. And you cannot take a teacher and in 6 weeks with inservice training teach them about Indians. It has to be started now with the children that are going to school, with new books and new curriculum. Then in the future if those children who are students become teachers, then they'll have a positive view of Indians.

So, you know, we have a long ways to go, the Indian community does, you know, possibly 30 or 40 years, before we can expect to get a quality education in this country.

VICE CHAIRMAN HORN. Commissioner Ruiz, do you have any further questions?

COMMISSIONER RUIZ. Yes. I would like to ask Ms. Aguilar as to the concern to maintain and reinforce bilingual education in any plan and the formal position paper which apparently you say you have presented to the Citizens' Advisory Committee. What persons or subcommittee in the Advisory Committee, the Citizens' Advisory Committee, does the Mexican American Education Committee relate to for clearance or for resolution? Do you have that particular subcommittee or that particular person pegged?

MS. AGUILAR. Are you talking about the integration committee, CACSI?

COMMISSIONER RUIZ. Yes. About your position paper.

MS. AGUILAR. Yes. We have a body within that to deal with Chicanos.

COMMISSIONER RUIZ. Yes.

MS. AGUILAR. Bilingual? Yes. We have just this past week organized ourselves into such a body, yes, within CACSI.

COMMISSIONER RUIZ. You're not organized within the advisory committee, are you, the Citizens' Advisory Committee?

MS. AGUILAR. We are starting an organization, it has not been approved yet, to deal with this, yes.

COMMISSIONER RUIZ. Do I understand you to say that the Citizens' Advisory Committee's next step will be to accept you as a subcommittee of some sort?

MS. AGUILAR. Yes.

COMMISSIONER RUIZ. And that is pending?

MS. AGUILAR. Yes.

COMMISSIONER RUIZ. Now, one of the reasons, basic reasons, why this United States Civil Rights Commission has been successful in its field has been because of its ability in public hearings of this type to

get statistics on specific items at the right time and in the right place, and that is what we're attempting to do at this time.

Now do your papers, for example, show and set forth the statistics that there are 350 available bilingual educational teachers and that only 50 are being hired?

MS. AGUILAR. Yes, we do. In fact, it's part of the package.

COMMISSIONER RUIZ. Pardon?

MS. AGUILAR. It's part of the material that I submitted, yes.

COMMISSIONER RUIZ. And you also have statistics there with respect to Areas 2 and 8, 99 percent Mexican American students and no Mexican Americans on staff?

MS. AGUILAR. It's part of the documents, yes.

COMMISSIONER RUIZ. Very well. Thank you. That is what I wanted to clarify.

VICE CHAIRMAN HORN. Mr. Saltzman, do you have any questions?

COMMISSIONER SALTZMAN. No questions.

MR. TRIAS. Mr. Chairman?

VICE CHAIRMAN HORN. Yes, Mr. Trias.

MR. TRIAS. Relative to that, I don't think the problem is strictly Chicano or Mexican American or Spanish. We have a great deal of bilingual problems and I do hope that, in relating to that, that whoever does make a plan on bilingual consideration for this integration will consider the Asian American. We have a great problem, as you know, with the Vietnamese coming in, like 60,000 or 70,000 children as a result of the Federal Government's—whatever you call that fiasco.

At this point, also, we have the Koreans, you know. They have a tremendous problem even in the commissions. When we do have a meeting, at times we do have to have an interpreter, so you can imagine those children and the parents. I don't think the Asians in general, especially the newcomers, understand integration. They have never faced that problem in the country where they came from.

Another thing, I'd like our position to be taken. A lot of this, as you know, we have five or six groups now, even further. Look at the history books, talking about curriculum and education; I think we're entitled, in this integration or any other situation in education, to be heard, and at least, if we are to be understood culturally speaking, just look at the history book, what you have outside of the Japanese being in the concentration camp, and this sort of thing. We have to have part of that, to include what are the Japanese, the Chinese.

Looking at the Chicanos, if using that for lack of a better term, perhaps, the Spanish and the black—tremendous amount of materials in education. None for the Asians.

COMMISSIONER RUIZ. Now, the question that I asked Ms. Aguilar likewise can be asked of you. It was not done for any emphasis, but the bilingual problem is the same, and I will inquire of you also with relation to your particular commission and group of people, if you are attuning and cueing in and are having representation on the Citizens'

Committee, and if you are not, you should, and the answers given by Ms. Aguilar, I imagine, would likewise apply to your group?

MR. TRIAS. Yes, we are represented. In fact, I'm the representative, and I sit there and watch as things go along, and pretty much the situation is we do agree that we need certain curriculum, bilingual education, maybe it should be a multicultural. I think that's eventually what's going to happen,

Commissioner, the problem is that we felt that even our commission finally, after having all sorts of programs and curriculum for the Chicanos and the black, if we finally got something like \$50,000, just for a small spot or spectrum of curriculum input into the community for the Asians and Asian Pacifics. And we feel that in the integration processes we want this understood and heard, that we're not going to be left out. It seems to me that we have been—well, it's again a stereotyping—very passive in the past. We no longer want to do that.

VICE CHAIRMAN HORN. Thank you very much. I think the Commission in its testimony throughout the country, as well as these exhibits and this testimony, have a fairly clear picture of the bilingual needs and multilingual needs of the American school system, and following up on the *Lau v. Nichols* decision. On behalf of my colleagues, I'd like to thank each of you for the testimony that you given us today and the evidence you have submitted for the record. I found it very informative, and we appreciate you taking the time to join with us. Thank you very much.

MR. HOWELL. I would like to make one more statement. Since the chief of police and the sheriff got to protest, I would like to protest at this time. One protest is that three of your Commissioners did not think that our input was important enough to sit here and listen to us and ask questions. Also—

VICE CHAIRMAN HORN. Can I answer that, if I might, right now? Mr. Howell. Well, sir—The Chairman had a long-standing commitment to address town hall in terms of desegregation of the public schools, and unfortunately we lagged behind a little bit due to the law enforcement testimony. But I can assure you they will read the transcript in full, and they're very sorry they could not be here.

COMMISSIONER RUIZ. I have a further answer. We started at 9 o'clock in the morning and we don't take a break for lunch, so we have to stagger out because we stay here until 5 o'clock, and each Commissioner has to eat during the course of the day, and that's another reason.

MR. HOWELL. May I finish without interruption, please?

VICE CHAIRMAN HORN. I beg your pardon. You may make your next statement.

MR. HOWELL. Yes sir. Thank you. You know I feel the same way. I have been here a long time, and you know I work in the community, and I don't have certain hours. But one thing is also, when the police department was here, there was people here and asking questions, and

so they must be more important than the Indian commission. Also, the TV cameras, I mean, that's a good show, there were six TV cameras here going all the time when the police and sheriff's department was here, and there is none here on the education commission.

I also take issue with the fact that on your community, minority community panel concerned with cultural identification, you have no Indians, and I think Indians in this country have just as big, if not more of a concern about cultural identity. And also, the fact that your staff interviewed four Indians and numerous, I think the estimate was 75 Asians in this community, and only four Indians in this community. And since you people were nice enough to involve us in your hearings, you know I think it's an insult to the Indian community that you did not go further and interview more people, and, interview more community people and get their concerns in this.

Thank you.

VICE CHAIRMAN HORN. Let me just say, Mr. Howell, before you leave, since it gives me an opportunity to announce a usual procedure of the Commission, that at the end of our formal witnesses who have been subpoenaed, tomorrow we have an open session scheduled here at 2 o'clock until approximately 6 o'clock where any individual in the community can talk to our staff and sign up for submitting a 5-minute oral statement followed by any written comments they would like to make.

So if you have other individuals you feel the members of the staff or this Commission should have heard, I hope you'll tell them to take advantage of that opportunity.

Thank you, again, very very much.

COMMISSIONER SALTZMAN. Mr. Chairman I just would like to express to Mr. Howell, if I may, my personal apology for not being present when he offered his testimony. You can be sure, however, that I will read your testimony carefully.

VICE CHAIRMAN HORN. Thank you very much. Counsel will call the next panel.

MR. DORSEY. Mr. Vice Chairman, if I may before they leave. I want to make one clarification. Mr. Trias? If I may? It's my understanding at this point that each of you will make available to us a list of the recommendations made to the school board and the date they were made and the responses given to these recommendations so that we may then analyze them in respect to the school board's information, is that correct? Thank you very much.

VICE CHAIRMAN HORN. That is correct. Thank you. Counsel will call the next panel.

MR. WILMOT. Reverend Edgar Edwards, Mrs. Helen Teate, Mrs. Bobbi Fiedler, Miss Jackie Goldberg.

VICE CHAIRMAN HORN. If you'll remain standing, please, and raise your right hand.

[Reverend Edgar Edwards, Roberta Fiedler, Jackie Goldberg, and Helen Teate were sworn.]

TESTIMONY OF REVEREND EDGAR EDWARDS, COALITION FOR EXCELLENT SCHOOLS THROUGH INTEGRATION; ROBERTA FIEDLER, BUS STOP AND MEMBER OF THE CITIZENS' ADVISORY COMMITTEE FOR STUDENT INTEGRATION; JACKIE GOLDBERG, INTEGRATION PROJECT; HELEN TEATE, COMMITTEE UNITED FOR EQUAL AND QUALITY EDUCATION

VICE CHAIRMAN HORN. Please be seated. Counsel?

COMMISSIONER SALTZMAN. Mr. Chairman, could I ask you—

VICE CHAIRMAN HORN. Commissioner Saltzman?

COMMISSIONER SALTZMAN. —the marshals be instructed to please maintain order in the audience?

VICE CHAIRMAN HORN. We've asked the audience—I hear off and on some rumbling as people get up and leave. If you have a conversation, please carry it on in the hall, not in the hearing room. Counsel, proceed.

MR. WILMOT. Starting with Miss Goldberg, would you please state your name, address, occupation, and the organization, educational organization with which you are affiliated?

MS. GOLDBERG. My name is Jackie Goldberg, I live at 1629 North Kenmore Avenue, Los Angeles. I'm 32 years old—I have forgotten the rest of the things you wanted me to say.

MR. WILMOT. The organizational, the education organization with which you are affiliated, which you are asked to speak as spokesperson.

MS. GOLDBERG. I'm the spokesperson for the integration project.

MR. WILMOT. Ms. Fiedler.

MS. FIEDLER. Yes, I am Bobbi Fiedler; I live at 16540 Oldham Street in Encino. I represent Bus Stop and also am a member of the Citizens' Advisory Committee on Student Integration as appointed by Richard Ferraro.

MR. WILMOT. Would the record show that there is a person with Ms. Fiedler. Would you please identify yourself?

MR. BARTMAN: My name is Thomas F. Bartman and I am Ms. Fiedler's counsel.

MR. WILMOT. Ms. Teate?

MS. TEATE. My name is Helen Teate, and I live at 1964 E. 114th St., Watts, California. I am a homemaker. I have seven children in the unified school district. And I am with the Committee United for Equal and Quality Education.

MR. WILMOT. Reverend Edwards?

REV. EDWARDS. I'm Edgar R. Edwards, pastor in Emmanuel United Church of Christ and I am chairperson of the Coalition for Excellent Schools through Integration.

MR. WILMOT. Starting with Ms. Goldberg, would you please tell us the purpose and the goals of your organization and tell us why it was formed?

MS. GOLDBERG. We began in May of this year. We are mostly teachers—in the Los Angeles—

VICE CHAIRMAN HORN. Could we move the microphone next to Ms. Goldberg? Just pass it down. We have a little problem with the Commissioners' hearing. Thank you.

MS. GOLDBERG. We are mostly teachers in the Los Angeles City Schools, although we have an increasing number of parents in our organization.

We began with a 6-week study to find out what was happening and what role we might take. Our goals and aims are really quite a variety of things.

First and foremost, we support and want to do all that we can to support quality integrated education and that can be achieved in our opinion by whatever means seems reasonable and feasible, not excluding busing.

Secondly, we feel that it's an important thing for a group like ours to push a plan or to push for a plan that recognizes the special needs of minority students in the Los Angeles Schools, particularly with respect to bilingual-bicultural education and with the needs to have two-way busing so as not to provide a drain of talented minority students to white schools and leaving the minority schools otherwise unaffected.

Third, we support an integration plan that not only integrates schools by race and ethnic group, but also across socioeconomic lines.

Our experience as teachers and parents has shown us that the income issue is as vital a one as is racial and ethnic groups in terms of a plan that would improve the academic standings of students in all of the schools so integrated.

Fourth, we are a group to pressure for seeing that this integration or desegregation order as a time and a place to press for general upgrading in the education in the Los Angeles city schools.

Fifth, we want to particularly emphasize our view that it is the time now and not next year to begin now for preparation in staff development and community and student preparation so that this transition will be easy and which follows all of the aims that I've mentioned so far.

And, finally, we hope to be a resource to other teachers, other parents, other individuals in the community to help them understand what is fact and what is fiction and how they can best let their needs and their desires be known to the school board.

MR. WILMOT. Thank you very much. Mrs. Teate, would you respond to the question, please?

MS. TEATE. What was the question?

MR. WILMOT. Your purpose and goals for your organization and why it was formed.

MS. TEATE. We formed sometime in the late, early part of '76. The reason we formed was around the decision and the unequal financing in our schools. So we felt that a group of PTA people could get together in the community and see what we could do to bring our schools up to equal par.

We have had two mass meetings, both was in Watts at Markham Junior High. We had one workshop on busing and integration. One of our mass meetings was around integration and bilingual education.

We are trying to motivate parents to be more aware of what's going on in the integration plan, and we support busing to achieve integration.

MR. WILMOT. Thank you. Ms. Fiedler, would you please answer the question, please?

MS. FIEDLER. Yes. We were formed back in late March of this year after Kathleen Brown Rice's motion passed the board of education and where the possibility within the Los Angeles Unified School District became evident that mandatory busing might be a part of an integration which was planned at that time, not around a court order as we are dealing with now.

Bus Stop is an organization which supports integration on a voluntary basis, but opposes integration by force. We support voluntary teacher and student integration and the use of the democratic process to implement our position.

We oppose any and all forms of violence and choose to work only within the democratic process. One of our goals is to see that the board of education adopt a plan of integration that is voluntarily in nature. In light of that, we have submitted to the board of education a series of concepts which we feel are viable in terms of integration in the city of Los Angeles.

Additionally, we'd like to see that the community has an opportunity to be informed. As a member of the Citizens' Advisory Commission on Student Integration, I have the opportunity to get very up to the last minute information, share it with the community, and urge them to become actively involved in the decisionmaking process that will affect their children in this particular issue.

MR. WILMOT. Reverend Edwards?

REV. EDWARDS. At the time that no other group could be found focusing on school integration, the Coalition for Excellent Schools Through Integration was organized in October of 1975 to prevent the kind of violence that then was erupting in Boston, Massachusetts, over school desegregation and to protest the Holt Amendment. The Holt Amendment was Federal legislation then pending which threatened the future of school desegregation.

The Coalition for Excellent Schools Through Integration has taken a purpose as follows: Number one, we are a coalition of organizations and persons committed to act together for integrated heterogeneous education as the best means to achieve equal and quality education for each child in every school, and to encourage the full development of children and teachers.

Number two, we affirm the constitutional and moral reality that separate educational facilities are inherently unequal, quotation, and damage both majority and minority children.

Number three, we seek the removal of every form of segregation, racism, and discrimination from every facet of public education.

Number four, we support affirmative action programs to achieve equal and quality education.

MR. WILMOT. Thank you, Reverend Edwards.

At this time I'd like to submit into the record all of the position papers that the respective organizations have on the issue of school desegregation, school integration. If there's no objection.

VICE CHAIRMAN HORN. Without objection, those documents will be inserted at this point in the record.

MR. WILMOT. Okay. The next question to Ms. Goldberg and Ms. Fiedler, you've had some comments and suggestions that you have made known about the role the Citizens' Advisory Committee on Student Integration has played in the development of the plan for school desegregation.

What are your comments and suggestions on the role that CACSI has played in developing a plan? What problems do you see with this organization?

MS. GOLDBERG. I guess I'll start. Our problems from the integration project's point of view with CACSI are numerous, but not the least important of which is what we feel that their role, their existence, represents in terms of the board of education.

By that, let me say that the court case which led to the desegregation order began in 1963, and it is our view that in those 13 years the board of education of the L.A. city has indicated repeatedly by its nonactivity, in our opinion, very bad faith. So much so even in the *Crawford* decision itself, the court repeatedly stated in its conclusion, and I'm quoting here, "That in the instant case both the plaintiffs and the trial court proceeded slowly with this litigation looking continually for signs that the local School Board would acknowledge its obligation to come forth with some reasonable plan for attempting to alleviate the harmful consequences of this segregated education in this district. Such movement was not forthcoming, however, for the school board held resolutely to its contention that it had no obligation to take affirmative corrective action in this field."

Our problem is really not with CACSI, because we think that they are a variety of people trying to do a very difficult task. But our problem is with the board that had a summer planning team on integration in 1967, 9 years ago, a report of which I have submitted through Counsel to your group, that was never implemented.

They, the board, paid for and already had one study done, nothing happened with that.

Our fear is that no matter what CACSI comes up with, that the board's inactivity, the board's constant attempts to prevent any kind of process of desegregation or integration, is in extremely bad faith, and our fear is that CACSI may have been put forth just as simply a way of taking the heat and pressure off the board of education itself.

MR. WILMOT. Ms. Fiedler?

MS. FIEDLER. I would like to accept the last speaker's statement totally and completely, even though I happen to be a member of that particular committee. I do believe that this is what has become a vehicle for the board of education to adopt or implement any particular plan without feeling they will have to take the responsibility for it.

There are a number of things that I see as serious problems within the committee. The first one being that there was no major committee on education. Certainly in an integration plan that deals with an educational system, there should have been an obligation on the part of the chairperson and the board of education to see that that be a prime component of any committee on integration. As a result of that, we are severely lacking in professional assistance.

Only at our very last meeting did we finally get a principal or teacher onto the Citizens' Advisory Committee. Although I have personally asked many, many times that these professionals be made available to the committee as we are all lay people. There are no sociologists, psychologists, people who deal in race relationships, professionals who could have been of immeasurable assistance in trying to put an integration plan for this city.

Also, there is an inadequate representation of the overall community, in my opinion. This committee merely is a complete repetition of the position of the board of education, and consequently does not represent the majority position of the community on the issue of integration.

Whether you look at it from a pro-mandatory method of integration or a voluntary method of integration, just simply look at the makeup of the committee as a whole even from a racial balance position, this committee is not representative from any position, as far as I am concerned, of the position of the community—of the whole of Los Angeles.

I think that she, Jackie, spoke very eloquently to the position of the committee regarding its political nature, and I think it's very important that the Commission recognizes the buck passing that has taken place by the board of education by the use of the committee put together in the form that it has been.

MR. WILMOT. Mrs. Teate, do you have any comments or suggestions on the role that CACSI has been playing in preparing a plan for school desegregation?

MS. TEATE. I have one comment I would like—I would like to see a voluntary basis, on a two-way basis. That's the only one I have. I'd like to see it be two ways. I'd like to see the plan come up that way—with the CACSI, that they want to present to the board of education.

MR. WILMOT. Reverend Edwards?

REV. EDWARDS. I haven't heard of what they're doing, so I don't know very much about it. I have been asked to serve, but that's as far as it's gone. I never sat with anyone, so I really don't know what's happening, but I would like to know what is happening.

MR. WILMOT. At this time, Mr. Chairman, we have no further questions; however, we would like to inform the panel members that we do have a Xeroxing facility if you need to Xerox any of your position papers.

Thank you.

VICE CHAIRMAN HORN. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Ms. Fiedler, may I ask you what your position is on the response by the community to a plan that is mandated by duly constituted legal authority, the court or the school board?

MS. FIEDLER. My personal response?

COMMISSIONER SALTZMAN. No. What do you think is the responsibility of the community in general all across the board?

MS. FIEDLER. To act within the law at all times.

COMMISSIONER SALTZMAN. What specific efforts would you either endorse or oppose in bringing to bear the views of your specific organization on the decisions of legally constituted authority?

MS. FIEDLER. What views—what? Would you please rephrase that?

COMMISSIONER SALTZMAN. What specific efforts, techniques, would you either endorse or oppose in bringing to bear the point of view you have?

MS. FIEDLER. All legal means that are open to us in terms of following due process, letter writing, telephone calls, legislation, constitutional amendment—if that were an ultimate goal—anything that is within the law and within our democratic process.

COMMISSIONER SALTZMAN. Do you approve of the principle involved in school desegregation?

MS. FIEDLER. I certainly do. I totally support the integration of the schools.

COMMISSIONER SALTZMAN. Has there been a dialogue between your group and your leadership with the other groups here represented, since I assume that all of these groups are pro-integration of the schools? Has there been an effort of communication and resolution of the differences within the community of these various organizations?

MS. FIEDLER. We've not had any formal dialogue with the organizations that I've been exposed to just this afternoon. However, as a member of the committee, I have had the opportunity to have dialogue with various members of a number of the organizations.

COMMISSIONER SALTZMAN. Do you think a dialogue might be helpful between yourself and Ms. Goldberg, Reverend Edwards, other representatives of the community agencies in coming to grips with your respective viewpoints?

MS. FIEDLER. I believe that communication is always a tool to be used to better understanding at anytime, and would certainly be available at any time to have an open dialogue with anyone who might be interested.

COMMISSIONER SALTZMAN. Ms. Goldberg, would you advocate that kind of a dialogue?

MS. GOLDBERG. I certainly wouldn't oppose it, but I frankly don't think it would affect much results.

COMMISSIONER SALTZMAN. You mean you are judging a priori that—

MS. GOLDBERG. Well, I have attended a number of Bus Stop meetings, and I have read some of their literature and seen some of their petitions, and I have—as a result of one of which, by the way, my phone number being on one of our pieces of literature, at the end of the meeting I was harassed as well as received some terrible phone calls, and had my phone number taken off of the literature. I don't hold Ms. Fiedler responsible for what people do at the meetings. I'm simply saying that I do feel though there is a great deal of differences between saying that voluntary is the only useful way of doing it and saying that the moral and political and social value and educational value of integrating these schools in this city now is important enough to be beyond voluntary measures should they be necessary.

COMMISSIONER SALTZMAN. Mrs. Fiedler—Miss—I'm sorry—Ms.—

MS. FIEDLER. Mrs. is right.

COMMISSIONER SALTZMAN. Mrs. Fiedler, are you aware of any voluntary efforts for desegregation in communities other than Los Angeles that have succeeded in bringing the desegregation and affecting the desegregation of schools?

MS. FIEDLER. There are a number of methods that are voluntary in nature that have been effective. Dallas, Texas, certainly has used a number of those methods; Pasadena is now using a number of those methods.

COMMISSIONER SALTZMAN. But haven't they all involved pupil transportation?

MS. FIEDLER. Pupil transportation is a completely acceptable means by which to achieve integration, in my opinion, as long as its voluntary in nature.

COMMISSIONER SALTZMAN. I see.

Reverend Edwards, what is your evaluation of the quality of the schools that are majority black schools in the community?

REV. EDWARDS. Education in the school system of Los Angeles right now is extremely poor. I pastor a church, and I have a number of young people. I have some young people who are members of this church that I pastor who are high school graduates and who are attempting to go to a junior college who are unable to read. They read extremely haltingly.

I think the total responsibility of our school system is to educate our children because of the racist society in which we live. I think it's absolutely necessary that my black child go to school with your white child because we are a racist society. Because we do not give to our black schools the same things we give to our white schools where our children go to school we will take care to see to it that they get the best possible.

Now, earlier testimony given here spoke about the fact that some schools, once they became integrated, found paint, found books, adequate books and modern books. I know of a school that became integrated and found windows that were not cracked and broken. All of these things are, go to say that we are what we are, and it is extremely necessary, in my opinion, for us to integrate our education so that my black child can have an equal chance in this United States of ours.

I'd like to quote here. Supreme Court Justice Thurgood Marshall has said, and I quote it, "Unless our children begin to learn together, there is little hope that our people will ever learn to live together," and in that sense it's extremely necessary for us to improve the type of education that we have for our children, and we will not improve it unless all of our children are exposed to the same thing, teacherwise, buildingwise, equipmentwise, and all the rest, and it goes from top to the bottom.

COMMISSIONER SALTZMAN. Mrs. Teate, I see we come from the same place.

MS. TEATE. Where?

COMMISSIONER SALTZMAN. Brooklyn.

MS. TEATE. Yes.

COMMISSIONER SALTZMAN. Brooklyn, New York. Our origins.

MS. TEATE. I was going to say Watts, California.

COMMISSIONER SALTZMAN. Very good. No, I come from Brooklyn, and I believe that you submitted evidence to our staff that you come from Brooklyn, also.

MS. TEATE. Right.

COMMISSIONER SALTZMAN. In Brooklyn, in your childhood, did you have an experience with desegregated education?

MS. TEATE. Well, no, you see, when I came to Brooklyn, I was in the ninth grade already, but I started at an all-black school in West Virginia, but we came up in Brooklyn.

COMMISSIONER SALTZMAN. Did you have ever an experience with desegregated education in the course of your educational experience?

MS. TEATE. No, I haven't because—

COMMISSIONER SALTZMAN. Do you think your education suffered by reason of the absence of being able to be involved in integrated educational experiences?

MS. TEATE. Not my education, but I do believe education do suffer.

COMMISSIONER SALTZMAN. Education in general? Anyone?

MS. TEATE. Do suffer because of not being involved in equal education.

COMMISSIONER SALTZMAN. Do you think a white person suffers by the absence of people who are different than he or she in their schooling experience?

MS. TEATE. No, I really don't think that. They unite in believing, in getting a good education together. I really don't believe that a white person suffers. I have—

COMMISSIONER SALTZMAN. You mean their education is complete even though they have no contact with people different than themselves?

MS. TEATE. No, I don't believe it's complete if they don't have any contact with black people or any other minority group of people.

COMMISSIONER SALTZMAN. Mrs. Fiedler, would you respond to that question?

MS. FIEDLER. I think that as long as people come together in a positive kind of atmosphere, they have an opportunity to learn from one another, whether or not it's because they are different racially, culturally, intelligently, or any other possible way, so I see education as an ongoing process through life, and all of your experiences, all these people you are exposed to provide a broader base for you to make your decisions and deal in your life with, so it's always a positive experience.

COMMISSIONER SALTZMAN. I just want to make sure I understand. You are saying that there is a positive, a definite positive educational benefit to a school system that provides experience for children with children of other racial, religious—

MS. FIEDLER. That is, multicultural in nature, yes.

COMMISSIONER SALTZMAN. Thank you. No further questions, Mr. Chairman.

VICE CHAIRMAN HORN. Commissioner Ruiz?

COMMISSIONER RUIZ. Busing has only been used as one tool. In all of the cases that I have read, and that's been a great many of them, the courts have stated that after all means to achieve desegregation have failed, only in those events have our courts resorted to busing.

Roberta Fiedler, would you oppose court-ordered busing in those cases where voluntary busing would not achieve desegregation and integration?

MS. FIEDLER. I will always choose to act within the law and will never oppose anything ordered by the courts.

COMMISSIONER RUIZ. Thank you.

VICE CHAIRMAN HORN. Mr. Buggs?

MR. BUGGS. No questions.

VICE CHAIRMAN HORN. Thank you very much. We appreciated having you join with us and sharing your views on these very important problems. Thank you each for coming.

REV. EDWARDS. Just Before we close, I'd like to say, in all of the meeting and experiences that I have had, it seems that school integration has worked in all of the places where the school administrators and the elected officials have cooperated to make it work, and the only places that it doesn't work is where the administrators and the elected officials do not want it to work because they will not work with it, and yet the greatest amount of publicity is given to those relatively few areas where violence erupts because of the fact that there is not that cooperation, and where the leadership refuses to go by the law or to obey the law, then the followership does not do that.

VICE CHAIRMAN HORN. Well, Reverend Edwards, this Commission would unanimously agree with that statement. That's been our findings after having hundreds of witnesses', under subpoena, testimony before this Commission—in Boston, Denver, Tampa, Louisville, Corpus Christi, plus a wide range of open hearings and other field studies. There's no question if the leadership, namely a school board, a school administration, do not want something to work, it's likely not to work. If they want it to work, it will work, and of course, as you've heard many times, the children—we haven't got children here before us, because we aren't under a court-ordered plan, but in those cities where we have had students testify, they have said: If our parents would only leave us alone, this would work. And our conclusion is—and you might have heard the media panel this morning—we've had a media panel in each city—that generally, in most of the schools, in most of the cities we visited, desegregation has worked, quality has continued or improved. And, unfortunately, the evening video and the morning and evening print seem to concentrate on those aspects where somebody's throwing a rock at each other, but that is not the overall tenor of the desegregation, even in Boston, Massachusetts.

Thank you very much for coming.

Counsel will call the next witness.

MR. WILMOT. The next witnesses are Jill Barad, Carol Plotkin, Reverend Garnett Henning, Betty Lindsay, and Phyllis Shields.

VICE CHAIRMAN HORN. If the witnesses will stand and raise their right hand, please.

[Jill Barad, Carol Plotkin, Rev. Garnett Henning, Betty Lindsay, Phyllis Shields were sworn]

TESTIMONY OF JILL BARAD, VALLEY STEERING COMMITTEE ON STUDENT INTEGRATION; CAROL PLOTKIN, POSITIVE LEADERSHIP TO UPGRADE SCHOOLS; REV. GARNETT HENNING, COMMUNITY TASK FORCE FOR BETTER EDUCATION; BETTY LINDSAY, 31ST DISTRICT PARENT TEACHER ASSOCIATION; PHYLLIS SHIELDS, 10TH DISTRICT PARENT TEACHER ASSOCIATION

VICE CHAIRMAN HORN. Please be seated.

Counsel?

MR. BACA. Thank you, Mr. Chairman. Could you please—could we have quiet, please?

VICE CHAIRMAN HORN. Will you take the conversations to the hall, please?

MR. BACA. Beginning with Ms. Lindsay, could you give your name and organization for the record, please?

MS. LINDSAY. My name is Betty Lindsay, and I'm president of the 31st District PTA, which encompasses the San Fernando Valley.

MR. BACA. Thank you.

MS. SHIELD. I'm Phyllis Shields, president of the 10th District PTA, which covers the other part of Los Angeles Unified School District other than the San Fernando Valley.

MR. BACA. Thank you. Ms. Plotkin.

MS. PLOTKIN. I'm Carol Plotkin. I represent an organization called Plus, Positive Leadership to Upgrade Schools. We are based in the San Fernando Valley and in West Los Angeles.

REV. HENNING. I am Garnett Henning, and I am the chairperson of the Community Task Force for Better Education. Do you need more information than that?

MR. BACA. Thank you. Ms. Barad.

MS. BARAD. Yes, I'm Jill Barad, and I represent the Valley Steering Committee on Student Integration. It's a Valley organization consisting of individuals who belong to recognized community organizations that have a similar focus.

MR. BACA. Beginning with you, could you tell us something of how your organization, how your educated-related organization came into existence?

MS. BARAD. The Valley Steering Committee actually started as a task force of the mayor's education committee which I chair. We began February of 1976. One of the things that we did was to coordinate a symposium, and I believe that you have in your files our brochure, that I would like to have that entered into the record, if I may.

MR. BACA. Thank you. May we have another copy at this time to be sure?

VICE CHAIRMAN HORN. Without objection, that will be entered into the record at this point.

MS. BARAD. After that symposium, this group of people got together to evaluate it and decided they would stay together, that we felt that there should be a moderating influence on the community in the Valley. We decided not to solicit media coverage. We would work in the interest of enabling organizations to come together. And we feel that the process of school desegregation is significantly affected by the support or the opposition it receives from local community leadership, and to that end, we decided to kind of spin off from the mayor's committee and called ourselves the Valley Steering Committee on Student Integration.

MR. BACA. Has your organization, besides taking a position, made that position public in a press conference or any other type similar setting?

MS. BARAD. No. That is what we are doing now. We have a position statement which I would also like to have entered into the record.

VICE CHAIRMAN HORN. Without objection, it will be entered into the record at this point.

MS. BARAD. Would you like a copy of that?

MR. BACA. Is it fairly brief?

MS. BARAD. It's about five paragraphs; however, we are planning a press conference to make that position statement known.

Basically, what the position statement does is say that we will do everything in our power to obey the court order and work for educational reform in Los Angeles. We are presently getting endorsements from community organizations, elected officials, and the business community. Within the next 2 weeks we hope to have that press conference and make that position statement known.

MR. BACA. Thank you. Reverend Henning, could you tell us something about how the task force came into existence?

REV. HENNING. Yes. The Community Task Force for Better Education came into existence at the time the board of education was considering a replacement for one of the board members who had passed. A number of persons in the black community, particularly, felt it was important, knowing and realizing that in a very few months court-mandated desegregation might become a very viable issue in our community, plus, we were deeply concerned simply about the quality of the person who would fill that position.

This task force embraces more than 40 organizations and individuals, primarily organizations in this community. We did come together, we worked for the selection of an individual on the board. Much to our regret, the person whom we worked for turned out to be the individual who made a motion, a precipitous motion, in our opinion, to have no mandatory busing. And, of course, that became a part of our agenda because we vigorously opposed the passing of that motion, and subsequently, the motion was rescinded.

We continued our efforts, expanding our concerns to the total educational effort in the Los Angeles School District.

We have concern for, number one, a total integration effort, meaning that we are uncomfortable with any fragmented effort towards integration, such as teacher integration or staff integration or student integration alone. We feel that those three areas, along with affirmative action, are all vital to any viable integration or desegregation program.

We also are engaged in the process of informing our constituency and working together with all other groups. We do participate in CACSI and we work with a number of other minority groups in terms of just good communications and trying to develop a healthy attitude and participate in the whole educational process.

MR. BACA. Thank you. Ms. Plotkin, can you tell us something about PLUS?

MS. PLOTKIN. Yes. PLUS started about the fall of this year. Basically, we're a group of parents, although we do have membership of the clergy, because we saw our friends and our neighbors, in the San Fernando Valley basically, in the beginning being frightened by the unknown, being frightened by misinformation, by the lack of information that we saw not coming down from the leaderships of groups like the advisory councils and PTAs, through CACSI, through the board of

education, through the media. In general people didn't understand that it was a court order, mandated-type situation. They felt that they could, if they got rid of one person on the board, that we could get rid of the court order, or the misinformation which just was rampant through the Valley. People were running to the private schools. My most calm friends were becoming hysterical, signing up, regardless of the cost, to a private school that wasn't necessarily any good. It was just a very anxious time, and a group got together and said there has just got to be a better way. We felt that we had to have peace in the community. We needed some leadership in the community to come up—

We've got a terrible political climate coming up. We realize that. We hope that the politicians would not use this as an issue. We felt that there was a need for a grass roots organization to come up to educate each other, to have dialogues with one another, to let other people know that there were people in the San Fernando Valley and throughout the city that weren't hysterical, that were willing to work within the court order.

We certainly have legitimate concerns. We're parents, we're concerned people, but we do support the public school system, and we feel that we can work within the system through the court order, hopefully with the board of education, to create it, and take this as an opportunity to create a better system, a better public education system than we have right now.

MR. BACA. Thank you.

MS. PLOTKIN. Excuse me. I just wanted to add one thing.

We got together after some weeks of discussion and we wrote some goals that we were going to look towards, and I'd like that entered into the record, please.

MR. BACA. Thank you very much.

MR. BACA. Mr. Chairman, can we have that entered into the record, please?

VICE CHAIRMAN HORN. Well, without objection, it will be entered at this point in the record.

COMMISSIONER RUIZ. Were those the goals you were talking about?

MS. PLOTKIN. Yes.

COMMISSIONER RUIZ. Thank you.

MS. PLOTKIN. Thank you.

MR. BACA. Ms. Lindsey, and then Ms. Shields, please could you tell us something about the past involvement of your organizations, your parent-teacher organizations, in the school integration process and your groups' future plans, particularly in regard to supporting CACSI.

MS. LINDSEY. Right after the start of the first of the year, the 31st District PTA established an integration study committee. From that districtwide study committee, we have four council study committees which correspond to the Administrative Areas I, J, K, and L of the Los Angeles Unified School District. Each of these were encouraged to

establish local school integration study committees, which would feed into their council and then into the district.

Within the 31st District we have six members serving on the Citizens' Advisory Committee on Student Integration. We feel that our main role is one of communication, of providing information. We have been holding informational meetings in each of our four councils explaining the court order. I believe this was probably our biggest problem to begin with, and still is for those we have not reached, is being able to explain to them the *Crawford* decision and the fact that we are under a court order, and then we can proceed from there, with presenting some positive efforts towards desegregating our school system.

On October 27, our 31st District executive board adopted an interim draft position statement on integration which we sent out to all 18 local PTAs. From those replies that we received on the draft position statement, we adopted a final position statement which you have in your hands, and that was adopted on December 1. And it basically says that we believe that all possible voluntary programs of integration should be started first with the phase-in of the program and that PTA criteria for evaluating a plan of integration must include the academic advantages to the safety, emotional and physical health, and social well-being of all the children of the district, and we're working very positively towards anything we can do to achieve a peaceful and harmonious integration plan within our school district.

MR. BACA. Thank you. Ms. Shields, please?

MS. SHIELDS. Yes. Early in the year we too established a student or an integration committee in our own district, and have six members of our district as members of the CACSI committee. We do have, and have provided, guidelines for studies in our councils. We have 22 councils in our district, and we have provided and initiated studies in those councils with the input feeding into the district committee.

We have a very diversified district. We have a multicultural, a multiethnic district with many different concerns. Our students are—some of our areas are integrated, and in some other areas they are not in our district. Our prime concern is for our students. One of our recommendations to the CACSI committee was to try to involve students more. We did write to Dr. Loveland, the chairman of that committee, suggesting that they hold assemblies and other special meetings in the school district, utilizing the students who are on the CACSI committee and involving the students themselves, since they will be the ones that will be primarily involved in any integration plan.

This, as to our knowledge, has not been done. But we felt that it was a very worthwhile suggestion to involve more students.

MR. BACA. Okay, Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. I'd like to ask Mrs. Lindsay a question. You're very active in the leadership of the PTA, and as such you see what goes on inside the schools. You have an opportunity to listen to a lot of people in the community. What's your impression of the media coverage in your area or in the Los Angeles County area, generally, in terms of this evolving desegregation of the public schools?

MS. LINDSEY. I would hope it would be more positive than it has been, particularly in the Valley. I believe it has been better recently than it was to begin with.

It seems that they will take the slightest little incident and blow it up all out of proportion, and when we try to present factual information, we're counteracted by misinformation.

VICE CHAIRMAN HORN. Any other members of the panel care to add or subtract to that statement?

Ms. Plotkin?

MS. PLOTKIN. I stated in the beginning that that was one of the reasons that PLUS started. We have a law. It's kind of like the 55-mile-zone, you know, when it was placed into effect, the media came on and talked about it constantly. We're talking about a fact of life. Until it is changed, we've got a court order, and the media has been, in my opinion, very lax in explaining that.

They, in fact, some of the information they have, especially from the smaller newspapers, they don't verify their facts. There are many, many working papers from CACSI that will enter into a newspaper as a factual situation when it's not so.

The networks as such, they don't, you know, they get a good story and they write it, and nobody—or, not nobody, I will retract that, but very frequently they don't talk about what this real situation, a court order is. Generally speaking, the information is such that they don't explain the process that we're going through.

I think one of the reasons that people are so fearful is that we are going—we are in process at the moment, and rather than talking about the few facts that we have, the fact that there is a committee that's been appointed, that we—that the board of education has to pass on any plan, but ultimately that it goes back to the courts, that there are certain guidelines through the courts that have been established over the years.

For the most part, the media, the written press, and the television and news, it's almost like they're waiting for something terrible to happen before they really talk about it.

I've had many conversations with different people who have said that the press literally has been uncooperative. I can't give you that firsthand, but when I keep knocking on doors to try to find out how come so many people are so frustrated, how come we can't have any more information, why can't we have columns in the papers to explain the proceedings, and people just shake their heads and say that we've had meetings, but, you know, they're just uncooperative.

And, the negatives always seem to get the kind of press and the positive people don't. Many of the positive people are waiting in their homes, waiting for the CACSI to come up with some sort of plan, and so we hear the negative all the time.

COMMISSIONER HORN. One of the points I tried to pursue this morning with Mr. Schreiber, who represents the broadcasters on CACSI, is the degree to which the committee had thought of preparing its own releases that give a summary of the pros and cons, and the consensus, and constantly release that to the public.

My understanding is more attention seems to be given to the housekeeping details than to the substantive progress that is being made by the subcommittees and the committee.

Now, I realize there are difficulties when one asks any committee to clear that type of release, since everybody feels their particular nuance has not been sufficiently represented. But you represent various community groups that have a very vital interest in desegregation.

What are the possibilities of the PTA, PLUS, other groups here that have testified previously getting together to put out a solid factual information program which could go to the broad diversity of print media, especially in the Los Angeles area? This is not a one-newspaper town, opinions to the contrary notwithstanding. As we all know, there are shoppers, there are local suburban papers, city papers, regional papers, and as I mentioned this morning, I find those shoppers are often looking for things to fill up the space between the ads, and people do read these releases, and if it was constructive, I would think that would be a useful function for your groups. What's your reaction?

MS. BARAD. Could I respond to that? One of the things that our Valley steering committee did was to go visit local newspapers in the Valley to talk about what we felt was unfair reporting and journalism of the integration issue. You're right, the day-to-day reporting of CACSI, of which I am a member, is not reported, but the more sensational items are reported.

In fact, on July 4 there was an editorial in this paper with the title "Busing Makes Children Pawns," and I feel that, particularly with our committee, the Valley Steering Committee, our efforts are not well known because of the more publicized resistance of our opponents. The media has focused on those kinds of developments, and for that reason we feel that it's time for us now to stand up and be counted. Particularly in the Valley. There's a false impression on the other side of the mountains that the Valley is all white, all hostile, and all arrogant. That is not true.

VICE CHAIRMAN HORN. Any other comments from any member of the panel?

MS. PLOTKIN. I think it would be very, very, very helpful and very, very useful to have that kind of network of information, and if you have any help in providing any kind of knowledge on how we can do that. I think, reading some of your materials and perhaps some of the

material like the Ohio survey from other areas that have been desegregated, looks like Los Angeles is way behind times in starting grassroots organizations, and in starting a lot of organizations, so that we have a lot of catching up to do, and part of that is really money and getting the kinds of people who are educated enough to want to support that kind of thing so that we can print the material to get out to people; you know, it's a vicious circle.

VICE CHAIRMAN HORN. Well, the reason I pursued this is that Reverend Edwards mentioned, as the last panel was concluding, that the findings of the groups he was familiar with, and I concurred that that was the finding of this Commission, is that successful and effective desegregation does depend on the leadership of the school board, the superintendent, and various community forces. What I did not add, but what this question and line of questioning pursues, is the other obvious fact that in every city I have seen where desegregation has been successful—whether you're talking about Hope County, North Carolina, a county of 17,000; Milwaukee, Wisconsin; or Denver, Colorado—when the media have been there covering the story in an open manner from the beginning, not simply sensationalizing it, when somebody, demagogues for political reasons or whatever reasons, or they might be running for office, but really looks into the schools and what are the real problems of the schools and brings all this down to where people can deal with it and get away from the rumor side, which infects most communities anyhow, let alone when there're undergoing desegregation—this is also an essential ingredient, and I think one of your problems here is that most of your media output, in terms of the smaller papers, the radio, even some of the smaller television stations do not have the staff to really assign to cover this; therefore, I would think they would welcome somebody that is not simply propagandizing, but is trying to pull the relevant material together, get it to them in a timely manner.

REV. HENNING. Well Mr. Horn, I feel also that maybe media knows more than we know sometimes in terms of where the real commitments are. And I want to emphasize the concern that I have about the CACSI approach without an avowed commitment, and some of us who try to count votes on the board of education do not feel that there is a commitment to enthusiastically—enthusiastically is not even the word—less than enthusiastically endorse a plan that comes from CACSI, so there is a serious question as to whether or not some time is being wasted and actually people's hopes are being held up for no good reason because sometime in the very near future we may be hearing from the board of education saying, of course, we ask you to do this but we cannot endorse this plan, we can only endorse some other kind of plan.

The second thing that I feel that we've heard a lot about is the lack of concrete positions to report about a specific plan. I don't feel that that is acceptable. There are many programs that are promoted by

media that don't have the specific answer in the beginning, but they have a philosophical commitment, and that is endorsed and that is expressed in the media. So, those are some of my concerns about what is going on in terms of media.

I think we could improve on that if we could get some commitments.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Nothing.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. I would suggest that every member of the panel take the following name and address down. We were handed some bulletins which give answers to the fears of unknown. I would respectfully call attention to the address: The Integration Project, P.O. Box 4321, Terminal Annex, L. A.; and it's a bulletin. And I see before me the "Myths and Facts About Busing." If you haven't had occasion to see that, I think it will be a most engrossing study to distribute among members that have apprehensions. It's a very excellent bulletin, and it's put out by the Integration Project, that group of Los Angeles teachers, community people, and concerned citizens who are working for the implementation of a progressive and equitable integration plan for the Los Angeles Unified School District.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. I'd like to make an observation that is beginning to enter my mind and heart compellingly.

We've had a number of witnesses now over the last day and a half, and it seems to me, though, they are polarities with respect to methodology in how this school system may achieve desegregated education. I have not heard any witness oppose in any fundamental way the ideal and the principle of desegregated education and the democratic principle of obedience to the mandate and authority of legally constituted court or school board.

Therefore, it astounds me, to be frank, that the leadership of these worthy organizations representing responsible and significant groups of citizens in this community have not taken it upon themselves to come together, and I raised this to the earlier panel, to set an example of constructive dialogue—not that you may resolve the differences. Certainly in a democratic society there are going to be groups which represent positions that may not be ultimately totally reconcilable; but I think it is time that the leadership in this community gives moral direction to the community by showing that people of different points of view can constructively sit together, communicate together, and attempt to resolve their differences in order to maintain that which they ostensibly support—the peace and well being of the entire community.

And so I think some effort—and I'm not directing this at any one individual here—but I think some effort ought to be undertaken here in this community by the leadership in the community and each of the groups that you represent to bring together that leadership and to

serve as a model for how Los Angeles may bring about that to which it must be committed to—the peaceful desegregation of its schools.

REV. HENNING. I would just like to say for the sake of the Commission that a wide area of religious leadership in the Los Angeles community is in the process of coming up with something that I hope will facilitate that in terms of just that one level of the community.

I would like to say one thing, for fear that it might go unnoticed in the whole process. As a member of the black community myself, I am conscious of many of the paternalistic, say, attitudes which intend to do good, which do not necessarily accomplish that good, and I want to raise that issue in terms of the integration process because somebody from the Commission asked a question, I think to the last group, about whether or not they felt that integrated education was more beneficial to blacks than it is to whites.

COMMISSIONER SALTZMAN. Excuse me, sir, the question was—and I asked the question, wasn't desegregated education equally beneficial to whites as it is to blacks.

REV. HENNING. That's right. I am sorry, that's correct. And I wanted to say that there is an assumption by many people that it is more beneficial to blacks than it is to whites, and I would maintain that that is more of a reflection of the white superiority attitudes and paternalism than demonstrable facts, and I would point to this, and that is that blacks in segregated schools tend to be more politically aware and more inclined to participate in politics than blacks in desegregated schools.

It is an important fact that cannot be taken lightly by those conscious of the struggle of a people for liberation. And I raise this issue because I think that if there is a fear in terms of the whole integration process, it might be that that commitment on the part which in an integrated society should reduce the tension of the experience and heighten the awareness, the knowledge, the knowingness that goes on between people and make it unnecessary to resolve it by conflict, but more by communication and knowing.

So I want to raise that because I would hate for this whole proceeding to go on with people feeling that perhaps the real beneficiaries of an integrated education system is simply the black community, and I oppose that view.

CHAIRMAN FLEMMING. In the interest of getting back approximately on schedule, I'm afraid that time has run out as far as this panel is concerned.

I'm sorry I didn't hear all of your testimony, but I did hear a good deal of it, and I've listened to responses from my colleagues on the Commission, and I want to express our appreciation for the contributions you're making and our appreciation for your being here and making it possible for us to have a better understanding of what's evolving in this community in connection with desegregation.

MS. PLOTKIN. Chairman Flemming, I'd like to—PLUS has a written statement that I'd like to be entered in the record if there's no time to read it.

CHAIRMAN FLEMMING. Without objection, it will be entered in the record at this particular point. I'll be very glad to have it. Thank you all very, very much.

Counsel will call the next witnesses.

MR. BACA. Thank you, Mr. Chairman. Rose Lopez, Vahac Mardirosian, Mary Henry, Barbara Weinberg, Betty Kozasa. Will Joann Norris come forward, please.

CHAIRMAN FLEMMING. Could you just all move down a little bit?

MR. BACA. I'm sorry. Now that you're all seated, I'll ask you to stand, please, so that we can take the oath.

CHAIRMAN FLEMMING. If you would all stand, please, and raise your right hand?

[Rose Lopez, Vahac Mardirosian, Betty Kozasa, Barbara Weinberg, Mary Henry were sworn.]

TESTIMONY OF ROSE LOPEZ, EXECUTIVE DIRECTOR, PARENTS INVOLVED IN COMMUNITY ACTION; VAHAC MARDIROSIAN, EXECUTIVE DIRECTOR, HISPANIC URBAN CENTER; BETTY KOZASA, EXECUTIVE DIRECTOR, LOS ANGELES VOLUNTARY ACTION CENTER; BARBARA WEINBERG, JEWISH FEDERATION COUNCIL OF GREATER LOS ANGELES; MARY HENRY, EXECUTIVE DIRECTOR, AVALON-CARVER COMMUNITY CENTER

CHAIRMAN FLEMMING. Thank you and we appreciate all of you being here with us. Counsel, proceed with your questioning.

MR. BACA. Thank you. Could we have quiet, please?

Rose Lopez is first, please. You're the executive director of an organization called Parents Involved for Community Action? Could you explain some of the educational issues around which your organization was began and how it has developed since that time?

MS. LOPEZ. The group called Parents Involved in Community Action was formed in 1970 by a group of grassroots parents in the community because they were very much aware and concerned about the exclusion of the Spanish language, the Mexican American heritage in the schools, and the Mexican American community in the schools, period.

So, it was formed to get parental involvement, viable parent involvement, in the schools. It started as a grassroot volunteer group, and it went that way until 1974, January 1st, when it was funded through the Greater Los Angeles Community Action Agency. Since that time, one of our primary concerns has been to initiate, design, and implement programs that are going to train parents how to deal with the educational system, and we feel that is the only way that the schools are ever going to change. You're not going to get the monster to stop, but you can get parent involvement so parents can make a difference in the schools.

And if we are looking at the history of the Mexican American exclusion, I think that we can even cite what's happening today and what happened yesterday and what's going to happen tomorrow, and I think that, just like the gentleman before said, that I have to say these things. Before we get on with the business at hand, it's important that we say a few things.

The first, I'm very concerned that where we have the greatest majority of the ethnic population of students who are going to be affected by integration, the bilingual, or monolingual, in Spanish, students, we have such few representatives from the Mexican American community to address the needs of those students. We cannot be satisfied with five or six of us trying to speak for the Mexican American community when you have the other groups talking for a smaller minority.

It is not intended for this to be a divisive thing. It is just the hard facts of life. I feel that the Civil Rights Commission, in fact is abrogating its responsibility by not choosing more representation from the Mexican American community. It goes on down the line.

Now, I said how I feel about the Civil Rights Commission, I will tell you what I feel about L. A. Unified School District.

In your other studies you have talked about the excluded student, and in Los Angeles Unified School District we still have the excluded student and the excluded community. In spite of the fact there was 808 contracts that were given for teachers this past year, out of those 808 only 64 of those contracts were awarded to bilingual identified Chicano or Latino teachers, even though over 300 of them applied; yet, the story goes out to the community, where they may be, whoever they may be, that there are no qualified Mexican teachers. Well, it's a lie. The facts are there at the district if you want to investigate it. The contracts are just not given, even though the need is so great.

Only 5.9 percent, according to the district's figures, are Mexican American or Spanish surnamed of the teaching staff. And when I say, according to the district figures, is because many times they have published lists of teachers or administrators that no longer exist, have moved on to greener pastures, and are not even employees of the district.

If you want to really look at the nitty-gritty things, of what are happening to students in our community, we have a transportation department. Out of all the supervisors in that transportation department, only one Mexican American. You wonder why we have problems?

We have the PWT, Permit With Transportation, that is now supposed to be the panacea for voluntary integration. Out of the approximately 107 buses that are used for transportation, only 4 or 5 of those are used for Mexican American students, and 2 of them are used within the same Mexican American community, in other words, going from one Mexican school to another school that's in the same community. So you wonder what responsibility the district has.

There is lack of leadership from the school board and administration for bilingual-bicultural education. I believe you have heard testimony that we should have bicultural, or multicultural education, and that is going to be good for students.

You cannot remove the linguistics from a culture. In fact, if you really want to know my opinion of those people that have studied bilingual-bicultural education, language is the core of the culture, and don't be misled with those people that are hollering multicuture. I don't want to get a smattering of this and that, and that is what we are going to get in the multicuture education. I believe we should know about all cultures, but when we are talking about Mexican American students, the greatest ethnic minority in this district, we're talking about bilingual education, and that is not the only concern that we have.

Many people feel that if you have bilingual education, habla espanol, that that's all you want. We're talking about quality programs, curriculum. As a matter of fact, if you really look at what integration means, we have many people that have different opinions about integration. Some people say that it's only to reduce the racial isolation. Well, I don't go for that, just getting a bunch of people together just to reduce the isolation of whomever, or desegregation, get a bunch of people and transport them somewhere and you desegregate.

Integration in its full meaning means curriculum changes, policy changes, programs changes, all those things that are going to be viable for students so they can become productive members of this society. So I think that we have to be very careful when we get on the bandwagon of integration without looking at the nuts and bolts of integration.

I remember one of the people that was responsible for working with the CACSI, another big problem. Even though the minorities are the greatest majority in the district, we're only about 20 percent of the CACSI. My God, even the CACSI isn't integrated.

MR. BACA. If I could interrupt you there and ask Ms. Henry if you care to comment on that last part. Do you feel that CACSI is representative of the minority cultures in Los Angeles?

MS. HENRY. I think it is as representative as the city of Los Angeles is representative.

MR. BACA. Could you explain that, please.

MS. HENRY. Yes. If I am allowed to make one or two statements in support of what I just said. It is my opinion that this whole effort that we are presently speaking of, of integration, has perhaps caused more problems in this city than any other single item.

It is my opinion that the efforts that are presently being made to divert the attention from quality education are being used by folks under the guise of a lot of things, and if I may be given just a few minutes to expound on that. I think that we are here in 1976 where we were in 1956 in terms of integration, desegregation, whatever. The

whole crux, in my opinion—and I have to keep saying my opinion because I'm sure there are not those who readily agree with me—it is my opinion that racism in this county is what is responsible for all the sudden realization and upsurge of all of the cultural attention that we are getting.

Let me tell you that in the fifties and earlier in the sixties and perhaps in a part of the seventies, the black community was isolated as it has always been. It has now gotten down to the wire as far as student integration and school integration is concerned, and it is now black versus white, black versus white. Those blacks and their supporters versus those whites and their supporters. I believe that the sudden emergence of everybody's need and desire for cultural recognition is a subterfuge that simply says nobody in this city wants to be with black folks.

Now, when it all started out, we were—the Mexican American community was white, the Asian community was white, all of the other communities were not minority. After the passage of the Equal Opportunity Act of 1965 or '64, then suddenly poverty, and poverty money made people begin to identify with minorities, and everybody who was not black or a minority suddenly became a minority.

Now I am going to point out to you, and I hope it is clearly understood that it is not my intent to try to put any group down, especially a minority group whom I respect, them and their leadership, but I want to tell you that at first everybody was talking about, let us all come together, and suddenly when the laws were passed and the law said there is going to be integration of the schools, the Mexican American community wanted their children to stay in their community so they could have their cultural tie, and they do not want black folks there.

The Asian Americans, we didn't hear about them until such time as the student integration thing became very prominent; and suddenly they want to be in their communities, not be bused out, not being carried out not being anything because of their culture.

The last hope, and I don't want them, that group, to think they are escaping, that we hear about culture. The last meeting I attended, a group of Jewish parents, who had been in conjunction with our plans for student integration, are suddenly concerned about their children not being bused so they can get back home to get to the synagogue for their studies on time.

So I have no alternative but to assume and to believe in my heart that this whole program of integration has suddenly taken an about face. Suddenly the people who were hidden under the rocks, have found allies in such people as Bus Stop, and have come out from under the rocks and are standing tall for their positions, all of which, in my opinion, are motivated by any and all groups not wanting to be involved educationally or socially with people from the black community.

One further point that I'd like to make that is a very controversial point, but I do question at what point the city schools, the Los Angeles city schools, the State board of education decides to identify what education really is and ought to be and to discern and decide at what point the education of children—reading, writing, arithmetic, thinking, reasoning—is a responsibility of the school, and at what point the cultural development of our children comes from their parents and from the communities in which they live.

That's my statement.

[Applause by the audience.]

MR. BACA. Reverend Mardirosian, could you tell us something now of the development of your Hispanic Urban Center and how it came to be and what it's concerned with?

REV. MARDIROSIAN. My name is Vahac Mardirosian; and I am the director of the Hispanic Urban Center. The Hispanic Urban Center was established officially, formally, as a nonprofit organization in 1970, but the roots or the beginnings of the idea for this organization dates to 1968, the coming together of parents, students, and some community people in the Chicano community as a result of the walkouts that occurred in four or five high schools in Los Angeles.

The intent of the center is to carry out a program of activities to enable the school district to be more appropriate to the needs of the Mexican American children that constitute the large percentage of this district, and you have before you a graphic description of the situation.

First, let me call your attention to this census of population, characteristics of California 1970, showing that the Anglo population is about 74 percent, or was in 1970, 74 percent of the total population of California; the Hispanic population, 16 percent, or 3 million one hundred thousand; the black population, 7 percent; and the Asian American population, 3 percent. And keeping these figures, go down on some of the selected occupations that are presently in California—only 1.5 percent of lawyers and judges in California are black, 4 percent are Hispanic, 94.5 percent Anglos.

The proliferation of lawyers and judges have some correlation to the health of a society, that some people have reflected upon, but I will not go into that. The—

COMMISSIONER HORN. I assume that's a negative, not a positive correlation?

REV. MARDIROSIAN. Well, correlations are correlations, let's say. Physicians are only 5 percent Hispanic, only 2 percent black, 92.5 percent Anglo. Teachers, 5 percent black, 6 percent Hispanic, 89 percent Anglo. However, farm labor is 49.5 percent Chicano.

The question of how do we move from A to B. In 1971, I want to show this chart of the reading scores of sixth-grade children in Los Angeles, 435 elementary schools, you have here a scattergram showing that there were about 150 out of 173 schools that are predominantly minority that are reading below the 20 percentile in the national norm.

That corresponds with sixth graders reading as an average at the third-grade level and going to junior high school with reading skills that are at the average third-grade, which means that if a few of the children were normal that were reading at the sixth-grade level, and then there were a lot of children going to junior high school reading at the first- and second-grade. And we in the Chicano community are very conscious of the fact that in this society if you do not have the minimum equipment with which to compete with the larger society, you're going to end up at the lowest possible end, and the Chicano community in California is a second-class citizens, although we provided most of the real estate for this very properous State.

The other description of fact is in this study by the U.S. Office of Education showing the life earnings of people correlated with the number of years in school and taking into account that in the Southwest the average Chicano has an eighth grade education, the life earnings of a person with an eighth grade education is \$280,000 in his lifetime, compared to the average for the white population which is 13 years of education, that earns \$543,000 on the average in their lifetime, making schooling a very crucial point in the development of the economic power and such.

One of the other charts that I have presented to you has to do with school, school reading scores in 1976, showing that there has been a substantial increase in the part of the minority community that have moved from an average of 16 percentile as a group to 31 percentile in 1976.

This rise from 16 to 31 percentile over a period of 5 years represents the concerted effort of many Chicano and black community people lobbying with the school district in cooperation with the Los Angeles Chamber of Commerce, realizing that it is in the interests of the community at large to have a community that has a higher earning power, less dropouts, less cases of maladjustment in our society.

So when in 1976 we have evidence as reviewed by the Rand Corporation that in fact our schools can do a better job with minority children, I kind of have a feeling that it's like having the cure for cancer and not applying to everybody. I feel that whatever else comes out of the efforts of the U.S. Civil Rights Commission to provide parity of educational attainment, parity of educational attainment is the goal of the Chicano community, and it is my feeling, is the objective of the city that has so many people of so many colors and have some people always leading the way with the better plums and all the other folks sometime having to fight with what's left.

I think that the job can be done. I think that the school district is capable, if properly motivated, to come up with a design for education for minority children that can upgrade the ultimate attainment of minority children. But this job has to be done with the realization that it's, you know, that we either will hang together or work together and create quality education together or we will be hung separately.

I hope that you can get the feeling from us that we are aware that quality education is the center, the core of our problem.

MR. BACA. Thank you.

MR. WILMOT. Mrs. Kozasa, as a member of many subgroups under the heading of Asian Pacific people, would you please explain what efforts you have made to prepare for this hearing?

MS. KOZASA. Fine. I believe it was on December 8 when I was given the subpoena and I took it in my hot little hands and I was told that I was going to represent the Asian American community, and let me tell you now, there are 17 identifiable Asian American communities within Los Angeles County. We're not interchangeable, we're not all of one language or all one culture.

I felt it was my responsibility then to reach out to the community, and I went to the harbor area, I went to central Los Angeles, I talked to representatives, individuals, and groups of the major communities, Korean, Filipino, Chinese, Japanese, and Samoan, and I did have an opportunity to talk with some of the Vietnamese parents. I did talk to some staff of Los Angeles city schools. I did all of this realizing I needed all the help I could get, and also I would like to present as true a picture an accurate picture as possible.

MR. WILMOT. Now, could you generally tell us the major educational concerns facing those communities, those representatives that you did and that you were able to talk with?

MS. KOZASA. OK. The, as I said, I talked to a number of people, and what concerns do they have regarding education? In general, the Asian American community places a great deal of importance on education, simply because they feel that only through education can they attain equality in these United States, and census figures are grossly misleading.

As I said, the major groups in Los Angeles County are Japanese, Chinese, Korean, Filipino, and Samoan, but we have small groups like the Sri Lankan—there are only 250 families in Los Angeles County, but they do too feel that education is a most important part of their lives.

And I want you to understand that Native Americans, whether they are Japanese Americans, Chinese Americans, Korean Americans, their needs and their concerns are different than the recent immigrants. You know that Mexico sent us the greatest number of immigrants, but closely followed on that are the Filipinos and Koreans, and all of these groups say that education is their most important concern. So that they say, the recent immigrants say, we need bilingual-bicultural education, we'd like to keep the status quo.

For instance, I visited the Castellar School just last week to make sure things haven't changed drastically at Castellar school. It's still in the heart of Chinatown. It's a port of entry with 75 percent of the students of Chinese immigrants. Hobart School is another school where the student body is predominantly Korean, and according to Reverend

Young Wong of the Korean community, only 2 percent of the total Korean community is fluent in English. That means, of the 80,000-person community-estimated census of the Koreans, only 2 percent can speak English fluently.

Denker Avenue and Gardena area, is a school which is, the student body is composed primarily of Japanese immigrants, so that all of these people have some things in common—they don't speak English well, most of the families have double incomes, the mother needs to work, they feel their children have to be in a school where the staff is bilingual. They suffer from fears—they suffer—that without bilingual staff, their children will not be able to make it, that they will not learn. They fear that they cannot reach their children in an emergency. If a child were not in such a situation—the children will suffer from cultural shock.

They are afraid of having programs, their bilingual-bicultural programs, dismantled or diluted. There are a number of fears, and all of this, I feel, that Los Angeles city schools should have done a better job in informing the communities.

I know that you've heard all this testimony previously, but I would like to reiterate that there has not been the information given to the communities. One of the parents said to me, "Wouldn't it be keen if we had an Asian hotline, maybe in the five ethnic languages, so we could understand what's going on; we don't know what's happening in education."

You asked earlier the composition of the citizens' committee on integration—when that list was being composed by the board of education, I happened to be in that particular board meeting, and they said, "Who shall we reach in order to get representatives for the citizens' committee on integration?" and the Japanese American Citizens League was the only Asian organization to be listed, and one group which calls itself Concerned Asian American and Pacific Peoples wrote a letter to the board of education pointing out this omission. Staff on the Integration Committee pointed out this omission. Yet nothing was done. The answer that came back is: "We were only reaching large national organizations." Well, good grief, in the Asian community we don't have too many large national organizations. There should have been sensitivity to the community.

MR. BACA. Ms. Weinberg, can you tell us something of the nature of the Jewish Federation Council of Greater Los Angeles, please?

MS. WEINBERG. Yes. The Jewish Federation Council is the umbrella organization of the Jewish community of Los Angeles. The organized Jewish Community is a voluntary association of Jewish agencies, service agencies and organizations, and as such, no one is authorized to speak for the Jewish community. There is really no monolithic organization. The membership of all of these many agencies and organizations include Jews of all ages and backgrounds and different economic circumstances and attitudes, so I think you can understand

why it would be somewhat hazardous to generalize about the Jewish community.

Nevertheless, having said that, I think that there are some generalizations and some personal observations based on past experience that I can make.

Jews have a tremendous stake in public education. We are strong supporters of quality education, and as a group we've benefited tremendously and achieved upward mobility, that has been referred to here, largely as a result of good public education.

Jews have been involved historically in civil rights movements and have fought and some have died, because we believe that everyone should have an equal opportunity to make the most of his own potential. And we recognize that good quality education is the best means to achieving one's fullest potential, as has been expressed by several people who spoke before me.

Now, the ideal situation would be when children would live near and can walk to the schools near their homes. The ideal situation would be that people of all backgrounds and heritages that make up in Los Angeles would live not separated or segregated but as neighborhoods; so that naturally and spontaneously, we and our children would know one another and that no master plan or transportation of children would be needed to accomplish what should come naturally.

We hope that the emphasis will be placed on magnet schools and other means of improving schools to encourage parents to voluntarily assist in achieving desegregation. We would urge that only the least amount of transporting children necessary be resorted to, because of the dislocation which does come about when children have to leave their neighborhoods to attend schools. If it is necessary, whatever is necessary, we certainly will cooperate.

I think it's a safe generalization to say that we are a law-abiding community. I cannot imagine any circumstance in which we would not abide by the law, because I think we recognize that the ones who would suffer the most from something like that, if there was a breakdown of the law, would be the children.

I have to stress and think what I'm going to say is true of all parents—while no one looks forward to children traveling long distances from homes to go to school, what we're most concerned about is that wherever they go to school, that appropriate attention be given by school officials to assure that they are able to provide for all the children a good quality education and that no parents have to be concerned for their child's physical safety.

I'm sure that's not new, that you have heard from other people. I can only tell you as leaders in the organized Jewish community we'll do everything that we can to cooperate to help interpret to our community whatever plan is arrived at, to help ease and smooth the transition, and achieve what all of us want most—the best education possible for all of the children in an open society that reflects the pluralistic character of the United States.

But I have to call your attention to something that was alluded to before, that is of great special concern to us in the Jewish community, as a minority religious group living in a majority Christian culture. We are very concerned that our children be educated in Jewish history, religion, culture, and tradition. I don't think that that should be underestimated. I think it is something that has been of great importance for all of our lives, and I don't think it should be dismissed lightly.

What you may not know is that two-thirds of our Jewish children do attend, after public school, religious school, usually two afternoons a week from either 3:30 to 5:30 or 4:00 to 6:00, plus one morning on the weekend at a temple, near enough to where the children go to school to enable them to go to the temple and get there in time for their classes to begin. I am sure you can recognize that it isn't easy for children to spend a full day at school, then rush to the temple for 2 more hours of Hebrew school and then home for dinner and homework. As difficult as that is, we're worried if some of the children have to travel long distances, it could be the extra straw that would make it impossible for our children to get the kind of religious education that is very, very important to them and to us. I am not trying to bring this up as an obstacle that is meant to throw problems in the face of what we're all trying to accomplish, but I think it is important for you to recognize that that is a serious concern of all of us. This isn't something new. I attended that kind of school myself many years ago, and my children have attended that kind of school. It's not an obstacle that cannot be overcome, but I think we have to consider it and take it into consideration.

MR. BACA. Thank you.

MR. WILMOT. Ms. Morris, what interests do you feel are of the greatest concern to the American Indian community in the educational area, and how are these concerns being transmitted to the school administration?

MS. MORRIS. A number of our concerns have been reiterated before by Mr. Howell. My speaking here today is speaking on behalf of a statewide Indian organization called California Indian Education Association. We do have a member who is on the CACSI committee, who unfortunately was not interviewed by your staff.

Some of our concerns that have not necessarily been dealt with thoroughly deal with bilingual and bicultural education for our children. Most people don't know that one-half of the Indian population still speaks their native language. There are over 343 tribes yet in existence throughout the States, and each of them has their own language, and half of our people, you know, speak their own language. Nationwide, 25 percent of Indian children begin school not being able to speak English. At this point in time, bilingual and bicultural programs have not zeroed in on the Indian population. This is a definite need. Within Los Angeles, we have numerous tribes—we probably have almost every tribe within this city, since we have the largest

population of any city in the whole U.S. There are a couple of tribes that are the largest in concentration, such as the Navajos or the Sioux. Bilingual classes can easily be established for some of these majority tribes. Definitely the bicultural aspects of the American Indian culture have not even been touched on. The fact that the Native American children grow up in two cultures is rarely recognized, that we grow up having to know the predominant society's culture as well as learning our own. That is not recognized.

I think Mr. Howell touched on the fact that to us it is really essential that non-Indian people learn about Indians. We have a lot of—we feel that our culture carries a lot of information that everyone needs, a lot of values that the society used to have that they no longer have and that we can help to relearn.

Most non-Indian children, most nonethnic children—grow up almost essentially in a cocoon. They know their own culture only. American Indian children and children of other ethnicities have had to grow up knowing two cultures, their own plus, in order to survive have had to learn that other culture.

Most Caucasian children or nonethnic children have grown up almost in a cocoon, very protected, and not knowing that much about other peoples, and this is absolutely essential that they do that. The real world you know, brings you out into a world where there are people of all colors, of all nationalities, and this is an aspect that L.A. city schools has just begun to scratch the surface on.

If they knew—I mean, it's, it's fine that, yes, now they are beginning to do some sort of work in terms of getting multicultural elements into the classrooms. It's unfortunate that they didn't see this as a rare quality, a positive opportunity to have done this 5 years ago, 10 years ago.

I think a couple of other points—there was a question addressed to Rose earlier about representation on CACSI. I think, one, a definite problem that we feel, another area that we have been eliminated, was that our Indian religious leaders were never invited to belong to that group. Indian religion is an essential part of our culture. We are a very spiritual people. There is very little that Indian people have ever done, whether it be a hunt, whether it be cooking your food, whether it be a ceremony for naming your child, that there was not a spiritual aspect to it. And our religious leaders here in Los Angeles—we have Indian religious leaders who were not requested to be a part of this committee.

I think it is important that, as I've said, the BIA representative was not interviewed, our own religious people have not been interviewed, and I think most of you would agree that elimination or exclusion is really just another form of racism.

You can't ignore American Indian people. We are here in this population. We were the original ethnics, if you think about it. The Caucasians came over and the initial confrontation was between the whites and an ethnic group, the American Indian. And yet, we have been al-

most ignored as far as our input goes on what is happening in integration.

The Indian population, it has been stated, is not racially isolated. We don't have a ghetto. We don't have a barrio. We have maybe little pockets here and there throughout Los Angeles, but there is no, you know, special area just where Indians live. We are scattered throughout L.A. now. Our children have learned to live mixed with other cultures, but the aspect that we are really emphasizing is that the teaching of Indian culture has to be implemented somewhere along the line for our children as well as for other children.

One other point I'd like to make is—it's been very interesting as all of this has been going on, particularly since the district has been integrating their staff and working at integrating the students or talking about that, they'ven't done a whole lot yet, they have been talking about it, that the district in the past has done ethnic surveys among their staff and among their teaching staff and among the students.

We have found within this year that where teachers, in order to be able to remain within their school, that they have changed ethnicities. I'm sure this isn't new in Los Angeles. It probably has happened in other cities throughout the country. We have had so many Indian people who are instant Indians, people of other races, who are suddenly changing their ethnicity to American Indians. I mean, we have truly been dumbfounded by that. We have just, you know, Indians are coming out of the woodwork. We have a new name for these people, they are of the Wantabe tribe.

Some people would perhaps find this a compliment, that other people want to be of your ethnicity. I don't. I feel that my ethnicity is being used by people who don't even care about real Indian people and the suffering that you have to go through as a Native American in this country today.

I think the final issue that I would like to make, and its just a point that has not been hit on before, and the point is this, that for a voluntary plan, that one, this has—this point has been brought up before in other meetings, and nothing has been done about it. It has been just brushed aside. We have talked to you before about the Title IV schools and how important it is, for the first time Indian children are getting some Federal benefits. Since 1972, just—we have had these Indian education programs, and that if Indian students want to have the option of voluntarily being bused from a school that does not currently have Title IV funds and a special Indian education program at their school and want to volunteer to be sent to another school that has Indian education Title IV monies, that that option should be allowed for that Indian child.

That recommendation has been made but has been glossed over.

Okay. I think throughout all this—just a final closing statement, so to speak, would be that traditionally, as Mr. Howell said, as any other Indian person sitting up here would say, we have been seen as savages,

we have been seen as hostile, as war-like, and so on. We are not hostile in this whole student integration issue, in the whole integration issue, staff integration, curriculum integration. We are so solidly behind the need for this that I don't think that point can be denied. The only point that we feel some hostility is that we want to give you our input. We want to give the district our input. We do not want to continue to be ignored.

MR. WILMOT. I have no further questions, Mr. Chairman.

CHAIRMAN FLEMMING. I'd like to make a statement at this point. I'd like to express to each one of you the appreciation for the very frank, direct way in which you have expressed your concerns.

Normally, with panels of this kind we try to divide up the time so that those who are on the panel are asked questions, given the opportunity to make a presentation for about half of the period, and then members of the Commission ask questions for the other half of the time.

But the statements that you have been making were so important that I felt that there should not be any interruption in the interest of time but that we should have the opportunity of listening to you present these issues in the way in which you feel they should be presented in light of the experiences that you've had, because the value of a hearing from our point of view is to obtain these points of view. We are well beyond our time, but members of the Commission, my colleagues on the Commission, may have one or two very brief questions, and I would urge that they be brief, and I would urge that they be directed towards a particular member of the panel because we really don't have time to give each member of the panel the opportunity to respond to all the questions.

Commissioner Ruiz, do you have a question?

COMMISSIONER RUIZ. Yes. I would like to set a matter of record correctly. Mary Henry gave an opinion as to what the effect of minority identification has been, of recent vintage. I was born in this community, Los Angeles.

In the year 1942 it was against the California laws for a Japanese person to own real estate in California. In the year 1942 it was against the laws of California for an Asiatic person to marry a white person. They weren't considered whites.

In the year 1935 Mexican American children weren't considered white and were segregated in grammar schools in Los Angeles County on the theory that they had Indian blood. Of course, the Indian was segregated. In 1942 when blacks first started to come to this county in substantial numbers, because of the war, I wrote an article in the *California Statewide Crime Prevention Digest* which referred to Mexican Americans as a minority seeking cultural identification when it was against the law to use the Spanish language to teach in school.

MR. MARDIROSIAN. It still is.

COMMISSIONER RUIZ. In the year 1930 when I was admitted to practice law, I was referred to as the Mexican lawyer. Now, this many years later, I have made great progress. Now I am a Mexican American. Perhaps 30 years from now I will be known as a white person.

Our city jail was segregated when I was admitted to practice law. They set Mexicans and the few blacks we had separate and apart from the whites.

I simply wanted to make that a matter of record at this time.

Ms. HENRY. The microphone, please.

Mr. Ruiz, I do not intend to get into a confrontation with you about that, what the law says a person is might be one thing, but what he thinks he is certainly is another. That's the point I was trying to make.

CHAIRMAN FLEMMING. Comment on Commissioner Ruiz's comments? Yes?

Ms. LOPEZ. I think it's—can you hear—I think it's very important, also, because of the fact that most of us have gone to schools where our culture has been so—just erased—that most of the children that are going to school now have had the problem of alienation, and I don't think that any of us can really sit here and think that in the Mexican American home there is no culture taught and no language, because in fact what has really happened, historically, is that the child goes to school after 5 years and what he brings with him—his language, his culture, his tradition, his music, his history—is now not acceptable to the schools. And so it is not now that we're Johnny-come-latelys. It is actually a fact that we have always had a problem of alienation in the school, and the one thing that I do hope that integration will bring about is the identification, the respect of the beautiful cultures that we have in this country, and that all together we can make a change.

It is very significant to me when I go throughout Los Angeles and I see Figueroa, Alameda—I mean, they didn't happen by accident. Those streets are named for illustrious people that have made a contribution to this country. It is not by accident that we have all these Mexican American or Chicano names. It is not by accident that Mexicans came and founded the city of Los Angeles. It is a historical fact that many of you who are sitting around here do not even know that fact. We have so many things in culture, in common, all of us, because at one point in time, before the Americas were even populated, we all have a contribution to make together, and integration has brought this thing to the forefront. The people recognize that culture is so important in education and not any of us have been sitting back and kicking back, and not recognizing our culture, our language.

CHAIRMAN FLEMMING. Any other members of the Commission have question or a comment?

COMMISSIONER SALTZMAN. My only comment is that I am grateful we are here for no other reason than having this panel present as vigorously and forthrightly as it has their respective points of view, and

I hope that the media coverage has taken note of your presence, the coloration of this panel, the fact that none of you have claimed to represent a monolithic community, and the fact that each of you have made vigorous representations with respect to the value and the authenticity of your respective heritage and its contributions to American society.

I am deeply moved by each one of you. Thank you very much.

CHAIRMAN FLEMMING. I think on that note in the interest and fairness to the witnesses that are to come afterward, I must bring this panel discussion to a stop, but, again, I tried to express the same feeling that Commissioner Saltzman has just expressed so eloquently. Again, thank you very, very much for being here.

Counsel will call the next witness.

MR. BACA. Superintendent Wilson Riles. Mr. Riles?

CHAIRMAN FLEMMING. I ask the hearing to be in order, please.

Mr. Riles, will you please stand so that—raise your right hand and be sworn.

[Wilson Riles was sworn.]

TESTIMONY OF WILSON RILES, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

CHAIRMAN FLEMMING. Thank you very much for being here with us. We appreciate it.

MR. BACA. Superintendent Riles, will you identify yourself for the record, giving your name, correct position, title, please.

MR. RILES. My name is Wilson Riles, California State Superintendent of Public Instruction; my address is 721 Capitol Mall, Sacramento, California, 95814.

MR. BACA. Thank you. Could the gentleman sitting next to you please identify himself?

MR. GRIFFIN. Yes, my name is Thomas Griffin, I am chief counsel for the California Department of Education.

MR. BACA. Thank you, Mr. Griffin. Superintendent Riles, on June 28 the State department of education released a press release in which you were quoted as saying you would do everything within your power to give leadership in the implementation of the *Crawford* decision. Can you tell us what you meant at that time and what subsequent actions you've taken in furtherance of that statement?

MR. RILES. Yes. The *Crawford* decision that was rendered by our State supreme court, I thought, was a reasonable decision. I felt that it was one that it would be possible to implement, and I made the statement for two reasons. One, I felt that in my position I should state very quickly my view of the decision; and, secondly, we all, we have a responsibility and an opportunity within some constraints to be helpful, and that's why I made the statement.

Now, secondly, I have had my legal people, as well as other staff members, examining the implications of that decision. We have had some discussions with the State board of education. Their committee on equal opportunities, their commission on equal opportunities which advises them, have come forward with some suggested regulations that the board might wish to consider.

At the present time, the department has been reviewing those, and we hope that within a relatively short while the board will be able to take some action on the direction that they wish to go.

I should say one other thing. We have had in the department of education since the sixties a bureau of intergroup relations and it's the responsibility of that bureau to be of service upon the invitation of school districts, and of course, that's an ongoing program.

MR. BACA. Sir, could you expand on two things you said. One, you mentioned some constraints, legal constraints, in regard to your being of direct help to the Los Angeles School District, but we know you are involved through the bureau. Could you explain that involvement after you have explained the constraints?

MR. RILES. Yes. Well, insofar as consulted if services are concerned, we do have a bureau that upon the invitation of the school district to be of whatever service that we can. And of course, they are constantly active, and in the case of Los Angeles, the bureau has been called upon. They are actively working with the staff, and I think that answers your question. We have been requested, the request has come. We have responded to it, and Mr. Ted Neff, I think, is the one that is carrying the responsibility for that from our staff.

MR. BACA. Let me ask you then, are there other offices within your department that could be of assistance to the Los Angeles school department, or is that the only resource available from the State?

MR. RILES. Well, the entire department has, I think when you—when we discuss an issue like this, it has broad ramifications, not only for intergroup relations, but for the instructional program, programs that we have for the disadvantaged, Title I State programs, educationally disadvantaged youth, bilingual programs. In other words, it's a complex problem that will have to be dealt with, and, of course, to the extent that we can respond, we will respond, and I think so far as we can manage at the department of education, we will be able to work with it.

Now, when it comes to what will be done in the case of Los Angeles, their local board must decide that in the final instance, and if the board doesn't decide that, it's what we do and what we are asked to do is really not too germane to the whole question.

MR. BACA. I see. Thank you. Could you tell us—you mentioned special programs. Are there efforts being made to coordinate the impact on special programs in this county?

MR. RILES. What we have done thus far is to analyze some of the possible impacts on special programs, and we are in the process of

analyzing them. Let me give an example. We have Title I of the Elementary and Secondary Education Act, which is a Federal program. California pioneered the concept in Title I that if a youngster who is entitled to the program is transferred to another school, then those services and fiscal monies could follow that youngster.

Subsequent to that time, I think in 1974, there were amendments to Title I of the Elementary and Secondary Education Act which prohibits money from following the youngster. Now, you see what that means. I would guess that Los Angeles has \$26 million or somewhere around that amount that is designed from that one program to help youngsters who have been identified as needing services up and above their other regular program.

Now, the question comes when these youngsters, if and when they are transferred to some other schools, what are you going to do about it? Are they going to lose those resources? These are questions that will have to be worked out, and they will have to be worked out with Los Angeles—with the department of education because our State board of education must approve those funds. Now, I don't have answers to this because I haven't seen the plan yet, and, but, as I promised, and I'm—and I don't want to speak for the board, but I'm sure that they concur. Whatever we can do to comply insofar as the department of education is concerned, or to state it a different way, to make it possible for Los Angeles to do within the law, we are prepared to do it.

MR. BACA. Let me ask you in particular, then, as concerns bilingual education. The level of that program now in Los Angeles will be affected by desegregation as students may or may not be transferred under that policy, thereby making even the present level of the bilingual program more expensive. Is the State department prepared to go to the legislature and request additional funds?

MR. RILES. I am always before the legislature requesting additional funds, so I have no problem with that. But I would point out that we have a situation in Sacramento where the attitude about additional funds happens to be negative, because, as you know, we have to first convince the legislative committees, convince the legislature, and then, if legislature passes the funds, then the Governor must sign it, and so it would be just self-serving for me to say that we are going to ask for funds.

I really think that the decisionmakers on this situation ought to be—that question ought to be put to them.

MR. BACA. Yes, sir. But I do understand you are prepared to go request additional funds?

MR. RILES. Yes. I am often unwelcome because I request additional funds. Let me state it this way. I view my role as State superintendent of public instruction to do everything that I can to improve the quality of education for all children within the State, and I feel and try to work for prudence in every way. I don't believe in wasting any money,

but I certainly work for adequacy. So there's no question about it, if there is any need and I see the need, I will request money for it.

MR. BACA. Thank you. No further questions, Mr. Chairman.

CHAIRMAN FLEMMING. Superintendent Riles, on the comments that you made relative to Title I and the funds following the student, is it your understanding, the understanding of your counsel, that the policy that is now being followed by the Federal Government is dictated by a change in the law as contrasted with a new interpretation of the existing law?

MR. RILES. My understanding is that it is the law, and the regulations, I might add.

CHAIRMAN FLEMMING. But that's what I was interested in, whether or not there is a feeling on your part or on the part of your associates that the law conceivably, as represented by the regulations, could be interpreted in such a manner that the funds could follow the student?

MR. RILES. I would say this, we've had lengthy meetings with officials of the Office of Education and their attitude is that this money must go to the youngsters who reside in the target area and in those schools. We don't have a problem with the target area. Now, there may be some hope that, you know, that interpretations sometimes change, and maybe this august body might request a reinterpretation of the statute because, you see, you create a conflict if you are talking about integrating schools, and then you penalize the children in this case when they're integrated. I mean, it's a barrier that I don't think we have to face—should face.

CHAIRMAN FLEMMING. A number of witnesses that have appeared before us have identified this as a very serious issue. In fact, we had identified it before the hearing opened and we do want to explore it and see what the basis for the ruling is.

You indicated that you had had conversations with the Office of Education. At what level? The regional level or the Washington level?

MR. RILES. Washington level.

CHAIRMAN FLEMMING. With the Commissioner?

MR. RILES. Was the Commissioner at that meeting? I don't—no, it came at the time when there was a shift in the—we have a new commissioner now and I know him personally, and I think I can say for Dr. Gerry—he certainly would be sympathetic to what we're trying to do.

CHAIRMAN FLEMMING. Did you meet with the Office of Education personally along with some other State commissioners on education?

MR. RILES. No. This was a particular—this was particularly a California session, as I recall, the deputy for programs in the Office of Education, that is Dr. Wheeler, came out to Sacramento with the director of compensatory education and an attorney and other members of his staff along with our attorney, and we spent a full day trying to clarify this matter, and I—we reached some kind of agreements, but we were told at that time that under the law, as they interpreted it,

and under the regulations, that California would be outside of the law if we approved programs which allowed money or resources to follow youngsters outside of the target area.

CHAIRMAN FLEMMING. To your knowledge, have other State commissioners on education raised this issue with the Office of Education? Have you in any of your conversations with your fellow commissioners discussed this matter?

MR. RILES. Not, not to my knowledge. I'm not sure, so I can't answer that.

CHAIRMAN FLEMMING. In your conversations with the representative of the Office of Education, I assume that a good deal of emphasis was placed on the fact that the implementation of the kind of a ruling that they were talking with you about would seriously impair efforts to bring about desegregation?

MR. RILES. Yes. I don't want to paint the Office of Education as being the heavy in this situation.

CHAIRMAN FLEMMING. No, I mean, we're going to have testimony from the regional office and I don't either. What I'm interested in is seeing if we can help get to the bottom of it, not to pin responsibility on anybody, but to get a change, because it's clear that this is a, as you indicated, a built-in conflict here, asking people to make very difficult choices.

MR. RILES. Two things. I must say that you could misuse, or it is possible to misuse, funds and programs that are designed to raise achievement level of disadvantaged youngsters, if you had it wide open, and I must say that if Congress in 1965 had not come along with money to raise the achievement level of these youngsters, and President Johnson signed it, I think in September, and that meant \$78 million in funds for the disadvantaged, I dare say the problems of the most needy youngsters, educationally disadvantaged, would not have been addressed.

Now, there were a number of States, and I recall it at the time because I was the first director of compensatory education in California who took that money as, tried to use it as stump money. Now, this is our jargon in California for just put the money on the stump and don't tell us how to use it. You know, just put it there and we'll pick it up, or, better still, mail it in an envelope special delivery and don't ask for a receipt.

It's clear that if that had been done, it would have just been used for purposes other than whatever. So, I want to stress that not only has this money been useful, but secondly, in California at least, we, our legislature has come forward with funds equal to what comes from Title I. In other words, we have a hundred million dollars in EDY funds.

Now the question comes, how do you, how do you use this money in a district that's totally integrated? How do you identify the youngsters. Well, now what we have worked out is that we approach it on

an individual basis, and you design the program to meet the needs of the youngsters wherever they are. So, we are satisfied from the department level, and I think our districts are satisfied that we will do it, and I get the impression from Dr. Wheeler and the other people that are sympathetic to that, but they say, Wilson, you know we have to follow what the law is.

CHAIRMAN FLEMMING. You, as far as the hundred million that has been made available by the State of California, you have every intention of following the student, continuing to—

MR. RILES. Absolutely, because we have that flexibility in this State.

CHAIRMAN FLEMMING. Right. And you have gone as far as you feel you can go in pointing out to the Office of Education the implications of this change in signals. But as you understand it, they feel that they have no alternative under the law?

MR. RILES. That's right.

CHAIRMAN FLEMMING. We'll pursue it from that point.

But now, your identification of this hundred million for this purpose by the State of California leads me to ask this question. Has the State of California appropriated funds designed to help school districts that are in the process of desegregating deal with some of the additional costs that are bound to arise when you move into a desegregation program?

MR. RILES. No, not to my knowledge.

CHAIRMAN FLEMMING. I was going to illustrate it by—in Boston the judge in Phase II paired up higher institutions of higher education with schools there, with the understanding that the institutions of higher education were going to help the schools improve the quality of education, and apparently there was a sum of money available under the Commonwealth of Massachusetts that could be used to at least help finance that particular program.

MR. RILES. May I, if you're talking about programs that deal with restructuring or reforming or zeroing in on quality education, the answer would be yes. But I understood your question to be, one, that the request comes for the purpose of integration itself, and the answer to that question would be no.

CHAIRMAN FLEMMING. Has any thought ever been given to requesting the legislature to set aside a sum of money that could be used for that purpose in order to help accelerate and facilitate desegregation or integration?

MR. RILES. No. And I think I should tell you why, because I think—if this has not been put on the record, it ought to be put on the record.

The State board of education back in 1962 passed a regulation under its broad powers of regulating the schools, which to my knowledge was a very advanced regulation because it required local school districts to take a look at themselves and insofar, and I quote, insofar as it's reasonably feasible to provide integrated experiences for youngsters, to do so.

Now, I note when I look at the *Jackson versus Pasadena* case, Santa Barbara, Crawford, Sacramento and so on, that that wording and that concept was picked up, apparently, by the courts and followed all the way down, but, unfortunately, something happened and it was simply this. A Senator Bagley attempted to codify those regulations, in other words, to put this into law, to make it a legislative, make it law, rather than regulations.

At that time I personally thought it was a bad move, but I didn't get out and fight it, you know, after all a person—well, well let me state it this way, you know, to oppose it might, might, might, put me in the position of sounding that I am opposed to integration, but tactically, tactically, I think it's a bad thing, and I take this very seriously because we can do a lot of talk about this, but having lived with this for 35 years professionally, I want to see something done, as you do.

In any case, it was passed by the legislature, and I wrote the Governor, who at that time was Governor Reagan, urging him to sign the bill, and he signed the bill, and then immediately after that, before the ink was dry on the bill, an assemblyman by the name of Wakefield, who was not famous for integration or anything of this kind, was able to—we have a referendum process in the State of California—was able to refer that law to the people, and the people by some 60 percent of the vote, and by the way, to do away with that statute, that was what the referendum was, and of course, 60 percent of the people in California voted to do away with that statute.

Then the NAACP challenged this statute, and subsequently the Supreme Court ruled that you could—that the part that was eliminated in the referendum which said that no district could assign pupils on the basis of race, and that referendum had upheld that kind of view—the Supreme Court reversed that and said if you're going to correct a discriminatory practice, you have to be able to do that. But, having struck down the exact language, or nearly the exact language of the State board of education's regulations, have put the board and the department in an awkward position, with, in dealing with other regulations that follow this line of reasoning.

So I think this ought to be on the record because I think it's, it was a tactical mistake as it proved out, and now it is really clouding the, the, authority of the State board as well as the department.

We assume that we can give leadership. We assume that we can, and we are, but to come up with new regulations that follow the Bagley Act would be questionable.

VICE CHAIRMAN HORN. Mr. Chairman, at this point just to get the record complete, can we get into the record the Bagley Act as passed by the legislature, the Wakefield referendum, the arguments that were in the voter pamphlet, both pro and con, as well as the original resolution of the State board of education and the subsequent court interpretations of that?

CHAIRMAN FLEMMING. I will request the staff to bring that material together and without objection insert it in the record at this particular point. I appreciate very much your bringing us up to date on the history of that legislation.

Do I gather that the, it would be fair to say that the end result of the legislative history that you encountered or presented to us is that the State board and the State department feel that they're not in a position to put the heat on local school districts in California to accelerate desegregation—to question whether they are in a position to obtain, to try to obtain, resources from the legislature that could be used for the purpose of accelerating desegregation? Is that a fair conclusion?

MR. RILES. Yes. I would want to state it a little different. I would say I don't think the department of education or the State board of education is in a position to make mandates on local school districts in this field.

Now, I do think that the board and the department can be of assistance to our boards on a request, and I think we are free to request resources to be of assistance to districts.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Horn?

VICE CHAIRMAN HORN. Superintendent Riles, let me ask you, I've read your "Viewpoint: Wilson Riles on Busing." When was that issued by you?

MR. RILES. Any time anyone asks, I tell them my position on that.

VICE CHAIRMAN HORN. This is, would you say, the last year or the last 6 months or?

MR. RILES. Almost every time the question comes up, someone asks me, and I—I don't know what you are referring to because frequently, you know, your statements, my statements are taken out of context, but I don't know what specifically.

VICE CHAIRMAN HORN. Sure. Well, this is a four-page document that was secured from you when our staff attorney, Carol Murray, interviewed you.

MS. MURRAY. Chuck McFadyen provided that to me.

VICE CHAIRMAN HORN. I couldn't hear you, Ms. Murray.

MS. MURRAY. Chuck McFadyen—

VICE CHAIRMAN HORN. —provide that—

MS. MURRAY. Yes, Chuck McFadyen from your office provided that to me.

MR. RILES. Oh, yes.

VICE CHAIRMAN HORN. And I also have your letter to the district and county superintendents of schools of October 25, 1976. The reason I raise that is the basis for questioning.

I'd like this in the record at this point.

CHAIRMAN FLEMMING. Without objection, it will be entered in the record at this point.

VICE CHAIRMAN HORN. You have placed a great—you have placed a great stress both in your public statements and in this statement on a number of issues that I happen to have also spoken somewhat similarly on. Some people have perhaps misinterpreted, however, some of your statements. For example, you say the quality of a school program is number one. I think that we would agree with that.

Number two is the integration of the schools to the extent it is feasible. Now, what I'd like is perhaps for you to summarize your own philosophy on this in terms of the degree to which you feel pupil transportation is necessary in California at this time to secure a quality education in an urban area such as Los Angeles.

MR RILES. I'll be glad to try that one. Number one, I talk in terms of quality education because over the years I have noted what people respond to regardless of their ethnic background. I have noted that if you have a program in which people believe that their youngsters are going to get a good education, they want their children in the program.

To illustrate, no longer than last week at the State board of education meeting, the board had an excellent report on gifted programs for youngsters and during the testimony one of the presentors stated that at the Pope Avenue School in Sacramento youngsters are transported there, gifted youngsters, and he said as much as 45 minutes each way. When he had finished, I asked was there a problem of busing in the San Juan district. His answer was no. And his answer was no because the parents wanted their youngster in that school because they thought that their youngsters would get a good education, and I keep saying the image because whether or not it's true or not, parents think it is. So, if we are going to eventually solve this problem, then, we have to do something about the quality of education and how people feel about the schools, black or white.

Now, this has been the experience I have observed over the years.

Secondly, and conversely, if people think their youngster is going to get a, a poor education, they're going to resist sending their youngsters to the schools. So one thing that we in education can do is to assure, to the extent that we possibly can assure, that the school, that no parent will put their youngster at a disadvantage for any reason whatsoever. It seems to me, and I know there's disagreement on it, that this makes it possible then, to deal with the issue of integration on its face, because now what we run into, it's clouded by the other question of whether you're going to put a youngster at a disadvantage—now, I lost the second part of your question. Would you state it?

VICE CHAIRMAN HORN. Well, basically, I think you're answering quite a bit of it. How you would reconcile the problem of supporting the constitutional mandate which we have had through the evolution of the Federal court orders—the mike is off—are we on?

All right. It's basically the problem of the reconciliation of supporting an evolution in a series of Federal court orders, in terms of desegregation of the public schools, and assuring quality education in

the relationship of those desires on one part, mandates on the other, in terms of pupil transportation.

Now, I've got your statement in the record. I think a lot of that's pursued there. Some of what you have said elaborates on it.

I merely want to add that I think your stress on saying that we cannot overlook the socioeconomic factors is a sound one. I have long made that argument.

I was particularly fascinated by your question that if we look at the children in this country with the highest dropout rate, the lowest average I.Q., and who experience the most difficulty in school, what emerges, not ghetto youngsters, not black youngsters, but Appalachian whites. Because they're white? No, because of poverty and isolation. It was interesting that in our hearings in 1971, Mayor Stokes of Cleveland pointed out that in housing discrimination, middle-class blacks in Cleveland discriminated against lower-class blacks, and both discriminated against Appalachian whites. So, we do have other factors that sometimes get lost in the shuffle of what is sensational and what is news, that I think ought to be considered in any plan.

I merely raise this to move to another question as to your responsibilities and those of the State board and the department, although the Chairman has explored some of this, and I wonder, regardless of the Bagley Act and what happened with the Wakefield referendum, to what degree does your department have the authority to monitor the use of resources in the public school districts of this State, and what I'm leading to is my concern that has come out here in testimony before this Commission today about the possible misuse of part-time faculty, primarily in minority districts as opposed to majority districts, and the ethnic imbalance within the part-time pool versus the full-time pool, and I wonder if your agency has any authority to review just what is happening in this regard in the various school districts of the State.

MR. RILES. With regard to general fund money, and I state this because I'm trying to remember as much as I can about the policies as they relate to the educational code. We are limited in what we can do about it.

Of course, we can review and so on to the extent of our capability. Now in special programs like early childhood education, Title I of the Elementary and Secondary Education Act, educational disadvantage, bilingual programs, etc., we do have a consolidated monitoring capability, and indeed we do monitor certain schools where those programs are.

But when it comes to—and I think this somehow ought to be on the record because we get a lot of letters and requests that the department—neither the department, the superintendent, or the board can dictate about. In our system in California, most of the authority is at the local board level, and I think that's where it should be. Our role is to assist, to be helpful, to coordinate, and if it comes to it, on those

funds that we control, some of them the board can cut them off. But whenever we cut off a single dollar from the school district, we've lost the battle, because we're talking about kids, we're not talking about adults. As a matter of fact, this whole problem is one of adults, not children.

And so I urge my board to be very judicious in not being over anxious to cut off money, because that's not helping, that is hurting. So, we have to help, support, work with people so we get the job done rather than, you know, cutting off funds.

VICE CHAIRMAN HORN. I would like at this point in the record, Mr. Chairman, to leave room for an exhibit that comes from the superintendent, perhaps prepared by his general counsel, as to the degree to which the State board and the department of education have the authority to review matters such as the one I cited, the degree to which there is an imbalance in terms of work force, both full time, part time, in the assignment of teachers in public schools that are largely minority or largely majority.

If we could have that at this point in the record.

CHAIRMAN FLEMMING. Without objection, we'll request the superintendent to provide that kind of a memorandum, and then insert it in the record at this point.

MR. RILES. Yes, sir. And if I have permission, I'd like to comment on this whole business. We tend to try, some people do, to approach these kinds of problems in a simplistic manner. As an educator, former teacher, administrator, all the rest, they are much more complex than we tend to make. I don't know—certainly I'm not, and I don't know very many people who are serious about this who object to integration or opposed to it, as a number of people do, or staff integration, and so on. As a matter of fact, these are worthy objectives and goals for this Nation. In other words, we are a Nation of many backgrounds, and I think one contribution we can make to ourselves and to others is to get along and demonstrate that it can be done, because, God knows, all over the world it is not being demonstrated. Having said that, now, we come down to the question of implementation, and that is a problem. Washington cannot implement a program, Sacramento cannot. It must be implemented at the local level.

Now, let's take the teacher kind of situation and what I feel down here when we are talking about youngsters. I know that what happens to the learning of the youngster depend upon the competence, the sensitivity, the caring of that teacher. Hopefully, the child will have an opportunity to experience an integrated faculty, but if it comes down to whether that youngster is going to have a teacher that understands and cares about whether the youngster learns or not, then I want to tell you if there is a teacher in that school that doesn't care about those youngsters, I want that teacher out of the school, regardless of the color, and someone in there who cares.

And I mention this because it's a very serious matter, and it is not enough to just, to mix up the faculty. Now, I think they both can happen, but there has to be great sensitivity to it because, you know, it's been several years that we've been working with this, and I am not willing to see one single kid go down the drain because we have been simplistic in what we're trying to do. I feel that very strongly, and that's why I put it on the record.

VICE CHAIRMAN HORN. I understand that, and so do I. You have just led me to my last question because that's what it concerns.

Yesterday we had a panel of deans of education from the UCLA as well as the Northridge, LA, Long Beach campuses of the California State university system, and USC, and one of the questions we explored with them is the degree to which the requirement of the Ryan Act administered by the Teacher Commission Preparation and Licensing has been carried out—to provide a multicultural experience for the teachers prior to their credentialing. The feeling of a number of the deans was that this has not been faithfully carried out by many of the institutions of higher education in California, and if it has been carried out for the teacher credentialing through the actual field experience, perhaps the spirit has not been carried out in terms of a broader sensitivity for those gaining other types of credentials, administrative, counseling, so forth. Now, I realize, or I think I'm correct, your department does not have the authority to administer the credentialing program of this State and to implement the Ryan Act?

MR. RILES. No.

VICE CHAIRMAN HORN. Just what authority can your department assert in this area to provide the type of teacher you and I are talking about?

MR. RILES. We do have, through our department and certainly through the bureau of intergroup relations, not only the authority, but we are busily carrying out, I think it's 3.3 in the education code which is the inservice intergroup experience for the teachers, indeed it's required by law, and it is taking place. But, again, Mr. Horn, it is easy to talk about teaching teachers to respond to intercultural experiences, and I have faith in the educational process. I would only say that it's very complex, and we work at it, and we should work at it, and I think we're making progress. But just because you go out and give an inservice education courses or preservice course to the teacher, and then expect that teacher to go into the classroom and be sensitive to some of the subtleties that are faced, it's not enough, and I'm not talking about white teachers or black teachers or Chicano teachers, I'm talking about any teacher, and I've seen, in my experience teachers who may be of the same ethnic group and ashamed of that group if they come from a lower socioeconomic status who want to not be identified with them. The only point to make here is that it's complex and we need to work to do everything that we can to, hopefully, get all teachers sensitive to all children, but believe me, we're not there yet.

VICE CHAIRMAN HORN. I would like to just have inserted in the record at this point an exhibit of the number of preservice courses under this law that have been funded or authorized by the State department of education, the number of teachers involved, perhaps the districts to which allocations have been given.

CHAIRMAN FLEMMING. Without objection, that will be done. I'd like to just follow up for a moment on your response to one or two of Commissioner Horn's questions to make sure that I do understand your position.

Let's assume that a U.S. district court or State court has found that a particular school district is segregated. Let's assume that an order is issued to desegregate it, and let's assume that the school board in this instance doesn't come up with a satisfactory plan and goes back to the court. Let's assume that the court said the only way in the world that we can break up this segregated school system is to reassign students, and let's assume that in order to reassign them you've got to provide some transportation. Now, let's also assume that some of those schools as an outgrowth of segregation are poor quality schools. Do you feel that under the Constitution there's no alternative other than to proceed with the desegregation plan, the reassignment of students, and providing transportation for students, and then tackle the problem of raising the quality of education in school A, school B, and school C? Would that be—

MR. RILES. I think I understand your question. On the first point, as a constitutional officer I have sworn to uphold the law. Secondly, to the—within the framework of whatever the law is, I am prepared to carry it out. I would hope, however, that the courts, whoever issues the mandates, would set a framework and a timeline and allow those of us who are responsible for the educational efforts and the inter-groups relations efforts to work them out, and work with the local communities, the local boards, let them work with their communities and work it out.

I think where we get into trouble is where courts, which I submit, in my opinion and I may be wrong, are totally incapable of saying the how, but perfectly capable of saying this must be done, or setting the goals. I think if they would stay at that level then we can make it.

Now, the question then comes: Which comes first, the chicken or the egg? Should you integrate the schools and then try to raise the quality, or should you try to raise the quality and then integrate the schools? Or should you try to do it simultaneous? If I had control, which I don't, I would try to do it simultaneously. Because if forced to have parents send their youngsters to schools that they view are poor schools, we have enough evidence to show that no parent, or very few parents, will do that if they can find another way out, and I'm not talking about color now at all. Middle class parents act like middle class parents first, and we have enough evidence in this country to see—they call white fight, white flight. I don't call it white flight,

I call it middle-class flight, and if you say you're going to have to send your child to a school, and the parents can do something about it, then they're going to do it, and it's simple as that, unless they can't help it. And if they can't help it, then you find your districts filled with parents who are frustrated and angry, and yet they're incapable of dealing with the kind of situation. So the answer to your question, which is much too long, I think it ought to be done simultaneously.

Let me give you one example of what I mean, please. San Francisco has totally integrated its youngsters, by computer, I might add. I think they're going to have to start all over again because a lot of things have happened. But that is not the point. They have a school, a high school, called Lowell High School, and it has a reputation of taking the bright and the college-bound, and so on. A number of years ago the superintendent, Spears, I think it was about 10 or 12 years ago, Superintendent Spears decided that was unfair, and so he ought to make a neighborhood school out of it. And he brought it before his board, whereupon the roof almost fell in, Mr. Flemming, and the objection did not come from blacks, it came from whites who found themselves outside of what was going to be the attendance area. They wanted their youngsters in that school, if they could qualify. That's why I think the issue of busing is a moot question. You know, people don't care how they get their youngsters to school if they feel they are going to get a, get—Look, we bus 800,000 youngsters in California every day at a cost of \$100 million. That isn't the question. The question is, what do parents expect when their youngsters get to school, and I think if we can address those problems together, we will get somewhere. But if we think we are going to address them by a strong-arm method, we're not going to do it.

CHAIRMAN FLEMMING. Let me say that your emphasis on a simultaneous approach is one that certainly I concur in. I'd say "both-and"—I mean, it isn't "either-or," its "both-and." Let me say this, that Judge Garrity in Boston as he developed the plan for Phase II, he certainly proceeded definitely along this line. He worked out a plan, as I indicated earlier, under which institutions of higher education were paired up with other elementary and junior high school and senior high school in order to improve the quality of education. He put a great deal of emphasis on magnet schools, which were not unknown to Boston anyhow, and he definitely took the "both-and" approach, but at the same time made it clear that the victims of segregated education were no longer going to be the victims of segregated education. I think the "both-and" approach is very important, and that's why it seems to me that at both the Federal level and State level we should be prepared to make the kind of investments, or help the local school districts make the kind of investments, that will insure a "both-and" approach, so that today's children and young people don't have to sit around and wait until we do something else. Commissioner Freeman?

COMMISSIONER FREEMAN. Mr. Riles, I think that it is necessity for us to recognize that we are a little late talking about the "both-and" approach when it is the State and local school officials who have acquiesced in the inferior schools for the minority children, and until the thrust for desegregation, nobody really cared. Now it seems that we—I believe in equal educational opportunity, which of course means that the majority child has the right to go to a poor school as much as a minority child, but hopefully everybody would go to a good school.

Now, my question to you is the extent to which the State of California has used its resources in the past and has allocated resources for the future for the desegregation of all of its schools including the Los Angeles Unified School District. Resources now, in your office?

MR. RILES. You know, we are throwing around the questions, segregation and desegregation, and I'm not sure what we mean.

COMMISSIONER FREEMAN. You don't know what desegregation means?

MR. RILES. I know what, I know what in California and what the recent court case says it means. Are we talking about the *Crawford* case?

COMMISSIONER FREEMAN. Speak to the *Crawford* case.

MR. RILES. All right. If you're asking how much money has been spent to deal with that and what we've done about it, I can tell you what I have done about it when I was over compensatory education. One example is what we did in Berkeley, California, which was years ago, in which they integrated their schools. We allowed money to be used, compensatory education money to be used in the education of those kids, to follow them, to even furnish the transportation. We did this in Sacramento. We provided every opportunity in San Francisco to deal with this problem. I would submit to you that, you know, we're not just beginners in this business but—

COMMISSIONER FREEMAN. Have you made such an allocation, or have you indicated to the board—school board of Los Angeles—that such funds will be available for them from the State of California?

MR. RILES. You know something, the local board in Los Angeles has the responsibility to integrate its schools. You are asking me whether we have said money is available for you to integrate. They haven't asked us whether they wanted to integrate or not. So, why would we say money is available?

COMMISSIONER FREEMAN. Let me say to you, the State of California has a duty to provide equal educational opportunity for all of its citizens.

MR. RILES. I certainly agree with you there.

COMMISSIONER FREEMAN. I just want to be sure you understood.

MR. RILES. Well, I understand it; I spend 24 hours a day trying to do what I can about it.

COMMISSIONER FREEMAN. It wasn't clear from some of the things that you have said.

MR. RILES. Well, I hope it's clear now.

COMMISSIONER FREEMAN. Thank you.

MR. RILES. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Well, as I understand it, you already did it in Berkeley.

MR. RILES. I didn't, the local board in Berkeley— We helped.

COMMISSIONER RUIZ. But you utilized State funds for that purpose, did you not, compensatory education?

MR. RILES. State and Federal.

COMMISSIONER RUIZ. Pardon?

MR. RILES. State and Federal. These were funds that we controlled.

COMMISSIONER RUIZ. Then, I'll repeat my question. You already did it in Berkeley, didn't you?

MR. RILES. We did?

COMMISSIONER RUIZ. Yes.

MR. RILES. Okay.

COMMISSIONER RUIZ. Okay. And the prior Commissioner was inquiring with respect to this specific item, as to cueing in on an anticipatory basis, the decision may come down tomorrow, and if the situation in Los Angeles under the reasonable and feasible situation is the same or similar to the Berkeley situation, what would you then announce?

MR. RILES. Let me explain to you, please, how money gets into the system here, and I wish that Wilson Riles had a part of it that he could control, and I would assure you that it would go to wherever necessary to deal with this problem.

COMMISSIONER RUIZ. No, this is hypothetical situation, is the same one as Berkeley. I'm assuming that the court order came down tomorrow and your factual background was the same or similar to the Berkeley situation. Would your attitude the day after tomorrow be one as, I have noted your testimony, being one of complexity, or there's not much we can do, and it reminded me of an inquiry made by Eleanor Roosevelt to President Roosevelt with respect to what he could do, and he said, "Well, I am President but a lot of things I can't do." And with respect to what you can't do and with respect to what you can do is the thing that we're trying to figure out in this conversation. Those assumptions, similarity to Berkeley, day after tomorrow, has the scene changed, are those funds no longer available?

MR. RILES. I testified earlier that according to the interpretation that the U.S. Office of Education gives to Title I funds, they are no longer available. So far as State funds are concerned, whatever we can do within the law, we will do it. I am committed to quality integrated education. And I want to tell you that for 59 years I've been a victim of discrimination, so if you're raising the question what am I committed to—

COMMISSIONER RUIZ. I haven't raised that question.

MR. RILES. Well, that seems to be the way the discussion is going.

COMMISSIONER RUIZ. Let's get back to the board of education on a national basis. You said you know Ed Aguirre? He's a good friend of yours?

MR. RILES. Yes.

COMMISSIONER RUIZ. You stated that you'd talked to the prior Commissioner. Had a telephone call tomorrow to Ed Aguirre and his opinion with relation to these funds under Title I or Title VII pertaining to bilingual education would put us on a current basis from a national point of view, State contract with the Federal Government. You referred to decisionmakers with respect to what your office can do to get the legislature to move, that gets me getting back to the original question of Berkeley, sir, which you haven't answered.

MR. RILES. On Berkeley, our district, our department, and our board, to the extent that we could be helpful, we were helpful, and I would do this in Los Angeles, San Diego, any other place in the State.

COMMISSIONER RUIZ. Thank you.

CHAIRMAN FLEMMING. Staff Director John Buggs has a question.

MR. BUGGS. Mr. Superintendent—

MR. RILES. Yes.

MR. BUGGS. Good to see you. I'm mindful of your time, and I will try to compress this within just a couple of minutes for your reaction. I think that all of us here, certainly I do, believe in quality education. The Supreme Court in the *Brown* decision indicated that what it was requiring, with regard to the desegregation of schools, was not quality education, but equal educational opportunity, which, as Commissioner Freeman has suggested, means to some extent that where, to the full extent, that where there are good, bad, and indifferent schools in a school district that all children have the responsibility to share and share alike in the same place, and at the same time, all of the qualities of education that exist in that community.

I think the genius of that kind of decision was that the Court probably recognized, without saying so, that education and the funds for it are controlled by some people, not by all the people and that particularly the allocation of those funds are not controlled generally by the people who need the quality education most. That if, for an example, the people who are now in quality schools, be they black, white, blue, or green, when they discover that their child might as a result of the Court decision be required to go to an inferior school, they begin rather quickly seeing to it that there are no good, bad, and indifferent schools in their district but that they are all good. The question I'm raising, really, is whether or not in your view the psychology, and the requirement behind that psychology, that desegregation take place and take place now will not produce the quality education for all of the children far quicker than if that requirement is not made, whether it's forced or not, that when it is made that some marvelous and unusual and miraculous things tend to

happen, as we've seen in Tampa, as we've seen in Denver, as we've seen in places all around the country.

And if that is so, is it not extremely important to let the people of this State and of this country realize that there, in the first place, is absolutely no escape, no alternative to what the California Supreme Court in this issue has required or what the Supreme Court of the United States in other places has required. Do you not think that it's a good requirement?

MR. RILES. I, you had a long question and I will have to answer it without saying yes or no, and I speak of this with great respect for John Buggs, whom I've known over a long period of time, and not only respect him but we're good friends. But on this question, I think you raised the one question that has been raised here today that is fundamental, and I will try to answer it for you.

When you raise a question about *Brown*, what it said in *Brown versus Board of Education*, I disagree on that. There were a lot of things the lawyers call the dicta around the case and so on. But what *Brown* did was really struck down the dual system in 17 states and the District of Columbia. That's what *Brown* did.

Now, we come to the question then that you raised in which you seem to infer that in order to get good schools, that, that you send everyone to all the schools, bad and otherwise, and that's the way to get good schools.

I don't agree. I think that's too simple to deal with, because we have examples of people who have choices that don't go to those poor schools, and I think that's where it begins to break down.

I also feel that, although you didn't say it, that somehow minorities must have whites around, because they control the resources, in order to get a good education, good schools for minorities.

MR. BUGGS. Yes, I believe that.

MR. RILES. You do?

MR. BUGGS. Not that black children cannot learn next to, sitting by white children. I think both you and I disagree with that. I am convinced in my 61 years of dealing with this problem that I know of no place anywhere, California or elsewhere, where minority children as a group of individuals have had as many educational advantages and as good a quality of education as do whites.

MR. RILES. Well, maybe what you say is true, but I think we have come to a time now in our, the history of this country, where if we are going to rely solely on the largesse of whites in order to deal with the problems that we are dealing with, whether it's schools or anything else, then we are not going to make it. You see, the Civil Rights Act, if it did anything, gave us the right to vote. To the extent your Commission and other commissions are getting job opportunities—In other words, I think it's time for minorities just like anyone else to become a part of the society, to sit on the board of directors, to be elected mayors and members of school boards, to run the system, and not depend upon whites to come along and give us something.

MR. BUGGS. I agree with you. The largesse is not what we are looking for. We are looking for the courts of this country to say to all of the people of this country that no one should have to beg for anything, that there are rights that all of us have, and that the courts of this country are going to see that everybody's right is protected.

MR. RILES. Yes. Well, I think we are close together, but at the point where you are indicating that somehow you got to get the rich and the wealthy and the whites and so on to get to help us out, I think we've passed that. I think what we ought to do is be working together for all children to get the best that the society has to offer, and we do it together and we have a mutual responsibility, and I think we can make it if we approach it that way. But, you know, I know too much about political reality to expect someone to put themselves at a disadvantage in order to help someone else.

I think if we go down this road together, as we ought to be going down California and throughout this Nation, I think we'll make it.

MR. BUGGS. We will remain friends, and we will remain at a point where we totally disagree on that issue.

MR. RILES. I don't—let me make one statement, which I can't say it's off the record. I believe that minorities are going to get a better, more attention, and greater support in this administration, not philosophical for philosophical reasons, not having anything to do with partisanship, but because this present incoming administration know how to read the tax returns—not the tax returns, but the voting returns, and that's what I mean, John, by this, I mean, you know—

MR. BUGGS. That's exactly my point.

MR. RILES. All right, then. Well, that must come from the minorities themselves. No one is going to give you that.

MR. BUGGS. Well, he wouldn't have got there, as you well know, unless the minorities had put him there.

MR. RILES. That's, that's what I'm talking about.

MR. BUGGS. And what I'm saying, what I'm saying is now, not only the courts but the administration as well has a responsibility to see that there is no good, bad, and indifferent quality of education in an integrated setting.

MR. RILES. All right, who, who comes from that—let's—you know, we're making devils and we're making good guys. If you were a lawyer and I had the authority, with an authority to appoint you, I'd appoint you to the bench so that you could make that decision, and that's what I'm talking about, not depend upon someone else to do it.

MR. BUGGS. Wilson, somebody has to carry it out, that is what the court is doing.

MR. RILES. All right, then, okay.

VICE CHAIRMAN HORN. Mr. Chairman, I would like to say that as a 45-year-old student, I have enjoyed this discussion by my 59- and 61-year-old professors, and there's probably a charge for sending this transcript to Plains, Georgia, but we could arrange it.

CHAIRMAN FLEMMING. Let me as a 71-year-old person get into the picture for just a moment, because when you talked about simultaneous, I introduced the concept of "both-and," and I agree with Commissioner Freeman's reaction to that, because it could be misunderstood. As far as I see it, the United States district court judge that is confronted with a segregated school system has no alternative but to issue an order to break it up, and in order to break it up, he's got to reassign students and in order to reassign students, he's going to have to provide transportation.

Now, this means that some students, given the status quo because of what flows from segregation, are going to face the possibility of being reassigned to inferior schools and as contrasted with some of the other schools.

The ideal situation would be that at that particular point, additional funds are invested in order to correct the situation in the inferior schools, and this is what we all hope for, and what I think John Buggs is saying is that the establishment, whatever that establishment may be made up of, once confronted with the fact that their children are going to go under the court order to some of these inferior schools, immediately begins to take a little bit more interest in the condition of the schools than otherwise might be the case. But if we can't get the funds to correct the situation, as I see it, if the district court judge, if he is going to operate under the Constitution, has no alternative other than to break up the segregated system, because it means that some students and children are denied an equal chance as far as education is concerned or denied equal access to whatever the resources of that community may be.

But I do believe that all of us, I'm sure no disagreement here, should work to get the funds that it is necessary to get from Federal Government and so on to improve that quality.

For example, this Commission is on record as being vigorously opposed to the provision in law which denies the use of Federal funds to help out on the transportation of students. That to me is an indefensible provision of law and one that has the Federal Government saying: We really don't believe in doing the things that you've got to do in order to desegregate.

VICE CHAIRMAN HORN. Well, it's probably unconstitutional if was ever brought into court.

CHAIRMAN FLEMMING. Okay. Your friend, colleague, and so on, says that you are now 10 minutes to get out there to that plane, so I think we should recognize and express to you our appreciation for your being here and being willing to dialogue with us in this very frank manner.

MR. RILES. Chairman Flemming, may I say that I'm delighted that I could come here and it has been an exciting give and take, and I think we all hope to get to the same place at some point in time and I believe we'll make it.

CHAIRMAN FLEMMING. Thank you very, very much. Best wishes.

All right, Counsel will call the next witnesses.

MS. MURRAY. Lorenza Schmidt. Marion Drinker.

CHAIRMAN FLEMMING. May I ask the witnesses if they'll stand and raise your right hand, please.

[Lorenza Schmidt and Marian Drinker were sworn.]

TESTIMONY OF LORENZA SCHMIDT AND MARIAN DRINKER, LOS ANGELES BOARD OF EDUCATION

CHAIRMAN FLEMMING. Thank you and we're very happy to have you with us.

MS. MURRAY. Would each of you state your names, addresses, professions, and length of time on the board for the record?

MS. DRINKER. I am Marian Drinker; I'm called Joy. I live at 14711 Fruitvale Avenue in Saratoga. I'm a housewife and I have been on the board 4-1/2 years; I am in my fifth year.

MS. SCHMIDT. My name is Lorenza Galvia Schmidt. I live at 209 Corona in Long Beach, 90903. I'm an assistant dean of students at the University of California at Irvine, and I have been on the board for 5 months.

MS. MURRAY. Dr. Riles described the board's pre-1971 experience with integration up to the time that Proposition 21 was passed and the subsequent court decision in the Santa Barbara case.

Could you detail for me, either one of you or both of you, the board's involvement with integration since that time?

MS. DRINKER. Since that time our discussions have primarily centered around trying to define the legal authority of the board in desegregation. Within the last year, last April, the board's—in addition to defining the legal authority, which we have done primarily as our legal counsel would indicate, around court cases, cases that are before the court that the board and/or the superintendent are involved in—in addition to trying to define the legal authority of the board.

Last April the board's advisory commission on equal educational opportunities commission brought forth to the board proposed regulations for school districts to meet desegregation.

At that time the board felt it was better to, rather than to take action on those regulations, to await the decision, the *Crawford* decision, and we then waited through the summer in order to consider what action we should take at that time.

In October at our retreat, we determined that we do have a responsibility for desegregation, that we do want to provide leadership, and we are trying now to come to a determination about what, what nature of leadership that will be.

One suggestion that we made to Dr. Riles was that he send a letter to school districts clarifying the language of the decision and offering assistance to Los Angeles. In addition, he announced that he was putting together a committee to discuss possible strategies for

desegregation and we thought it would be advisable to hear his report from that particular committee after it had met. In the last couple of months on the board, last month, the equal education opportunities commission again came to the board with revised regulations for desegregation. We asked the department to look at these regulations, to question both the content of the, to look at the regulations, and to ask some questions. Is regulations a proper and advisable role for the board to take? Should we perhaps move towards guidelines or a list of strategies? What, what are some alternatives to the regulations that we might consider. The board will expect to have the department review these regulations and come to us with an analysis of them, in, at our January meeting. We had a report at the December meeting from the Mid-Peninsula Task Force on Integrated Education, which is an active group in the Peninsula, also urging us to take a leadership position.

So, basically, now we are trying to solicit input and to talk among ourselves and with the superintendent to, to try to decide what our role is and how to meet our responsibility in this area.

MS. MURRAY. Mrs. Drinker, Would you,—oh, I'm sorry—

MS. DRINKER. I thought Mrs. Schmidt might have something she wanted to add.

MS. SCHMIDT. The only thing that I was going to add is, at the time that we asked the staff to go back and evaluate what was submitted to the board by EEOC, we also, we asked them very specifically not only to review what the content or substance of that document included, but very specifically indicated that we wanted the staff to also delineate possible other alternatives that the board might consider. And this for me becomes particularly crucial because as we dealt with, an overused word, for sure, complexity, attempting to find ways to respond to the various components involved, one of the things that's become particularly difficult is how we define each of the roles at each of the levels.

My concern becomes that as we attempt to look at, perhaps what the role should be at a State level, we focus on what the role is at a district level or a school site level. Each of those levels has a legitimate role and they're very interrelated.

However, if you have a process where one of them is being prevented from evolving or carrying out its responsibility, then you've permitted a system where you're not providing the facilitation and assistance that we say is a responsibility that we carry.

MS. MURRAY. Could one or both of you explain to us what the equal educational opportunities commission's function is as well as the new ad hoc task force that I understand has been set up?

MS. DRINKER. The equal educational opportunities commission is one of the board's five advisory commissions. Its responsibility, or its charge, is to inform and advise the board on equal educational opportunity. Now that can be as broad as, including, certainly, like Title

IX or bilingual programs. I'm certain there is a specific part of the language in the law requiring them to look for, at programs for Native Americans, and they have concentrated their efforts on bringing forth proposals, primarily on affirmative action and on desegregation, as well as having some review responsibility of certain kinds of policies that the board has been discussing.

MS. MURRAY. And the ad hoc task force?

MS. DRINKER. Oh. I'm not very well informed about the task force, because it actually is the superintendent's task force, and he has put together—I've seen the list of people, I've seen the charge. I've not attended a meeting because the board does not have a member who sits on that committee.

I understand its focus is to look at strategies and successful strategies and put together a report that might be useful to districts throughout the State.

MS. MURRAY. Could you indicate—

MS. SCHMIDT. I believe those are educational strategies, so that they're looking at, specifically, at curriculum content, that kind of a focus, I believe. That's what I'm told.

MS. MURRAY. Could you indicate the content of the EEO commission's recommendations to the State board?

MS. DRINKER. The proposed regulations stress the importance of the State's assuming a role in which it requires each district to submit a plan to the board and the department outlining how it intends to carry out desegregation in that district.

The plan must address staff development, curriculum, pupil personnel services, community involvement, etc., and then from the plan, it really doesn't outline how the board or the department would address the monitoring responsibility, except that the plan would be forwarded to the board in the department. I'm not clear whether that's very specific, and maybe Mr. Griffin could fill us in there, but it does go into percentages and distribution, that kind of suggestion as far as meeting desegregation.

And it's very much like its April version of proposed regulations, although they have added the language of reasonable and feasible throughout the document.

MS. MURRAY. Do you have a copy of those that you would like to put on the record at this time?

MS. DRINKER. Yes.

MS. MURRAY. Fine.

CHAIRMAN FLEMMING. Without objection, they will be entered in the record at this point.

MS. MURRAY. Has the board directed the department to take any action to analyze specific programs and the way in which those programs will be impacted by integration?

MS. DRINKER. No, except that we had a review recently of the bilingual programs, and we did discuss it at that time, but we have not

specifically advised the department to do this kind of report or inquiry for us.

I think it should follow from the board's putting forth a policy, its own policy on how it intends to provide leadership. It's one aspect of it and should be delineated in any kind of a policy statement.

Ms. MURRAY. Mrs. Schmidt, what did you have—

Ms. SCHMIDT. Yes. I'd like to make an expansion of that. Just to reemphasize what Mrs. Drinker just said, and that's that at that time we had a presentation by the department on bilingual-bicultural programs, one of the questions that we asked was one that you've spent considerable time on with Superintendent Riles, and that had to do with requesting that they look at the impact of the Federal dollar in terms of whether we would be able to find a way of having the dollars follow the child or how we would deal with that in terms of bilingual programs.

I would like to make a comment about bilingual programs, if it's appropriate at this time. One of my personal concerns about bilingual-bicultural education is that I believe it has historically, and to this point, been predominantly defined in what is a limited, what I consider to be a limited, at times, even negative definition. That is, you had—we identified children with specific educational area of need, and that was a linguistic or a cultural one, and then define them negatively, that is, a limited-English speaking or non-English-speaking. The comparable thing would be to label all Anglo children non-Spanish-speaking or limited Spanish-speaking children, and so, basically then, the evolution of bilingual-bicultural instruction became a response to make these people okay, to somehow make them well. It's a remedial kind of response. My concern is that I believe bilingual-bicultural instruction is a very legitimate, and I think exciting instructional response. It's a hundred years old, and it's not a new component, certainly, throughout the world, and that, I would hope we would be able to move toward building instructional models that are bilingual-bicultural models whose outcome is going to be a level of bilingual-bicultural skill in the citizen that you produce. Any child then would move into that model, not only Chicano, Asian, Filipino, Vietnamese children, but that program would be one that any person moving into it would gain that, that instructional skill.

My concern is that if we continue to define bilingual-bicultural instruction in the prior, very limited way, then a desegregation plan is in fact going to be detrimental, because if it is a only program designed for LES, limited English-speaking and non-English-speaking children, and then in a desegregation plan you need their bodies someplace else or a certain percentage in various schools, and those programs, therefore, are not going to develop, they're not, they're going to be—the funds are going to be diminished, and my concern becomes that desegregation will have been, be used in a way that was detrimental to that particular educational response.

That, that would be what I'd say. I'd say that's not necessary. I think we need to move towards improving or continuing to evolve that response, and I can certainly understand the concern of Chicano or Asian parents in terms of saying, hey, you know, that's going wipe that out. But I just wanted to say that.

MS. MURRAY. Thank you. Did you have a comment, Mr. Griffin?

MR. GRIFFIN. Yes. I'd like to add one factor. Independent of the board discussion of bilingual and the questions of the impact dispersal of children on bilingual programs, the superintendent asked the department to begin a systematic review of the programs to determine that question with respect to other programs as well as bilingual. And, that review is well under way and has been ordered, independent of the board instructions.

MS. MURRAY. I have no further questions, Mr. Chairman.

CHAIRMAN FLEMMING. Thank you very much. I'd like to just ask a question about the proposed regulations that the board is working on.

Do those regulations—as I understand from your testimony, they contemplate setting some standards for local school districts, in fact, asking the local school districts to present to the board their plan for desegregation.

Let's assume that a local school district does present the plan, and let's assume that it is unsatisfactory from the standpoint of the board of education. What is your understanding as to the remedial action you could take in relation to the school district that had submitted an unsatisfactory plan?

MS. DRINKER. We have been confronted with this kind of problem; it's not related to desegregation. When school districts have been, when parent groups have come forth and indicated some concern that a district is not complying with Federal regulations for Title I, for instance; so we have had to face this and have considered and have actually told districts or a district that we would withhold funds. Now I think we would want to have a sequence of steps that you'd go through.

We start out, hopefully, assisting and working and negotiating and working with the district to help it understand its responsibility, and yet I'm, I'm sure that there will come a time when districts will refuse to comply in a manner that we think would meet any court decision or any requirement of them.

At that time we'll have to look at the range of steps we might, beyond withholding funds—I believe our legal counsel is better able to answer this for us—that we can even get to the point of suing districts. Now, I hope we would not have to take such action. I think we as a board need to know what the range of steps is. We need to make it clear to a district that we will work through the range of steps if necessary, if that is the kind of leadership position that the board is willing to assume.

Now, there are 10 individual members of our State board. We have not determined our policy, and I would not presume that the board will act in this manner, but I know that it's on our minds and that we will have to come to grips with it in the very near future.

CHAIRMAN FLEMMING. Do you feel that if steps of this kind are not taken by the State board of education, that at some point in the future a Federal court might very well find that the State board of education shared responsibility with the district board of education for perpetuating a segregated system?

MS. DRINKER. Would you like to say something there?

MR. GRIFFIN. Yes. Mr. Chairman, I'd like to respond to that very briefly.

CHAIRMAN FLEMMING. Just before you do, I might say that I ask that question in the light of the decision by the U.S. District Court in the Northern Division of Ohio related to Cleveland where, after a long hearing, they did, the district court judge did hand down a decision in which he said the local board of education was responsible for the segregated system but also found that the State board of education was responsible and directed both of them to come in with a plan designed to break up the segregated system. That's why the, I addressed the question to you.

MR. GRIFFIN. I would respond with a couple of, in a couple of areas. One is I've read of that decision, and I think you have read that in the light of the governance system that has been established by the legislature in the respective States. In some States like Ohio and others, the State level of administration is much more of a supervisor of what happens in the classroom than in other States. And in California we have a couple of court cases pending at the present time that seeks to impose some measure of responsibility or authority on the State level of administration.

The cases in, and I might say, that whole concept of governance is evolving. The cases in California, beginning very early in the history of the school system, make it clear that school districts are State agencies in that they carry out a State responsibility for education, and the legislature has seen fit to give some responsibilities to the State board as a State agency, other responsibilities to the State department as a State agency, and still other responsibilities to local school districts as State agencies, and the extent to which the State administration supervises the school districts is still a matter that is not legally settled.

Furthermore, we do have a, as I say, those cases pending that seek to impose a kind of liability on us, not only for inter, intradistrict racial imbalance, but inter-district imbalance as well.

CHAIRMAN FLEMMING. Thank you very much. Yes?

MS. SCHMIDT. Dr. Flemming, I'd like to make a—add a couple comments to that.

I need to say that this is not normally how I would hold this kind of discussion and it's, it's a little difficult, but I guess my sense of what

I feel is—and I was aware of the Ohio decision and thought of that when you asked the question—is, in fact, I think there is a responsibility at each of those levels. We are each State agencies and there is a responsibility if, in fact, a Federal court were to indicate that we were responsible for maintaining segregated schools.

The other area where I think I make that parallel observation is where we maintain school sites that are, in fact, not only out of compliance, but that all indications are it's a very poor learning experience, and the continued support of that kind of a school situation. But I guess the only thing I would want to add to that, is that if there's going to be a Federal action, my personal preference—and I want to reemphasize what Joy has said, that the board has not adopted a policy position—my personal preference would be to have a Federal court suing us on the basis that we went too far as opposed to suing us because we didn't do anything. Okay?

CHAIRMAN FLEMMING. Thank you very much.

Commissioner Ruiz? Start down here. You have a question?

COMMISSIONER RUIZ. Ms. Schmidt, yes. One question.

How attentive an ear have you received to the contention that desegregation and bilingual education are not irreconcilable?

MS. SCHMIDT. I have found in the last 5 months while I've been on the board a response in terms of the more expanded definition that I've given of bilingual ed. Some responses about, "Gee, that's really a neat idea," or, "Well, I never thought of it in that way," but I think the initial place, going back to the way it's been historically defined, that people would say that desegregation is going to be detrimental, then, to a bilingual-bicultural program, that's at a professional educator State level. Okay, from communities—a community response might be, "Yeah, that's nice that you think of bilingual-bicultural in that way, but that's not necessarily what's going to happen in this school." And a lot of anxiety and uncomfortableness about whether, in fact, the desegregation plan is going to enhance or will, in fact, prove detrimental to the instructional plan they have in that school for their children.

So that the air is, at this time, is still a lot of, "That's what you think," but it—in terms of what will actually happen—a lot of questions about whether, in fact, it would be harmful.

COMMISSIONER RUIZ. In other words, there is really no, up until this point, specific, definitive interpretation of just exactly what bilingual education and bicultural education is; and we're out looking for a consensus at this time?

MS. SCHMIDT. No. The formal State level response to that has been that they've developed four educational definitions of bilingual instruction, from ESL, English as a second language, to a partial bilingual program, to a bilingual-bicultural program, and to a full bilingual-bicultural program. They've used those four definitions.

COMMISSIONER RUIZ. Now, who made those definitions up?

MS. SCHMIDT. Those definitions were made by the State department of education, with input from a lot of units and a lot of people, and they, in fact, are the definitions that went into Senator Chacon's 1329 State legislation.

COMMISSIONER RUIZ. Now, by the State department of education, do you mean your board of education?

MS. SCHMIDT. It's the staff, the State department of education is a department of education; we're a State board—we're a policy governance body. The State department is the administrative unit with the responsibility of administering education.

COMMISSIONER RUIZ. Then in establishing policy you're in a position where you can implement, or rather, that is to say, give meaning or even add a fifth definition—I assume—to what bilingual education would be? Am I correct?

MS. SCHMIDT. Yes, yes. That is our policy. Right. Correct.

COMMISSIONER RUIZ. These definitions could come out from your particular body?

MS. SCHMIDT. And we're involved in that, yes.

COMMISSIONER RUIZ. Well, that would be very helpful with respect to what we're looking forward to in this big county with so many Spanish-surnamed persons.

MS. SCHMIDT. Si.

COMMISSIONER RUIZ. And those definitions should be worked on.

MS. SCHMIDT. I'm sure they have access to that.

MRS. DRINKER. I would like to add, because Ms. Schmidt was not on the board when this was in the development stage—and actually it is a board policy, adopted by the board, the staff work was done, of course, by the department—if we had had her wisdom at that time, it might very well may be that we would have a fifth point or a sixth point, and none of these things are in concrete. They certainly are, can be revised and perhaps should be in the light of where we are now.

So, I do want to say that it is a board-adopted policy rather than just a department policy.

COMMISSIONER RUIZ. I was going to suggest that perhaps you—on the revisions, get these definitions out as early as possible so it won't be looked at as an afterthought.

Once the court order comes down, which is just around the corner, we know what the problems are. We've had many witnesses here, and it would be most helpful.

MS. DRINKER. I will take that suggestion back to the board, as surely will Mrs. Schmidt. Do you have anything, Mr. Griffin, to add to that particular policy decision?

MR. GRIFFIN. Yes, I'd like to offer to the Commission a paper on identification for the limited English-speaking and non-English-speaking students that was presented by the department to the board a month ago, and describes some of the other kinds of programs that offer services to limited and non-English-speaking children and, in fact, adults.

CHAIRMAN FLEMMING. Without objection, that will be received and entered into the record at this point. Thank you very much. All right. Commissioner Horn.

VICE CHAIRMAN HORN. I'd like to ask the board members the following question, and I want to preface it with a statement. In some States the Commission goes into, we find a very active role by the executive branch of the State government in terms of the desegregation process. I'm wondering what relationship, if any, does the State board of education have to the Governor?

MS. DRINKER. We have both a formal and an informal relationship. There are now on the board five members whom the Governor has appointed, one of whom is Mrs. Schmidt. Several of those members, at least two, have a rather close working relationship with the Governor, in the sense that they meet with him from time to time and talk with him on the phone, and he seeks their advice.

So, from that viewpoint, we have that kind of informal discussion that comes up from time to time. We did meet with him as a board in two different groups last year. I'm not sure that our formal arrangement is totally successful. I think that he sees his role as separate and distinct from the board and does rely on a couple of its members to advise him, but I think that's about the extent of it.

VICE CHAIRMAN HORN. Do you have anything to add, Ms. Schmidt?

MS. SCHMIDT. No, no I don't.

VICE CHAIRMAN HORN. Has he ever given the board his views on the pace at which desegregation of California public schools ought to proceed?

MS. DRINKER. No, he has not.

VICE CHAIRMAN HORN. Has he ever expressed opposition to pupil transportation, for the purpose of desegregation?

MS. DRINKER. Not in any way directly to the board, no.

VICE CHAIRMAN HORN. That's all, Mr. Chairman.

CHAIRMAN FLEMMING. Thank you very, very much. We appreciate your being here and giving us this very informative testimony; it's very helpful. Thank you.

MS. SCHMIDT. Could I say another thing?

CHAIRMAN FLEMMING. Yes, surely.

MS. SCHMIDT. The one thing I wanted to address was something that I heard a lot of reference to this afternoon, and it has to do with funding. And as I'm sure you're fully aware, one of the priority items that the State board in California is dealing with besides desegregation is the *Serrano* decision, or school funding for California. And one of the observations that I just wanted to introduce to the Commission is that we have a model of change in education, change in almost anything in the society, but certainly in change in education, that calls, or requires, for additional funding; and we have not developed models that help districts deal with the way in which they reprioritize or redefine the utilization of funds that they have, and I think that is a

serious area for need, because we continue to cripple efforts that are changes that are very legitimate, needed educational changes, by tying them exclusively to the seeking of additional funding, and I know someone had asked Superintendent Riles whether he would be willing to go to the State legislature and ask for additional funding, and he said that he would. But we also need to somehow provide assistance to those districts and perhaps even more assertively than to simply say, "Hey, if you kind of would like to"—but really must find ways of helping districts conceptualize how they're going to utilize all the funds that they have to meet the needs of those children in that school. To not—to feel that you're only going to meet the needs of the LES or disadvantaged children to the amount that you can get of additional Federal funds or additional State funds, I think, is to continue a serious misconception, and I just wanted to say that because I know that there was a continuous reinforcement of that concept this afternoon.

CHAIRMAN FLEMMING. I appreciate your introducing that particular approach into the discussion. Thank you very much.

Counsel will call the next witness.

Ms. MURRAY. Floyd Pierce, Duane Bjerke, and I believe they have staff with them. The staff is John Palamino, Jan Williams, Ernie Robles, and Al Villa.

All of the next witnesses have planes to catch, which I realize, and so we will try to be brief and to the point.

CHAIRMAN FLEMMING. All right. Will you tell us when the first plane has to—

Ms. MURRAY. Well, the first ones have already left so we'll go on.

CHAIRMAN FLEMMING. What's our objective time?

Ms. MURRAY. The, the, probably the most serious one is one to Guam that's leaving at 8 o'clock. So—the ones to San Francisco, we can catch on the hour.

VICE CHAIRMAN HORN. We assure you that we'll finish with the panel by 7 o'clock.

CHAIRMAN FLEMMING. May I ask the members of the panel if you will stand and raise your right hand so that you can be sworn.

[Floyd Pierce, Duane Bjerke, John Palomino, Jan Williams, Ernie Robles, Al Villa were sworn.]

TESTIMONY OF FLOYD PIERCE, DIRECTOR, REGION IX, OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE; DUANE BJERKE, ACTING REGIONAL COMMISSIONER, REGION IX, U.S. OFFICE OF EDUCATION; JOHN PALOMINO, REGIONAL EDUCATION BRANCH CHIEF, OFFICE FOR CIVIL RIGHTS, HEW; JANICE WILLIAMS, SENIOR PROGRAM OFFICER, REGION IX, U.S. OFFICE OF EDUCATION; ERNIE ROBLES, U.S. OFFICE OF EDUCATION; AL VILLA, ASSISTANT REGIONAL COMMISSIONER FOR ELEMENTARY AND SECONDARY EDUCATION, U.S. OFFICE OF EDUCATION

CHAIRMAN FLEMMING. Thank you very much and we're very happy to have you with us.

MS. MURRAY. Would each of you please state your name—I'll tell you what—why don't we start out with Mr. Bjerke and Mr. Pierce. Would both of you state your name, address, and present position with the Federal Government, for the record; and as I reach each of the other ones, if either of you defer to any of your staff, then they can also state their name and position.

MR. BJERKE. I'm Duane Bjerke, 49 St. Theresa Ct., Danville, Calif., 94526, Acting Regional Commissioner, USOE, region IX.

MR. PIERCE. Floyd Pierce, 1950 46th Ave., San Francisco, 94116, Regional Civil Rights Director for Region IX, Office for Civil Rights, Department of Health, Education, and Welfare.

MS. MURRAY. Mr. Pierce, how long have you held your current position?

MR. PIERCE. I am in my 10th year.

MS. MURRAY. And what role and responsibility does the Office of Civil Rights have in regard to integration?

MR. PIERCE. The Office for Civil Rights is charged with the implementation and the enforcement of the Civil Rights Act, that has been passed since the original act of 1964, within the Department of Health, Education, and Welfare.

MS. MURRAY. Are there any particular programs that you administer that relate directly to integration?

MR. PIERCE. Yes. Title VI of the 1964 Civil Rights Act, Title IX of the 1972 Higher Education Amendment Act as well as the Executive Order 11246 as amended, plus now we have the 504 that refers to handicapped—but the regulations have not been developed on that as yet.

MS. MURRAY. Would you detail the history of your office's involvement with the Los Angeles Unified School District's attempts to apply for Emergency School Aid Act funds?

MR. PIERCE. As best I recall, in 1973, for the '73-74 school year, the Los Angeles Unified School District submitted an application for ESAA funding, and as part of our responsibility we have 8 assurances, out of about 24 assurances that the law requires that must be met before a district is eligible to receive ESAA funding. We came to the conclusion that the Los Angeles Unified District was not in compliance, and therefore, they were not eligible to receive ESAA funding.

MS. MURRAY. In what specific area were they not in compliance?

MR. PIERCE. The faculty assignment.

MS. MURRAY. Are you implying that in other areas they are in compliance, such as *Lau* and Title IX?

MR. PIERCE. We did not get into that—that was the one area we were specifically requested to look at, and that's in the area that we concentrated on.

MS. MURRAY. If they are in fact not in compliance with the current *Lau* guidelines or with Title IX, will they receive funding?

MR. PIERCE. Well, we have not made that decision yet, but based upon the law as it is presently written, they would not be able to receive funds if they are out of compliance with the two laws that you just mentioned.

MS. MURRAY. On November 22, 1976, Mr. Riles sent out a memo indicating to various county school districts and superintendents that the Council of Chief State School Officers had indicated that they had requested a delay from HEW concerning the compliance with the various forms, the OCR Form, I believe, 101 and 102. If L.A. does not comply and submit those forms, would they receive ESAA funding?

MR. PIERCE. We would not be able to make a determination of their eligibility without this information.

MS. MURRAY. Mr. Bjerke, do you have any comments on my last two or three questions?

MR. BJERKE. My only comment would be that when we receive word from the Office of Civil Rights that Los Angeles would be eligible, then we would act accordingly—based upon an application, if they would submit it.

MS. MURRAY. Mr. Bjerke, HEW currently funds the State department of education's bureau of intergroup relations. Can you tell me what the BIR is supposed to be doing?

MR. BJERKE. It's an organization, a unit within the State department of education, that has been funded under Title IV of the Civil Rights Act—I guess probably for the last 7, 8 years, something like that—and the purpose of it is to provide staff to assist school districts in planning and implementing desegregation plans. That's it.

MS. MURRAY. I understand that a member of your staff, Ernie Robles, who's with us today, has been assigned to the Los Angeles Unified School District. Can you tell me exactly what he does—and possibly he also could comment on the role he's been playing there, why he was assigned, when?

MR. BJERKE. Let me tell you why he was assigned, and then Mr. Robles can indicate as to what he is doing on a week-to-week basis.

Several months back the superintendent of the Los Angeles School District wrote a letter to the Secretary of HEW, and part of that letter indicated that he was not completely satisfied with the involvement of our regional office in the school district activities here, relating to the ESAA funding and so forth.

Upon receipt of a copy of that letter, we immediately got in touch with his office and a number of us from the regional office came down to Los Angeles, met with some of his staff—including the deputy superintendent—and out of that came an assignment of Ernie Robles from our staff to assist them in this project. So, Mr. Robles, you might comment on your activities with the board.

MS. MURRAY. Give me your position, for the record, Mr. Robles.

MR. ROBLES. I'm an education program officer in Region IX. There are a number of us in San Francisco, and the way we function is to

go to different geographical areas—it so happens that in this particular case I am assigned to the Los Angeles Unified School District. Our role is chiefly in giving forth technical assistance. Now whenever a district goes into the process of desegregation, there are many things that it has to consider. Those of us that have been involved in school desegregation, at least in my case since 1965, we know that there are certain processes that the district goes through, whether it's to gain board approval, to actually implementing the desegregation effort, and then to finding out what the effect is in terms of parents, especially in terms of students, and also very critically important in terms of principals and local administrators. So that we have, then, through the years of experience, identified certain things that a district must look at; and we realize that a district of the magnitude of Los Angeles, for example, cannot go out and research its own area, but there are resources throughout the State.

There are few districts in California, there are at least two that have desegregated since 10 years ago. Some of these districts have been studied from the very inception. One particular study is the University of California, Riverside, Desegregation Study, of which I believe this Commission is informed. And that is a study that studied those aspects of the effects of desegregation and integration in terms of the effects on teachers, the effects on students, the effects on parents, and the significance of administrators.

So this is the type of advice that I give to the district. I identify resources, consultants nationwide that I am familiar with, in terms of the writing—and some of those consultants have come to the Los Angeles Unified School District to render technical assistance and I believe in some cases are acting as consultants.

MS. MURRAY. Thank you.

MR. BJERKE. I believe you were in attendance in the hearing room when Dr. Riles was commenting on the follow-the-child controversy surrounding Title I, and also the comments of our Commissioners on that problem. A number of people that have testified before the Commission at a number of hearings have indicated that particular requirement of Title I is a disincentive to integrate.

I would be interested in your comments—or any members of your staff's comments—on this controversy, how you perceive it, and the role that you will be playing in, if necessary, adjusting any of the Title I regulations or making suggestions.

MR. BJERKE. As you know, I have with me today the senior program officer for compensatory education in our region, and I would like to ask Jan Williams to respond to that, please.

MS. WILLIAMS. Janice Williams. I'm a senior program officer in the regional office located in San Francisco, and I deal specifically with Title I.

I think there are a number of misconceptions, and perhaps misunderstandings, surrounding Title I and desegregation effort in a school district.

The level of funding in Los Angeles would certainly not change as a result of desegregation with respect to Title I funds. Los Angeles receives approximately \$27 million, and that level of funding would not be reduced.

Title I funds are issued to school districts on the basis of a formula, and it's the number of formula children times X number of dollars, so that would remain the same. The follow-the-child concept grew out of a need to integrate schools in the South where a dual school system was in effect, and in February of 1967, the office issued program guide number 28. That guide was issued to meet the needs of impoverished black children where dual school systems were at that time being abolished. The stated policy was that no child who would otherwise participate in Title I would be denied participation if he chose to enroll in a desegregated school; and as a result, Title I services could be provided to children in an ineligible school.

The reasoning behind this is that at that time children were not assigned under the dual school system to schools based on attendance areas, but rather assigned to schools based on race.

Subsequently, in January of 1964, program guide—January of 1971, program guide 64 cancelled program guide 28; and follow-the-child concept, as it was used in the South at that time, was no longer considered to be a valid way to utilize Title I funds because, as a result, ineligible children were receiving Title I funds and the benefit of those services. And program guide 64 stated that attendance areas had to be ranked according to concentrations of low-income children.

This did not mean that children who were a part of a desegregation plan could no longer be served. It simply meant that schools had to be ranked according to the index of poverty, which is a requirement of the legislation. So in a desegregated setting, children who for—let's take Los Angeles as an example—children who are now being served perhaps might not be served if a desegregated plan is effected.

However, there are other eligible children who are now not being served who perhaps might be served, and we'd have to analyze the plan in order to make that determination. But certainly you would not lose the funds. But that's a very real situation that those children face each year.

As you're probably aware, schools have to be ranked each year when an LEA makes application for a Title I grant, and a child from year to year could lose that eligibility. He attends a target area school and is thus eligible for Title I services. However, the following year that school might no longer be a Title I school, so that child would no longer have the benefit of Title I services that following year. So that's a very real situation each year that a child faces, whether a desegregation plan is in effect or not.

CHAIRMAN FLEMMING. Could I just interrupt to pursue this questioning a little bit. On the program guide 64 issued in '71, was that issued as a result of a change in the law or was it issued as a result of a policy

determination either by the Secretary or the Commissioner in education?

MS. WILLIAMS. A policy determination by the Commissioner because of the misuse of Title I funds under those circumstances.

CHAIRMAN FLEMMING. So we're not dealing with a question—we're not dealing with a situation where the Congress had directed it be done in this particular way. Rather, we're dealing with a policy determination on the part of the Secretary.

Now, you indicated that when you apply that to a desegregated situation, some who are now being served might very well not be served, and some who are not now being served might be served.

MS. WILLIAMS. But who are eligible.

CHAIRMAN FLEMMING. Yes. All right. Do you know whether or not at the Washington level any consideration was given to introducing what might be called a grandfather clause into the application of this policy? So that if a desegregation plan is put into effect, it would work out in such a manner that no child now being served would be cut off from that service. Of course, I'm assuming that there would be a showing that the child needed that service.

Do you know whether any consideration was ever given to that possibility?

MS. WILLIAMS. The office has given that a great deal of consideration, and there were long deliberations over this; however, on the advice of counsel, the law is very explicit as to who may and may not be served. And the determining factor is residence, and where you have high concentrations of children who reside in those areas—high concentrations of children from poor families who reside in those areas—those are the areas which determine eligibility for children. And in some situations it just is not very practical to serve children if they are bused very long distances, and you have very few children who in those schools—to attempt to serve them in their new setting—however, there are other funds provided by the Office of Education that would provide similar services for those children.

CHAIRMAN FLEMMING. Well, on the definition or the interpretation of the law, this is a matter that we should pursue in Washington—I mean, find out just what led up to it and get the entire background on it, which we can get, but I am interested in your last comment—let me back up though.

You're very familiar with the law and with the policy. Do you have the feeling that the law is worded in such a way that those who develop policy cannot put the emphasis on the need of the individual child for the service?

MS. WILLIAMS. Individual children to a great extent; however, the law is rather explicit as to how a school gains eligibility and then the focus is on the individual child—but it's the selection of eligible schools that's the first consideration.

CHAIRMAN FLEMMING. You feel that under a desegregation plan a school might very well lose its eligibility, and, therefore, that would impact on the, meeting the needs of the students in that particular school, so to that extent you feel that the law is worded in such a manner that people cannot use discretion in terms of trying to meet the need of the individual student?

MS. WILLIAMS. That's correct.

CHAIRMAN FLEMMING. Okay. Well this is a matter that we'll have to pursue in Washington because we are very, very much interested. But, now I am interested in your comment—

MS. WILLIAMS. I think I'd just like to follow up on your last comment, and that is that, that you could not follow the individual child to that extent, and that's correct, and Title I funds are rather restrictive. They're categorical funds and they cannot be used to facilitate a desegregation effort: busing, construction, or any other manner in order to aid, shall we say, a desegregation program. They are not desegregation funds.

CHAIRMAN FLEMMING. Yes, but certainly the law does not say that they cannot be used in such a manner to be of assistance to individual students that are involved in a desegregation process?

MS. WILLIAMS. No.

CHAIRMAN FLEMMING. The law doesn't specifically prohibit that?

MS. WILLIAMS. No. It attempts to accommodate that situation.

CHAIRMAN FLEMMING. Yeah. Okay, well I understand that this is a question of legal interpretation, and I think we ought to get back to the General Counsel and so on who worked on this. But I still am interested in one of your last comments, that there are other funds available to deal with this situation when it arises. What funds could be used?

MS. WILLIAMS. Well, those are other funds that are administered by the Office of Education. I think there are other staff members who could deal with that question a lot better than I can.

CHAIRMAN FLEMMING. Well, I don't want to get into detail on it, but your feeling is—and I'd be very glad to have a concurrence of others on it—your feeling is that there are other funds that can be used to meet the same needs that are met under this particular law?

MS. WILLIAMS. Yes, that is correct.

VICE CHAIRMAN HORN. Before we leave this, I want to pursue the question of residence. I'm not clear on this Title I eligibility.

You're saying that the money really cannot follow the child, since it is not the poverty level of the individual child's home that is taken into account but, apparently, the poverty level surrounding the school. Is that the criteria? What is the criteria? It isn't clear to me as I listened to this exchange.

MS. WILLIAMS. Okay. There are several, and the first cut of that is the eligibility for a school, and that means that children—where you have a number or large numbers of children from poor families who are assigned to a particular school.

VICE CHAIRMAN HORN. How is this determined—by a survey of the child and his family?

MS. WILLIAMS. There are a variety of means of determining that. 197—well, census data, AFDC data, free lunch, health information. There are a variety of sources that can be used.

VICE CHAIRMAN HORN. Okay, and there's a formula that relates all these and that puts them into an eligibility group?

MS. WILLIAMS. Once the school is determined to be a target school, then any youngster attending that school who is not achieving at grade level is then eligible to receive services, regardless of the income of the family.

VICE CHAIRMAN HORN. And the minimum is 10, I take it?

MS. WILLIAMS. Approximately 10 children, yes.

VICE CHAIRMAN HORN. What I'm wondering is, in a desegregation plan, could it not be—is it feasible or possible that one can plan to have 10 students from these various districts that would qualify in a group in another school and still receive the services, or are you telling me that law has tied it down strictly to the schools physically located in that given geographic area that qualifies?

MS. WILLIAMS. No, and I think that's where the misunderstanding comes in. Where those children reside determines whether or not they are eligible.

VICE CHAIRMAN HORN. Not where the school is? So, okay, then—Ms. Williams.

MS. WILLIAMS. Not where the school is. So those children can be transported elsewhere and the project can be conducted on a site outside of the area in which those children reside.

VICE CHAIRMAN HORN. Well, I think that answers the Commission's question, because there's been a misinterpretation by many people that if poor children were bused out of a poor neighborhood, that they would no longer be eligible for Title I funds.

MS. WILLIAMS. That's why I prefaced my comments with the fact that I felt there had been a number of misunderstandings and/or misconceptions about the use of Title I funds in a desegregated setting.

VICE CHAIRMAN HORN. Well, is there something that the Office of Education could do to communicate the correct understanding to the individuals?

COMMISSIONER SALTZMAN. Mr. Chairman. I'm—I'm sorry.

MS. WILLIAMS. We have done this in a variety of ways. We have what we call a program support package, which is entitled "Title I and Desegregation," and it was issued some time ago to State departments of education. We held workshops at which time we went through the entire package. It is available in Sacramento and has been made available to local school districts.

We have several program guides which deal with this issue, and we are available to provide whatever assistance necessary to districts who are undergoing this effort.

CHAIRMAN FLEMMING. Could I ask that a package of all of the materials to which you refer be prepared, submitted to our staff so that it can be included as a part of the record at this hearing?

MS. WILLIAMS. Certainly. We'd be happy to provide that information.

COMMISSIONER SALTZMAN. I would just like to pursue this one point further. Ten students and their particular poverty level and all of the criterion which you determine is the triggering level which determines that a school is eligible, is that right?

MS. WILLIAMS. Not 10 children to determine whether or not a school is eligible. Take a look at the district as a whole and find out what the average level of poverty is in the district, and that's your districtwide average of poverty. You find out where your highest concentrations of poverty are, and then you rank those by number or percentage until you reach that districtwide average, and anything below that average—any school below that average would not be eligible.

CHAIRMAN FLEMMING. Essentially, Murray, the school population, I mean, the characteristics of the population of the school.

COMMISSIONER SALTZMAN. Now suppose 10 or 15 of those children are moved to another area. Now, the monies can follow that if there are about 10 or 15 of those children, right, is that it?

MS. WILLIAMS. If you have 10 or 15 children who come from that area—

COMMISSIONER SALTZMAN. Yes.

MS. WILLIAMS. And that area—that attendance area is an eligible attendance area, and you have 10 or 15 children who are dispersed to other areas, they can be served at the school that they are attending.

COMMISSIONER RUIZ. The funds follow the child, then?

COMMISSIONER SALTZMAN. To that extent—

MS. WILLIAMS. To that extent they do.

VICE CHAIRMAN HORN. At a greatly reduced amount of—

MS. WILLIAMS. Well, we ask for and we required that districts concentrate their funds on the limited Title I number of children. You have far more children eligible for Title I services than we're able to actually serve, because the program has never been fully funded, so even in a situation such as Los Angeles, as it currently exists, you have a number of eligible children who are not receiving Title I services.

CHAIRMAN FLEMMING. Well, I—we appreciate very, very much your patience with us in explaining what is obviously a rather complex type of operation. It is a matter that we are concerned about.

I am going to ask the staff to contact the Secretary or the Commissioner on Education and have developed a memorandum which traces the history of the law, the policies issued under the law, the reasons for it; and then as a Commission we may want to meet with the Commissioner on Education, or General Counsel, or both, and discuss the matter further. Because I appreciate that as far as the regional office is concerned, you're operating under the law, the regulations, the pol-

icy instructions that have been given you by the Department, and I'm sure that you're applying them in as just and sympathetic a manner as possible, and I do think there are a couple of basic policy issues here that we ought to look at with the Secretary and/or Commissioner and the General Counsel of HEW.

MS. WILLIAMS. I might add that Los Angeles has had such a program in effect that has been funded out of Title I. That was their voluntary desegregation effort, where students elected to attend this, what is—could have been currently a Title I school and gone out to a school where minority children were not in the majority, and Title I services have followed them when there have been a sufficient number of children; and that's a program that has been funded in this district.

CHAIRMAN FLEMMING. Thank you. We interrupted—do you want to pursue—

MS. MURRAY. I only have one additional question. Ms. Williams, if there was full socioeconomic and racial integration in the schools of Los Angeles, what would be the effect on there being no schools that would be below the average poverty level? I believe there is a rule that applies here. Could you explain that to the Commissioners, please?

MS. WILLIAMS. That's the no wide variance rule, where you don't have a significant difference between the—or among schools in terms of the level of poverty, so that the no wide variance rule would apply and in that situation, all schools would be eligible for Title I services. Whether or not they would be served would be another matter, but all of those schools would be eligible.

MS. MURRAY. Thank you. No further questions.

CHAIRMAN FLEMMING. Just one other question of a general nature. No need to go into specifics on it, but early in the testimony a statement was made that the L.A. district is out of conformity, therefore not eligible for certain funds, particularly the emergency school aid fund.

Now, the school district is under an order from the State supreme court to develop a plan which will result in desegregation.

Are there any Federal funds that can now be made available to the Los Angeles School District to help it develop the plan, to help it in the initial implementation of the plan? Or do we have to wait until they've got a plan and the plan is found acceptable either by HEW or by the court, and then they become eligible and then the funds become available?

MR. PIERCE. As the law is presently written, Mr. Chairman, that's what it says.

CHAIRMAN FLEMMING. Nothing available.

MR. PIERCE. Now maybe the people from OE can answer that, they might know of other sources, but in terms of the specific funds that you mentioned—ESAA funding—all these things have to be cleared up. If not, they have to get a waiver, and that's what created all the problems you probably remember back in 1974, was the waiver.

CHAIRMAN FLEMMING. Right. Right. That is still possible, however?

MR. PIERCE. That's still possible.

CHAIRMAN FLEMMING. Within the law?

MR. PIERCE. Within the law.

CHAIRMAN FLEMMING. Right.

MR. PIERCE. But one thing—while I'm speaking, I just would like to suggest to you and the staff—maybe, when you're talking to the Washington people, ask them about what happened in Topeka here recently. I don't know the final outcome of it, but Topeka, you know, is under a desegregation court order, and this is one of the areas where Title I monies following the student really surfaced, and I don't know the exact outcome of it, but you might be interested in finding out what happened in Topeka.

CHAIRMAN FLEMMING. Thank you very much for that suggestion. Yes?

MR. VILLA. I'm Alfred Villa, and I'm Assistant Regional Commissioner for Elementary and Secondary Education. I think we have to make a distinction here. There are two sources of funds related to desegregation. Part of it under Title IV of the Civil Rights Act of 1964 does assist school districts by providing staff to assist in desegregation in developing a plan or to implement a plan. This does not require the Office for Civil Rights sign-off. This last year, in fact, through our Counsel, the Los Angeles Unified School District did apply for funds under Title IV. Unfortunately, these are competitive funds and they were not funded.

CHAIRMAN FLEMMING. They were not funded?

MR. VILLA. They were not funded.

CHAIRMAN FLEMMING. Is that due solely to the lack of funds?

MR. VILLA. No. It was due to lack of quality of the proposal that was submitted.

CHAIRMAN FLEMMING. I see. Okay.

MR. VILLA. The second source of funding we've alluded to is the Emergency School Aid Act, which does require that prior to our funding there must be clearance by the Office for Civil Rights; and that's the one that I think most of the individual questions have been geared to. And the third thing I wanted to add is that when we talk about funds, I think it was mentioned by Jan Williams and Mr. Bjerke, the district would not lose overall funds into Title I. In addition to that, they would be eligible for additional monies as a result of their desegregation effort under Emergency School Aid Act. So the, the net gain would be to add additional, additional amounts of money.

For an example, in '72-73, when they, or '73-74, when they applied for funds and were not funded, the Office of Education had recommended some, I think \$300,000 or \$500,000 to the—no, excuse me, I stand corrected—it was approximately \$3 million to the Los Angeles Unified School District.

CHAIRMAN FLEMMING. The testimony to the effect that this does not lower the amount of money available under Title I is very clear, and I'm delighted to have that cleared up.

Do any of my fellow Commissioners have questions?

VICE CHAIRMAN HORN. I'd just like to ask Mr. Pierce, in terms of the rejection of the Los Angeles School District's plan, as I read the notes, it was for the lack of staff integration. Did that include the problems of teacher assignment also as part of that picture?

MR. PIERCE. Yes.

VICE CHAIRMAN HORN. Did OCR examine the relative balance of part-time teachers by ethnic category in relation to full-time teachers by ethnic category in predominantly black or Mexican American versus predominantly white schools, as part of that analysis?

MR. PIERCE. Only full-time faculty, Commissioner.

VICE CHAIRMAN HORN. You did not look at the substitute faculty?

MR. PIERCE. No.

VICE CHAIRMAN HORN. Why not?

MR. PIERCE. The regulation says you look at the full-time faculty.

VICE CHAIRMAN HORN. That's a regulation, not a law?

MR. PIERCE. That's the regulation, yes.

VICE CHAIRMAN HORN. Don't you think, given the economics of the way school districts are financed now and the attempt to avoid, with the birth rate changing, the attempt to avoid being stuck with, shall we say, a fully tenured faculty, that many districts are engaging in greater use of part-time help, and therefore shouldn't OCR look at the pattern of part-time usage?

MR. PIERCE. In terms of a full review, Commissioner, we would do that. But in terms of trying to meet the base line of eligibility under the short time frame we have from the time we receive the application, all we can do is analyze that application, and we found enough with the full-time faculty to say that they were out of compliance.

VICE CHAIRMAN HORN. And I take it you issued an opinion on this?

MR. PIERCE. Yes.

VICE CHAIRMAN HORN. Mr. Chairman, I would like, at this point in the record, to insert the exchange of correspondence pertaining to this decision between OCR and the Los Angeles Unified School District.

CHAIRMAN FLEMMING. Without objection, that will be done.

Commissioner Freeman?

COMMISSIONER FREEMAN. No questions.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. No questions.

CHAIRMAN FLEMMING. Mr. Saltzman? John?

MR. BUGGS. Just one. Mr. Villa, you said that Title IV funds were denied the city of Los Angeles not simply because they were exhausted but because their plan was not a good one. I had assumed that Title IV funds was for, was for the purpose of helping a district to develop a good one.

MR. VILLA. This is not related to a desegregation plan, this is related to an educational plan in terms of the Title IV. Civil Rights allows a district to hire staff to advise and to provide inservice training to their

staff in preparation for desegregation, and so what is submitted is a plan, an educational plan, for doing this, and these are discretionary funds which are in competition with other school districts within the Nation, and in this competition the Los Angeles Unified School District did not come out with the height of quality score to be fundable.

MR. BUGGS. I'm afraid I still don't understand.

CHAIRMAN FLEMMING. Well, let me say it, as I understand it, when you review the applicant—first of all, we have to keep in mind the fact that these are discretionary funds, and under the policy of the Department, they've normally got to be awarded on a competitive basis. So they receive applications from all over the country and they are judged primarily on the basis of the educational content of the plan?

MR. VILLA. That's correct.

COMMISSIONER FREEMAN. And judged on that basis, the Los Angeles School District application didn't rank high enough to be funded?

MR. VILLA. That's correct.

MR. BUGGS. I wonder, I wonder if you could define what the educational content of that kind of plan consists of?

MR. VILLA. The, there are very specific criteria that are used by the panelists and, incidentally, the panelists who rate these are non-Federal panelists, a panel of peers, if you like, which consists of at least—it is required to have at least one school administrator, which can be a superintendent or building principal; a community representative; third person has to be a classroom teacher; then the fourth person can be somebody who is a student, a State department representative, or a college professor, and they look at several criterion. First of all, they must determine whether or not the needs assessment was done adequately, was the need identified; secondly, were the objectives for the proposal well developed; thirdly, were the factors in implementing the proposal of such sufficient quality that they would be able to implement a plan; fourthly, they would look at whether or not the staff had the resources to carry out the plan; and, finally, was the evaluation of the plan adequate.

So it is primarily an educational plan, and all of them that were evaluated were evaluated with these criteria in mind.

MR. BUGGS. You're a good teacher. I understand now.

MR. VILLA. Thank you.

CHAIRMAN FLEMMING. Thank you all very, very much. We appreciate it. We hope you catch your planes.

Counsel will call the next witnesses.

MR. BACA. Thank you, Mr. Chairman.

Shizuko Akasaki, Mirta Gonzales Feinberg, Shirley Hendricks, and Robert Rangel, please. Shizuko Akasaki.

CHAIRMAN FLEMMING. May I ask the witnesses if you'll raise your right hand to be sworn.

[Shirley Hendricks, Robert Rangel, Mirta Gonzales Feinberg, Shizuko Akasaki were sworn.]

TESTIMONY OF MIRTA GONZALES FEINBERG, COORDINATOR, BILINGUAL EDUCATION PROGRAMS; ROBERT RANGEL, DIRECTOR, PROGRAMS FOR NON-AND LIMITED-ENGLISH SPEAKING; SHIRLEY HENDRICKS, TEACHER-COORDINATOR, TITLE IV INDIAN EDUCATION PROGRAM; SHIZUKO AKASAKI, ASSISTANT SUPERINTENDENT, COMPENSATORY INSTRUCTIONAL PROGRAMS DIVISION; ALL FROM THE LOS ANGELES UNIFIED SCHOOL DISTRICT

CHAIRMAN FLEMMING. Thank you. We appreciate your being here and we regret very much that we're running behind schedule. No planes to catch? Okay.

MR. BACA. Thank you. I'll—well, I'm going to save Ms. Akasaki for last, because I know she wants to talk about Title I program for a little while, but Ms. Feinberg, could you describe the Title VII program, the Title VII programs that are available, the number of children who are in those programs, and what effect, if any, the desegregation process might have on them?

MS. FEINBERG. Yes. The ESEA Title VII bilingual schools program in Los Angeles Unified School District has approximately 6,800 students.

MR. BACA. Could I interrupt for just a moment? I think I forgot my manners. Could—please introduce yourself to the panel.

MS. FEINBERG. Surely, I am Mirta Gonzales Feinberg, 910 N. Almanzer St., Alhambra, California; I work for the Los Angeles Unified School District. I am a coordinator for bilingual education and in charge of the ESEA Title VII program.

MR. BACA. Thank you. Now please proceed.

MS. FEINBERG. Thank you. The ESEA Title VII program has, as I stated before, 6,800 students in 28 schools. We serve both elementary and junior high schools. We serve speakers of Spanish, Cantonese, Korean, Samoan, and Pilipino. The program is in its seventh year of operation. It started as a pilot program in East Los Angeles with Spanish and English component. It now has expanded to 11 of the 12 administrative areas in Los Angeles Unified School District and covers kindergarten through the eighth grades. The program has in four schools a total program—a total bilingual program where every classroom is involved in bilingual education, every student is involved, every teacher is bilingual, and every education aide is bilingual. In the rest of the schools, it is what is considered, or what is classified as a STRAND program. That is to say, there are one or two classrooms at each grade level that is involved in bilingual education.

Now, as far as to what, what this might mean, what student integration might mean to bilingual programs in Title VII, there are a number of things I think might happen or could happen.

First of all, the concern I think is that if, in fact, we see a need to have programs, special programs for children that are non-English and limited-English, then programs would have to be available in schools where they do not exist now for any student that was bused or moved from a presently funded program to a school that doesn't have such funding. So that would be one concern, the replication of a program for students in schools where they would go.

Another grave concern, I believe, is the fact that since we are dealing with children or students who do not have very advanced skills in English, parents of such children would have not only the concerns of every parent, for example, dealing with a small child being bused, but would have the added anxiety of knowing that their child does not communicate effectively in English, in the busing situation, in the new school situation, and in everything that is involved.

Thirdly, the parents of the children that we are basically involved with do not have the mobility, availability that many of middle-class parents have, so there is a concern there on the part of parents as to their availability, you know, to schools and to pick up students in case of emergencies, etc. So these are some of the grave concerns.

One of the other concerns, I think, that is shared by parents and by staff involved in Title VII is the concern that for many years one of the thrust Title I, of Title VII, of all compensatory programs, or all special programs that have been funded through the Federal Government, has been parent involvement and community involvement, and in effect by saying that students are going to be moved to schools out of their area, the neighborhood school, or out of their community, then parents who for the first time in many cases, and this has been expressed to us and to the Federal Government, parents who for the first time feel that they have now had an opportunity to really become involved in schools, to really have a say, not just sign a dotted line at the end on the budget, but really are very, very effectively involved in their schools would now have almost no involvement if it means that we have to travel 50 miles, because these parents walk to the school for advisory council meetings, for Title VII meetings, to volunteer in the classrooms, etc.

MR. BACA. Thank you. If you could, please, Mr. Rangel, could you first introduce yourself to the panel, to the Commission, rather, and then could you distinguish your program from that of Ms. Feinberg, and then also answer the question as to what differences there might be in your program were the school district to be desegregated.

MR. RANGEL. My name is Bob Rangel, and I live at 227-1/2 South Avenue 51 in Highland Park, and I am the director of the district's program for non- and limited-English speakers, and we have many programs with a variety of funding sources—local sources, State sources, and Federal ESEA sources—and from a combination of these programs, we are currently providing services to non- and limited-English speakers, some 57,000 youngsters in grade K through 12. Approximately 24,000 of these youngsters are receiving services in identifiable programs that are bilingual, which include the program that Mrs. Feinberg made reference to, and about 35,000 of these youngsters are receiving English-as-second-language programs in the various schools.

The question that you ask, what would the affect of student integration have on these programs, would be the same as expressed by Mrs. Feinberg.

We have conservatively estimated that somewhere between 10 and 20 percent of these 57,000 pupils that are now in programs will be affected by student integration, which means that you will have situations where students presently receiving programs in target schools, in target areas, will be moved to schools that, because of the lack of the funding sources or whatever else, the programs would not be available to them.

The district has a commitment and has made that commitment to these children to maintain the quality of program that they were receiving in the home schools, in the new school. Now how that's going to be implemented is, of course, the big question. So we have a problem then, because, generally speaking, we find that our teachers capable of delivering a bilingual-bicultural educational program are generally located in schools where the programs are, and if as a result of student integration, pupils are moved to other schools, we find that the staff resources in those schools do not include, to the same degree, teachers who are capable of delivering these services.

MR. BACA. Thank you. Ms. Hendricks, would you like me to repeat the question or have you heard it enough?

MS. HENDRICKS. Please.

MR. BACA. Okay. Could you please first introduce yourself, and then, secondly, tell us what program it is you supervise and how it might be affected by the process of desegregation.

MS. HENDRICKS. My name is Shirley Hendricks. I live at 8616 East Tower Avenue, Canoga Park. My title is teacher-coordinator for—you can't hear me—I'm sorry. Do you want me to repeat all of that?

COMMISSIONER SALTZMAN. That's okay.

MS. HENDRICKS. My title is teacher-coordinator of—Title IV Indian Education Program for Los Angeles city schools. That's a program that is funded out of HEW Office of Indian Education.

The rules and regulations say that the money is to be spent specifically on supplementary educational programs for American Indian students. There are approximately 4,200 Indian students participating in the program in 68 schools. The main focus of the program is to provide these children with Indian cultural enrichment, and to provide them a means of a better self-identity within their culture and within their schools.

As far as how, how desegregation would affect these students—They're in 68 schools that we're working with right now. We work with community Indian, community people within the school. These people also, for the most part, walk to the school that they work with; they provide tutoring for Indian students; they provide cultural enrichment for Indian students; they are involved in the program in the parent committees that we are required by the law to have.

And I, as an Indian parent, would find it very difficult to drive 30, 40, 70 miles across town for a required parent meeting for a school that is out of the neighborhood where I live.

I, as an Indian parent, who have a lot to offer Indian children, might find it difficult to work as a professional expert with a school that is on the other side of town from where I live.

It's much easier to administer this program to 10 Indian students in a school, or 25 or 30, if they are together, and I am presenting a cultural enrichment class to them, than to try to administer the program to two or three or four Indian students in every school in the district.

MR. BACA. Finally, Ms. Akasaki, would you like me to repeat the question? Have you heard it?

MS. AKASAKI. I'm Shizuko Akasaki, and my job title is assistant superintendent of compensatory instructional programs division, and I would like to show an appreciation for part of our district advisory committee chairpeople and members past and present in the audience. That's the support I get in terms of our comp. ed. program.

CHAIRMAN FLEMMING. We are delighted they are with you.

MS. AKASAKI. Right. They are right behind me or before me; they're with me.

CHAIRMAN FLEMMING. Why don't all members of the advisory council just raise your hands. So that we'll— Fine. Thank you.

MS. AKASAKI. There were more here. I'm sure they are going home to cook their dinners for their families, but I do appreciate them staying this long. I'd like to just give you a brief summary of our program and then give you some of our concerns in terms of the effect of student integration.

What I administer is in the Los Angeles Unified School District, using our Federal law in terms of Title I and our State guidelines and our Federal regulations and our local board policy, our comp. ed. program which the major source of funding is ESA Title I, which this year is \$26.8 million, our senate bill 90 EDY funding, which is about \$27.5 million. The other sources of funding are Miller-Reading Act which is about \$1.6 million, and we did carry over from last year surplus from Title I, \$2.8 million. So that adds up for this year close to about a \$59 million package for comp. ed. We also are responsible or I am responsible for putting together the entire application to the State department and to the State board. Therefore, I work very, very closely with the other State-funded categorical programs, early childhood education and the Chacon AB 2284. Currently comp. ed., we have 155 elementary schools, 26 secondary schools, both junior and senior high, 4 special education schools, and 50 nonpublic schools. Approximately we have about 138,000 children being served.

I would like to comment in terms of the money we do have, combining Title I and our State resources, we are serving this many children. However, when we rank the schools, there are approximately 203 elementary schools that are eligible, so you could see how much money, that we do need more, let's say, in trying to provide for all the eligible participants.

In terms of ranking the schools, as we all have heard, the poverty factor is the one we use in terms of ranking Title I schools. The four factors Los Angeles Unified School District has used and is using for this year are AFDC, family income, assessed valuation, and the number of children on free lunch.

Up to now, the State department has given us a waiver in using the Title I ranking for our Title I schools, as well as our senate bill 90 EDY schools. This was our last year and the condition was next year we would rank separately Title I and senate bill 90 EDY in terms of education disadvantage. So our new ranking in terms of planning for the following year '77-78 we did break it into two factors using the same factors I just mentioned in terms of poverty and then we used sixth-grade reading scores for the last 3 years. We felt that the program has been in operation from 1965 and that if we use sixth-grade scores, we would kind of see in terms of longevity how many children really do need, in terms of highest priority.

In terms of program planning, I think one of the key things that have come out of the Title I comp. ed. program is that this has provided individual schools to plan, implement, evaluate their own program at their own site. In other words, the community, the team effort of parents, community, teachers, administrators combined are now in the process of trying to assess their needs, build their program, implement, and evaluate. I think that has been a growing, learning experience for everyone, but I think, in terms of parents, where the fear was the school will do their thing and I don't know how to get into the school to give advice, now they're totally involved and I think we're still making headway in trying to work with staff and parents together, I think we— but we have come a long way, I think.

Under the State guidelines, their program must have certain components, instructional components, reading, language development, mathematics, multicultural education, and then there's a STRAND in terms of the number of children identified as LES/NES, in terms of a bilingual-bicultural program. In terms of support components, all the auxiliary services, which are health, counseling, attendance, parent education, and parent involvement and staff development. Those are every single one of the components. Like I say, the parents, teachers and administrator write objectives all the way down the line. Special programs that we have right now for this year—we do have 780 pupils in a prekindergarten program or 52 classes. We also have a follow through program with 3,500 pupils at 15 schools. All the other special programs we had to cut basically this year due to money and lack of funding and also the inflationary factor.

Now, in terms of the effect or what we are doing in terms of the student integration. Number one, you've heard all of the comments regarding the Title I follow-the-child concept. As far as I understand right now, we know Title I monies cannot follow the child.

In terms of money, we anticipate that we will receive the same amount that we have this year in Title I; we also anticipate the same amount for senate bill 90. The problem is, obviously, there is no inflationary factor built into it, and you know the buying power for a dollar gets less as we get the same amount of money. That's where program does hinder because the same program cannot be bought with the same number of dollars allocated to a pupil. The minimum in terms of State guideline is \$350 per child; the maximum is \$550. What, what we're doing to proceed now is really in two avenues—is we have to start our program planning in terms of what we know now, and the other avenue is we have to work with whatever is going to happen in terms of the plan with student integration. We're going to have to change our avenue, but right now our whole team is working on what facts we know as of this current date right now. We have been in the process, and our process planning team is a combined team of advisory council, parents, our principals, central staff, and area staff and working cooperatively to get input from local schools as well as area offices as well as central. It's a constant communication kind of procedure that we have set up in terms of involvement. Our committee has also been very, working very closely with the citizens' committee on student integration. We are working very closely with the student integration resource center. We are also working closely with the new instructional program with Dr. Lingle's staff, who I think you're going to meet tomorrow.

Some of the time constraints, I know in terms of the State department of education, our district budget, part of the application is due May 1, and that May 1 is the State's deadline, basically, in terms of the process they have to go through with their State board, the State board in order to get the appropriation into the district by the beginning of the school year.

In terms of local school planning, if—you know, the more people you have involved, obviously, it takes a certain amount of more time, and I am very obligated to provide that time to the local schools so that their planning can be done in depth, so when we look at May as a budget deadline, and then July is a program, local school individual program deadline, we're at the deadline right now in January, right after the holidays, to present some kind of a budget to the schools in terms of lead time for them to plan. Now that's a part that maybe we can negotiate with the State in terms of some kind of delayed kind of a program, when the plan, integration plan, does come to reality.

In terms of ranking, we can only rank with what we have now—where the children are, the poverty factor, the education disadvantage factor. We cannot do a new reranking until we know where the children are to be or where they're going to be, so that is all dependent upon the plan that we do come into operation.

So we have to sit still until then. But we're not only—I don't think sitting still just plain, not doing anything. I think all the involvement

and the discussion that we are having and will continue to have is to discuss with the parents, with the teachers, with the administrators as what if this happens, what should we do, what if this happens what we should do, and that's the kind of process we're continuously under currently.

As Dr. Rouse did mention and I hate to use the word again, the word complexity, and as he said, the Feds, the Federal level doesn't implement, the State level doesn't implement, our local board doesn't implement. It comes to me to help implement, and that's where it gets to be a very complex situation, but somehow I'm sure with all the kinds of processes we are undertaking, we will come up with some kind of a good plan. I have extreme confidence we're going to be able to do it.

I do want to clarify—could I go back to one of the comments made by Mrs. Jan Williams?

MR. BACA. Before you do that, could I ask you a question, and I thank you for that very complete answer.

Could you tell me, you mentioned the strengthening, the instructional program committee that exists, recently developed as I'm told. Do you or does anyone on your staff sit on that committee?

MS. AKASAKI. You means in terms of the instruction committee?

MR. BACA. Yes.

MS. AKASAKI. No, we're not part of the committee, but we're asked to come in to give our comments and our suggestions, so we are not directly every day with the committee, but we are asked as a resource to come in.

MR. BACA. Could each of you tell me whether you are or whether anyone on your staff or within your division is a member of that committee? Could you please answer for the record?

MS. HENDRICKS. No, I'm not.

MR. RANGEL. My assistant director of elementary services is a member of the committee that Dr. Lingle is heading, that is determining viable educational options that will be presented to meet whatever integration plan results from the Citizens' Advisory Committee for Student Integration.

MR. BACA. Ms. Feinberg, this other microphone is closer—

MS. FEINBERG. Oh yes, much closer. Thank you. No, I am not a member of the committee; however, as Mr. Rangel stated, Mr. Ramiro Garcia, who is his assistant director, is basically there as someone who has experience with non-English and limited-English-speaking students programs, so I feel that Title VII is represented through Mr. Garcia.

MR. BACA. Thank you. Along that line, Ms. Akasaki, could you just repeat for me one more time how many students and how much money is involved in the Title I program, and then could tell me whether you don't think it would be appropriate for you to be a member of that committee.

MS. AKASAKI. The money, first of all, you're saying approximately 138,000 children, okay, that's the first part? In terms—from Title I financing, \$26.8 million with the surplus of last year of \$2.8 million. In terms of our amount of money, you're asking should I be on the committee?

I can't afford the time, number one, but I think, in terms of the close contact, Mr. Baca, that we do have, I think we are a great part. I'm not sitting there every day, or there's, not as a staff member on it every day, but I think the telephone and the kinds of, you know, constant communication with the staff there, the committee there, I think we are in close communication. In fact, they'll come down to our, what I call the process planning team, which I just described as district advisory committee members and principals, and etc. They will come to the committee to ask for their suggestions also.

MR. BACA. Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Do any members of the Commission have questions that they would like to address to the panel?

COMMISSIONER RUIZ. I have.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Where are your totally bilingual schools located within the unified school district? How many are there—four totally bilingual schools?

MS. FEINBERG. In the Title VII program, there are four totally bilingual schools.

COMMISSIONER RUIZ. Where are they located?

MS. FEINBERG. They are in Area G or the east side of Los Angeles Unified School District.

COMMISSIONER RUIZ. Around Boil Heights there?

MS. AKASAKI. Yes, sir. Correct.

COMMISSIONER RUIZ. Now, where are your STRAND schools located?

MS. AKASAKI. Some of the STRAND schools are also in Area G, and then they are in all the other areas of the district except Area I, which is in the Valley, one of the areas that encompasses the Valley of L.A. Unified.

COMMISSIONER RUIZ. With relation to the STRAND programs, do you anticipate less difficulty with respect to busing or more difficulty?

MS. AKASAKI. Well, basically, we're talking about numbers is I think the difficulty; in other words, in the schools that are total bilingual schools program, you know, they're involved, all involved in bilingual education. We're dealing with sometimes up to a thousand children at one school that are all involved, in some cases with 60 and 70 percent of those children being non-English or limited-English as defined by the survey, so that if students there would be moved to all other areas of the district—we're talking about a lot of other schools that may be receiver schools, where we would then have to replicate a program in order to meet the needs of those students.

So in that sense, there would be a great deal more trouble, because we're dealing with a lot more numbers of students.

COMMISSIONER RUIZ. Now, you say you've been working with the citizens' committee?

MS. AKASAKI. No, sir, I have not been working closely with the citizens' committee.

COMMISSIONER RUIZ. Oh. I misunderstood you. Have you had liaison with the citizens' committee for student integration?

MS. AKASAKI. No, I have not.

COMMISSIONER RUIZ. Has any other member of the panel had liaison?

MS. AKASAKI. I have.

COMMISSIONER RUIZ. Oh yes. It was you that stated, Ms. Akasaki—

MS. AKASAKI. I have had contact with the Citizens' Advisory Committee.

COMMISSIONER RUIZ. Is the citizens' panel aware of the situation? Has it been receptive, is it, is it concerned with it, moving the bodies out of a total bilingual setup?

MS. AKASAKI. I'm sure they're very concerned. Maybe Mr. Rangel has been talking with the—

COMMISSIONER RUIZ. Pardon?

MR. RANGEL. I've had two occasions to meet with the Citizens' Advisory Committee, and their concerns were related. My purpose for being there was, one, to tell them a little bit about what we're doing in the district in terms of the overall effort in bilingual education and English as second language education, and they wanted information on what we thought might happen in terms of student integration, and, additionally, the impact of a new State bill, AB 1329, Chacon-Moscone, the Bilingual Act of 1976, which takes effect in January of this next year, which has some mandatory language; they're very concerned about that.

COMMISSIONER RUIZ. Well, I personally feel that, and this Commission does, too, that it's very important to get your message over to that citizens' committee, so they can take this into consideration. Now there was earlier testimony that there are approximately 250 or 200 Spanish-surnamed credential teachers of bilingual education out of employment. Have you heard anything about that?

MR. RANGEL. I believe you may be making reference to comments that might have been presented by members of the Mexican American Education Commission and that, to the extent that the district has not hired as many bilingual teachers as are available, and I cannot offer comment on that. I know that, I can only say that from my perspective, the district has accelerated its efforts to hire bilingual personnel and that we need a lot more.

COMMISSIONER RUIZ. Well, then it might be a good idea to have contact with that particular education committee.

MR. RANGEL. Well, we have liaison with the Mexican American Committee; we meet with them monthly.

COMMISSIONER RUIZ. For purposes of recruitment?

MR. RANGEL. For purposes of recruitment. In fact, yesterday we met with the commission and with the personnel of the schools committee of the board, and the item of discussion was hiring practices, to hire—what can we do to hire more bilingual teachers? I think we need to insert one element that—and it's not, I think it's important that we realize that the district is dropping, enrollment is about 10,000 pupils per year. At the same time the enrollment from where we normally find pupils in need of bilingual programs is increasing. At the present time it's about 29 percent of the district's enrollment. It is projected that by 1980, it'll be closer to 40 percent, so that the district is in a very untenable position that—even though it needs teachers with special qualifications to meet the needs of pupils that are increasing in a certain category, the ability to offer contracts is diminishing.

COMMISSIONER RUIZ. I have no further questions, Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. I've got a question to all four members of the panel. As I listen to the discussion and your comments and response to various questions, I gather that the burden of your testimony, on one issue, at least, that of mandatory pupil transportation or busing, is that such mandatory busing might disrupt your special programs and your ability to improve educational opportunities for the children in the district who are eligible for these Federal, State services and programs. And it might also discourage the participation of parents on various advisory committees related to these programs.

What I want to know is where is the dividing line? Is the mandatory transportation dividing line at 2 miles, 5 miles, 10, 15, 20, 30? We all know Los Angeles is a big county and your district is a big district, but what is your advice as professional educators as to the point where you reach diminishing returns, based on either the mobility of the students to be eligible for the programs under your jurisdiction or the possibility that the parents will actively participate in these councils? And I'll take them right down the line.

Mrs. Hendricks?

MS. HENDRICKS. Okay. I don't know—first of all, in response to a question that was asked a while ago by Mr. Ruiz, I have been contacted by the Citizens' Advisory Committee to provide information as to the names of the schools that I'm working with and the number of students in each school. We work with 68 schools and that's not an awful lot of schools compared to the whole total number of schools in the district, and 4,000 Indian students is not a large number of students compared to the entire student population.

I don't know what recommendations the Citizens' Advisory Committee is making regarding Indian students and integration. Do you want my personal opinion, because that's all I can give you?

VICE CHAIRMAN HORN. Sure.

MS. HENDRICKS. I personally do not see a reason to move an Indian student out of any school that he or she is in right now. They are not in the majority minority. They are not a large percentage of the total student population in any school, and if they are moved, what's happening with those kids right now is going to be destroyed, because we have gotten to a point where with this program Indian students are hearing positive things about being Indian; they are hearing not distorted views of the Indian's contribution to this country, and if they are filtered out so that there are one, two, three, four of them in the school district, in the schools in the school district, you're going to be back with those students where you were when I was a student in school, and that's not positive education.

VICE CHAIRMAN HORN. Yes. How about the converse of that—instead of fragmenting them and spreading them out, suppose you had greater concentrations where, presumably, you could render better service? Pardon?

MS. HENDRICKS. I'd vote for that.

VICE CHAIRMAN HORN. Well, where's your dividing line there? What is a reasonable concentration of Indian students to deal with in some useful manner under these programs? How many are we talking about? We've got roughly, as I recall it, about 4,171, I believe?

MS. HENDRICKS. That is the exact number I gave the State, yes.

VICE CHAIRMAN HORN. In 70 schools or so?

So what's your advice?

MS. HENDRICKS. I really have no advice to you. I don't know. A big thing with the program is parent participation. You can't wipe out parent participation and if busing kids 2 miles,, 5 miles means that parents aren't going to participate, then that's not positive. If you are, if we are relying very heavily upon Indian community participation to teach the Indian culture that is needed and moving children decreases their effectiveness, then that's not positive either.

I don't have any recommendations for you.

VICE CHAIRMAN HORN. Mr. Rangel?

MR. RANGEL. Mr. Horn, my response is subjective; it's based on my own feeling. I am not knowledgeable of all the plans that are being considered. But on the assumption that we are able to provide viable programs at both ends, at the sending school maintain those programs and at the receiving school, my feeling would be that since the bulk of our bilingual programs deal with children in grades K, 1, 2, and 3, that a limitation in terms of time factor, 15 or 20 minutes might be a standard that would be applied to these children.

VICE CHAIRMAN HORN. Fifteen or 20 minutes?

MR. RANGEL. In a bus. You mentioned busing as a means of accomplishing integration, because to have children at this age on a bus for longer than that, I think, would be detrimental to whatever they would be exposed to in their learning situation when they arrived at the school.

And if that were used as a standard, I think it would create a situation where parents of these pupils that were leaving the school of residence, it would still be possible for them to continue the type of involvement that, as Ms. Feinberg made reference to in terms of the pupils' life in the school. Additionally, I think you asked a number, if it were possible to group the numbers that go up to a school.

My recommendation in this area would be that the number of 20 might be a number, and it's for this purpose that pupils were to be moved from schools with bilingual programs, that the number would be 20 per grade level, in units of 20, and I say that for this reason, the State mandate in terms of these programs indicate that you must have—you shoot for a two-thirds/one-third class makeup, that is, that two-thirds of the class makeup would be pupils that are not [inaudible] speaking and one-third would be dominant group pupils, so that both pupils benefit from the concept of bilingual education, the cultural heritages, and if we moved in that situation, then we could establish programs, if funds were available and teachers were available, that would be in compliance with the mandates of 1329.

VICE CHAIRMAN HORN. Thank you. Ms. Feinberg?

MS. FEINBERG. Yes. Mr. Horn, regarding your first question as to whether or not it would be disruptive, student integration would be disruptive to the Title VII program; Title VII staff feels that, yes, in fact, it would be disruptive to the program that has been developed in Los Angeles Unified School District for the reasons that I stated before, and for one for other reason I think is important for us to remember and to consider. Bilingual-bicultural education is not only a bilingual teacher, a bilingual aid, materials in Spanish or in Cantonese or Korean. It's an attitudinal development which takes place in teachers, in staff, at schools, in communities, and it does take a great deal of time to develop the kind of attitudes that we now feel we have in schools that are total programs, and in schools that are STRAND programs that have followed the model of Chacon and of the fundings Title VII and of in the district. So that because of that, it would obviously be disruptive. It's not that it cannot be replicated and that attitudes cannot be worked on in other places, but this is a long-time investment, a long term investment that parents and staff and teachers have taken upon themselves, and so some of this would be severed severely, and would have to be replicated someplace else, and it's possible to do, but it takes time and a great deal of effort.

I feel that all the bilingual programs have done that, but at a great deal of, as I say, time on part of the staff and parents who have dedicated themselves to that, and principals who have worked very hard in trying to, you know, integrate staff in the school, to recognize the needs of the non-English and limited-English, etc., so it is definitely a disrupting factor, although if it must be dealt with then, we need to look at what is the best way to do it, obviously.

As far as the time distance element that you mentioned, I concur with Mr. Rangel that if we are dealing with the small child, then the time element is very important. I think that in some cases, though, we may have a problem, in the sense that we have got to get in 10 or 15 minutes of actual traveling time, we are almost within the same area of either the Los Angeles Unified School District or an adjoining area which basically is predominantly non-English and limited-English speaking to begin with, so that, for example, if G schools were traveling 10 minutes they would go to other G schools that are already 75, 85, 99 percent Mexican American or Spanish surname, and if they went to H, for example, which is within that distance, there are a lot of schools that are in that same position.

So that they would really have to travel a good half an hour to 40 minutes in many cases to be able to go to schools, because B, etc.—We have so many, so we really have to move out to Valley, practically, in some cases or to west side, which is not 10 or 15 minutes, and this is obviously one very strong objection of the Asian parents, the Pacific Peoples that represent our program, and the Hispanic parents, the travel distance of the elementary child.

As far as the involvement that was mentioned with the parents, which enters into this distance, I was referring not only to advisory councils, which I think, and committees which we are involved with and parents are involved in schools. I was involved in the kinds of nitty-gritty kind of involvement in schools that the Anglo middle-class parent or that I am involved in my child's school. That means that you are close enough to pop in and to see what's happening. The kinds of involvement that give you teacher accountability, principal accountability, aide accountability, those kinds of involvement, those kind of involvements, when you are dealing with some of us that are present here who have cars and who are able, you know, to take time off or take a day off and just, you know, get it charged to vacation or whatever, and go to our child's school, it's fine. You know, we can do those kind of things.

The parents we're dealing with don't have that kind of time, don't have cars, don't drive, don't speak English, so the kinds of involvement that I'm talking about, that are really happening now, and I see that as one of the greatest things that bilingual programs have done, have to be close. You have to be able to walk there, you know, or a very short distance in a bus, and that's not possible in Los Angeles, if we're going to do student integration with children then going to other areas where there are no non-English or limited-English-speaking students.

As far as the ratio in classes, basically ESEA Title VII does not have a formula for non-English, limited-English to dominant English in a classroom. However, the program in Los Angeles has established to also comply with the State department with our AB 20284 or AB 1329, and so we basically have a 20-30, 70-30, in that neighborhood, so that I would agree with Mr. Rangel that if students were to be

moved they should be moved in a pretty much a 20 fashion, so that there would be 20 children non-English, limited-English, 10 who would be of the dominant language group.

VICE CHAIRMAN HORN. Superintendent Akasaki.

MS. AKASAKI. Your first question in terms of disruption of the program, I would be remiss not to say it would not be disruptive. It will be disruptive in terms of the way we are operating the program right now.

As Merta Feinberg just said, I'm sure that if we have to do it, I think my obligation is basically—When we, if we have to face the fact of reranking the schools again, which is going to be a reality, when I don't know, serve the most needed youngster, and I think at that time we'll revamp and do what we have to do in terms of meeting the Fed regulations, of providing the program, supplementary program for the most eligible high-priority needed pupil.

In terms of discouraging parent participation, and as all of the panel members indicate, I think in all of the programs we just talked about, the key is really parent involvement, and I don't really have a defined minutes or number of miles in terms of what the youngster could do. I really have to go back in terms of analyzing what kinds of configurations or plan are the, is the student integration going to come up with and analyze each one to say what is possible.

We have evidence in terms of other kinds of programs we have had in the past where it depends upon the schools, it depends on the parents, it depends on many factors to see how long they're going to travel. I am just thinking of our own advisory committee members itself now; they don't have cars, but some way they find a way because their interest and their dedication is there in terms of the program. So it's very hard for me to right now analyze and say, you know, they don't have cars, I know that. Everything—

VICE CHAIRMAN HORN. I think we'd agree if people want to become involved, they'll figure out a way to become involved. Most of you, I suspect, did not grow up in rural areas. I know you were born in Long Beach, but having grown up in a rural area, I had to travel certainly a half an hour to an hour a day, starting with first day, on a bus to get quality education or go to a one-room school. That was the choice. That's been the choice of typical Americans, and why we've evolved that way, and I know it isn't easy, but in the Depression certainly people found a way to get involved with their school, and it wasn't 5 minutes away or 10 minutes away.

MS. AKASAKI. I was born in Long Beach, but could I clarify, I did go to nine elementary schools anywhere from a Los Angeles School District to a one-room school house where I did walk 3 miles to go to school.

VICE CHAIRMAN HORN. Yes.

COMMISSIONER FREEMAN. I was going to ask, did all of you always walk to school?

UNKNOWN. I did.

VICE CHAIRMAN HORN. Mr. Rangel wants to add something.

MR. RANGEL. Just one further comment, if I may. If Area G were located in the center of the 12 administrative areas, it would be great.

VICE CHAIRMAN HORN. It's in the San Fernando Valley?

MR. RANGEL. No, Area G is East Los Angeles.

VICE CHAIRMAN HORN. East Los Angeles. Okay.

MR. RANGEL. And the unfortunate thing is that East Los Angeles is surrounded by other areas that are heavily populated with non- and limited-English speakers. We might conjecture that the Harbor could handle their own student integration plan within Harbor schools, and possibly Area B and Area F could move in that direction, and that would be fine, and possibly Area H could move towards Hollywood, in that area, and that would be fine, in the Van Nuys pocket, the Canoga pocket, the San Fernando pocket could move into the areas, but where is G going to go? and that's because they are not surrounded by other area, they are on the boundary of another school district.

So I see no other solution for G other than the very thing we're trying to avoid, the long bus ride.

CHAIRMAN FLEMMING. We are certainly impressed with your comments on these programs, and we are impressed with, to use this word that has been used so often, with the integrity of the situation. I personally appreciate your willingness to think in terms of adjustment as the district moves in the direction of desegregation, and we hope that maybe some of the issues surfaced by you and others, that we can address ourselves to in Washington in such a way as to facilitate the adjustments that would be necessary for you to make.

Thank you for staying this late in order to make this presentation, and we are grateful to all of you.

MR. RANGEL. May I just comment to the staff on the manner in which they conducted their interviews, and I am sure I reflect the feelings of everyone here.

MS. AKASAKI. I just want to say, in terms of how I understand Ms. Jan Williams, I was sitting back there and listening to her interpretation of the program '64, following-the-child kind of concept, my understanding is, again, I don't know where the 10-student concept came about, like you said, you are going through the whole—

VICE CHAIRMAN HORN. We are going back to headquarters.

MS. AKASAKI. My concept would be like, for an example, if, let's say one of the configurations of Los Angeles were compared to the school concept after we rearranged all the schools, then it may be a Title I school and another non-Title I school in one attendance area, and in that case, when is a child eligible?

CHAIRMAN FLEMMING. Just speaking personally, my objective was to take a look and see if we can't preserve some of the concepts of following the child, that basic concept, even though we haven't introduced the grandfather clause.

Thank you all very, very much.

The hearing is at recess until 9 o'clock tomorrow morning.

Wednesday, December 15, 1976

PROCEEDINGS

MR. BACA. Mr. Frederick Dumas, Mr. William Anton, and Dr. Sid Brickman. Please be seated.

CHAIRMAN FLEMMING. I would appreciate it if the witnesses would stand, raise your right hand, please.

[Frederick Dumas, Sidney Brickman, and William Anton were sworn].

TESTIMONY OF SIDNEY BRICKMAN, SUPERINTENDENT OF AREA B; WILLIAM ANTON, SUPERINTENDENT OF AREA G; FREDERICK DUMAS, SUPERINTENDENT OF AREA J; ALL, LOS ANGELES UNIFIED SCHOOL DISTRICT

CHAIRMAN FLEMMING. Thank you, and we're very happy to have you with us this morning. Mr. Baca, would each of you give your name, your title or position, and how long you have been in that position, please, for the record?

DR. BRICKMAN. My name is Sid Brickman. I am superintendent of Area B, and I have been there approximately 2 1/2 years.

MR. ANTON. Bill Anton. I'm the area superintendent for Area G, and I've been in that position for a year and a half.

MR. DUMAS. Frederick Dumas. Area superintendent, Area J, and I've been in this assignment for 1 year.

MR. BACA. Thank you. Now, beginning again with Dr. Brickman, could you each describe your district in terms of the number of schools, the ethnic and racial makeup, and some other details you think might be helpful to us to better understand your particular district?

VICE CHAIRMAN HORN. Excuse me, Mr. Baca. Could you get the microphone adjusted? I'm having real trouble hearing both you and the witnesses.

MR. BACA. Can you hear me now?

VICE CHAIRMAN HORN. Yes, but I think those mikes need to be closer to the witnesses.

MR. BACA. Yes, could you move the microphone a little closer, please. Perhaps I ought to repeat the question so we can have it on the record. Would you please give a brief description of your administrative area in terms of its location, its racial and ethnic student population, number of schools, and the general socioeconomic level.

DR. BRICKMAN. My area has approximately 52 schools. There are 40 elementary and 12 secondary schools. The makeup of the area is approximately, about 48 percent Latin, Spanish surnamed; about 36 percent, 37 percent black; about 12 percent white; and approximately 1 percent American Indian, and the rest would be Asian or Pacific Islander, in that general area.

There are six cities in Los Angeles which would be Maywood, Cudahy, Bell, Vernon, Huntington Park, and I'm not sure if I mentioned South Gate and L. A. and parts of the Los Angeles County area.

We also have the general area in Los Angeles that is known as Watts and parts of the county to the south.

MR. BACA. What about socioeconomics?

DR. BRICKMAN. The area I would say would be predominantly blue collar, and there would be some, a large percentage of unemployed at this time in this area.

MR. BACA. Thank you. Mr. Anton, would you like me to repeat the question?

MR. ANTON. I think I can cover it.

MR. BACA. Okay.

MR. ANTON. Area G is predominantly in East Los Angeles. We have 45 schools: 34 elementary, 5 junior high schools, 3 senior high schools, 2 opportunity secondary schools, and 1 continuation high school. Our student population is roughly 46,000 pupils. Our socioeconomic would be what we would consider lower socioeconomic area.

Our ethnic makeup is about 94 to 95 percent Mexican-American, about 2.5 percent black, about 2.5 percent Asian, about three-tenths of a percent Native American, and about, oh, 2.7 white.

The cities that are covered is Los Angeles city and about half of the areas in unincorporated county territory, so we have those two political subdivisions.

MR. BACA. Mr. Dumas?

MR. DUMAS. Yes, Area J has 38,500 students. It's located in mid-Valley, taking the areas of Sherman Oaks, Encino, part of Tarzana, Van Nuys, I seem to—Reseda, and Northridge.

The hillside areas are high income areas, the Van Nuys area tends to be low income, and the rest of the area is predominantly middle income. It is about 80 percent white, 12.5 percent Spanish surname, 2.5 percent, roughly, Asian Americans, about 5 percent blacks. The blacks are almost entirely transportation students who are bused in. There are 1,886 students who are bused into the area, all on a voluntary program.

MR. BACA. Thank you. Could you, Mr. Dumas, and then the rest of you, please, add, if you think there needs to be some supplement, describe the general duties and responsibilities of an area superintendent.

MR. DUMAS. There are 48 schools under my supervision—four senior high, 5 junior high, 35 elementary, and 4 continuation high schools.

My responsibility is to supervise the programs in those schools, to relate to the public, insofar as I can, resolve the problems that they may have.

MR. BACA. How much autonomy does an area superintendent have?

MR. DUMAS. Well, we don't have a great deal of autonomy for independent judgment. We generally work within the rules established by the board of education, and occasionally there are some things that we can do independently, but for the most part we enforce board rules and regulations.

MR. BACA. Mr. Anton, would you like to add anything?

MR. ANTON. Well, I was going to say, piggy-backing to what Mr. Dumas has indicated, I think our chief function is to serve as a liaison between the board of education, higher staff downtown, and the areas.

I think probably under decentralization, our chief task is to serve as the liaison person and to serve in terms of the board's representative out in the community.

In my particular task, I have two able assistants who generally handle most of the detail, routine administrative tasks, which frees me to interact with the principals, the community leaders, parents, and particularly those two groups in terms of carrying out board policies. And I think in terms of our autonomy it all depends on the area that you may be speaking about.

For an example, I think that within broad guidelines in the instructional program, there is quite a bit of autonomy that has been given to local schools, and so our task is to be facilitators in the instructional program which is in the process of being developed primarily at the local school level. There are broad parameters, as I indicated, but I think that there's a great deal of flexibility and a great deal of autonomy at the local level.

For example, if you're talking about a reading program, the broad parameter is that we shall teach reading, its our number one instructional priority. However, how you go about it, what kinds of materials, what kinds of approaches, that is left up to the school, and our task is to facilitate whatever method they utilize and then go from there.

MR. BACA. Thank you. Dr. Brickman, once the implementation of the *Crawford* decision begins, will there be any particular change in the role of the area superintendent?

DR. BRICKMAN. You mean as related to the *Crawford* decision or as related to other things, or—

MR. BACA. As related to the *Crawford* decision, once the process of desegregation has begun.

DR. BRICKMAN. Well, I think it's been indicated pretty much by our superintendent that our role will be as implementors of board policy, so that whereas before, we may have encouraged voluntary, totally voluntary integration. If the board decision should deem otherwise, that there would be other methods used, then our job would be to implement whatever policy the board comes up with.

MR. BACA. I see. Mr. Anton, would you care to comment?

MR. ANTON. I think that our role after whatever comes out would be probably the key link. I think next to the school principal, ours would be the most important role in terms of the implementation of any desegregation or integration plan. Because we're out in the field, we, as I indicated earlier, probably have the closest contact at, you know, higher administrative levels, and I think by the type of leadership that we offer, the type of support that we give to staff, and the kind of information and availability for responsiveness to problems or questions from the community, I think that that would be the change, I think, that we will be getting more into that.

MR. BACA. Mr. Dumas, I have before me, and I ask Cleveland Lee to show this to you, please, a chart that was circulated in the district on November 27 which shows a direct line from the area superintendent to the district superintendent.

Is that a structural change in the way things will be done during desegregation?

MR. DUMAS. We have not discussed this chart. I have seen it before but it has not been a topic for the area superintendents to discuss. Normally, we work under the deputy superintendent in a line relationship down from the superintendent, and I would expect that that would be maintained, and the chart does not, in my opinion, intend to remove the deputy from the direct line relationship.

MR. BACA. Have—yes, Mr. Anton?

MR. ANTON. If I may—subsequent to our meeting when you asked this at the area office, I did check with Dr. Taylor, our deputy superintendent, and indicated the apparent structural change, and he indicated to me that it was not so, that reporting still remains the same, and the level go: the principal to the area superintendent, the area superintendent to the deputy, with the staff relationship to the associates, and then, of course, to the superintendent.

So, this chart is, I might say, is in error from the way it's structurally set up. But there is no basic difference in terms of our operating, I think, our original chart or the chart that you have, is the case, and so I did verify that and I notice that Mr. Taylor might be on later and you might corroborate that.

MR. BACA. Thank you.

DR. BRICKMAN. I would say something even further than what Bill and Fred have said. This chart is just such, as it is it's a chart. I don't believe any chart can really diagram the relationships that exist in a pretty complex organization.

This shows a line staff relationship. But I think most of us in our roles as superintendents are both line and staff to both the deputy and the superintendent.

Now, perhaps perhaps what is intended by this chart is to show a more active role of the superintendent because of his concern in the desegregation process. That probably is what this chart is meant to reveal. This is just my perception.

MR. BACA. Thank you. But it is fairly clear to all three of you then, as you've testified earlier, that the area superintendents will be key to the process of desegregation?

MR. ANTON. Yes.

MR. BACA. And that has been communicated?

DR. BRICKMAN. Yes.

MR. BACA. Thank you. Mr. Dumas, would you please describe the human ties program and something of how that came about.

MR. DUMAS. Yes. When I was assigned to Area J on the 15th of December of last year, I became aware that the average age of teachers in Area J was approximately 53 years, that a great number of teachers did not take inservice training, and therefore voluntary methods of reaching teachers to prepare them for whatever the integration process might be would not reach every teacher, and I felt it essential that we do reach every teacher, and so we began the dialogue with principals, and I offered to develop programs that would be held on shortened school days so that every teacher would have some input and some ability to relate to the youngsters who might be a part of that classroom in the future.

The elementary principals asked that we develop the program for them. The secondary principals decided to develop their own with our support.

Our human ties is our effort at the elementary level, and we are—we have set up seven meetings. We are preparing all of the materials. We bring in the principal and one teacher from the school, and staff develop them, give them all the materials to go back to the school to, in turn, work with their staffs. And this will be the process that'll be using for the balance of the year.

At the secondary level—incidentally, in connection with that, also, we are bringing in other people to work with the principals, to give them insights and perceptions into human needs and those differences that might exist.

At the secondary level, we are supporting them largely by providing resource people for them.

MR. BACA. Could you expand on the human needs, the human needs aspect of the program?

MR. DUMAS. Well, I guess it's a kind of a personal feeling. The district is involved in the 3.3 staff development as required by State law. But the first programs that came out of that tended to focus on differences of people rather than on similarities, and I felt that to overcome prejudices, teachers needed to understand that people have a lot more in common than they have differences. The differences might be interesting to deal with, but if we can accept one another as human beings and understand that the needs are pretty much the same, it gives us a new perception and a new respect for one another.

I also feel that it's very necessary for teachers and students to understand that in the democratic process we all have a responsibility to

discharge our duties as citizens, and we cannot leave the burden to any group, but everybody has to do his share.

MR. BACA. Thank you. Dr. Brickman, I believe you began a voluntary staff transfer program in your district or your area. Could you comment on that, please?

DR. BRICKMAN. Comment on the nature of the—

MR. BACA. Could you describe it?

DR. BRICKMAN. Well, this was started in my area and it was started in other areas in the city, also. The deputy and the superintendent asked us to proceed with whatever ways we could in terms of balancing our staff, providing schools that did not have representation on the staff, and minority schools with minority represent—primarily have white staff members. We encourage teachers to participate in the staff effort.

There were such things as exchange contracts, people who wished to go to another school for a different experience, people who just wanted to come to a minority or a majority school, so that we do have some exchange of teachers, and we initially had teachers who volunteered to go to staff either minority or majority schools.

MR. BACA. Did the plan have a goal when you undertook it?

DR. BRICKMAN. Well, my goal was to provide a staff that was, and I'm sure the goal of other superintendents, was to provide a staff which more adequately represented the real professional world as it was rather than having students in black schools feel that all teachers are black or students in white schools feel all teachers were white, and, basically, my goal was to give the students a different perception of different people, and recognizing that professionals come from all groups in society, all ethnic groups in society.

MR. BACA. Did the plan have a numerical goal or—

DR. BRICKMAN. Initially, no. Then, when we started talking about certain quotas or certain balances, we did try to eliminate schools that had entirely no majority or minority representation, and we worked towards—at that time, I think it was about a 15 percent, a minimum of a 15 percent minority, and in terms of the majority, as many majority teachers as we could get in schools that had no majority teachers.

MR. BACA. In your estimation, was the program successful?

DR. BRICKMAN. For the length of time that it lasted, it was fairly successful. It didn't achieve all the things we wanted it to. But it was really only for a short time, and there's no—I wouldn't have the ability to judge how this approach would be over the long haul.

MR. BACA. All right. You say while it lasted. Is there some reason that it was not continued?

DR. BRICKMAN. Well, it was primarily not continued with the same efforts because the district then went into the mandatory staffing program in which we were given specific percentages that each school had to have. So that it was not any active termination, it's just that we had new goals. That's all.

MR. BACA. Thank you. Could you comment also on the parent education conference you held in your area?

DR. BRICKMAN. There are several I—

MR. BACA. Well, the one regarding student integration.

DR. BRICKMAN. There are several of those. Let me specifically—we've had a series of conferences. The last one I believe we had was at the request of the parents in the community. We had a workshop at one of the local hotels, and I think it was the Hacienda Hotel, and we had about 350 parents there, and there were 5 different workshops. They dealt primarily with such things as financing of the schools, advisory councils, and one of the workshops was on student integration, and it was, it lasted for—each workshop was about 3 hours long in which parents were asking questions of people who are currently involved in the student integration effort, and which they also gave input as to their feelings about direction, about things they had heard, and basically we tried to educate them on the process rather than, you know, what might come down along the line.

MR. BACA. Mr. Anton, have you undertaken anything like that in your area?

MR. ANTON. Well, we've had, under Title I, through the last 5 or 6 years, parent education workshops, similar to the ones Dr. Brickman has indicated.

We have had a series of public meetings by complex, which means by a smaller group of schools, roughly a third of the area, to disseminate information about the integration process, and what may or may not come out of it, an opportunity to alert the community in terms of their role in reporting through the representatives to the Citizens' Committee on Student Integration.

And I think that from the inception of these meetings today, I think there has been a definite change in terms of the perception by our community towards student integration from one of complete and total opposition to busing their youngsters, and that was their only concept of the, what would come out, that they envisioned wholesale busing, and also one of saying: Stop it, we don't want it, to one of understanding that this is a court order, that there is no legislation that will stop it and no—the board of supervisors can't stop it, the community can't stop it, that there's something we will do, and what we are going to do and how are we going to, through that perception, which I think, is a significant change, really.

MR. BACA. Were there particular concerns in your area that you think are different from the concerns in others??

MR. ANTON. Well, I would not say they are different. I think that the primary concern from the east Los Angeles Area G community is one of maintaining what they feel is quality education, maintaining what they think, finally, we on staff have come around to respond to the needs of the Mexican American youngster in terms of this educational process, talking about cultural awareness, heritage, and certainly the bilingual education.

There has been, and I think still continues to be, that large concern; what will happen to our youngsters as we go into integration, particularly in the area of meeting the needs of non-English-speaking and limited-English-speaking youngsters. I think that would be the underlying concern from our community I think the—which may be different, from others who don't have the vast numbers of limited-English-speaking and non-English-speaking that we do.

On the other hand, I think that the general concern of all of—everyone is quality education, what will happen to instructional programs, and I think that's where we come in, in terms of saying our is commitment to quality education no matter where it takes place.

MR. BACA. Mr. Dumas, could you comment on the concerns in your area?

MR. DUMAS. Yes. Since Area J is 80 percent white, probably more than that by population, and I arrived at that just before the supreme court handed down the decision. There was initially great hostility to the decision of the supreme court. I think there's been a slight modification over the last few months.

In the beginning I heard the majority of people saying: We don't want any part of an integration program. Now I am hearing people say: We will support a voluntary program, but there's still a great amount of hostility to any suggestion of two-way busing or transportation of youngsters over what they consider great distances.

So, there's been a slight modification, but not a great deal.

MR. BACA. Thank you. Dr. Brickman?

DR. BRICKMAN. Yes, sir.

MR. BACA. As regards the implementation of the *Crawford* decision in your area, are there particular parent concerns that you think might be different from other areas?

DR. BRICKMAN. Some slightly different concerns. I think Fred Dumas has portrayed a very small part of our population. I think there has been, there is concern in our Latino population, our Mexican American population about the bilingual program.

In my area there is a unique situation of five cities or six cities who do not wish to lose their identity. They seem to look at integration as something that may destroy their community in terms of children in their particular school, in their particular city, going to school in their particular city and playing in their particular parks, and they look at the integration process as has been mandated or is perhaps the final direction that will come from the board, is in the court, is one that will sort of destroy community cohesiveness.

So that in addition to the other concerns that you have in other areas, you have these cities who are concerned about their identity.

MR. BACA. Thank you. Mr. Chairman, I have no further questions at this time.

CHAIRMAN FLEMMING. Thank you very much. I've been very much interested in listening to your response to questions, to note the

emphasis that is being placed on preparation for desegregation in accordance with whatever plan may be developed by the board and approved by the court.

In connection with this preparation, and in connection with the work that is being done with principals, teachers, students, heads of parent-teachers associations, is any emphasis being placed on what I might term the constitutional aspects of this development? In other words, is a conscious effort being made to make it possible for persons I have identified to become acquainted with the Court's decision, the U.S. Supreme Court's decision in *Brown v. Board of Education*, and also an effort to have them become acquainted with decisions which have followed *Brown versus Board of Education* with the end in view of endeavoring to bring the kinds of persons that I have talked about to the place where they realize that taking the Nation as a whole, a great deal is at stake in terms of the implementation of the Constitution?

As I indicated in addressing questions to other witnesses, we recognize that this problem varies a great deal from school district to school district, and yet I have the feeling that taking the Nation as a whole, we are all dealing with the same basic constitutional issue, and I was just wondering whether as you prepare for whatever may be the plan that is to be implemented, some emphasis is being placed on this aspect of the matter?

DR. BRICKMAN. I, I know other areas have placed emphasis on this. I can only say in my own case, in September I had, at South Gate High School, an audience of 500 teachers in which John Buggs was flown in from Washington, and he addressed the teachers and parents regarding the constitutional issues of desegregation starting far before the *Brown* decision, and he brought them up to date, and we had some local press releases about his talk in our conference with the teachers and the parents there.

So, we have attempted to do this; however, you must recognize it's only the interested parents and teachers who are getting the message, and so we're doing all we can do, at least I feel we are, in this relationship.

MR. ANTON. I think, again, that in our particular area the, the constitutional concepts are important. However, we are kind of a port of entry for Mexico, primarily, and so in terms of bringing it to, to their awareness about the historical perspectives of the Constitution, etc., that we have had to more or less take the tack that we're doing it because it is right.

In terms of court cases, etc., sometimes we indicate a reference to them, but we don't really go into too much depth, very honestly. What we try to do, is, as Fred indicated in some of his staff development, the sameness of youngsters, and that the only perhaps unique feature that our youngsters may have is, is the language difficulty. I don't want to use problem, because I think we can capitalize it as an advantage. But very honestly in terms of the constitutionality and the history, etc.,

we do go on a fast gleam through our parents, but I think particularly we focus on the fact that in the real world we're going to be beyond east L.A. We capitalize on the fact, that like all our parents, they certainly want better for their youngsters, and this is not going to be just in east Los Angeles but expand out, and that the world is much more homogeneous than, say, Mexico or east Los Angeles, and I think with this tack, and at the same time indicating the positive that, contribution, and the positive of being bilingual, that there are many more jobs opening up. There's a demand for our kind of youngsters, and it's our task to be sure that they can, which we know they can, meet, compete, and, in a very real sense, just take their rightful place anywhere, and this is the kind of thing we are utilizing primarily.

MR. BACA. Yes, Mr. Dumas?

MR. DUMAS. May I add just one more thing? And I'm sure this happens in every area. I meet several times a year with representatives from all of the schools, and in addition, on a monthly basis we support the area representative to the Citizens' Advisory Committee for Student Integration in an effort to communicate with representatives from each school the nature of the problem, what is being done, the legal aspects of the problem, constitutional requirements.

Our problem, however, is that the audience that we work with changes so rapidly from time to time as new people are elected or others take their places, that I'm afraid sometimes the continuity of communication is broken and they don't get all the information. They get those parts that they're exposed to when they attend a meeting.

Our city is so large and we're dealing with so many people that it is virtually impossible from our frame of reference to have total contact. We do the best we can.

CHAIRMAN FLEMMING. Could I ask, along this line, whether any special efforts had been made or are being made or are contemplated in terms of making sure that the constitutional aspects of this issue are included in the curriculum for discussion with the students, at, well, beginning at the elementary and junior high school and senior high school level?

MR. DUMAS. Yes. This is part of our plan in our staff development to have students explore this.

CHAIRMAN FLEMMING. Right.

MR. ANTON. I would say yes.

DR. BRICKMAN. We have publications that come out from the district which are dealing with the, the case and which the students use as part of their lesson plans.

Also, in several of the high schools and junior highs this has been discussed very thoroughly, not only in the social study classes, but as topical—things of topical interest in terms of debate, things such as this.

MR. ANTON. And additionally, if I may add, as we meet with our student leaders, the elected officials at the school, that this certainly has been a topic of many of the meetings.

CHAIRMAN FLEMMING. Could I ask one other question? What, in your judgment, has been the impact to date of the program for integration of staff on your respective schools? I appreciate the fact that in some instances the program hasn't been in effect very long, but I would be interested in knowing what you feel has been the impact to date.

MR. DUMAS. Well, in Area J, which was one of the areas that probably needed the great amount of transition, we have met in all schools the goals agreed to by the board for this year, the 15 percent, and about two-thirds of the schools have already met next year's goals of 20 percent of minority teachers. So, numberwise, we're meeting the commitment.

In general, the reactions that I have gotten from community has been positive, because I believe that they have gotten stronger teachers than in general they have lost. Now, you know, that's a mixed bag, but they found that teachers coming from other areas do provide good services, or qualified teachers, and the acceptance is growing.

CHAIRMAN FLEMMING. Have you noted any tendency in the direction of suggestion, suggesting, recommending changes in curriculum as a result of the new mix that exists within the schools within your area?

MR. DUMAS. Not from community or parents. I think we're getting more feedback from teachers as teachers become involved.

CHAIRMAN FLEMMING. That's what I had in mind, whether or not the fact that your mix, as far as teachers is concerned, has resulted in possibly a new kind of input from the teachers in connection with possible changes in curriculum.

MR. DUMAS. Let me give you an example. Just yesterday I had a parent come in on a different problem, but during the process of discussing that, she took the time to note that in a junior high school, where two new teachers had come in that for the first time, and she had several youngsters go to this school before, for the first time at the beginning of the year, all of the plans for the year, the curriculum, the grading process, and so on were identified right at the beginning for parents, so that the parents knew exactly what was expected of youngsters, how the teacher would react, and she just thought it was the most wonderful thing that had ever happened.

So, you know, we're beginning to get a lot of positive feedback, I think.

MR. ANTON. I think there hasn't really, very honestly not been that great a change in terms of curriculum. Probably the biggest change just is for us, the staff to, through staff development, with our new teachers coming in to raise awareness of our youngsters and their needs, particularly, and in terms of how they should realize that our community is very sold, very demanding, I would say, in terms of meeting the needs of the limited-English and non-English speaking, which in many situations is a new experience for some of the teachers coming in, and so the emphasis on self-image for the Mexican Amer-

ican youngster is not that much different from what they may have done, say, in Dr. Brickman's area with black youngsters; however, I think that the thrust is a bit different.

CHAIRMAN FLEMMING. Dr. Brickman?

DR. BRICKMAN. I think the teachers, by and large, there has been significant impact, and there has been, at least in my area, and I think probably the reason is, I am not certain, but I believe we've had the greatest number of new teachers brought into the area, and by new, I don't necessarily mean first-year teachers, but teachers who have been in—

First of all, I think, initially, many of them were concerned with personal inconvenience and it represented considerable personal inconvenience to them, but I think once they got into the school, they recognized they, "I have to succeed as a professional here," and there is a little bit of ego involvement. In other words, "I want to make sure that I'm going to be doing a good job in the classroom."

Many of the teachers, not because of basically any different curriculum that was taught, there are different systems in each school— for instance, there are 32 different reading systems that I am aware of just in my area. So, someone coming in from another area might have to learn a new series of texts, a new procedure, maybe you have to learn something different about learning centers, maybe a new administrative procedure in the area, recordkeeping—

So, initially, the teachers probably have been a lot busier than they would have been had they remained in their last assignment.

Now, we've had substantial assistance from the board in that they did give me some consultants to work with the teachers who were new in addition to my own staff.

They find—now, we've had workshops, we have had Saturday morning workshops with the teachers, and we have two types. We have the minority teacher who is integrating the predominantly white staff and the majority teacher who went to the minority staff, and yet when we get them all together as professionals, we find their concerns are the same, and actually when they work as a group, they're working out professional problems, meeting the needs of kids, and still, they may feel unhappy about their personal inconvenience, but they recognize they have a professional job to do, and they want to succeed.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Horn?

VICE CHAIRMAN HORN. Gentlemen, I'm curious about the assignment of staff. Is seniority the major factor that you have to deal with in the assignment of staff?

MR. DUMAS. Seniority is one consideration, and I assume you are talking about the staff in school?

VICE CHAIRMAN HORN. That's right. I'm talking about the actual classroom teachers, my main concern.

MR. DUMAS. Yes. Assignments have been made over a period of time. When changes are going to take place, the principal has the right

to consider a number of factors other than seniority. He goes to seniority after he has considered the maintenance of balance of the staff by sex, by age, by ethnicity, by subject areas, and so on.

If the resolution to the problem cannot be arrived at in that manner, then seniority becomes the factor.

In practice, however, I think seniority probably in the past has been used more frequently than maybe it should have been used, and now we're making a transition to a fuller consideration of the other factors.

VICE CHAIRMAN HORN. Would you say that the existence of seniority, even as a factor today, has limited your ability as an area superintendent and the ability of your principals to get the best teachers in the classroom that can meet the needs of minority students?

MR. ANTON. Well, I was just going to—excuse me—just going to say that I think what Fred has been talking about generally is when there has been a displacement due to—enrollment drops. In terms of the movement, I'm sure you've heard testimony that there are really three sources for the staff integration program.

One is a voluntary transfer which has nothing to do with seniority, it's up to the individual who says I want to go, you know, under whatever the enticements or whatever personal reasons.

Secondly, are the people who are on leave and return and that there really is not anything in terms of seniority, because you might have a 3-year teacher who went out, say, on pregnancy, and you might have a 20-year teacher who went out on sabbatical, or you might have a 7-year teacher who went on sabbatical, so when they return they return and the seniority, I don't think enters into it.

And then, of course, in the mandatory transfer, which were really are only about a third of the total number, the board and staff agree certainly that this is where we got into random selection, which has nothing to do with seniority. Now the problem came up in terms of people who felt that seniority should be a factor and that if they had been in a school for 10, 15 years, that should be weighed, and they should not be picked.

Now, in terms of just regular normal assignments, I don't think that, from our personnel practices, that seniority plays that big a role. I think trying to meet the needs of the particular school and the needs of the individual are primary to seniority.

MR. DUMAS. Mr. Horn, maybe I did not really fully respond, and I think I should add a little bit more.

The question which you raised in the upgrading of staff by a principal, I think, needs to be addressed. A principal does not have a great deal of flexibility in changing his staff unless there are positions to be filled. But if he has a staff that he would normally rate as a mediocre staff, maybe changes need to be made, new ideas brought aboard. He doesn't have the complete freedom to say that "I would like to change 25 percent of my staff and bring in some new people to do other things."

We're kind of locked into personnel procedures that place limitations on the ability of a principal to mold his staff. Over a period of time he can do it. He cannot do it immediately.

VICE CHAIRMAN HORN. Do you find that there are differences within your area, especially yours, Superintendent Dumas, between the number of part-time faculty assigned to primarily minority schools as opposed to primarily majority schools?

MR. DUMAS. I'm not sure what you mean by part-time faculty.

VICE CHAIRMAN HORN. Well, I'm thinking of substitute teachers.

MR. DUMAS. Well, yes, we have very, very few substitute teachers. The substitute teachers in my area are only holding positions for people on short-time leaves of absence.

One of the problems that we have in this district, and haven't been in Area E for quite a few years, and able to see the difference—the inner-city schools do carry more than their share of substitute teachers.

Now, again, every substitute teacher is not an incompetent teacher. Some of them are far more competent than some of the regular teachers. But just in terms of numbers of substitute teachers, I have very few substitute teachers. The inner-city schools have a great number.

VICE CHAIRMAN HORN. Do you think—I think your statement's correct—that sometimes they are much more competent than those that haven't changed their ways in 25 years? But do you think on balance that this heavy use of substitute teachers in the inner-city schools is bad educationally? going to other areas where there are no non-English

MR. DUMAS. Well, I think it's an unfair procedure, and that's a personal observation. I feel that every area ought to carry its fair share of substitutes, because substitutes can sometimes do a great deal even for schools in the Valley, because they offer a chance to balance staff by age and maybe new ideas and so on. So, it can be a good thing for everybody.

DR. BRICKMAN. I think the term substitute is somewhat misleading, especially if you look at what has happened in Los Angeles or/and in other cities in the United States over the last number of years.

We generally look at the substitute teacher as someone who was maybe not quite good enough to pass an exam with a high score to become a regular teacher or for some other reason was not hired. However, many of the substitutes, labeled substitutes in Los Angeles that are available today, have 4 and 5 years of teaching experience full time. So, I, under, I would, would, in no way want the word substitute to mean what it has meant previously in the past, because the substitute teachers that we have in the area are pretty good.

VICE CHAIRMAN HORN. Well, I would agree with that. A lot of our alumni are some of your substitute teachers, because they can't get jobs with the declining birth rate, the cutback in your budget, so forth.

But I think what concerns me is the ultimate impact in the classroom, if students are seeing just a complete parade of teachers in one class all year long and the instability that might result from that.

DR. BRICKMAN. But, a substitute, you see, a substitute can be assigned in a class all year long. We've had, I've had substitutes teaching the third grade for 4 years now without a contract.

So they are full-time teachers. They are just labeled for personnel reasons as substitute teachers.

VICE CHAIRMAN HORN. Then the real answer to my question is to elicit from the school administration the degree to which, perhaps, various classes have had more than 10 different teachers during the course of a year.

DR. BRICKMAN. That's probably more to the point.

VICE CHAIRMAN HORN. Do you think that occurs very much?

MR. ANTON. I would say not very much. It does occur and has occurred in certain isolated instances, but generally if it happens it's because the assigned teacher may have an illness problem and if we get into that kind of a continuum, then we refer to our medical section and say, you know, it might be better instead of coming in and out daily.

But I would think that the declining enrollment really has the effect of—well, we have fully qualified teachers whom we call long term subs. Perhaps we should coin a new phrase and say teachers waiting for a contract or something. But I think that by and large—for example, in our area with the thrust that the district and certainly the universities in terms of trying to meet the great demand for bilingual teachers, that we're, unfortunately, beginning to get the graduates; however, we're in a position where the declining enrollment and the leave situation indicates that the only opportunity they may have is as "a long term sub."

Now definitely a long term sub who is bilingual and who has worked in the school for 2, or 3 years has a lot to offer in the Mexican American community, more so than a teacher who is monolingual and has been there 10 years, and as good as she may be, there's just that, added feature. I would think that by and large, it is only because of that. I don't think we have parades of classrooms where, you know, they get 10 teachers a year.

VICE CHAIRMAN HORN. Right. Let me move to another question. I'd like to briefly understand what is your responsibility as area superintendents for the enforcement of the truancy laws, attendance in your respective jurisdictions. What responsibility do you have in this area?

MR. ANTON. It's our responsibility to enforce them.

VICE CHAIRMAN HORN. Do you have a staff that reports to you that handles truancy?

MR. ANTON. We have what we call pupil services and attendance office, and in that office we have pupil service and attendance counselors who do work in this area, that the majority of time is taken up

with attendance. Certainly, the services part of the task also enters into it.

We think that by working with the parents, by working with counselors—I came from a large Title I area. Most of the schools out of their Title I budgets have budgeted additional hours, have purchased additional hours of PSA counselors to work on this sort of thing. We have programs such as Operation Stay in School where we cooperate with the law enforcement agencies who see a youngster in the street. They pick him up, bring him in to, not the police station, but in to—we use one of the parks and recreational—where we have one of this type staff there to counsel, to call the parent, to you know, to just saying you're a truant, to counsel the youngster into staying in school.

VICE CHAIRMAN HORN. Would you say that this program in the Los Angeles Unified School District is fairly effective, and that there are not students that are simply dropouts, under age, walking the streets, sitting on curbs, not learning to read and write?

MR. ANTON. Well, I would think that it is effective. However, as in so many instances finances enter into it. You know we really just don't have enough counselors to do this. So—I would not say that though in Los Angeles. You're not going to find someone who is 16 years old, 15 years old sitting on doorsteps. I'm sure we do, but we do, I think, we address ourselves to the problem.

VICE CHAIRMAN HORN. These counselors call on the homes, not simply sit in their offices in the school?

MR. ANTON. Right, right. They're out in the field, and we also have PSA aides, which are community people, paraprofessionals, in our area. We have 10, who join with the regular counselor, we have about 17, and so we're making use of paraprofessionals, people from the community who are bilingual, who in many instances have a better rapport, parent-to-parent kind of situation.

VICE CHAIRMAN HORN. Do you feel that if a desegregation order did come and a substantial number of students were kept out of school, one way or the other, that you have sufficient resources to deal with that problem?

MR. ANTON. I think the way you based the question, it—just for discussion purposes, you're indicating that perhaps there would be a reluctance of going to the school; therefore, the rate of truancy would increase. If the rate of truancy were to increase, yeah, we would need financial resources, to, you know—if the program doubles, I mean, if the problem doubles, obviously, we're going to need some more resources to handle that.

Hopefully, we're—I think, and I'm confident, that we will come up with the kinds of programs that, perhaps initially we might have a situation, but eventually we would get to the point where the education really draws the youngster.

VICE CHAIRMAN HORN. One last question, and that's the perennial one I'm am sure you hear at every PTA meeting. As a college pre-

sident, maybe we take a little bit of the guilt too, but the question they're asking all over the country, and they're asking in cities whether or not they're undergoing desegregation, is why can't the children who come out of elementary school and secondary school read and write? Is it unqualified teachers? Is it a lack of curriculum that's appropriate to their needs? Is it a lack of discipline in the school and the home? What is it? You're professional educators.

MR. ANTON. Well, I—if I may jump in, I think that generalization does not necessarily hold water. I think that if we look at the—at our city, our communities, that most of the people, most of our graduates are succeeding. I think that by and large we are educating the youngsters.

Unfortunately, the publicity a few that, that, you know, and I'm saying relatively a few. If you say 10 percent who drop out or 15 percent who drop out and who do not succeed, I think what we really need to do is to look down the road, look down when they are about 25 or 30. Many have returned to school in our adult education courses. Many do become good citizens and contributing members, and I really think that the generalization—for example, we talk about the drop in English composition skills, and that's a reality, but as we look at, we're talking about a small segment entering the universities, that's not the total population. I think that by and large we are doing—and we look at what's down the road, not just at the 19-year old, but look at the time when he's, you know, settling down into adulthood, we do find that we can't say it's poor teachers, poor administration, disinterested parents. I think that we're generally—it's a tendency for all of us to look at the negative sides of things and magnify them.

VICE CHAIRMAN HORN. Do we test students before they graduate from the Los Angeles high schools as to whether or not they can write at, let's say, or read at an 8th grade level, even though they're in the 12th grade?

MR. ANTON. We're going into what we call the sharp test, yes.

VICE CHAIRMAN HORN. You are going into it? You haven't done it yet?

MR. ANTON. We did our first go around this year.

VICE CHAIRMAN HORN. Obviously, my concern, I think it's a nationwide concern is, when you see the newspaper story of the black student in San Francisco who gets a diploma from a San Francisco high school, and when he joins the Air Force they find out that he reads at the third-grade level, yet he was promoted all the way through school, I just wonder how many examples do we have in every public school system? Are we doing them any favors by granting a diploma without the competency to survive?

MR. DUMAS. Maybe I might answer the question in a different manner, if I may.

If we compare what we are doing now with what schools did 20 years ago, 30 years ago, I think we're doing at least as good a job as was done then.

I think we find several differences now. One, we have no market for our dropouts, and so they become more apparent—the fact that they can't go into the common labor market as easily as they could years ago.

I think the question might be better posed in this manner, are we keeping up with the changing needs of society, and there we have a real problem, because the needs of society have placed many additional burdens on the school which we are unable to meet financially or in terms of staffing.

We're aware that the home no longer, in many instances, provides the kind of support that may have been done formerly, with both parents working, the economic pressures, the effect of television on the utilization of a youngster's time. There're many things that impact the educational program today that did not exist years ago.

I don't think we're doing worse, but maybe we're not doing enough to keep up with the increasing demands that are being made upon us.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Gentlemen, we have—this Commission has received a great deal of testimony in various cities in which we have held hearings, including this city, about—from parents who have expressed some concern about the transfer of their children to a school that would be poor in quality, where the education would be less than they would be receiving. I would like, since it appears that you three represent three separate geographic areas, I'd like to ask each of you to comment on the extent to which the schools in your district are perceived to be good schools by the parents and perceived in the community and the extent to which those graduates go on to post-secondary education. Mr. Dumas, I believe you are in an area that is 80 percent white.

MR. DUMAS. Yes, I am.

COMMISSIONER FREEMAN. Is this an upper socioeconomic—

MR. DUMAS. A large part of the area is upper socioeconomic, and, and a great—and more youngsters from my current area do go on to higher education because of the ability of parents to send them, the fact that they are motivated from an early age to aspire to postsecondary education.

I think some of the perceptions that the public makes are not real. When I was in Area E, I had a range of schools, from schools that I considered outstanding to some that I considered not quite so outstanding. I'm finding the same range in the Valley. The actual quality of instruction differs from school to school, and there are many reasons for it. Now, parents seem to be more satisfied with what's going on, but it does not necessarily mean that every school is an outstanding school merely because it's located in the Valley, and we have a job to do out there in constantly upgrading staff and inservicing staff to increase the quality of education. So, even though youngsters may

perform differently, it does not necessarily mean that what was afforded them in terms of an education was all good or all bad.

COMMISSIONER FREEMAN. Do all of the junior high schools have counselors?

MR. DUMAS. Yes. All the junior high schools in the city have counselors.

COMMISSIONER FREEMAN. Do all of them have the same number of counselors?

MR. DUMAS. Yes. In all Los Angeles city schools, the assignment of personnel from district funds is based on norms and so we get the same amount of personnel.

Now, those schools, and some of the inner-city schools with Title I funds, may be able to redirect some of their funds into providing additional help in these areas, but as far as the general funds of the district are concerned, the money and the positions are appropriated equally.

COMMISSIONER FREEMAN. Are there any schools in your district that have double sessions?

MR. DUMAS. I only have one school that has a double session now. The Valley schools, you see, were very large schools, and as the birth rate declined, the size of the schools went down, and except for a school with a building program, all of my schools now are on single session.

That's one of the inequities I guess that exists, that there are many schools in the inner city that were old schools, older schools, at least, that were earthquake damaged and some are in the process of being rebuilt, but because of declining birth rate, there is no need for half-day sessions in the Valley, at least in my area.

COMMISSIONER FREEMAN. Are all of your schools walk-in schools?

MR. DUMAS. When you say walk-in—

COMMISSIONER FREEMAN. Neighborhood schools?

MR. DUMAS. Every school in Los Angeles is a neighborhood school under the current organization, yes.

MR. ANTON. Except for PWT.

COMMISSIONER FREEMAN. The same question that I have asked of Mr. Dumas, I would like the answers from Mr. Anton and Dr. Brickman.

MR. DUMAS. All right. Well, let me say there are a few exemptions to the neighborhood schools, such as the alternative schools or some special schools, but most of the schools, the regular schools, are neighborhood schools.

COMMISSIONER FREEMAN. Yes. I would like you to confine your answers, Mr. Dumas, to your district.

MR. DUMAS. Yes.

COMMISSIONER FREEMAN. Because the same questions that I have asked, Mr. Anton, will you speak first to the perception of the school and the answers as to the double session, counselors, and so forth.

MR. ANTON. Okay. Let me take the easy one, which is the double session. We don't have—I think we have only about three or four schools that have double sessions. Two of them are under building programs, so the double session situation is much much better now than it has been, say, 5 or 10 years ago.

In terms of the perception of the quality of education, I think that in East Los Angeles, our community has a constant demand that we upgrade the quality of education. I think that we've made progress, but we are not satisfied, neither is our community. I don't think that east L.A. community will ever be satisfied with the quality of education; it's just the nature of people to always want better.

I think that one of the interesting sidelights regarding quality education was when the *Crawford* decision was finally rendered that indicated that we would be in a desegregation-integration mode, that our community, as I indicated earlier, said, "Gee, we don't want our kids going, we don't want to lose what we've gained." So, there was a positive, from our point of view, a positive feeling about the schools that perhaps had not surfaced as they were prodding us to do better.

I think that in terms of the level of graduates that we are improving. We are—We have statistics to show that the scholarships are given to our three high schools and the retention in terms of staying in college are better, and they can compete once they get through that first year, which is very traumatic. I think, again, we're in the situation where a population is in the midst of a pioneering and breaking through, it might be the first time that a youngster from a family has ever even thought about going to college, and we are getting more and more of that.

COMMISSIONER FREEMAN. Well, I was not limiting it to college, I meant college and other postsecondary training.

MR. ANTON. Right. Well, I think that probably one of the most successful community colleges is East Los Angeles College, which is right smack in the middle of our community and has a large proportion of, you know, the population from east Los Angeles attending. I think that our population really does expect a lot of us, which is good, and I think that it keeps us, you know, working toward that.

I think that the concern, again, as I've said before, from our community is, in terms of, the concern about losing what has been generated, bilingual education and awareness, a push by everyone to motivate the youngsters to go into horizons that perhaps they hadn't had thought of before.

COMMISSIONER FREEMAN. The question was not just with the community itself in terms of the perception of the quality of the school, of the education, the conception, the perception of the city as to the quality of education in that district.

MR. ANTON. I think, again, people who never have gone into communities have their own conceptions that are based entirely not on firsthand knowledge. I think that when people come to our schools,

say, teachers who have never been there and now have been assigned, I would say that they have found the competition from our regular staff to be quite severe.

I think Mr. Dumas indicated that when he got teachers from us and the inner city out in the Valley, that they became shining lights, and I think that this is something that the myth of the troubled areas is dispelled when people get involved with them.

COMMISSIONER FREEMAN. Dr. Brickman?

DR. BRICKMAN. I'll try and answer the questions as you've related them or stated them.

I would say that probably most parents are satisfied with the schools in the area. Now, of course, there are some schools that I'm not satisfied with, and there are some schools that the rest of the staff is not satisfied with in terms of what we feel, and this is a purely personal perception could be going on, but most, most parents are satisfied, with some exceptions, of course.

In terms of the—you mentioned the counseling staff, I think my schools are generally, would get probably more counselors than Fred's schools because the district does provide me with some additional money in the secondary level that we call urban impact funds, and the principal has the ability to change these positions into counselors.

So that you would generally find I would probably have more counseling staff than a school, say, in Fred's area and also because of the—I have many schools, are in what we call the ECE program and Title I, we would have more counseling staff than schools in other areas.

Now, in terms of double sessions, I am in a—I think, there's one other area along with myself that is in a very unique position. My area is still growing in terms of students coming in. In fact, in the last two and a half years, we've grown over 5,000 students. So, I have about 157 double sessions, I mean, individual classrooms, not schools, but classrooms on double session.

Now, in the past two and a half years, we've built in Area B what would be the equivalent of 12 new elementary schools. But this no way keeps up with the growth.

Additionally, the reason we've been able to build them is because of the availability of State funds. There are, there is no district money for building new schools or buying land. We can only replace so that we have to use State money to, for earthquake-safe buildings and then we do a lot of transferring of bungalows, but now we're running into the situation where there is not even land on some of the schools to put on bungalows, so we all, indeed, we have some problems. Part of my area, the part generally around the Watts area—I don't know if you're familiar with Los Angeles, we have mostly new schools in that area that have space to receive youngsters.

In the east side of Los Angeles, or the east side of my area where there is basically a Latino population, is where most of the double ses-

sions are, the Latinos and white population of the area. So that in those areas we have double sessions.

I don't know if I've left out anything else that you'd like to—

COMMISSIONER FREEMAN. So that on the basis of the statement and the testimony of all of you, the quality of education in all of the schools in each of your districts is equal, so that the concerns that parents would have about the transportation of their children is not founded?

DR. BRICKMAN. No, I would say this. I don't—in every school you have youngsters, you know, we tend to take a group of statistics and we say the schools in this area are not achieving as shown by the national norms or, the State norms; however, if you analyze the statistics in the school, the individual school, you will find youngsters achieving in the 19th percentile, the 80th percentile, regardless of where they are in the city.

Additionally, you will find that some of them are getting scholarships, and some are not, so that it really—in the secondary level you have courses that are—advanced courses in particular areas that are the same all through the city.

Now, in my area, perhaps in some sections of my area, you may not have a fourth year of French. Why? There may not be a demand for it or we may not have had the ability to provide it as with other areas.

Recently, we have done some things in the—that the board has provided funds that—we can offer very small classes, you see, our classes are staffed on the basis of norms, and the board recently, in improving the quality of secondary education, granted us some additional teaching time so that we could have classes as low as ten students, which would enable us to meet very specific advanced subject matter needs.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. This question is to the panel, is one thing that's been puzzling me here for some period of time.

There has been a great deal of discussion relating to Title I funds, but practically no discussion with relation to Title VII funds which provide financial assistance to local educational agencies and to State educational agencies to carry on bilingual programs in elementary and secondary schools.

I've been examining the law on that, and I'm just wondering, aren't Title VII funds used?

MR. ANTON. Yes. Primarily, Title VII is, primarily in Area G, started in Area G in a pilot situation.

I think part of the reason you may not hear too much about it is in terms of just actual support dollars, there's no comparison. In Los Angeles we get approximately \$28 million Title I funds.

We may—I don't know the exact figure for Title VII, but I think if it's even \$1 million, it's a lot, so obviously, it's not as large a program

in terms of, you know, meeting the needs of bilingual education. Now, what we are doing, and the State is focusing on this also, is to start utilizing all resources, Title I, the State money, ECE money, our district money, in terms of using the Title VII as the pilot to demonstrate the models, and then using the other monies to take and augment the programs in the larger—far beyond just the support.

COMMISSIONER RUIZ. Well, what I had in mind, now, you're going to have a novel situation, perhaps, with relation to desegregation and with relation to transfer of pupils.

Now, with respect to models, with respect to innovative factual situations that are about to occur, wouldn't it be well to examine Title VII funds and their availability with relation to those items?

MR. ANTON. Right, and I think that's what we're doing. And as I said, we are using Title VII to develop the models, to develop the expertise that we can then replicate in other areas. We're thinking, again, and as I indicated, this is one of the big concerns from our community, in terms of how we're going to meet the needs of the limited- and non-English-speaking youngster, and the Title VII process, and the development of material, that we don't have to spend any more money developing, that we can just take it and use it forever. I think this is one of the critical items, and I notice in the next series of witnesses you're having Dr. Lingel, who has been given prime responsibility to start meeting these kinds of needs, and developing the models we can place wherever the situation calls.

COMMISSIONER RUIZ. Have you in developing these models developed them as of now having specific, the specific objective of utilizing them in a desegregation or integration setup?

MR. ANTON. I think so. I think that one of the technicalities of Title VII is that it is a pure bilingual model which means that instruction takes place in two languages. See, that's one of the requirements of VII, it is not just giving English to limited-English youngsters, it's instruction—let's use Spanish as a model—it's instruction in Spanish and in English to all the pupils, so if we use a model, say, a Title VII model in one of Fred's schools in the Valley that has, for discussion purposes, say, 25 percent Mexican American youngsters that have come in from my area, and we use a Title VII model and seek Title VII money, then his 75 percent of particular school is going to have to get Spanish if we're going to really meet the pure Title VII requirements.

I don't know if we have the kind of resources, or any city really, in the educational system, has the kind of resources to do that. First of all, starting with the number of bilingual teachers that are needed in the various languages.

We have a great Chinese population, we have an increasing Vietnamese population. I know in Area B and F we have a large Korean population, so we're getting into these kinds of things, and very honestly, we're going to make a good attempt at it, but I don't think we have the teacher resources who are trained and ready.

In my area we have roughly 21 percent Spanish surnamed staff, and yet our Spanish surnamed population, as I indicated earlier, was 94 percent. But we are and we hope to, we're constantly looking for resources, money. Title VII is one of them. Title IV-B is another one. Title—

COMMISSIONER RUIZ. All three of you gentlemen are very much aware of Title VII funds with respect to the problems just right over the hill now.

DR. BRICKMAN. We could probably use the nationwide allotment of Title VII funds in my area, in my area, and there's 11 other areas in the city.

You see, one thing that we are going to face with the integration process is that we are not—we can guestimate what the impact is going to be, but, you know, you can only spend a dollar bill one time, and we don't know where we are going to have to spend the dollar bills, so we don't know what the impact is going to be at this time.

It would seem incumbent, as far as I'm concerned, I think we should go back to a statement that Mr. Dumas and Mr. Anton made. We have been attempting integration because we felt it was the morally correct thing to do.

I think the Federal Government is somewhat remiss in promoting integration and not giving us the funds to do a job. Because I don't believe that if we have a national purpose, which is desegregation, why don't we put the same amount of dollars in it as we did when our national purpose was reaching the moon, not that I have anything against reaching the moon, I think was a noble effort, but I think, you know, we ought to have some of our lawmakers and moneygivers recognize that if this is our national purpose, let's invest some money in it.

COMMISSIONER RUIZ. Well, you are money conscious. That's good, and Title VII is there. Thank you.

DR. BRICKMAN. Right. Thank you.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. May I ask you three gentlemen how many high schools are there in your area and how many of those high schools have a swimming pool?

MR. DUMAS. I have four high schools in my area, one has a swimming pool.

MR. ANTON. We have three high schools in—well, we have five, because two are opportunity secondary schools. One of them is now in a joint effort between the city and the school district; we are in the process of building a swimming pool, so we will have one.

DR. BRICKMAN. I have five high schools in my area, two have a swimming pool and one uses the municipal pool which is about a block away.

COMMISSIONER SALTZMAN. Mr. Dumas, have voluntary efforts for desegregation in the past produced any significant desegregation in your area?

MR. DUMAS. Well, as I indicated, we have 1,886 youngsters coming in on a voluntary program which produces really the approximately 5 percent of black youngsters that we have in the area.

Is 5 percent significant? Of course, we also have the—approximately 15 percent other minorities who are resident to the area.

COMMISSIONER SALTZMAN. Dr. Brickman, do you think there has been adequate communication with the school clients, parent and children, during this preparation period prior to the presentation of a plan by CACSI to the board?

DR. BRICKMAN. I think there has been communication in the process. In other words, what has been going on, there's been a great deal of rumor in terms of what supposedly the staff had planned and the citizens had planned. I think that there are very definitely going to be people who say we have not been communicating because perhaps we are not using the plan they would like us to use.

However, I think the attempt has been made to involve local advisory councils. We have had areawide meetings. We generally have tried to make the public aware with newspaper articles as to what's going on.

COMMISSIONER SALTZMAN. Dr. Brickman, I believe you suggested to our staff that there is a possibility of bringing into the desegregation plan a year-round school concept. What is that concept, and how would it benefit the desegregation process?

DR. BRICKMAN. Well, I think the year-round concept, as we initially, I discussed it, two people asked me about it. This is perhaps a model that could be used that would interface youngsters, at least part of the school year with each other. That is, perhaps one out of three or two out of three quarters or semesters or terms, or whatever you want to call them, youngsters from different ethnicities would have interface, but the rest of the year, which may be half or two-thirds, however it's divided, they would be basically attending their, the school in their local area. Because, to me, this would breakdown, the beginning of the breakdown of racial isolation where you can have youngsters in contact and yet maybe you would meet less resistance from parents who might consider, well, they're only going to be in this program for 12 weeks or 15 weeks this year, and then most of the rest of the time they will be home for the next 12 or 15 weeks, and maybe they'll be in this experience again.

This was just a suggestion that, I think it has some merit in terms of utilizing an other model for bringing students with different backgrounds together.

COMMISSIONER SALTZMAN. Mr. Dumas, do you think a metropolitan desegregation plan which would involve school districts contiguous to yours, other than the Los Angeles School District, would facilitate desegregation without involving significantly more transportation, and time, were the desegregation program limited only to Los Angeles?

MR. DUMAS. Well, without a doubt, a metropolitan plan would enable the district to respond in a better manner than doing it within the large area covered by L.A. city. We could use adjoining areas. It would simplify the problem.

COMMISSIONER SALTZMAN. Do you think the adjoining areas would participate in a voluntary—

MR. DUMAS. No.

COMMISSIONER SALTZMAN. I didn't have to finish. Thank you.

CHAIRMAN FLEMMING. We are very appreciative of your testimony and the insights that you've provided us. Thank you very, very much.

MR. ANTON. Thank you.

CHAIRMAN FLEMMING. Counsel will call the next witnesses.

MR. BACA. Mr. Chairman, before I do that, I respectfully request certain documents provided by these gentlemen regarding their areas be submitted for the record at this time.

CHAIRMAN FLEMMING. Without objection, it will be done.

MR. BACA. Thank you. James Taylor—Do I have this John Lingel, right. No, excuse me. I have the wrong panel.

Robert Searle, George Edmiston, Martha Powell, and Marvin Borden. Please come forward.

[Robert Searle, George Edmiston, Martha Powell, John Lingel, and Marvin Borden were sworn.]

TESTIMONY OF ROBERT SEARLE, STAFF INTEGRATION UNIT; GEORGE EDMISTON, DIRECTOR, STUDENT INTEGRATION RESOURCE OFFICE; MARTHA POWELL, PROGRAM FOR INTERGROUP EDUCATION; JOHN LINGEL, INSTRUCTIONAL IMPROVEMENT COMMITTEE, LOS ANGELES CITY SCHOOLS; AND MARVIN BORDEN, PERMITS WITH TRANSPORTATION PROGRAM

CHAIRMAN FLEMMING. Thank you very much. We are happy to have you with us.

MS. GODOY. Would each of you please state your name and your present position with the Los Angeles Unified School District?

MR. LINGEL. I am John Lingel, at the present time, temporary chairman of the Instructional Improvement Committee of Los Angeles city schools.

Previous to that, my permanent job is area superintendent.

MS. POWELL. I am Martha Trevino Powell, and my present position is acting coordinator, program for intergroup education.

MR. SEARLE. I'm Robert Searle, and my position is administrative consultant, staff integration unit.

MR. EDMISTON. My name is George Edmiston; I am director of the Student Integration Resource Office.

MR. BORDEN. My name is Marvin Borden. I am administrative consultant with the Permit With Transportation program.

MS. GODOY. We'll begin with you, Mr. Borden. Would you briefly outline the district's transportation permit policies?

MR. BORDEN. Yes. The transportation program within the district is a multifaceted program. It is provided for several purposes, primarily home to school function. There are special ed. programs, there are physically handicapped programs, and then there's the Permits With Transportation program, with which I particularly identify. Somewhere between 35,000 and 40,000 students are transported each day in our district, and the PWT program, Permits With Transportation, accounts for approximately 10,000 of those students.

MS. GODOY. Now, the Permits With Transportation, of which you are talking about or PWT, I understand is a voluntary program which transports primarily minority students from inner-city schools to predominantly Anglo schools in the Valley.

As the coordinator of this program, would you specifically outline the program including its purpose, the numbers of particu—well, you have already, and basically, how you go about meeting these purposes?

MR. BORDEN. Yes. Historically, starting in about, well, starting in 1968, the L.A. District has offered a voluntary transportation program.

Its design was modified in 1972 following the major earthquake we experienced, and we incorporated within the then voluntary transportation program an earthquake displacement component.

We also absorbed some community managed programs and the total new project was then redesigned, renamed Permits With Transportation.

The purposes or objectives include the enhancing of ethnicity at designated schools, the relief of overcrowding at designated schools, and the facilitating of interaction among parents and students of different cultures.

MS. GODOY. What criteria is used to designate a school as eligible for participating in the PWT Program? That includes not only the sending schools but the receiving schools as well.

MR. BORDEN. Right. At the board of education's will, we have experienced growth each year in the program, but the criteria we have used to identify the specific participating schools have been the classroom space that was available and the school that was offered the program, that is, the sending school, we looked foremost to overcrowding.

If we could choose a school that had, for example, double sessions, we achieved, you know, that objective as well, that is, the relief of overcrowding. In the receiving school, obviously we were looking for classroom capacity without causing an overcrowding with the transportation of students.

Another criteria was the ethnicity of the participating schools. We not only wanted to avoid resegregation, but we wanted to make a definite step toward enhancing ethnicity. So that criteria is established.

The relative distances between schools is a factor. We tried to match schools with moderate distances between them so that not one pair would be very, very close and then cause a consequent excessive distance at another pair.

Projection of future population trends were also cranked into our formula so that we wouldn't hopefully establish a program this year and then run into some conflict with capacity or matriculation the following year. And the last item we looked at is continuity of experience or matriculation.

When we take children at the elementary level, we want to maintain the continuity so those kids can stay with their peers on into the junior and senior high level.

MS. GODOY. Once you have identified a school, or once a school has been selected as eligible, what is the procedure that your office uses for informing the school staff and the parents that they are now eligible to participate?

MR. BORDEN. Well, the process really begins as we are a staff office, not line, not operational, with a proposal or a plan based on the criteria we have just reviewed.

We identify those schools which would be positive parts, positive participants in the program. We work with the housing branch to verify data that, upon which preliminary decisions may have been made.

We work with the area superintendents, so that we're not in conflict with cross purposes. Sometimes other programs are being planned, and we want to be sure we are in harmony with those plans.

But when we get past the point where the plan is reasonable, appears to be a good plan, the principal of the proposed school, either the sender or the receiver, is involved to give any additional input that those of us on staff were not aware of, may not be aware of. If the plan is a go-ahead, and usually at that stage it is a go-ahead, because we try to be methodical in our preparation, at the sending level we make a determination of numbers. For example, we don't want to, by offering the program, adversely affect the sending school. We don't want to lessen the breadth of their program, for example, taking away more students than would reasonably be needed to maintain the educational program at the sending school.

The same is done at the receiving school. We want to make sure that we have the capacity and the facility to continue the program on to the next level.

When those decisions, when those plans have been confirmed with local school staff, we then plan the process of informing and involving community, and what we have experienced is the sequence of a community meeting to which all parents of the proposed or prospective students are invited, and we try to provide as broad a picture of the program in the anticipation of experiences we can.

We talk about the program, the principal at the receiving school is at that meeting. He often brings representative teachers and parents, sometimes children from the receiving school. We do everything we can to provide the prospective, the orientation, to offer the parents. We say to parents and children that if they are interested and if they wish to submit an application, those who submit will be invited to an

onsite visitation, so that they can reconfirm their value of their individual decision.

We do avoid making comparisons between the schools, because our object is not to demonstrate or to promote in any way the real educational advantage that might be perceived. It's—we are offering a different educational environment. It is multicultural, and most frequently it is in a less crowded, less dense student population environment.

And then following those meetings, the program, you know, emerges.

Ms. GODOY. Does the PWT program provide training to the students who will be participating or who are participating in the program?

MR. BORDEN. By training, you mean preparation for the experience?

Ms. GODOY. That's right. Yes.

MR. BORDEN. Well, we depend heavily on the initial meeting and, as I mentioned, we have the onsite visitation.

We're concerned also with the mechanical kinds of things, the transmission of student records, for example, so individualized counseling can occur, the health information that would prevent us from making perhaps a serious mistake.

There's preparation in terms of wanting to ensure that the attitudes of people involved are positive attitudes. We want administrators, teachers, parents who work with our program, either as parents or as facilitators to recognize that there are extraordinary kinds of needs that come into play, that children who participate, for example, not only may travel a greater distance than the home school child, but that they do so with other children they don't know because they may all travel together doesn't mean they're all very fast friends and together in that sense.

So we make a particular effort at the initiation of the program to deal with what we see as the individual needs and the group needs of the participating children.

Ms. GODOY. One final question. What have you learned from this program that might be useful for the planning and implementation of student integration districtwide?

MR. BORDEN. Well, I don't know how profound our experiences are.

I've learned a great deal, but I might share some of the experiences I think honestly we've learned as a district in our PWT program. We have learned that the educational environment appears to be a greater concern to parents and students than does integration.

I think we've learned that the acceptance of the program is greater at the secondary level than it is at the elementary level, that is, acceptance by the participating child and parent.

We've learned that common socioeconomic values help establish rapport between the mixed groups of parents and students. We've learned that decentralized administration and implementation contribute to staff and community involvement. We recognize that implications for the sending school are present and must be addressed, especially as we consider expansion of our program.

We've learned that students adapt to change and they adjust a little more readily than do adults. We've learned that communities, receiving communities, tend to monitor our program. They want to look at it; review it.

We've learned that distances and travel time concern parents more than they concern students. We've learned that paraprofessionals, such as educational aides, can be invaluable resources in our efforts to establish positive human relationships.

We've learned that travel time can be used educationally. We've learned that parent involvement contributes to the program's success and maybe, finally, and not facetiously at all, we've learned that prevention is a lot better than cure.

Ms. GODOY. Thank you very much, Mr. Borden.

Ms. Powell, would you please describe the Program for Intergroup Education or PIE, its objectives, and how its implemented?

Ms. POWELL. The Program for Intergroup Education, PIE as we affectionately call it, is an ESEA, a Title I federally-funded program, and it was started under that act—Title I Act in 1965.

The Program for Intergroup Education itself has been in existence since 1967, and it was to fulfill the requirements of the intergroup component of ESEA Title I.

The program has for its objectives, to develop in all participating students a positive self-image of themselves, as of well as others; also to develop in all participating students a respect and understanding for those children who are different than they are.

Also to support the Title I commitment to raise the academic level of all participating students by enriching and broadening those experiences that they have daily in their classrooms, so that expanding—learning is expanded beyond the four walls of the classroom.

Ms. GODOY. I understand that this program contains integration components in that its criteria for pairing classrooms for educational interactions is based on differing ethnic, socioeconomic and community backgrounds. Can you briefly describe how this student interaction is accomplished?

Ms. POWELL. First of all, I might explain how the program works. What we do is we pair one federally-funded class with a non-federally-funded class, and they are generally of different ethnic backgrounds, different socioeconomic levels, and different communities, and they come together on a monthly or a bimonthly basis as the funds or the school has allocated funds for journeys, and they take educational journeys together, and during the time that they are taking these journeys together, we hope that by this interaction with each other that, they'll have a gain, an understanding of each other, and I am not—you mentioned does the program have integration components. If you mean by integration components a change in attendance, full time, then the program, no, is not, does not have

Ms. GODOY. No, I didn't mean by a change in attendance.

Ms. POWELL. Okay, just part time. But it does have integration components in that the children are experiencing and interacting with students of a different ethnic background.

Did I answer all your questions?

Ms. GODOY. Yes, you did. Do you foresee a need for the PIE Program which stresses this interaction after student integration has been implemented districtwide?

Ms. POWELL. Absolutely. I see PIE as a vehicle addressing itself to that situation which will exist after desegregation because once we desegregate we will then have the problem of integrating. What is to prevent those students when they are desegregated in another city from isolating themselves within that community in the school. So that I see that PIE will definitely or PIE-type activities will definitely be necessary within the school as well as between the schools.

Ms. GODOY. Thank you. Thank you very much, Ms. Powell.

Dr. Searle, would you briefly describe your current duties and responsibilities as the director of the Staff Integration Unit?

Dr. SEARLE. I'm responsible basically for planning, coordination, evaluation, monitoring, and the staff integration program and liaison with other units in the district which are involved with the program. Program implementation is basically carried out by the existing units in the district, in particular, the personnel division in the main and the staff development unit.

Ms. GODOY. Could you briefly explain the criteria by which teachers were reassigned under Phase I of the staff integration plan?

Dr. SEARLE. As the area superintendents indicated earlier, we had three groups of teachers from which we drew.

The first group were teachers, on what we call the districtwide list, that is, teachers either returning from leaves of absence, displaced from other schools, or teachers newly contracted by the district.

All teachers on this list were utilized in the staff integration process unless they were on a leave which guaranteed them right to return to a particular school.

In addition to that, we had a voluntary transfer program which, for which all teachers in the district were eligible, and from which we drew 544 of the 1,250 teachers that were involved in these three components. That was the largest group of persons, teachers involved in the program, I think was about 43 percent.

In addition to that, we had mandatorily transferred teachers, a group called, by process called a random selection. There were 401—405 teachers in that group. There was a specific and involved process set up for selecting those teachers but had, which had as its base a random process for the purpose of getting a spread in terms of experience, ability, age, sex and so forth.

Ms. Godoy. Were teachers assigned to schools on a majority-minority basis alone or were the various ethnic minorities identified and assigned on a proportionate basis?

DR. SEARLE. They were assigned primarily on the basis of combined minority as opposed to a specific percentages for individual minority teachers. Although we did indicate in our plan, and did try to take into account the fact we have a pluralistic society and a pluralistic certificated teachers staff, but we did not allocate specific percentages to various group within the combined minority group.

MS. GODOY. Do you know whether these proportionate assignments will be part of the Phase II part of the plan?

DR. SEARLE. I know that that concept will be discussed in Phase II of the plan, which you are aware that we are committed to negotiating with whichever teacher organization is successful in our upcoming elective bargaining election.

MS. GODOY. What kind of coordination do you feel is necessary to simultaneously implement both the student integration plan and Phase II of the staff integration plan? What kind of preparation has the district begun in this regard?

DR. SEARLE. I think coordination between all units that are involved in both plans. We have initially set up contacts with Dr. Lingel's group which is working with some curriculum components. We have set up contacts with Dr. Edmiston's group, which is the Student Integration Resource Office. Personnel division itself is looking at various potential models for a student integration plan, analyzing staffing requirements of those plans.

We have worked with PWT in terms of trying to determine impact of that on future programs. So we feel we have a good liaison connections with the various groups. Obviously, we are all impeded in the amount of progress we can make in that liaison until the Citizens' Advisory Committee and the board adopt a final plan where we'll get into more definite elements.

MS. GODOY. Thank you very much.

DR. SEARLE. You're welcome.

MS. GODOY. Dr. Edmiston, would you also describe the particular functions and responsibilities of your office and what staff resources are assigned to this office?

DR. EDMISTON. Our office, the Student Integration Resource Office, really carries on three functions. One is to provide basic support to the Citizens Advisory Committee on student integration, which is over 100 members, about 114, plus the alternates, which are weaving in and out of the picture as they're needed.

The second component is of our duties is to provide liaison to district staff both at central district headquarters and in the field as much as possible, and the third is to carry on as much as possible a community relations program to keep the public as apprised as we can of what's going on in the process of the citizens' committee developing proposals which they will submit to the board.

Now, part of your question about staff, assigned to our office specifically are seven full-time individuals. We added one person yesterday,

another certificated person, to assist as the work load grows. We do have, in addition to that, a half-time person who works between Dr. Searle's office and my office and provides liaison there.

There are assigned to us full time for the use of the committee a public information officer, a person from the map and boundaries section, a person from the management information division, and then we have on call to utilize at any time it's needed to provide resources for the committee individuals from other units and offices and divisions of the school district.

MS. GODOY. For clarification purposes, although you assist the Citizens' Advisory Committee, will you have any input in actually developing the plan?

MR. EDMISTON. Our staff is not participating in devising the proposal. This is a function of the citizens' committee.

Our role is to provide them whatever information and resources they need in order to help them arrive at these proposals.

MS. GODOY. What do you anticipate the role of your office after the submission of the student integration plan to the court?

MR. EDMISTON. The—excuse me—the implementation of a plan, I think I have to start that way, will be carried on through the regular line and staff function of the school district. It will not call for the imposition of some type of superstructure on top of the district organization.

I would presume that as the citizens' committee presents its plan to the district for consideration, that the function of our office may cease except for cleanup operations and the implementation of the plan, once adopted and approved by the court, will be carried on by the district.

MS. GODOY. Thank you very much, Doctor Edmiston.

DR. LINGEL? Your committee, the committee for strengthening the instructional program, is looking at various instructional programs that can be implemented within an integrated setting.

On what specific integration modules is this committee basing its curriculum review?

DR. LINGEL. Well, we have tried to survey the literature, and many members of the Los Angeles School District have visited other school districts that have had integration programs, and from their information we have addressed ourselves to about 10 different modules, fully realizing in 3 months this is rather a monumental task when other school districts have spent as many as a few years developing one or two modules. But we've done this with the intent to give parents some real options that they can make some decisions, that students will be able to attend schools that have a philosophical and instructional base that could be compatible with their thinking.

Some of the models we are working on at the present time are paired schools. We have two schools, hopefully, rather adjacent to each other in which one would be at the, the kindergartens would

remain at the same school, but the first through third would all be at one school, the fourth through sixth would be at the other school, so one would be a primary school, one would be an upper grade school, which would be very successful, we feel, because you would have more expertise at the two schools and you would have instructional materials that would be more adaptable to the instructional program at the schools.

We also have open structure school, the magnet schools, and we're developing three or four different magnets, one would be a mass science magnet, one would be a business vocational magnet, another would be a creative learning center magnet where we would be featuring drama, art, music, and all the fine arts.

We're also developing an instructional configuration for a Montessori school, for a fundamental type school, feeder schools, cultural exchange schools at the elementary level, where students would be attending the school for maybe a period of 10 weeks in which they would take part in a fine arts type of program.

We're also looking very seriously in developing a configuration for a year-around school calendar where, that would include the total summer school program and working out a number of different types of year-round school configurations.

Also, we're addressing ourselves to the fact that, as Dr. Brickman alluded to earlier in his testimony, that we have some schools throughout the city that are increasing in enrollment, in the inner city, and various other places where we're growing as much as 5 to 6 to 7 percent a year in enrollment, and we're having severe problems with facilities.

We're hopeful that we can develop some sort of system to alleviate those overcrowded conditions and at the same time address ourselves to integration.

Ms. GODOY. Thank you very much, Dr. Lingel.

Mr. Chairman, I have no further questions.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Freeman?

COMMISSIONER FREEMAN. No questions.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. I have no questions.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. I have no questions.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. I have two questions of Mr. Borden.

I'm curious, Mr. Borden, how many requests are granted within the school system to permit a white student to attend a high school that is not in his or her attendance area when the school has a substantial minority component?

MR. BORDEN. Well, I'd have to respond in terms of the pupil permit policy and its structure.

Since, I believe, 1971, the majority objective of the pupil permit policy which regulates that kind of circumstance has had as its primary objective to enhance ethnicity. A decision would be made, based on the ethnicity of the school from which the student who was applying comes and to which he is applying.

In all cases, the open regular permit though that is applied for in the example you cite would have as its purpose and the criteria used, the enhancing of ethnicity.

VICE CHAIRMAN HORN. The reason I ask that question, Mr. Borden, in that our hearings around the country and other evidence I've gathered, I find it is not unusual for some in school administrations to be granting requests of white parents to remove their children from a high school, in particular that's undergoing integration in the sense of minority groups moving into the neighborhood, and what particularly disturbs me is that some of these requests are often signed by doctors for "psychiatric" reasons, and I've often thought that that child who doesn't know that's going on would be rather shocked 20 or 30 years later if that record should be made public, and so I'm just curious if those attendance decisions or permit decisions are made exclusively in your office or are they made in other offices of the school administration?

MR. BORDEN. Well, the process of application, implementing of the policy generally is at the local school level.

VICE CHAIRMAN HORN. You mean, say a high school principal would make that decision?

MR. BORDEN. Well, it's not discretionary.

VICE CHAIRMAN HORN. On the area superintendent?

MR. BORDEN. The decision isn't discretionary, it's a matter of interpreting the policy of the board of education.

The circumstance you cite I think is limited to open regular permits. We would share your same concern. The demographic data that I think you had presented to you earlier suggests that that kind of thing occurs.

I think it occurs outside the process or the policy though, of this open regular permit that I'm making reference to.

The law allows students to establish residence, for example, with guardians other than their parents, and when they submit that in a manner that we prescribe, it would take literally a one-on-one inquiry or investigation to determine whether that was a bona fide residence change or not, and we're about that continuously, but it's a very expensive project.

VICE CHAIRMAN HORN. Does the school administration have its own doctor to check any of these requests or would it ever go to that length to see if a request was validly signed by a doctor?

MR. BORDEN. Yes. The school has the facilities of a physician, not on its site, but through a service center serving the needs of that local school.

For an example, as you might know, the medical reasons are processed through our physician starting first with the recommendation of a private doctor and then through ours. I can assure you that very, very few of those reasons accomplish the circumvention of our policy there.

VICE CHAIRMAN HORN. Just to clarify the record, Mr. Chairman, I would like as an exhibit that list on the number of requests that General Counsel and Mr. Borden can work out by various categories for waiver that were both requested of, and granted by, or refused by the Los Angeles Unified School District for the past academic year with a special attention to those that have medical requests and just what the disposition of that was.

Mr. Borden, one last question. What? Go ahead.

CHAIRMAN FLEMMING. Without objection that will be done and entered in the record at this point.

VICE CHAIRMAN HORN. Mr. Borden, one last question. I was particularly impressed by your summary of what has been learned by this experience, and one thing you said I have long been an advocate of, and in our hearings on the Navajo reservation which were conducted in October of '73, we found this was being put into effect, and that was to use the travel time on buses, educationally, for the benefit of the students. To what degree is that now being done in the Los Angeles Unified School District, and how is it being done, or to what degree do you have plans to do that under existing or proposed circumstances?

MR. BORDEN. Well, just very briefly, we tried to consider the alternatives that were available to us, and we found that many of them that we thought were available were not because of highway patrol regulations and laws that come from the State regarding school buses, generally.

What we have on a rather pilot basis but with the intent of expanding it for the next school year is a program involving what we call cassettes in action. It's—involvement of play-back machines, not recorders, but play-back devices which children check out as they would check out books, and they involve the use of head sets, so that the noise is not a factor in the transportation of other children, and we've found from our experience now that the cassettes were selected by committees of students, parents, and school staff at the local school, you know, not only provide the educational aspect for the trip, but it actually enriches the curriculum.

You know, we're at the point now where the multimedia centers have augmented libraries beyond what most of us would have dreamed a few years ago.

So we think that it's an enriching experience. Our experience is that not just PWT kids use these materials, but the rest of the student body has begun, and that it was a way of customizing curriculum enrichment at the local schools by selecting these tapes and making them available to all the students.

VICE CHAIRMAN HORN. Well, I couldn't agree with you more. We do this all the time on the planes in America; you often get 12 choices, and our university and others have certainly put a major emphasis on multimedia support for the curriculum. I think it's a very wise use of time. Thank you.

CHAIRMAN FLEMMING. Thank you. I express to the members of the panel our appreciation for your being here, and may I also say that I'm certainly impressed with the kind of planning, the kind of programs that are under way, and the kind of creative approach that you are taking to what I'm sure is going to be a very challenging opportunity. Thank you all very, very much.

Counsel will call the next witnesses.

MR. BACA. Thank you. Dr. Taylor, Dr. Halverson, Dr. Handler, Mr. Leon.

If you would remain standing for just a minute— raise your right hand.

[James Taylor, Jerry Halverson, Harry Handler, and John Leon were sworn.]

**TESTIMONY OF JAMES TAYLOR, DEPUTY SUPERINTENDENT OF SCHOOLS,
INSTRUCTION; JERRY HALVERSON, ASSOCIATE SUPERINTENDENT; HARRY
HANDLER, ASSOCIATE SUPERINTENDENT; JOHN LEON, ASSOCIATE
SUPERINTENDENT**

CHAIRMAN FLEMMING. Thank you very much. We're very appreciative of your being with us.

MR. BACA. Thank you. Beginning with Dr. Taylor, could you please introduce yourself to the Commission with your correct title, the position you occupy within the school district, and how long you've been in that position.

DR. TAYLOR. Thank you. My name is James Taylor, I'm the deputy superintendent of schools. I've been in this position for 4 years.

DR. HANDLER. My name is Harry Handler, associate superintendent, instruction; I've been in the position since January of 1973.

DR. HALVERSON. I'm Jerry Halverson, associate superintendent. I've been in this position since 1972.

MR. BACA. Thank you.

MR. LEON. My name is John Leon. I've been in this—title of associate superintendent. I've been in this position for one and one-half years.

MR. BACA. Mr. Halverson, could you take the microphone, please. Would you please describe your responsibilities in regard to the district's legal activities vis a vis

DR. HALVERSON. Well, I suppose I have a coordinating role in regard to *Crawford*. I was associated with the county counselor's office in the initial defense of the case commencing in 1963, I think, August of 1963, and stayed in that role to the present time.

MR. BACA. Can you roughly describe the desegregation plan that you orally submitted to the court during the process of litigation?

DR. HALVERSON. Well, our position might be described as being in support of the comments of the court in the Jackson case and in the Lynch case. Our position was that the district had an obligation to prepare and file with the trial court, as we understood it, a plan which was reasonably feasible as that phrase was used in the Jackson, or feasible as that phrase was used in the Lynch case, which was a San Diego case, and we felt that our obligation was to prepare, file such a plan, and to let the trial court determine the validity of what we had prepared.

MR. BACA. Was a plan submitted?

DR. HALVERSON. No, it was not.

MR. BACA. Thank you. What in particular is your role in setting policy for the staff integration unit and the security section of the district?

DR. HALVERSON. The staff integration unit is part of the personnel division. The personnel division reports to me.

The security section is part of the administrative services branch, and the administrative services branch reports to me.

They are, of course, two separate functions. My responsibility in connection with staff integration was to, and is to, work with that unit, to be sure that the policies of the board are properly carried out, and that coordination is obtained with all of the other operating units to ensure that we have a proper implementation and one which meets the goals of the district.

MR. BACA. Thank you.

Dr. Handler, could you describe your relationship as associate superintendents with the area superintendent?

DR. HANDLER. Yes. The area superintendents have a line—I'm going to use the position of deputy superintendent, Dr. Taylor's position, as the pivot point. The area superintendents have a line relationship to Dr. Taylor. I have a line relationship to Dr. Taylor. I have a staff relationship to the area superintendents.

MR. BACA. Could you explain the kinds of formal and informal communications that go back and forth?

DR. HANDLER. Yes, and then if you want me to expand, I will.

There are numerous formal as well as informal opportunities for communication. The deputy superintendent has meetings with the area superintendents and the associates on an average of every other week. Simultaneously the area superintendents are divided into three ad hoc subcommittees, each of the associate superintendents meets prior to the regular meeting with the deputy superintendent with his ad hoc committee.

That means that I meet with an ad hoc committee of area superintendents every other week.

In addition, there are, each of us has relationships to the principals groups, and area superintendents are assigned as well as associate superintendents to the same committees working with principals.

There are times when it, a particular problem will occur and through Dr. Taylor we establish a subcommittee of area superintendents chaired by an associate superintendent to generate recommendations or conduct an analysis related to a problem.

Then, once a month, the superintendent's council meets, and all of the area superintendents and the associate superintendents as well as others participate in that meeting. These are the formal structures.

There are numerous informal contacts with area superintendents on almost daily basis related to particular programs.

MR. BACA. Can you tell us if any or some of these meetings can be described as integration planning meetings?

DR. HANDLER. The work that I've been doing with Dr. Lingel, who has been assigned really to the office of instruction, devotes itself 100 percent of the time to planning as it relates to the configurations. Dr. Lingel referenced, and as you know he is an area superintendent.

The ad hoc committee that I meet with regularly, it's very difficult, given the description we've provided by other staff members, as far as to our operation, to say there hasn't been a meeting in the past year where, in relationship to any problem that we've discussed, we haven't encompassed the discussion. We haven't included discussion related to the implications of desegregation-integration.

MR. BACA. Is it fair to say then that the program units under your supervision have begun to assess the impact integration could have on those established instructional programs?

DR. HANDLER. Yes, sir.

MR. BACA. Can you describe some of the formal committees that the district has established?

DR. HANDLER. You have just heard, prior to our being called to testify, from the Edminston office, John Lingel's situation, and now, most recently the superintendent has appointed, has established a committee for the implementation of whatever plan may eventually be approved.

The one that I'm primarily involved with is the one dealing with the special curriculum committee headed by Dr. Lingel, and, in addition, recently we added to that committee a subcommittee focusing primarily on secondary magnet schools. In so far as the work being conducted, I would just add to the comments by Dr. Lingel, and that's namely, since we have not received a specific plan, we felt very strongly that it was essential that we begin to simulate the instructional requirements of a number of configurations and having identified the instructional requirements of these—configurations by making certain to involve the people from the field in both the development and review, we would be in a better position, a stronger position, once the plan is known to be able to provide the direct assistance to the people at the local school level.

Now, there are many dimensions, as you know, dimensions related to the instructional materials, the curriculum content, the content in specific disciplines, the philosophical position in relationship to a par-

ticular magnet, the staffing requirements, and in particular the inferences as you heard last night relative to Title I programs and to bilingual programs.

MR. BACA. Can you tell us where those configurations were developed? Were they supplied by CACSI?

DR. HANDLER. We are in close communication with CACSI, and we asked if CACSI had reached a point where CACSI could basically say of all possible configurations, these appear to be the configurations of greatest interest. At the time that we initiated the committee, they had not reached that point.

They did share with us copies of the materials that they were reviewing, and in the process of staying in close communication with them, basically what we've been doing is generating hypothesis relative to what we know and what we don't know as to what the configurations should be that we initiate our efforts on.

MR. BACA. Thank you.

Mr. Leon, could you tell us if the school building planning division and transportation office are under your supervision?

MR. LEON. Yes. They are reporting units to my office.

MR. BACA. Have plans begun in those two areas?

MR. LEON. Plans insofar as we have provided data and information and staff to work with the various components that have been discussed here today.

Transportation, of course, is vitally concerned with the PWT program that was described to you. Then I work on a daily basis with them.

Housing as of itself can make no plans until a plan has been created, but we are supplying data and staff to work with the various groups that are planning now at this stage.

MR. BACA. Could I ask you, then, have you begun to use some of the same configurations that Dr. Handler's division has?

MR. LEON. We're not to this stage in the housing branch yet, no. We have worked with them in providing information and data.

MR. BACA. What about in the area of student transportation? Is there a particular time by which you must have such information?

MR. LEON. The information as far as routing the students and providing the transportation, we still have time to do. Our problem is getting the equipment and providing the facilities for the new equipment that would be necessary if the plan in fact has a large transportation component involved with it.

MR. BACA. Thank you.

Dr. Taylor, if I could ask you, in your estimation, how much lead time does the district need to implement a plan which involves student transportation, if that is what is finally accepted by the courts?

DR. TAYLOR. I think that would vary directly, Mr. Baca, with the extent of transportation to be involved.

In our experience with the PWT program that has been described to you, we have found most helpful in terms of the limited number of youngsters involved there, to have a minimum of 3 months lead time.

MR. BACA. Three months. Mr. Halverson, I believe the other day when we spoke you had some concerns about the time constraints as well. Could you please elaborate?

DR. HALVERSON. Yes. Thank you. With respect to the overall time schedule, our position is that we like very much to have court approval of a plan sometime in April.

This relates generally to Mr. Taylor's comments in this, in addition to coordinating whatever transportation may be involved, we think it's vital that we be in a position to provide to the community, to the 23,000 plus teachers—the students, all those who are concerned, the nature of the program as it affects them and to have an opportunity for those elements of the community to understand and be comfortable with whatever place in advance of the close of school; the feeling being that if we are required to finally approve a plan or receive court approval sometime during the summer, summer months are not very useful in terms of providing information to the public and to the youngsters, and we feel that there would be some hazard in opening school. Obviously we will do it but there would be some deficiencies in our efforts to open school in the fall unless we had the plan in effect, in place or ready to put in place in April.

MR. BACA. Dr. Taylor, to your knowledge, or have you personally informed the school board or CACSI of this time constraint?

DR. TAYLOR. We have in our continuing dialogue with members of the school board and with CACSI apprised them of our experience in such programs as PWT, and I would feel that there has been conveyed to them the fact that, as has been articulated by Dr. Halverson that, in terms of the staff perception of planning time need, that we focus on something no later than April the first.

MR. BACA. Will you as operations officer for the district have primary responsibility for implementing the plan?

DR. TAYLOR. The primary responsibility for pupil integration in the Los Angeles Unified School District has been assumed by the superintendent. As his deputy, I will assume those responsibilities that he directs to me.

MR. BACA. Thank you. Mr. Chairman, I have no further questions.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. I'd like to ask Mr. Taylor, who is the principal liaison within the school administration with Dr. Loveland and the various subcommittee chairmen of CACSI?

DR. TAYLOR. The primary staff person who has been assigned to assist Dr. Loveland and CACSI is Dr. Edmiston.

VICE CHAIRMAN HORN. Does he report to you? Who does he report to?

DR. TAYLOR. Dr. Edmiston is assigned to my office, yes.

VICE CHAIRMAN HORN. So you are fairly familiar with the request that had been made by CACSI for funding, staff support, studies, so forth?

DR. TAYLOR. Yes, I am.

VICE CHAIRMAN HORN. Could you describe for us whether CACSI, Dr. Loveland, the various subcommittee chairmen, have made specific requests for either staff support for the full committee or its subcommittees on a loan basis from your office or for hiring outside consultants?

DR. TAYLOR. We have received requests that would fall under, I think, each of the categories that you have described.

VICE CHAIRMAN HORN. What has happened to those requests?

DR. TAYLOR. We would hope that by and large they have been responded to.

VICE CHAIRMAN HORN. You would hope? Is that a decision to be made by the school administration or the board?

DR. TAYLOR. The decisions ultimately are board decisions. Sometimes it is within the prerogative of staff to immediately respond to requests. In other circumstances, they require the review and approval of the board of education.

VICE CHAIRMAN HORN. I've learned long ago that if something's going to happen in an organization, it's at your level and those reporting to you, that it's going to happen, because school superintendents and presidents and others have too many demands on them to make sure that the day-to-day operations would be carried out.

As a professional administrator, what is your estimate of the type of support that has been given to CACSI so that it can effectively do its job?

DR. TAYLOR. I think we have provided the support that has been requested by CACSI. There may have occurred some delays in the provision of support. Those delays probably are an inherent part of the system under which we're operating.

VICE CHAIRMAN HORN. One thing I find in using citizen groups is sometimes, until they're very deep into the problem, they have no idea of what support they really need to analyze the problem.

Are staff studies under way within the school administration to review the various options? I've heard the word configuration mentioned by Associate Superintendent Handler, that you're waiting for a configuration? Have these options been staffed out within the school administration?

DR. TAYLOR. We have been cautious in initiating studies that might in any way conflict with or be interpreted as usurping the authority and responsibility of the Citizens' Advisory Committee on Student Integration.

We have felt that one of the major problems we must reckon with is maintaining the credibility of that Citizens' Advisory Committee and not having that credibility in any way jeopardized by the perception

abroad in the community that staff was proceeding, in a sense, on its own.

VICE CHAIRMAN HORN. Then as a professional administrator, do you think it's best that that committee have its own staff resources who are separate from the school administration to carry out these studies?

DR. TAYLOR. We have felt at this point in time that the present organizational pattern has been responsive to the needs as expressed by CACSI.

I would certainly concur with your observation a moment ago which tended to suggest there are points in time when a citizens' advisory group may not know exactly what it needs until it reaches a certain level of depth in the study of the activities of which it's a part.

VICE CHAIRMAN HORN. In other words, I think we'd agree that one of the keys is what questions need to be asked, and if we can get those questions organized at a staff level, it doesn't mean the staff is precluding particular types of answers or keeping other answers from them.

But I guess I'm concerned at the pace, just sensing the discussion over the last few days, at which very substantive information is—with which the committee is coming to grips with, very substantive information, and I'm sort of fishing for the degree to which the school administration can be helpful although I recognize your statement, Mr. Taylor, that there is a delicate balance between having the staff really determine the outcome of a citizens' committee.

Have requests been made by CACSI for outside consultants or individuals from other school administrations outside the Los Angeles Unified School District to help them determine some of these questions?

DR. TAYLOR. Yes. Those requests have been made.

VICE CHAIRMAN HORN. What has been the action on those requests?

DR. TAYLOR. Those requests have been responded to. We have enjoyed the counsel of a number of individuals from outside of this district to provide information and to be responsive to the inquiries of our CACSI group.

VICE CHAIRMAN HORN. Let's ask our General Counsel if we have in the record at this point the requests that have been made by the, Dr. Loveland on behalf of CACSI or the individual subcommittees of the school administration and what the response has been.

MR. BACA. Mr. Chairman, I can say that we do not have all of them, but we will review with Mr. Williams, who was the chairman of that subcommittee of CACSI, to see if we have, others that we can get.

VICE CHAIRMAN HORN. Can we put them in the record at this point, Mr. Chairman.

CHAIRMAN FLEMMING. Without objection, that will be done.

VICE CHAIRMAN HORN. Now, I'd also like in the record at this point the complete attendance statistics by school area by elementary and secondary school for the Los Angeles Unified School District for the last academic years as to the number of students, the dropout rate,

whatever General Counsel and the school administration work out. I ask for that information since we are in a preliminary stage prior to court ordered desegregation, and I think it's important to lay down a record from which later claims and counterclaims can be appropriately judged.

CHAIRMAN FLEMMING. Without objection, that will be done.

Commissioner Saltzman?

COMMISSIONER SALTZMAN. Dr. Handler, can you give us an impression from your point of view, can desegregation take place in an effective way absent student transportation as part of the desegregation process?

DR. HANDLER. A total program, I don't believe that a total program could be accomplished absent transportation.

COMMISSIONER SALTZMAN. What do you think CACSI, being a non-professional citizens committee, can realistically provide as a desegregation plan to the board of education?

DR. HANDLER. As a committee made up of representatives from extremely important, recognized, as well as others that are really geographical in a sense, sectors of the city or agencies of the city, the committee provides the opportunity for the input and review of many points of view and many ideas and many suggestions.

Simultaneously, it provides both the extremes in terms of ideas, extremes as measured by, just interpretation of what does desegregation, integration mean to the analysis as to the relationship between the constitutional and moral obligations and the present structure of the sociopolitical and economic structure of the city.

Now, what that does provide is almost a filtering process for the review of a number of ideas. It would be—I think it also provides a higher probability of less biased, in many cases, effort to analyze, having gone through the process of this exchange, and that Dr. Loveland, I think, is a master at bringing people together and providing the opportunity for them to explore both their own feelings and explore the issues and eventually address themselves to problemsolving.

Now, the extent to which the committee might be expected to provide all of the details related to a plan, I think that would be limited; I think they can provide guidelines; I think they can conceptualize; I think they can provide direction; and I think they can provide meaningful alternatives that—the additional review of the people who are going to be called upon to implement the plan.

COMMISSIONER SALTZMAN. In relationship to that then, what do you think is sort of an outside time frame for this process?

DR. HANDLER. Well, outside time frame. I think, you know, again in terms of my personal responsibilities, I'd like to know today which schools where, so that we could then take and I'd like to clarify for Dr. Horn the use of the word configurations minor in relationship to individual schools and whether we're talking about a parent school, etc., not the total configuration as it relates to the city. But the earlier

we know the earlier we can then begin to analyze those schools that are going to be in particular configurations.

COMMISSIONER SALTZMAN. But realistically, sir, how long do you think it will take CACSI to come up with a generalized program and then the filling in of all the spaces that would be required and technical detail by the staff and the school board?

What kind of time frame, realistically, can be expected here?

DR. HANDLER. We're expecting that CACSI will come in with at least a conception model during the month of December if not the first week in January, in so far as the details that you're referencing, and I'm not trying to be evasive in relationship to the question. I think that we can work out the details in time for the opening of school in September and that we just work at it day and night and do the best possible job. I don't think it stops when school opens in September. I think there will be a constant refining and improvement and iterations in relationship to providing the best possible program.

COMMISSIONER SALTZMAN. Do you have a relationship with the school board or is that only through the superintendent himself?

DR. HANDLER. The superintendent has the direct relationship with the board in terms of the organizational structure. Each of the associates and the deputy have defined relationships with various committees of the board. For example, I am the superintendent's representative to the educational development committee of the board of education.

Every Monday and Thursday the education, the board of education, meets and the immediate members of the superintendent's staff attend those meetings and respond to questions or presentations to the board.

COMMISSIONER SALTZMAN. Have you received any instructions from the board of education to initiate programs, studies, relative to the coming impact of desegregation, whatever the configuration CACSI arrives at?

DR. HANDLER. I was very pleased that when we went to the board of education with the proposal that we establish the special curriculum committee, the one that Dr. Lingel chairs, and the cost of establishing that for the 3-month period was \$115,000, there was no hesitation. It was a seven to zero vote.

A couple of weeks behind following that, we went to the board and asked for an additional \$30,000 so that we might initiate our planning and in relation to magnet schools. Again it was a seven to zero vote. The board has been extremely supportive of our undertaking these efforts.

COMMISSIONER SALTZMAN. Are human relations programs within your area of responsibility?

DR. HANDLER. Part of the human relations programs are within my area of responsibility. The human relations programs are basically—by programs, I'm talking about formal programs, the human relations programs are to be found primarily in two majors areas. One, the office

of urban affairs, and the other, those programs that are coordinated by the staff development branch. The staff development branch reports directly to my office.

The staff development branch serves in its coordinating function since the implementors of staff development programs that might fall into the classification of human relations are basically in the area of offices and are administered by the area superintendents.

COMMISSIONER SALTZMAN. But would you have these materials relative to human relations made available to you and—

DR. HANDLER. Yes, sir.

COMMISSIONER SALTZMAN. Do you have materials at the present time in terms of undertakings in the areas?

DR. HANDLER. We have, you know, for many years there have been materials available insofar as human relations, and simultaneously there have been a number of theories in relationship to how does one best provide human relations-type training programs. The literature is replete with examples of where the cognitive approach limited solely to the content of publications has not been as effective as those who develop them had hoped they would be.

Simultaneously there tends to be a greater probability of success by providing people who are trained in the use of processes that assist people in exploring their own feelings, exploring their own attitudes, and developing attitudes that are conceivably consistent with the objectives of both the society as well as the institution.

We have more of the latter type of materials that we deal with insofar as the processes to facilitate interaction.

COMMISSIONER SALTZMAN. Could you provide us with those materials and the extent to which they are being used in the school system—some indication?

DR. HANDLER. Yes, we could.

COMMISSIONER SALTZMAN. Mr. Chairman, could that be an exhibit in our record at this time?

CHAIRMAN FLEMMING. Without objection, that will be done.

COMMISSIONER SALTZMAN. Dr. Taylor, what do you see as the advantage or—and/or the disadvantage to a citizens' committee being charged with evolving a desegregation plan wherein, as you indicated, I think, basically the staff responds only to their request, giving them no affirmative guidance.

DR. TAYLOR. I think of critical significance in the development of any plan to reduce pupil racial isolation in our district will be the credibility of that plan as perceived by the broad Los Angeles Unified School District community. We feel that one of the major strengths of this broad based community involvement which has been sought by our district through the development of the Citizens' Advisory Committee on Student Integration is its ability to transmit into whatever plan is eventually implemented the perceptions of the community which we serve.

COMMISSIONER SALTZMAN. You responded to Dr. Horn in relationship to a question he asked that you have attempted to meet the needs as expressed by CACSI. Have you a perception of what those needs are apart from what is expressed by CACSI in order to enable the CACSI group to come up with an effective desegregation plan.

DR. TAYLOR. We have not sought to articulate in documents the many factors which we are aware must be considered in the design and implementation of a plan, of pupil integration in the Los Angeles Unified School District.

The superintendent has organized his staff in such a manner that we anticipate in a very brief period of time we will be called upon to address a wide range of activities. These have been identified from the point of view of our staff thinking as the major strands of any pupil integration activity as we have gleaned them from visitations to other school districts across the country that have been involved in pupil integration, from the materials available to us in documents that we have received, and in this context, yes, there has been some staff thinking, but not in articulation or in identification of specific activities.

COMMISSIONER SALTZMAN. One final question. I'd like to ask the members of the panel, speaking on your own behalf, do you feel a responsibility for an affirmative response to the *Crawford* decision to bring about the successful and effective implementation of integration in the Los Angeles Unified School District?

DR. TAYLOR. I'll start. I subscribe very strongly to the concept expressed in the United States Supreme Court decision in *Brown* in 1954 that separate is inherently unequal.

My anxieties arise over the fact—of the extent to which we can achieve a totally integrated school district, in terms of our pupil population, within the context of the words articulated in the California State Supreme Court decision, in *Jackson*, reasonable and feasible.

DR. HANDLER. Mr. Saltzman, as stated, your question as stated, my response is yes.

DR. HALVERSON. Mr. Saltzman, I think that we all believe that racial isolation is bad for education. It's bad for society, and that the obligation of the school district is to do what it can in light of the court's decision or in light of the court decision in realities to either eliminate racial isolation or reduce it to its lowest possible level.

MR. LEON. Mr. Saltzman, I would like to answer the question in a two-prong manner. I think I personally am committed to it because it is the law of the land, and because I think it's morally correct.

COMMISSIONER SALTZMAN. Thank you, gentlemen.

CHAIRMAN FLEMMING. I'd like to just follow up on Commissioner Saltzman's last question, and particularly Mr. Taylor's response.

In 1968 the Supreme Court of the United States did, in *Green versus County School Board of New Kent County*, put it this way: The burden of the school board today is to come forward with a plan that promises realistically to work and promises realistically to work now.

I gather from your comment that you have a concern as to how reasonably feasible might be interpreted in the light of the kind of a mandate that is set forth by the Supreme Court in the language that I just read.

Let me go a little further. I mean I don't—I think we probably would all agree on the fact that reasonably feasible could be interpreted in a manner consistent with the language that I just read.

On the other hand, there might be those that wanted to give it an interpretation which would be somewhat in conflict with the language that I just read.

DR. TAYLOR. Yes, sir.

CHAIRMAN FLEMMING. Thank you very much. Commissioner Saltzman—I mean, I'm sorry, Commissioner Ruiz?

COMMISSIONER RUIZ. You gentlemen are the arms of the superintendent. You administer policy. Am I correct in assuming that priorities are formulated by the superintendent?

DR. TAYLOR. Yes, sir.

COMMISSIONER RUIZ. We have received testimony upon the subject of Title I funds and specifically the subject matter of bicultural-bilingual and multicultural components, instruction, and programs.

You gentlemen as managers of the system, in privity with area superintendents, must of necessity attend to priorities as indicated by the superintendent.

Has it been made clear to you by the superintendent what priority, if any, has to be given to bicultural-bilingual and multicultural programs?

Dr. Handler, I understand you are concerned with the preservation of the integrity of the bilingual programs during the integration process.

DR. HANDLER. Yes, sir.

COMMISSIONER RUIZ. With respect to the inquiry that I made as to whether it has been made clear to you by the superintendent's office, what priority, if any, has been given to this sector. Will you state whether it has a high priority or whether instructions have been given to give it as an intermediate priority or a low priority?

DR. HANDLER. Based on past performance, when I assumed this position, 1973-74, in terms of district funds for the support of bilingual-bicultural programs, district contribution to the program was \$8 million out of a total 10.2.

Under the leadership and with the support of Bill Johnston, superintendent of schools, in 1976-77 the district contribution to bilingual-bicultural education is \$14 million, an increase of \$6 million. The increase in State support has been three-tenths of a million. The increase in Federal support has been a half a million.

I have seen no signs, no indications whatever that Dr. Johnston has in any way changed his position related to concern and support for bilingual-bicultural education.

COMMISSIONER RUIZ. Well, am I understanding your testimony to mean that this is given a high priority?

DR. HANDLER. Since I've been here, it has, and I've seen no indication that this will not continue.

COMMISSIONER RUIZ. And do other members of the panel have the same impression or reaction?

DR. HALVERSON. Yes, sir.

DR. TAYLOR. Yes, sir.

MR. LEON. Yes, we do.

COMMISSIONER RUIZ. Thank you very much.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Dr. Taylor and other members of the panel, I would like to know if you will—I get the impression that you have not, and I mean you in your official position have taken no steps to initiate any part of a desegregation plan, is that correct?

DR. TAYLOR. Let me say, Dr. Freeman, that the district staff has not developed a plan. The district staff has tried to be alert to the kinds of impact that various factors of any desegregation-integration effort will include.

COMMISSIONER FREEMAN. The—you, I believe one of you referred to the authority of the CACSI. Is it your understanding that it is the citizens' committee that is responsible under the law for the development of the plan?

DR. TAYLOR. No, ma'am. We would assume that the responsibility under the law is the board of education's, and I should have turned to Dr. Halverson when you mentioned the law.

COMMISSIONER FREEMAN. Well, Dr. Halverson, would you comment on where, in your opinion, the responsibility for the development of the plan is?

DR. HALVERSON. Commissioner Freeman, the law requires that the board take that ultimate responsibility. The committee is really an agency of the board, and the committee if it does not come forth with a plan, the board itself will have to come forth with a plan through staff. So that the responsibility lies with the board.

COMMISSIONER FREEMAN. But at this point the board hasn't started anything?

DR. TAYLOR. The board has not formulated a coherent plan as an alternative or as a substitute for any potential plan that the advisory committee might produce later this month or in early January.

What the board has directed through staff, what superintendent has directed, I think, more properly through staff is that, under his direction and under Mr. Taylor and Dr. Handler, direction that the various elements or components that might be involved in a plan, all of those potential elements or components, be studied from the standpoint of the facts and circumstances that exist within Los Angeles in order that, in either case if the committee's plan is not a fully flushed-out plan, we'll be in a position to assist in flushing it out, or if the

committee, for whatever reason, and I have no reason to believe it would do so, but might fail to come in with a plan in a timely date, that staff would be ready to assemble those components in such a way that we could have a coherent plan.

COMMISSONER FREEMAN. But this authority given to the committee is actually in fact shifting the burden, is it not?

DR. HALVERSON. Well, I don't think the board intends it that way, and I think in legal realities they have not done that.

The board is utilizing, I think, conceptually utilizing the advisory committee much the way it might have utilized staff.

The feeling, I believe, on the part of the board that if it could utilize a broadly based advisory committee made up of representatives from all of the agencies within the community that have expressed an interest in education and integration educationally, particularly, that the product of that committee would enjoy the support of not only those agencies involved on the committee but, hopefully, a substantial degree of support from the entire community and that that committee in its process, in its development of the plan or the concepts that go into a plan, would be relating to their various constituencies and so the community might be drawn along somewhat in that process of plan development, and that the—when the plan is finally adopted, that committee might be in a position to provide its good offices to further bring the community along in support of the plan.

COMMISSIONER FREEMAN. Thank you.

CHAIRMAN FLEMMING. I'd like to ask one question relative to the interrelations between the Citizens' Advisory Committee and the staff of the school administration.

Do you feel that the continuing contacts and relationships that you have with the committee are such as to provide you with the opportunity, from time to time, of identifying technical issues in the field of education, in such a manner that they can be considered by the Committee before the committee finally arrives at its final conclusions as to the recommendations it's going to make to the school board?

I get the feel that there are—although I appreciate the sensitivity of the relationship as Superintendent Taylor identified it, I still have the feeling that there are meaningful day-by-day relationships which provide the staff with the opportunity of in effect saying, "Look, have you considered this?" That is, "Have you considered this aspect of a particular matter." Not that there's any effort being made to say, if you can consider it you ought to come out at this particular point, but that you do have the opportunity of suggesting that there are certain technical professional issues that the Committee ought to take a look at before it arrives at a conclusion. Superintendent Taylor, you might like to reply to that.

DR. TAYLOR. Mr. Chairman, we've been grateful in that in recent weeks the Citizens' Advisory Committee has specifically requested additional staff members to be identified with the citizens' advisory group

for, we hope, the express purpose of providing some of that kind of input.

We've been especially pleased that part of their focuses had been the provision of what we call field administrators and teachers into their deliberations.

CHAIRMAN FLEMMING. One other thing, one other point. I assume that when the citizens' committee has reached its conclusions and made its recommendation to the board of education that undoubtedly the board will ask the staff of the school administration for some technical assistance in evaluating the report of the committee.

DR. TAYLOR. This is the assumption under which the staff is conducting itself, Mr. Chairman.

CHAIRMAN FLEMMING. Let me ask this question of, I guess, Dr. Handler, probably.

As you have been going through this process of looking to the future and looking to a desegregated and integrated system, in general terms, what curriculum changes do you contemplate will grow out of the desegregation process?

Now, I appreciate that that is a very broad question, and that undoubtedly there are a great many things that could or you could say in response, but I'm trying to get the feel of it. You've been going through a very interesting process here, and I would just like to have the feel of where you are at as you look down the road.

DR. HANDLER. Chairman Flemming, as concisely as possible, given the broad nature of the question, a couple of axioms that I'm using to guide my own guide my own behavior. Desegregation-integration will bring change. Change provides the opportunity for improvement. Given that within the context of the opportunity for improvement, then I shift to my own personal way that I handle the distinction between curriculum and instruction, since many people use the word curriculum, and it means many things to many people. Very simply, for me curriculum is the what, instruction is the how.

I see the opportunity for an expansion of the what, a much richer what, and I see the opportunity for an improvement of the how.

CHAIRMAN FLEMMING. Thank you very much. I appreciate that response. It is consistent with what we have observed as we have held hearings in other cities where desegregation is under way.

But this is one of the things that impressed me, that process results in challenging old concepts as far as both the what and the how are concerned, and that once the process gets under way, people respond to that challenge in an affirmative manner, and I get the feeling that many who are engaged in the process are very excited over the opportunity that it presents for constructive changes.

May I say to all members of the panel we recognize the very heavy duties and responsibilities that rest on you as this school district prepares for desegregation, and our very best wishes are extended to you as you handle these very difficult responsibilities.

Thank you for being with us and sharing with us the way you have this morning.

UNIDENTIFIED. Thank you, Mr. Chairman.

CHAIRMAN FLEMMING. Counsel will call the next witness, please.

MR. BACA. Dr. William Johnston, please. Dr. William Johnston. Good morning.

CHAIRMAN FLEMMING. Raise your right hand, Mr. Johnston.

[William Johnston was sworn.]

TESTIMONY OF WILLIAM JOHNSTON, SUPERINTENDENT OF SCHOOLS, LOS ANGELES UNIFIED SCHOOL DISTRICT

CHAIRMAN FLEMMING. Thank you, and we're very grateful to you for being with us this morning.

DR. JOHNSTON. Thank you.

Hearing will be in order, please.

MR. BACA. Dr. Johnston, can you give us your correct title and the number of years you've been in that position?

DR. JOHNSTON. Yes. Thank you. I am the Superintendent of Schools, and I will have completed 6 years in office this next month, in January.

MR. BACA. Can you describe briefly your responsibilities in that position?

DR. JOHNSTON. Very exciting responsibility. It's the task of the superintendent really to implement the policies of the board of education. That would be a very brief, terse reply.

MR. BACA. Thank you. And how are those policies communicated from you to subordinate superintendents?

DR. JOHNSTON. Well, there are a series of meetings, publications. When we receive a policy from the board, we develop interpretations of it, we discuss it with staff. I have a management team, and we discuss it with that group, and there are many meetings of senior high principals, junior high principals, and many ways to effect publication of these matters.

MR. BACA. Am I to understand, then, that any planning that the staff has undertaken to this point has been at the direct, at the direct order of the board of education?

DR. JOHNSTON. We're referring now to, specifically, to the matter of desegregation?

MR. BACA. Yes, sir.

DR. JOHNSTON. Yes. In addition to the directives that we receive from the board, and many of them, have been discussed, the establishment of the Citizens' Advisory Committee, the establishment of the staff for the implementation role that will be played, the one just presented by Dr. Lingel regarding the curriculum studies. All of these matters have been presented formally to the board of education because they are budget matters attached with them as well as the philosophy that they represent.

And in addition to that and internal to the staff, we're considering this issue very carefully and very seriously, as you would expect.

MR. BACA. Let me understand you then. If I understand your testimony correctly, the initiative comes from the staff in the form of a request to the board?

DR. JOHNSTON. Oftentimes that is the case, oftentimes it will come as a suggestion or a recommendation from the board itself.

MR. BACA. Can you give us some examples of each?

DR. JOHNSTON. In the main, there may be a discussion, I recall, when the Citizens' Advisory Committee was being considered. It was discussed at the board table, and then staff was instructed to bring back in board report form, if you will, the exact language for the implementation of that.

On another point, Dr. Lingel, on the curriculum issue, the staff developed the board report, and we take it through the appropriate committee, the education development committee of the board where it's considered by three members of the board, and then is subsequently processed and acted upon by the entire board.

MR. BACA. As regards the Citizens' Advisory Committee, how much involvement does the staff have and in designing the committee, its separate subcommittee functions, how members were selected and other aspects of the committee?

DR. JOHNSTON. Yes. In the main this advisory body is a creature of the board itself. There was debate, there was give and take discussion and dialogue at the board table as the various components and categories and representation were identified, and then the committee was finally formalized and a chairman was selected, Dr. Loveland, as you know, and the work of the committee is almost on their own.

I would emphasize that in my judgment this committee is advisory to the board of education.

MR. BACA. It is only advisory?

DR. JOHNSTON. That is correct.

MR. BACA. Yes. How was it decided to create the Student Integration Resources Office or research office?

DR. JOHNSTON. The office is the staff resource to the advisory committee. In other words, we are—our role is to say we're supportive of the work of the citizens' committee, any requests that they make, any information that they need from the district. We are able through that office, Dr. Edmiston, to be responsive, to provide information.

MR. BACA. As I understand, there are seven professionals assigned to that particular function?

DR. JOHNSTON. I believe so.

MR. BACA. Right. In your mind is that an adequate number?

DR. JOHNSTON. At this point in time, in my mind, the time line will proceed in this manner, in my judgment. That the advisory committee will soon report the general characteristics or the general definitions of the plan to the board, perhaps this month, perhaps no later than the first week in January would be my outside expectation.

At that point in time there will be discussion by the board, and I am hopeful that at that point of time the board, and I'm sure they will, will refer these concepts to the staff and ask us formally to react, to give our interpretations, to give our analysis at that point in time, and we will be in a ready position to do so.

MR. BACA. I have asked Dr. Taylor and I will ask you to give us a date by which you think you absolutely must have the plan that you need, that you will be implementing next fall.

DR. JOHNSTON. The final court approval of the plan, in my judgment, should come no later than May 1, would be very late. I would even hope that it would be April 1, that the final court decision, this is the law, and this is what we are to implement. Any delay past that would make it extremely difficult.

We really—and we base this on our recent experience of staff integration this past year. We had hoped at that time to have in place everything before school ended in June. But, Murphy's law prevailed as you know, and we weren't able to do so. So that experience really tells me that we have to—we should—it's the feasible thing to do, to have closure so that all who are involved in the first phase of this proposed integration, desegregation effort, it will be pretty well decided and finalized by the time school is out in June.

MR. BACA. To the extent that you are aware, was there any concern on the board or among the staff to discuss the problem of the Citizens' Advisory Committee, something which we have heard a great deal about lately, the lack of expertise among those hundred people?

DR. JOHNSTON. Well, I think that the concept is that they would be advisory and to seek professional resources. I know there have been individuals employed who have offered their opinions, their expertise. We were a part of staff. I personally went to Denver and Dallas, we were part of the six-city visitations that took place which were so very, very valuable.

They have considerable expertise, but in my judgment, their role is that they represent the community, very unusual, very large, significantly large school district, and they should come back and define in general ways some of the procedures that they believe we should follow.

They are advisory to the board. The board can accept all of their report, can augment their report, accept none of their report, and can turn to staff totally and tell us what to do. Their role is the advisory.

As I read the court order, it's very clear and very concise that it's the board of education that is the responsible party for the development and implementation of whatever the final plan will be.

MR. BACA. Was there any attempt on the part of the board or district personnel to provide some sort of orientation or training for the members of CACSI as regards the particular problems of this district or as regards implementation plans generally?

DR. JOHNSTON. Well, in the main—and this sounds repetitious—but we have been available to the committee as a resource staff. We're available to respond to any request that would come from the committee. We're fortunate indeed to have a man of the genius of Dr. Loveland as chairman of this committee, a man who is very sensitive to this, the needs of our total community, and I believe that our role should be, and properly is, that of a resource body, and we're available at all times.

MR. BACA. Thank you. In particular, could you describe the functions of the superintendent staff unit for student integration?

Did the microphone pick up that question?

A VOICE. No.

MR. BACA. Okay.

DR. JOHNSTON. This is our implementation effort, Mr. Baca. What we're doing now and it's been presented by the deputy and the other associate superintendents, it's my perception on this particular issue, this is not an issue that will be delegated to any other member of the staff. We're not in the business, for this purpose to create another office and say they're responsible for the implementation of the final plan.

The purpose is that the superintendent will be responsible for the implementation of the plan, and the budget decisions and transfer was to allow a very modest staff available to me and to the deputy, Mr. Taylor, as a resource unit.

We are saying that we will accept the responsibility through the existing line from me to the deputy to the associates to the area superintendents to the principals and to the teachers of this school district. We accept the responsibility to implement this. We are not delegating it to anyone.

MR. BACA. Could you comment on the creation of the committee for strengthening the instructional program?

DR. JOHNSTON. Yes. I'm elated with the talent that's in this particular body, and Dr. Lingel is an area superintendent but has a particular knowledge, expertise, skill of the area of curriculum, and as described by Dr. Handler, we will anticipate the report of this body very soon, and Dr. Loveland uses the analogy that it's an assembly line of automobiles, when all the parts come together at a point in time, and within a month I'm hoping that will have a complete report from Dr. Lingel because it has to be interfaced with the other developments on this plan.

MR. BACA. Will CACSI—excuse me, will CASCI have access to the information prior to the development of their plan?

DR. JOHNSTON. Well they are going to present the first week in January, I trust, the broad outline or the dimensions that they're recommending. It's not probable that Dr. Lingel's work will be done by that date, but I'm hopeful that no later than the end of January he will be, he will conclude his effort.

MR. BACA. Could that possibly delay the implementation or consideration of the CACSI plan?

DR. JOHNSTON. I don't believe so. I don't believe so. What we're—the mike has gone off.

CHAIRMAN FLEMMING. Could I interrupt while they get the public address system working?

MR. BACA. Is it working? Yes, it is.

DR. JOHNSTON. Test. We're back on live. Thank you.

MR. BACA. Let me understand you, superintendent. The various staff programs that are considering problems that you are aware the staff will encounter in the implementation, will be given the information from those committees, will be given to CACSI prior to the implementation, prior to the submission of their plan?

DR. JOHNSTON. Yes. As soon as Dr. Lingel's efforts are concluded, they're available to CACSI, to the total community, to the board of education, to anyone who has an interest, obviously, and I am sure that they will in the main, complement the work that is underway.

MR. BACA. When did Dr. Lingel's committee begin its work?

DR. JOHNSTON. We made an error in the start up time on that particular activity, and it was only approximately a month ago that this really was formally begun.

I wished that now in looking back, I'm very good in looking backwards, if it had been done in September it would have been far more productive, or even last summer would have been even more productive.

MR. BACA. But, in your opinion, this late start will not delay it?

DR. JOHNSTON. It should not, in my judgment.

MR. BACA. Thank you. No further questions.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. No questions, Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Superintendent Johnston, is it your commitment, as superintendent of the Los Angeles Unified School District, to advance and realize a desegregation-integration component in your school system, sir?

DR. JOHNSTON. Indeed it is. Dr. Flemming made a very eloquent presentation yesterday that I was privileged to hear, and he gave the, really, the purpose of this Commission for us, but more importantly he described the constitutional and the moral imperatives concerning this issue. I subscribe 100 percent to his comments.

COMMISSIONER SALTZMAN. To this point, then, you feel that this goal has not been implemented in the Los Angeles Unified School District?

DR. JOHNSTON. We have a large school district of some 600,000 students, as you know, and fortunately approximately a hundred thousand of them are in integrated settings by accident in the main of where they live.

I can think of one particular high school where I used to serve that has an ideally integrated setting at this time.

The problem for the district at the moment is how to keep in place this idealized integrated setting. But as we look forward we now have a court order, we now have a known judge, we now have all of these segments at work and on an optimistic and a positive manner. We have an obligation and as Chief Davis said, we have a reverence for the law, and it's forward looking with optimism that we believe that we can meet this mandate which, in my judgment, is a moral imperative.

COMMISSIONER SALTZMAN. One of your superintendents in earlier testimony, and in fact a number of witnesses have spoken to this effect, stated that a complete whole plan could not take place absent pupil transportation. Would you agree with that?

DR JOHNSTON. That's probably a reality and one of the issues that troubles me as we step back and look at this effort in perspective. This school district has a very modest ADA. We have \$1,200, \$1,210 per unit per child each year. That's one of a very—in urban areas, a very low amount.

There are nearby cities, in fact we surround one city completely, that has almost twice that per unit of ADA, and other urban areas, the largest school district in the Nation has almost two and a half times what we have. One of the needs of this school district is that there be some factor, that our State legislature allow recognition that this is a State supreme court order, and that they recognize their obligation to assist us, we have—I personally have recommended to Senator Rauda that there be a 1.25 factor per unit of ADA for every child who is involved in a desegregation program.

Senator Rauda was very—he appreciated knowledge of this, and asked his staff to include it in his recommendations. And I hope that that will be forthcoming in the spring.

If that one factor alone is to happen, then it releases a lot of constraints that we might have about our ability to mount a full program.

Another point I must make is that we have been terribly frustrated in Los Angeles in our applications for ESSA funds and I have to ask the rhetorical question, I guess, why is it that the second largest school district in American has none and New York City has some \$25 million.

We have applied in '74. We applied in '75. We are now preparing an application to submit in January, and we are asking for a minimum of \$15 million to assist this school district in this task.

We even applied for a planning grant of Title IVC, I believe it is, and they had a beauty contest and we lost in this contest, and only one district in Palo Alto, Ravenswood, was funded, and I am glad they received their funds, but it's lamentable that the largest district with such an important obligation before it is not successful in securing Federal help on such a critical issue.

COMMISSIONER SALTZMAN. I just wanted to ask with respect to that question.

Are you in your present application seeking to conform with the prerequisite requirements under which funds would become available?

DR. JOHNSTON. Yes. The major hurdle has been the staff integration. We have submitted our plan. The plans been approved. The first phase is in place, and the second phase will be in place next September.

I have met with Secretary Matthews, with Senator Cranston, with Mr. Hawkins, with many of our representatives and we're hopeful that the Office for Civil Rights, in all of its many obligations, will give priority to assisting this district in its application.

COMMISSIONER SALTZMAN. Mr. Chairman.

CHAIRMAN FLEMMING. Could I just pursue that a little bit further? We did take some testimony yesterday from Federal officials on this particular issue and as I understand, there's one provision of the law under which it would not be possible for you to receive assistance unless the Office for Civil Rights certifies that you are in compliance, is that correct?

DR. JOHNSTON. That is correct.

CHAIRMAN FLEMMING. And up to the present time they have not made such a certification, but as I understand your comment today, you are hopeful with your staff integration plan under way, the first phase of it under way, that they might certify you?

DR. JOHNSTON. Thank you.

CHAIRMAN FLEMMING. Now, I might say that isn't a prediction on my part. I assume that—

DR. JOHNSTON. That's a prayer.

CHAIRMAN FLEMMING. I'm not over in that area, but I assume that's a hope on your part?

DR. JOHNSTON. A prayer.

CHAIRMAN FLEMMING. But now that you are under way on staff integration that you can get a certification from the Civil Rights Unit of the Department of Health, Education, and Welfare.

The only reason I back up is, it's very easy to get the Civil Rights Commission confused with the civil rights unit of the Department of Health, Education, and Welfare. We are not in the business of certifying in connection with the application of any laws, but the civil rights unit of the Department of Health, Education, and Welfare does have that responsibility, and in view of the fact this a public hearing, I just wanted to make sure there wasn't any confusion between the roles of the Civil Rights Commission and the Office for Civil Rights.

DR. JOHNSTON. Thank you, Mr. Flemming.

CHAIRMAN FLEMMING. But there was—then we also received testimony that you filed application under another provision of the law which does not require certification on the part of the Office of Civil Rights.

We were told that these were discretionary funds in terms of the Office of Education in Washington. We were told further they allocated those funds on a competitive basis.

DR. JOHNSTON. A beauty contest, yes.

CHAIRMAN FLEMMING. Okay, and that your application fell below the line as far as the competition during the last fiscal year—

DR. JOHNSTON. Those who were judging, yes.

CHAIRMAN FLEMMING. That's right, and they went through and described the process that they followed in setting up a peer review committee and so on, and also the criteria against which the various applications were judged.

Has the Office of Education provided you and your associates with any assistance in connection with the development of the application you're working on now so that conceivably you'd have a better understanding of the criterion that the peer review committees used?

DR. JOHNSTON. Thank you, Mr. Flemming. It's, very frustrating to enter into this marketplace. I'm sorry that this is a requirement because it's so obvious that the second largest school district in American under a court order to proceed to desegregate its students is deserving of some discretionary funds and for us to have to go through the mechanics and the mess of this competition and this gamesmanship, if you will, is very debilitating, very frustrating. We like to be winners. We're very pleased that Mr. Geary, who was in our San Francisco office, who is known to us personally, is now our commissioner, and we're hoping that he will survive January 19 and will stick around because that would be an asset to us.

I'm a little bit pessimistic because just yesterday I received from the Office for Civil Rights about a seven-page letter detailing all of the other matters that were not known to me before that have to be complied with if we're to get our funding for our ESSA grant. I find it almost unbelievable and I hesitate to point to other school districts. You know, why is it that New York has \$25 million for this purpose? Why is it that San Francisco has \$3.9 million for this purpose? There is no reason in this world, since we have now complied with staff integration, that we are not eligible for funding and I say immediate funding because to get the—it's the chicken egg—what good does it do us to get the funding after the end of the product or the process? We need the funding now.

CHAIRMAN FLEMMING. I certainly appreciate your comments on this. This issue was identified for me prior to our coming here for this hearing, and I was very much interested in exploring it from the standpoint, from your point of view and the point of view of your associates, and in the light of the testimony that is given here, both by you and your associates and also the testimony that has been given by the regional Federal officials, I'm going to ask that our staff contact the office of the Commissioner of Education with the end in view of developing a memorandum which spells out the situation from their point of view, and then we as a Commission may want to meet with them to obtain further testimony on it, because I recognize that the question of resources is a very important question in terms of an effective, an expeditious implementation of a court order.

DR. JOHNSTON. Thank you. Dr. Flemming.

CHAIRMAN FLEMMING. But again, just to clarify it. We are dealing with two different programs, one of which requires a certification from the Department of HEW Office of Civil Rights in order for you to qualify, and those you don't have to compete for those funds.

DR. JOHNSTON. Correct.

CHAIRMAN FLEMMING. Once you get that certification, then you would be eligible for the fund but then there's another section under which you have been competing for the funds, and if you should be successful in that competition, that does not require certification from the Office for Civil Rights.

DR. JOHNSTON. Correct.

CHAIRMAN FLEMMING. Is that your understanding?

DR. JOHNSTON. That is my understanding.

CHAIRMAN FLEMMING. That's the way it is, comes through to me. Commissioner Saltzman?

VICE CHAIRMAN HORN. I want to, on that last point, secure an exhibit for the record, that asks the Commissioner of Education for the last two fiscal years which of the top 10 school districts in America, in terms of student attendance, have applied for these discretionary funds, what the rankings have been for these 10 districts.

I would like for General Counsel to secure both the applications and the peer review comments for review by the staff, and I would also like the Commissioner of Education to submit a list of congressional inquiries and supporting telephone calls and letters that have been made on behalf of all 10 districts for the Commission to review and possibly summarize for an exhibit in the record at this point.

CHAIRMAN FLEMMING. Without objection, the matter will be done, and that will be a part of the overall assignment in connection with the development of this memorandum.

Commissioner Saltzman, I interrupted you, so please continue.

COMMISSIONER SALTZMAN. I'd like to thank the superintendent for being so responsive to the questions and express my appreciation for that and have only one concluding question. Would it be more feasible to a desegregation plan were it to include a metropolitan element?

DR. JOHNSTON. Mr. Saltzman, we're a—it probably would be simpler from many standpoints, but the legal ramifications of your suggestion have to be recognized.

The order that we have before us at this point in time is for our own school district, and I think it's reasonable that we proceed on this particular order and to affect an implementation of a plan by September and thereafter, because hopefully it will be a phased-in plan for a district our size and with our problems and with our geographically.

So for this point in time, I really did not think that the district should set aside its direction, its momentum, its movement on this issue, and it would almost appear as if we were striking out to find a cop-out, if you will.

Well, we can't do it because—so let's seek this and go to court and go through all of those processes. If that were to come in time, so be it. Let us today, and in the near future, address what challenge we have before us and to do it very, very well, and that will be proof that other things are possible as well.

COMMISSIONER SALTZMAN. Thank you, sir.

CHAIRMAN FLEMMING. Superintendent Johnston, I was interested in your response to one of the questions by the general counsel relative to the relationships really between the advisory committee and the board. And as I listened to your response, I gathered that the advisory committee on the one hand isn't and the board on the other are not going to wait until the advisory committee has developed a complete plan before there's any consideration of the recommendations on the part of the board from the advisory committee; that is, I gather that the advisory committee, you hope, will be ready to appear before the board the first week in January?

DR. JOHNSTON. January.

CHAIRMAN FLEMMING. In order to present to the board broad recommendations relative to the kind of a plan that they feel should be recommended for this district, and that there will be dialogue then that the board will react to what the committee submits to the board, and then on the basis of that reaction the committee will go back and do some further work on the matter? Is that—

DR. JOHNSTON. I'm sure that's the case, Dr. Flemming. When the board, when it receives the plan, will enter in probably—I don't know, they're going to give testimony, at least a month, I would expect, of public hearings, a lot of debate and discussions. I hope that the board will say to the staff at that point in time, now go back and flesh out the implementation and that would be our goal signal for really coming back with the specifics. We the staff is ready, is anxious and can offer ways to implement whatever directions that we receive from the board.

We can price it out, we can give the most reasonable and feasible, we can name the schools, we could identify and do almost anything that's necessary in a short period of time. We're, we're ready.

CHAIRMAN FLEMMING. Right. But again, as I understand it, you do not expect the committee on the first week in January to present to the board a complete plan?

DR. JOHNSTON. No.

CHAIRMAN FLEMMING. You expect at that time, as I indicated, that the committee will provide the broad outline?

DR. JOHNSTON. A descriptive story.

CHAIRMAN FLEMMING. If I may use that term of a plan, and then I assume the committee will expect a reaction from the board and with the board relying on staff for help and assistance, and then that the committee may be called upon to do further work.

DR. JOHNSTON. Correct.

CHAIRMAN FLEMMING. To develop the—some of the specifics of the plan. In other words, it could develop into kind of a continuous dialogue between the committee and the board rather than the board waiting for a complete plan from the committee before there is any dialogue?

DR. JOHNSTON. That would be my judgment of what will transpire.

CHAIRMAN FLEMMING. Right. You probably, you were probably in the room when I noted the testimony of your deputy superintendent relative to the words reasonably feasible. I don't know whether you were here then or not.

DR. JOHNSTON. Would you restate it, please.

CHAIRMAN FLEMMING. Well, he, in responding to a question from Commissioner Saltzman, he indicated his own personal commitment to *Brown versus Board of Education* and all that it stands for, and I think I reflect accurately his feeling when he said there was a little bit of apprehension about the words reasonably feasible.

So I followed and called attention to the language of the United States Supreme Court in *Green v. County School Board of New Kent County* back in 1968 when the Court said the burden of the school board today is to come forward with a plan that promises realistically to work and promises realistically work now.

And I asked the deputy superintendent if he was a—possibly a little apprehensive over the fact that some could interpret reasonably feasible in such a way as to be in conflict with the objectives set by the U.S. Supreme Court.

Not necessarily, I mean, people could interpret reasonably feasible in such a manner that it would be completely consistent with the language of the court.

On the other hand, conceivably, it lends itself to an interpretation which might be in conflict with the objective set by the U.S. Supreme Court.

DR. JOHNSTON. Could I restate perhaps your question? Are you asking, is it my interpretation that reasonably feasible means voluntary plan?

CHAIRMAN FLEMMING. No, I'm not necessarily that, although I'd be perfectly willing to have you address yourself to that particular question.

All I was concerned about after listening to him was whether or not, you know, there was real concern that those words could be used in such a manner as to really result in a plan that would not work and would not promise realistically to work now.

DR. JOHNSTON. Well, I have no problem. I do know that there will be many authors of definitions of reasonably feasible, but for myself, and I'm sure for the board, that we, in the final analysis, will come up with one that will be defensible and that will meet the spirit and the intent of the law. We have an obligation and perhaps a recent experience—we tried to implement staff integration on a totally volunta-

ry program and found that it was not possible, and the ultimate end was that it was a combination of voluntary and mandatory, and we did successfully. We had, admittedly, a number of problems, but it was a major transition, a major step in this school family. And I think we're now fine tuning and working our way out of some of these difficulties.

But I have a hunch that reasonably feasible has to be a combination of voluntary and some mandatory or you're never going to get there in a timely fashion. You're never going to achieve this goal before us and the challenge and opportunity that it represents.

CHAIRMAN FLEMMING. I noted your testimony in response to a question from the General Counsel to the effect that once you have a plan to implement from an administrative point of view, you're not going to set up a special office that would have responsibility for the implementation of that plan.

I personally want to commend you for that kind of a decision because in the field of administration I've too often see that kind of a device used as a cop-out, really, and in terms of those who have got line responsibility, and I feel that your decision that you're going to be the implementor of the plan is certainly a very sound decision from an administrative point of view.

I did make note as I listened to your earlier testimony that I would like to discuss the question of additional financial assistance to a school district that is confronted with this kind of an opportunity. And I noted that you've already set the wheels in motion to point out to the State government that they really should share some of the responsibility.

You and I have discussed a couple of ways under which the Federal Government might share this responsibility.

This Commission has recommended on a number of occasions that the Federal, that the Congress should repeal the provision of the law that prohibits the use of Federal funds for the purpose of assisting in covering the cost of transportation of pupils under a desegregation plan. I assume that you would be in support of our recommendation?

DR. JOHNSTON. Totally.

CHAIRMAN FLEMMING. All right. Okay. Commissioner Ruiz? You were—

COMMISSIONER RUIZ. I asked one question, though.

CHAIRMAN FLEMMING. Do you have anything further?

COMMISSIONER RUIZ. Yes, one question. I just want to make a comment, rather.

The prior panel expressed a concern for the preservation of the integrities of the bilingual and bicultural plans in the system, and you have testified that you'd given high priority to this component, and I simply wanted to congratulate you, the superintendent, in giving high priority to this bilingual-bicultural process during the integration that is forthcoming. I simply wanted to congratulate you.

DR. JOHNSTON. Thank you. We believe in it, we support it, and it's alive and well.

CHAIRMAN FLEMMING. Our staff director has a question or two.

MR. BUGGS. Dr. Johnston, how are you?

DR. JOHNSTON. Fine, John.

MR. BUGGS. Glad to see you. I suppose I am concerned as a result of, as you know, several trips that I have been privileged to make to Los Angeles within the last several months with regard to the problem of school integration which the district faces. And I want to raise just a few questions with you with respect to the advisory committee.

My definition, I'd like to see if this comports with yours, of the responsibilities of an advisory committee, would be to make known to the body to which it is responsible, the concerns that it has with regard to the problem with which it has been, to which it has been given some responsibility, and to react to the positions of the major body with regard to the plans, or the position that that major body has.

I recall, for example, that when I was in Los Angeles, the Commission on Human Relations had 35 advisory committees throughout Los Angeles County. We took the position that they really were not enough, they did not have enough technical expertise in order to even be able to ask the right questions of the Commission on Civil—on Human Relations at that time, and that it was the responsibility of our staff to assist them in developing the kinds of questions that would evoke a positive response or some kind of response from the Commission on Civil Rights.

I raise that question because I have the feeling after having sat with several individuals, and at least one of the major committees of the citizens' advisory group, that they do feel a kind of situation in which they have been left a little too much on their own without the kind of staff help that they felt they might have and without the kind of guidance indeed from the staff so that they would have a much better idea of what lay before them in terms of providing advice and counsel to the board.

The question, therefore is, as I listen to you, you indicated that the—that you would respond to any need that the—to any request that the advisory committee made to you.

Would it be more effective if there were some staff persons assigned specifically to various committees of the board—of the advisory committee whose responsibility as a directive from the superintendent would be not to try to lead the advisory committees and their subcommittees, but at least to be there to give their expert counsel and guidance in those areas in which the advisory committee was concerned, and more than that, to raise with them questions that lay people may not have an idea that should in the first place be addressed?

DR. JOHNSTON. Mr. Buggs, good friend John, your suggestion is valid. We do not feel that we can interfere with the structure and the organization of the advisory committee. They are—all their committee meetings are public meetings, so staff can attend and participate as public members. We have assigned Mr. Mechler, who is working very closely with them.

My point in time, if you will, since I get a feeling that the advisory committee is coming close to closure, that I'm looking toward and down the road of the implementation. Staff is preparing a report for the board's consideration to assign 12 facilitators, human relations experts, if you would, in each of our 12 areas who would begin the process of assisting staff as we prepare for this journey.

We're counting on the ESSA funds to augment it. We have close relationship and dialogue with Bob Boyd in the county human relations and he has made named and identified, I think it's 10 specific members of his staff who are going to almost be full-time workers in our school district in this field to assist us, to help us.

So I feel comfortable in the direction that we're going. I'm also interested in the formation, and it's in the beginning stages now, in the community of another kind of citizens' coalition, of a citizens' alliances that would be independent of all of us, independent of the board, of the staff, but would represent the chamber of commerce, the merchants and manufacturers, represent the clergy, the police department, the Women for—the League of Women Voters, the PTAs, and this, the action and the activity and the momentum that's being generated here is very laudable and very encouraging. In fact, they have a temporary chairman, Chief Davis, already assigned, and the National Conference of Christians and Jews had just donated \$10,000 to assist with this effort. It's very positive, and it's going to be very productive. Soon we're have a permanent chairman ready for this major citizens' coalition, which will be really interested in the success of whatever the plan will be, and what is so laudable about Los Angeles and so encouraging is that the individuals are doing this really on faith because they don't know what the plan is, none of us do, and yet they have the commitment and the purpose and the realization that this program has to succeed.

So I feel very comfortable that in the main we're on the right track. We're heading in the right direction, and we have those in leadership positions in this community giving a—indicating a willingness to serve and play a part.

MR. BUGGS. I'm afraid that I may have misled you by mentioning the county human relations commission. While I'm delighted to know that that is what you are doing, I had particular reference to assisting the advisory committee in the development of the plan.

DR. JOHNSTON. I see.

MR. BUGGS. And my feeling was that as a result of some conversations that I've had with some members of the committee that, they did not feel comfortable with themselves that they have enough knowledge to come to the board even with a well defined preliminary plan and that they had hoped there would be a little more assistance from the staff of the superintendent's office in assisting them in that regard.

DR. JOHNSTON. We did make the offer and we will.

CHAIRMAN FLEMMING. One—did you finish, John?

MR. BUGGS. Yes.

CHAIRMAN FLEMMING. Just one other question I'd like to ask. You refer to the staff integration plan. At this point in time, what's your evaluation of the impact of that plan on the school system?

DR. JOHNSTON. It's been a difficult transition in part, and very successful in part. It's Dickens. There are good times and bad times.

There are specific examples where errors were made. We would have transferred minority staff to another school, and then at a later date, subsequently, perhaps, have replaced that person with another member of the minority community.

One of the frustrations of the moment is that some of our staff are pointing to staff integration and saying it's responsible for the fact that they were put out of a job. Responsible teachers, long-term subs, if you will, and this concerns me a great deal when in fact the real problem, in my judgment, is that we have lost 10,000 students in enrollment from last year to this year, and that stands for jobs, a lot of jobs. I am convinced that the impact in the final portion where we go from 50 percent, no more than 50 percent minority to no more than 40, and no less than 20 by next September, that that impact with the experience that we have gained already, we will be able to affect it a year from now. I will be very comfortable about where we are.

CHAIRMAN FLEMMING.. Could I ask one other question not related to desegregation?

I understand that in the school system here you have a program under which older persons are provided with the opportunity of serving on a voluntary basis as aides to teachers?

DR. JOHNSTON. DOVES.

CHAIRMAN FLEMMING. Is it working?

DR. JOHNSTON. That is fantastic. The DOVES program. Dedicated Older Volunteers in Educational Service. We are meeting with the major companies in this community with their retirement persons. We're inviting the personnel departments, when individuals retire from jobs in this community, to know about the DOVES program, to get excited about the opportunity of volunteering in our schools.

The wisdom, the maturity, the experience that they have gained in a lifetime has to be shared with the young people of this community. We could have a whole morning session just on that, Mr. Flemming.

CHAIRMAN FLEMMING. That's right. Well, I explain to those who are listening to us now, that my full-time assignment is as Commissioner on Aging, so consequently I'm very much interested in what's going on here in Los Angeles in that respect, and I apologize to my colleagues for taking time on this.

VICE CHAIRMAN HORN. I'm delighted you did, Mr. Chairman, and since we might as well get in plugs for other activities along this line, I hope Superintendent Johnston, that your volunteers in the DOVES program, if they want to go back to college, will take advantage of a bill we got through the legislation last year that permits any senior citizen of California to go free to California State Long Beach or San Jose University with only about \$3 cost. You can take a full load. So—

DR. JOHNSTON. Fantastic. Long Beach is nearby.

VICE CHAIRMAN HORN. And you can get down the Harbor Freeway very easily.

DR. JOHNSTON. Thank you, Mr. Flemming. An oversight on my part, as I was trying to describe the citizen groups, you know, I failed to mention the Los Angeles County Bar Association and its president, Jack Quinn, who's leadership role in these discussions as we formulate a formal coalition of citizens has been exemplary, as has been the role of the chamber of commerce, Paul Sullivan, Al Martin of this community, and Chief Ed Davis. We're very fortunate to have men of great stature in this community—Cardinal Manning, Bishop Rusack, Rabbi Essrig—so many who are committed to this goal and to assisting this school district find success in this activity.

CHAIRMAN FLEMMING. Thank you very, very much for being with us this morning, and thank you for the commitment which accompanies your undertaking a very, very difficult assignment.

DR. JOHNSTON. Thank you, sir.

CHAIRMAN FLEMMING. Counsel will call the next witnesses.

MR. BACA. Phillip G. Bardos, Robert Lloyd Docter, Richard Ferraro, Howard Miller, Julian Nava, Kathleen Rice, Diane Watson, and turn on my mike, Robert Docter.

MR. BACA. Now that you're all comfortably seated, could you please rise to be sworn?

CHAIRMAN FLEMMING. Raise your right hands, please.

[Richard Ferraro, Julian Nava, Howard Miller, Kathleen Rice, Diane Watson, Robert Docter, and Phillip Bardos were sworn.]

CHAIRMAN FLEMMING. Thank you.

TESTIMONY OF JULIAN NAVA, PRESIDENT; RICHARD FERRARO, HOWARD MILLER, KATHLEEN RICE, DIANE WATSON, ROBERT DOCTER, AND PHILLIP BARDOS, MEMBERS, BOARD OF EDUCATION, CITY OF LOS ANGELES

CHAIRMAN FLEMMING. We appreciate your being with us.

MR. BACA. Thank you. Dr. Nava, you first and then the others of you, if you will.

As the *Crawford* decision requires that the LAUSD desegregate in a reasonably feasible manner or, as some say, reasonable and feasible, has the board as a group or individually supplied CACSI with a definition to work with?

DR. NAVA. For reasonably feasible?

MR. BACA. Yes, sir.

DR. NAVA. No, because no legal definition of that term has been supplied. I think that they are working on a definition and ultimately, of course, a local superior court judge will determine whether or not that term has been well defined in the submission of the district's plan.

MR. BACA. Let me ask you, then, if I understood the superintendent's testimony, the Advisory Committee is strictly advisory and whatever plan they submit to you can be rejected in whole or in part.

Have you tried to provide guidance to the Citizens' Advisory Committee as to what your conception as a group of a plan that would be acceptable would have to include or exclude?

DR. NAVA. No, not as such, frankly, because the board as a body has been anxious that the Citizens' Advisory Committee on school integration be independent from the district in the formulation of its recommendations.

We have given them all of the information available to us that would enlighten them, any information that was within our means that they asked for, and what staff support, office space and equipment we have been able to provide.

But ultimately I think the interests of the community will best be served by their independent development of recommendations to the board.

MR. BACA. I wonder if you could help me resolve what I personally see as somewhat of a conflict. On the one hand, the Citizens' Advisory Committee is described as the voice of the community, and, therefore, since the plan will come from this representative group it will be more acceptable, and yet as I understand testimony, the board has the authority to reject in whole or in part what that community group has recommended.

Could you explain that?

DR. NAVA. Well, only the board members are elected by the public, and we are, of course, elected at large. Each of us is elected from an area of approximately 3 million people. So one might, therefore, say that both legally and otherwise the board is the most representative group for the community.

But, as in the case of other serious issues that have come before us, we have sought the counsel of representative groups in the community, but it is our statutory responsibility to be the body that will present the court with a proposed integration plan.

A VOICE. Mr. Counsel, could you excuse me. Could I have the board members speak closer into the microphone?

DR. NAVA. I think other board members can take stock of that because the mikes have different levels of pickups.

MR. BACA. Could you then clarify for us what exactly was the CACSI mandate? Could—I'm sorry. Could I direct this question to Mr. Bardos. I believe it was originally your motion, wasn't it?

MR. BARDOS. Well, it was a motion that was presented by me, yes, with the help of the staff as well as my colleagues so that the proposal to have a citizens committee on student integration and the intent for same was presented on that basis.

MR. BACA. And what was the mandate to the Committee?

MR. BARDOS. Well, the mandate was to have that group of people prepare what they believed was a plan and submit it to the Board of Education for our consideration.

MR. BACA. As I understood Superintendent Johnston's testimony, there was some awareness, at least that there was an absence of expertise in these matters among the members of the committee finally selected.

Was there some guidance provided by the board to the staff as to how much direction, guidance, or orientation should be supplied?

MR. BARDOS. I don't think there was a direct request on the part of the board, to my knowledge, to the superintendent and the staff to have them give guidance to the Citizens' Committee.

Indeed, the intent was to allow, as Dr. Nava has expressed, the Citizens' Committee to prepare in their wisdom what they thought was a reasonable and feasible plan and submit it to the board for our consideration.

MR. BACA. Thank you. Dr. Nava, I'm—I think it was in the summer of 1977 the schools supplied—pardon me—the Los Angeles City School planning team supplied to the board some suggestions and recommendations regarding desegregation.

Has that information been supplied to CACSI?

DR. NAVA. I don't know that that particular information has; however, we have from the outset assigned one individual, Ed Edmiston, it have close liaison with CACSI and he had standing instructions to supply any information that he in his good consciousness thought would be helpful or that might be sought.

So it's very likely that that information was sought and gained, although I can't testify to that.

MR. BACA. Okay. Could you tell us—I think you were a part of an ad hoc committee of the board on desegregation. Can you tell us some of the work of that committee and its present status?

MR. NAVA. The work at that time put the district by policy in support of desegregation in all divisions and all levels. That report then was followed by subsequent actions in succeeding years directed towards the integration of the district's staff in all levels and all divisions.

Also along with integration, affirmative action and a number of different board rules were passed that have subsequently been implemented in the direction of affirmative action, that is, hiring more minorities and their placement at virtually all levels of the district and reassigning, wherever it was educationally beneficial, teachers and administrators in such a way so as to promote integration.

We must bear in mind, however, that these assignments are more easy for the board to make, as difficult as they are, for certificated employees, and that we do not have that kind of authority over classified employees.

MR. BACA. Ms. Watson, I believe you were also a member of that committee. Could you comment on what Dr. Nava has just told us?

MS. WATSON. Yes. I did present a motion to the board that would in fact give us a report from the superintendent on plans to integrate

the entire staff. The intent of that motion was classified as well as certificated.

I'd like to get back to the first question asked of Dr. Nava, and that was what kind of direction CACSI was given. I felt, and I still feel very strongly that the board never had the kind of discussion that would put the general public on notice as to our entire commitment, board member by board member to integration. And we, as a new board, myself as a new board member, never had a chance to say where I stood. We came in on litigation. We came in before a decision came down from the supreme court.

The board previously had appealed all the way up to the supreme court, and this new board never had an opportunity, never took the opportunity to really state its position. And I think if we had done that there might have been clearer direction given to our citizens' committee.

MR. BACA. If I understand correctly though, you, yourself, have said that the board should not take any positive action on the matter of desegregation at this point until it receives a report from CACSI, but should limit its discussion to, what you call, I think, process issues. Can you discuss those?

MS. WATSON. Just to respond to the first part of that, in the beginning I'm talking about the philosophical position that the board would be taking.

MR. BACA. I see. Thank you.

MR. WATSON. Now, in terms of our charge to that committee, it was my feeling as an individual board member that we were asking that committee to come in with a series of strategies that in their thinking would be reasonable and feasible to be implemented as part of a plan.

It was never in my thinking that CACSI would come in with a plan. It clearly states in the wording of the decision that the responsibility is on the shoulders of the school board, and, in my opinion, that is where it is.

I'm sorry that plan and strategies has been used interchangeably in these hearings, because it is clear to me that we will not be receiving a plan. What we receive as an interim report to me could stand, because I think it's about time that the board and staff get about the business of developing that plan.

MR. BACA. Thank you. Along that line, Mr. Miller, could you please trace the sequence of events as you foresee them from the time that CACSI submits a plan until a plan is submitted to the court?

MR. MILLER. I think CACSI will submit its plan, and in reference to your question I think it's important that the board not simply have delegated to a citizens' committee the responsibility. I think then we have been subject to the kind of a criticism that we have copped out by asking someone else to do it just as you applauded the superintendent for accepting the responsibilities himself for implementing, I think it was important for the board to retain the responsibility itself of devising the final plan.

And so I think the committee will make a recommendation to the board. We have not heard until recently that the committee felt it lacked expertise. In fact, through an enormous period of 6 to 9 months we were assured the committee had the necessary expertise. George Edmiston and the superintendent's staff was made available to it. The director of planning of the city of Los Angeles is on the committee, people who had vast experience in integration matters.

And it is only really today and within the last couple of weeks that we've heard that the committee feels it lacks expertise. And my feeling is that's because it's come down to the final stages of wrestling with what kind of plan it can come up with. So I envisage the committee will come to us with a recommendation which we will then study.

MR. BACA. One recommendation?

MR. MILLER. No. A series of recommendations for an overall plan or set of strategies. I think the board will want to reflect on that for a short period of time and then respond after public discussion with the plan that it will adopt.

MR. BACA. I see. In regard to an earlier question that I asked, as to what definition you would personally give to reasonable and feasible or reasonably feasible. You introduced a motion, I think, earlier this year to prohibit whatever plan is implemented from including any mandatory student transportation. Was that your definition?

MR. MILLER. I think that is an acceptable and current definition of reasonably feasible especially in light of the most recent opinions of the United States Supreme Court in *Washington versus Davis* and *Austin Unified District versus the United States* which I think appear to have changed the explicit mandate of *Green* and thus that reasonably feasible today can be a plan without mandatory reassignment.

MR. BACA. Is that—excuse me—do you think the clear implication of the *Austin* decision—my understanding was that it was not quite that clear.

MR. MILLER. It's the implication of the *Austin* given the fact that the seven members of the Court who agreed with the opinion cited *Washington versus Davis* which also talks about school matters. I think it's the clear meaning of the opinion signed by the three members of the Court. And in all these things we risk our legal acumen as, you know, by making a prediction, but I feel that what the Court has said is that the explicit and full mandate of *Green* has now been severely modified.

MR. BACA. Thank you.

MR. FERRARO, I think at the time that Mr. Miller introduced his motion you voted against it, and yet you have publicly stated I think several times your opposition to mandatory busing. Can you tell us why you oppose the motion?

MR. FERRARO. Well, actually I asked that the motion—there were a number of items involved in the motion, not just a motion regarding

being opposed to mandatory busing. I am opposed to mandatory busing or forced busing. I indicated that particular position.

There was some additional parts of that motion which I did not, could not support at that time. And I made that clear.

MR. BACA. Can you tell us what those were?

MR. FERRARO. Well, I can't give you the exact— there were a whole series of recommendations—in regard—some of them regarding some mandatory aspects of reassignment of students. I have a concern about that.

I think the *Austin* case modifies that substantially, that is a need to consider that, certainly mandatory busing. It had some items which did not have an indication of what that would cost, and since my primary concern as a board member is improving the quality of education, I needed to know that before I could vote affirmatively, and so I stated.

MR. BACA. So your second vote when the motion was made to reconsider was made on the same basis?

MR. FERRARO. Yes. Essentially, and I stipulated at that time also that a motion to go on record in opposition to forced reassignments of students I would support.

MR. BACA. Mrs. Rice, you voted first for the motion. I think in fact you seconded it and then at a later time, when it was brought up for reconsideration, you voted against it. Can you tell us why you changed?

MS. RICE. I'm not sure that's the accurate sequence of events.

MR. BACA. Could you describe it accurately for us then?

MS. RICE. Yes, I'd be happy to. I introduced the motion with Mr. Miller, voted to support it at that time, and several weeks later after the citizens' committee was established, the individuals were then named to serve on that committee. It became clear to me that the only way that we would be able to allow and enable our citizens' committee, just very recently established, to continue their efforts to develop a plan, recommendations to the board would be to set aside whatever personal feelings, personal convictions, personal philosophy, if you will, of individual board members, and to reconsider that motion in the light of the work that we had delegated to the citizens' committee.

So I introduced a motion to reconsider the original motion and introduced a substitute motion at that time describing the board's position relative to voluntary measures for school integration, committing the district to a philosophy in support of school integration, and committing the board to uphold the law.

At that time, we did not have a Supreme Court decision, but the second motion committed the board to developing a plan on student integration that was consistent with the law, and that was the sequence of events.

MR. BACA. Dr. Docter—excuse me—can you tell us, you voted consistently against the motion that was originally introduced for reconsideration. Can you give us your thinking?

DR. DOCTER. What was originally presented eliminated any busing as a tool to achieve necessary integration within the parameters that a court might give us.

I felt it was inappropriate at that time. The motion as it was reintroduced, the substitute motion Mrs. Rice describes, did provide the opportunity for us to use whatever measures might be necessary in conformance with the law. For that reason I was able to support it, and I think the general community saw it as a reconsideration of the board on the appropriateness of pupil transportation to achieve whatever integration might be necessary.

MR. BACA. Thank you. Mr. Miller, it occurs to me that a moment ago I asked you to outline the steps that you saw as necessary to implement whatever CACSI provides the board with, not a plan, and what is finally submitted to the court. I am particularly concerned with the time that you see would be necessary for some careful consideration, community input, input by the staff of the school district and to whatever level that's carried out, negotiation with the plaintiffs, and what other steps you see.

MR. MILLER. Well, let me outline the steps, because it's very difficult to fully estimate the time. I think the board, first of all, needs some time to reflect upon what the committee produces.

We have not had interim reports from the committee, not because the board has not wanted them. In fact, we've not had them because the committee has not chosen to come forth with interim reports. So we really simply, as of the meeting of the preliminary report committee last Saturday, of the citizen's committee for the first time I think have gotten a full sense of what the committee may come with.

I think we need some time, not much time, but some time. I think it would be unfortunate to react on the spot some time to what the committee proposes. I think we need a staff reaction, and I think it is important to give communities some chance to react, local community advisory councils, PTA's.

Then I think the board must engage in a discussion and come to a concurrence on what its plan is. And when it does that, based with the input of the committee, the input of its staff, hopefully the input of the community, submit that plan to the court.

I think it's essential that the board act expeditiously, that it be submitted to the court in time for the court to hold whatever hearings is necessary so that the community can know what the final plan is certainly before school is out for 1977, and I would accept the superintendent's date of May 1 as an appropriate time date to move toward.

MR. BACA. I think you said that you have had some, now, some interim recommendations from CACSI?

MR. MILLER. We have not received them formally. We only know what CACSI's preliminary report committee adopted on Saturday, and what its committee voted upon, I believe it was just one or two nights ago, in response to the preliminary report committee. We haven't had a formal communication from CACSI.

MR. BACA. CACSI as a whole has voted on those recommendations?

MR. MILLER. To tell you the truth, I have only hearsay reports of that, so it's best to ask them.

MR. BACA. Thank you.

MR. BACA. Mr. Chairman, I have no further questions at this time, but I respectfully request to reserve time for further questions.

CHAIRMAN FLEMMING. Your request is granted.

Commissioner Horn, do you have questions?

VICE CHAIRMAN HORN. Mr. Ferraro, there was testimony earlier in our hearing regarding site selection practices of the board.

Since you're one of the senior members and, I believe, are familiar with the situation, I'd like you to describe the opportunity the school board had following the 1971 earthquake to reconsider where schools might be rebuilt with an end in view of promoting greater integration or desegregation in those schools.

MR. FERRARO. Yes. I was serving as the chairman of the building committee at the time the earthquake hit. We were shortly thereafter, in the process of developing the school site for Kennedy High School, and one of the suggestions was to make it possible by expanding the boundaries, to a slightly a larger extent than might have been originally contemplated, that we could bring in additional minority students.

I am a strong supporter of the neighborhood school concept, and I felt, though, that we could maintain that and still provide for minorities wherever possible. We did that at Kennedy High School and we expanded the boundary slightly. We did bring in additional minorities still within that basic community, and I believe that has been really one of our many efforts that were very positive, that helped in that particular instance.

It is my considered opinion that as a board we have a responsibility to serve the youngsters in the community in which they live to the best we can, to provide the best educational opportunity, the best housing, and as the board has moved prior to that time and from that point on, I believe we have made every effort to do that within the opportunities we had.

VICE CHAIRMAN HORN. You feel site selection since 1971 by the Board has been designed to promote desegregation and integration even though in 1971 when the opportunity was there, that was not the decision?

MR. FERRARO. Well now, you, of course, you must recall that the board has a number of constraints. One of those is that in responding to earthquake damage we can only replace in like kind. That means that at that particular site we can replace only buildings within and, to the degree that that builders, the original building was damaged, or if built prior to 1933, and therefore, not meeting Field Act that we could upgrade that particular building even though it may not have been damaged if it was built prior to 1933, we must rehabilitate it or build a new structure.

But largely it was my opinion that we were limited to not only the fund expenditure, but also to serving that community.

VICE CHAIRMAN HORN. I take it this is a restriction imposed upon you by the State government.

MR. FERRARO. State government that's correct.

VICE CHAIRMAN HORN. And is not under your jurisdiction to change?

MR. FERRARO. That's right.

VICE CHAIRMAN HORN. Do you know if you or your fellow board members or the board members of the State generally, in their State association, have asked the legislature to change that somewhat unreasonable restriction given the mobility of populations in urban areas?

MR. FERRARO. There have been a number of efforts by our school district individually and then collectively through the California school boards representing some 1,100 school districts in California to seek and to get additional opportunity in have flexibility to not only reconstructing the buildings, but also in providing additional facilities.

We have not had a great degree of success in that area.

VICE CHAIRMAN HORN. Why do you think you've not had success in that area?

MR. FERRARO. In all probability because of limitation of funds.

VICE CHAIRMAN HORN. What does it matter to the State of California as long as the school is rebuilt? They'd be spending the same amount on the current site as they would on a site more appropriate to the population.

MR. FERRARO. Well, you asked me my opinion and I simply indicate what I've heard from various members of the State legislature. I believe they legitimately want to provide the best quality education program they can for youngsters. I think they have some constraints on how those dollars are spent. I think that any, say major change, has to be legislation and so consequently that's a factor.

In other words, the legislature must either revise the current law to provide it or must pass new legislation to permit it.

VICE CHAIRMAN HORN. Obviously, this line of questioning, as I'm sure you're well aware, gets to the point of where so called *de facto* segregation really becomes *de jure* segregation by a failure of the State of California to act since under the constitution, since education is not a part of the American Constitution, the only way the Federal Government can get at these problems is when the State decides to offer public education as to whether or not that offering violates the provisions of the 14th amendment.

It would seem to me as one Commissioner that when the State has an opportunity to change these restrictions and the restrictions do not seem to change the fiscal outcome in terms of location, that the State is partaking of *de jure* promotion of segregation. That's the reason I raise that question for the record, which has been raised in other States in other similar types of situations.

I'm curious now, the neighborhood school was mentioned by you. Given the mobility of people in Southern California, how does one define a neighborhood in this day and age? How would you define a neighborhood?

MR. FERRARO. I define a neighborhood as a community in which a group of youngsters reside.

And you asked earlier in regard to the responsibility of the State. As I read, as—just as an educator, not an attorney, as I read the December 7 decision in the Austin, Texas, case, it seems to state there by a majority of the board, seemingly seven to two, that boards of education and maybe this extends to the State legislatures are really not responsible for realigning neighborhoods.

Certainly that school districts can't be held accountable for rearranging housing patterns. So in all possibility maybe the State legislature was seeking to provide or help us provide the funds for the best quality education we could to meet the needs of the youngsters where they resided at that point, the youngsters needed at that point.

VICE CHAIRMAN HORN. But obviously boards of education for a century have realigned neighborhoods as they've changed attendance area to conform with shifting population. How do you reconcile that?

MR. FERRARO. Well, I think we're doing that to some degree now within the constraints of the funds we have as we contemplate building new schools. We don't have a great deal of funds to do that, and one of the things that has, of course, interjected itself, is the fact that there has been a substantial drop in enrollments in Los Angeles, somewhere in the neighborhood of 10,000 in the last year and a half, and, therefore, rather than building new schools, we have to take another look at the schools that we have and maximize the educational opportunity there for youngsters as we meet their needs.

VICE CHAIRMAN HORN. If you have a situation where a school, because of population growth, has very much fewer pupils and really makes sense to economically operate, would you as a board member be willing to have students bused to that school in order for it to make economic sense and not double the burden on the taxpayers of the unified school district?

MR. FERRARO. If I were convinced that it would enhance or improve the quality of education, if we had addressed ourselves to improving curriculum first, then certainly I would be willing to look at other avenues of finding the best possible solution.

VICE CHAIRMAN HORN. In other words, you feel that in any busing, whether or not the purpose is for desegregation, the emphasis ought to be on the improvement of curriculum first prior to transportation?

MR. FERRARO. Absolutely.

VICE CHAIRMAN HORN. I take it that you do not agree with those that see the opportunities in a desegregation process where change is occurring to improve the quality of education as a result of that very process?

MR. FERRARO. Oh, I'm all for improving the quality of education, as I've indicated. I think we have some rather unique problems in Los Angeles. When we contemplate moving youngsters 38 miles across town, that's a substantial movement as far as distance goes. That's a tremendous loss in educational time in my opinion. It's a tremendous cost in fiscal resources. It poses some real problems it seems to me of adding that kind of traffic on freeways and in regular community streets. And I would hope that we could continue to look at improving curriculum for every youngster first quality of education, and in every possible voluntary way improve integration.

VICE CHAIRMAN HORN. The other board members have heard this exchange, which has covered a couple of nuances on what is a neighborhood in modern times. I am just curious, do the other board members agree with Mr. Ferraro's response, or is there a difference of opinion? Ms. Watson?

MS. WATSON. There very definitely is a difference of opinion among the board members, especially with myself.

I'm quite aware of the geographical peculiarities of the Los Angeles Unified School District. I am also aware that we are under a court order.

Anyone that is knowledgeable with the makeup of our school district would see that the majority youngsters are located in one isolated section of our school district, in large, and minority youngsters are located in the inner city or the southern section.

If we are going to truly have integration in this school district, then, we are going to have to do something about mixing the groups.

It is unreasonable to think we can integrate with the Valley alone or integrate an inner city alone. If we have a metropolitan plan, that possibly could help.

We certainly can figure out some voluntary ways, but we have learned from the past that a total voluntary system of integration will not work, and all seven of us would be deluding ourselves if we believe that in Los Angeles Unified School District we could support a totally voluntary integration program. It just will not work.

VICE CHAIRMAN HORN. Any other board members have any comments or advice on what is a neighborhood?

DR. DOCTER. I would like to observe the, this extremely differing points of view of social researchers in this matter, and it's important for us to be aware of them.

For instance, some of the recent statements of Margaret Mead relative to the needs for a more local precise definition of community wherein individuals identify with a rather small locus of responsibility. And then the pronouncements of others that suggest, given the expanding mobility, expanding communications base, that this whole world, unless it becomes a community, is going to find itself torn asunder in some great ingredient of combustion, and we'll all perish. And so the schools are sort of locked into the middle with the responsibility of helping youngsters establish some sense of identity.

But it's the question of identity with what and with whom that we must examine. I believe very frankly that the identity responsibility of youngsters today in preparation for life in the 21st century must be with the human species entirely and that the education that is provided them must have within it an opportunity for a multicultural experience that gives them that sense of identity with humanness. And our great predilection for isolation, our great desire for mind building to the exclusion of attitude shifts is in many respects going to be somewhat detrimental to the ability of the youngster in the 21st century to even relate. So it's big problems for public education today with no easy answers, and we're searching and struggling, hopefully we'll find a happy medium.

VICE CHAIRMAN HORN. Thank you.

MR. BARDOS. Mr. Horn, I'd like to comment on your line of questioning. I really feel you have identified probably one of the most significant parts of the issue, the neighborhood school concept and the site selection and the degree that the boards of education, speaking, of course, broadly, have authority as well as responsibility, and I distinguished between the two to effect that kind of an arena of complexity of issues.

It's been my observation for the limited time that I've been on the board and reading quite extensively like I'm sure most of us try to do who have this responsibility and elected for carrying out these kinds of responsibilities that I have concluded that the way that our governmental agencies are set up, each attempting to the best of their ability to act on their own, it causes me to believe that had we had some mechanism, this is hindsight which is always great, to look at the way we interact with each other.

For example, the comments so far brought out the impact of the State legislature and its governmental authorities relative to school building construction, and the earthquake, specifically, the rules and the legal aspects of what we're authorized to do in terms of not only the cost but the square footage allocations, the land acquisition to replace a particular school site because of the earthquake.

And then when you go to the developments of housing which are approved not by the school board but by your city councils, planning commissions, zoning functions.

It's intriguing to me to find that the school board is, in my judgment, last on the totem pole to have the authority to really interact on where people live as well as this mobility issue that you have brought out.

So my summary kind of a conclusion that I'd like to bring out for consideration by the Commission, your Commission, that is, is that there ought to be a way to have a a joint power or joint action that is done between governmental agencies, particularly city functions. Now, that's not to exclude the State functions, but if you look at the city planning commission and its master planning functions and the degree that they affect where people live and the fact that until recent

years in the last year or two, the board of education was told where a development would be and then told go build the schools. Now exclusive of the earthquake issue, that you are but I'm bringing it into a more broader context.

Then you look at the transportation issues and where people live because of where these jobs are and the fact that this city and this community has been trying for years to get a rapid transit system and unable to do so for many reasons.

And then you look at the issues of the economics of where people go to find a job and where are the factories built, businesses been placed. So I think we need to modernize our governmental structures about how we interact with each other, and by modernizing them meaning how do we find ways to talk to each other so that we can affect where people live from an integration point of view.

VICE CHAIRMAN HORN. You make a very good point which this Commission has made in its repeated recitation of the trilogy relationship between education, jobs, and housing, and which we did in our 1971 hearings in St. Louis and Baltimore, and I believe the Federal Government under the Office of Management and Budget has a planning circular A-95 which we might, Mr. Chairman, insert at this point in the record, and also enter into a dialogue with the Director of the Office of Management and Budget as to the degree to which that might be expanded to include the school board site selection where Federal money is used in that process. Because right now there are requirements that on a regional basis, housing, transportation, federally-funded be considered, but I am not sure in my own mind the degree to which school decisions, where Federal funds are involved might well need to be cleared through that type of a planning apparatus, at least to put people on notice as to future developments.

CHAIRMAN FLEMMING. Without objection, we'll have A-95 memorandum entered in the record at this point and request the staff to develop a memorandum after consultation with OMB on the issue that you've just identified.

VICE CHAIRMAN HORN. Now my next question is to the General Counsel, Mr. Baca. Have we got in the record at this point all of the school attendance boundary changes that have been made by this board in perhaps the last 5 or 10 years and whether or not that is related to avoiding the shift of ethnic populations. I assume some of this in the pleadings in the *Crawford* case. Perhaps we can update it since that time.

MR. BACA. We will get that.

VICE CHAIRMAN HORN. I'd like it at this point in the record then.

MR. BACA. Okay.

VICE CHAIRMAN HORN. Thank you.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. Ladies and gentlemen, first I'd like to suggest to my colleague that the government, the individual governmental

entities, do not act as independently as is sometimes stated. That when the housing development is planned, that in every single community, the board of education is aware of this. That when the board of education is told that there will be children there, that there is no reason to believe those children will be only white, or only be black, or only be Mexican American or other. So therefore is an inner-dependence in the decisionmaking level of the board of education, the city planning commission, the State officials. It is sometimes not recognized, but it is there.

The point I am making is that when—if you remember how many schools you have built since 1940, how many schools have been constructed, the decision as to where those schools would be has been made by the board of education.

If there is a housing development, that is only one small part of the housing market—the housing, for low income families. The larger housing market is subject to the individual person renting a home or buying a home, and the pattern of segregation is a result of racial and sex discrimination in housing. So I think that we miss the point if we don't recognize that Federal, State, and local officials have combined to bring the situation where it is now.

DR. NAVA. I would wonder if I could observe, Mrs. Freeman, that I truly believe you are misinformed. You are a Federal agency, so you alone have certain prerogatives that we don't have.

COMMISSIONER FREEMAN. You do decide where the school is going to be.

DR. NAVA. The city council alone determines zoning within Los Angeles City at least, and each of the city councils in the other some nine cities in our school district each determine their own zoning.

COMMISSIONER FREEMAN. Do they determine where the school will be?

DR. NAVA. No, they don't, except that we are charged with the responsibility of building schools, wherever there is a need for them according to money available, and the money available comes from two sources only. General revenue from the State and the local property taxpayer, and bond money voted by the public specifically.

The last time the voters in our school district approved a bond measure was in 1966. So we could legally draw upon general revenue for construction of schools, but the cost of new schools has been so great for the—during the 9 years I've been on the board that it would be unconscionable for the board to draw upon general revenues for the construction of new schools.

What this means, therefore, is that the school district has been forced to rely on bond revenues for the construction of schools, and in many cases through our liaison with city agencies, we have requested informed and indeed have pleaded that certain proposed changes in zoning calling for greater density or that city ordinances that permit the establishment of huge subdivisions without any con-

tribution to either land or school construction costs be altered, and to no avail.

Now, liaison between the district and the city of Los Angeles has improved steadily, particularly in the last 2 or 3 years.

COMMISSIONER FREEMAN. But you did determine the site, did you not?

DR. NAVA. Yes, but we can't build schools if we don't have money for it. That's what I'm trying to point out.

COMMISSIONER FREEMAN. And you do make the boundaries.

DR. NAVA. And the only laws that we have that pertain are that we build the schools where the children live.

Now, in many instances, we have built schools where integration would be facilitated to some extent, and in the case of J.F.K., that Mr. Ferraro referred to, we've located the site of that brand new last high school, which was the last high school built in a way and in a location that would facilitate integration.

The voters turned down the bond issue which the board put to the voters soon after the earthquake. Mr. Ferraro opposed that bond measure, as a matter of fact. Mr. Ferraro has opposed every tax rate increase measure or bond measure. Because as stated publicly, some of this money might be used for integration.

So, the public, to some extent, shares the responsibility for the lack of funds which the school district has available to it. The legislature shares some of the responsibility because Mr. Reagan was Governor at the time, and he made it quite clear that he would not approve any legislation that would permit the use of those funds in such a way as to violate the neighborhood school concept.

So Mr. Ferraro properly and accurately portrayed the reality that we could only replace existing buildings on existing sites and, in some cases, we were watched so closely by State committees that it took almost a year to get a approval to proceed with the next stage in a given building replacements. The board majority would have loved to have used earthquake replacement of buildings so as to promote integration. We did not have the opportunity.

COMMISSIONER FREEMAN. But you have just described what I was saying about the interrelationship between the various governmental entities including the public.

Now, how does the present Governor feel about it?

DR. NAVA. The present Governor?

COMMISSIONER FREEMAN. Yes.

DR. NAVA. I don't know what he thinks on the subject. His father doesn't either.

Could I offer just one brief example of a problem we had with relation to Federal intervention in a pupil population? We had a junior high school in the Valley, McClay Junior High, beautifully integrated, about one-third Spanish surname, one-third white, one-third black, and was holding that pupil population quite well. The Federal Government

came in and built a housing facility for low-income families immediately across the street. These facilities immediately segregated the school until now it is experiencing significant white flight and a decline in enrollment, it is about 90 percent black.

The lack of cooperation, coordination, the lack of sensitivity of the Federal Government in dealing with this issue segregated that school.

COMMISSIONER FREEMAN. No, it was white flight who ran from the blacks who segregated it. White flight is white people running, that all it is.

DR. DOCTER. Well, I suppose we could argue causal patterns, but had that housing area not been concentrated at that exact location, the segregation of the school would not have taken place.

MS. WATSON. I'd like to make this comment along these same lines. I'm very frustrated with what has just gone before because, you see, all this has taken place prior to my coming on the board. The question that looms large in my mind, is why wasn't the L.A. Unified School District doing something about their own matters. Why were we not integrating youngsters. Now we might have had some regulations and some restrictions in terms of where we built our schools. We had no regulations or redistrictions in terms of what we did to our schools and this is what really I have to own up to now. I know that because I came into the litigation.

We were waiting to hear what the Supreme Court decided, but the real problem, we can't shift that, we cannot separate the responsibility to do something about the racial isolation, and we in fact could have done it by boundary changes and some other changes. We are now forced into it, and that is the only way it's going to get done.

COMMISSIONER FREEMAN. Thank you.

MR. FERRARO. May I just respond to one aspect of that? I think you have to take a look at two things also.

Currently this hasn't been commented on, but irrespective reassigning or moving of children, and I don't believe that that's the way to go. It really hasn't worked in Boston or anywhere else, Inglewood or Pasadena. I think we need to take a look as we are talking about specifics in Los Angeles.

This last year 49 percent of our students moved within a typical school year. So really, if we get away from the Two cardinal points, improving curriculum and the quality of education, I think we are attempting to reinvent the wheel, and it's negative in intent.

If we take a look at providing the best educational opportunity we can at each of the 65 schools we have in Los Angeles, that's going to be a much more positive effort, it seems to me, and if you just look at that factor, 49 percent of our students, almost half, are going to move during this school year.

Therefore, if somebody takes a look at social planning or movement of children other than addressing itself to quality of education, I think it's going to be negative.

CHAIRMAN FLEMMING. Commissioner Ruiz?

DR. DOCTER. Could I just observe on top of that last sentence? The only people talking like that are Mr. Ferraro and Bus Stop.

MR. FERRARO. About 70 percent of the public—parents.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. Being a native of this community since the time that Figueroa Street was a dirt road, I'm aware of the unanticipated problems which have resulted from the mobility of our population and well articulated by this board. The finger was just pointed at Mr. Ferraro. I was interested in his statement that started out with "when we contemplate transporting youngsters 30 miles across town."

I read in the newspaper that there was a lady who called a press conference and hired a bus to dramatically transport some children from the northern part of the San Fernando Valley to Willow Brook. Even this lady admitted it was a publicity stunt.

Are you serious, Mr. Ferraro? Do you contemplate such a plan?

MR. FERRARO. No, I don't contemplate any plan. As a member of the board, it seems to me it's my responsibility. And I might just parentetically say, I won't comment on the finger pointing because, particularly when it's Nava and Bob Docter. I think their position is apparent. But we're here, it seems to me, to try to find some realistic solutions on a very, a very important issue; and that is, providing the best quality education we can for young people and to provide a voluntary, a positive integration program. Because really if we are looking at it from that point of view, then I think we can do some things that are going to help young people. Where some members of this board and others have indicated that willingness I have simply said I think it's impractical for us to contemplate moving youngsters out of their neighborhood schools. So I'm for retaining, I'm retaining, as a native Angelino, I wasn't here quite when Figueroa Street was a dirt road, but I was a youngster here, sir, when Cyprus Park was a dirt road. And I attended Los Angeles public schools and had the privilege of teaching in the school district. I have great confidence in the 600,000 youngsters that we have in this district and more than 28,000 school teachers whose first priority, it seems to me, as I mentioned earlier, is improving curriculum, improving the quality of education.

And it seems, in this our bicentennial year, if we would keep to that issue, if we would keep to that issue, we would solve the problem much more positively than we will in going in any other direction.

I cited the fact that 49 percent of our students will move in a typical year. So if you go on the basis of assigning them rather than quality education, I think that's a negative factor.

COMMISSIONER RUIZ. Now, on this realistic situation which you now contemplate, a part of that realism is the law.

MR. FERRARO. True.

COMMISSIONER RUIZ. Assuming that the only way to accomplish desegregation is by court-mandated busing which the court itself has stated must be limited so as to not effect health and other matters that

it's indicated. The Supreme Court has stated that busing is an imperative as a tool of last resort. Do you have any quarrel with this principle of law as enunciated by the Supreme Court?

MR. FERRARO. No.

COMMISSIONER RUIZ. No more questions.

CHAIRMAN FLEMMING. Commissioner Saltzman?

COMMISSIONER SALTZMAN. Mr. Ferraro, do you have a problem with the principle in *Brown I*, that separate but equal schools are inherently unequal?

MR. FERRARO. No problem whatsoever.

COMMISSIONER SALTZMAN. We have heard Mr. Miller, from superintendents, parents, etc., the conclusion that the school system cannot possibly be desegregated without pupil transportation as a component.

We've also heard the suggestion that your motion that was rescinded relative to banning pupil transportation initiated a great deal of divisiveness in the community. If that is so and if you accept that, and I assume you would not, but in any case, at this juncture, in effect, aren't you giving a determined posture to CACSI, your instrument or the instrument of the board, saying that come in with a plan that must be exclusively voluntary and that will exclude mandatory pupil transportation?

MR. MILLER. Well, it's the board that has given its mandate to CACSI, and the board in its wisdom decided not to impose that limitation on what CACSI recommends. When CACSI's recommendation comes to the board then each of us will have to exercise our responsibility in terms of voting on the final plan that's adopted.

COMMISSIONER SALTZMAN. Do you agree with the testimony, then, or disagree, submitted to us fairly universally that pupil transportation is the only vehicle for overcoming the racial isolation of minorities in this city?

MR. MILLER. The only vehicle? Was there testimony?

COMMISSIONER SALTZMAN. Not the only vehicle, I'm sorry, but must be a component of the broad scheme of vehicles, and instrumentalities developed.

MR. MILLER. I think that a voluntary transportation plan is a critical element in the final plan that is reasonable and feasible. I think, however, looking at the basic principle of *Brown I*, which I read to mean no assignments on the basis of race, and which I think the Supreme Court is returning to that the most reasonable and feasible way to integrate the school district effectively is by means other than mandatory transportation.

COMMISSIONER SALTZMAN. Would you, Mr. Miller, differ with the conclusion of the California Supreme Court in the *Crawford* decision that the Los Angeles Unified School District failed to undertake any efforts to alleviate school desegregation?

MR. MILLER. I accept that ruling as the rule of the case. It's what the court decided and it's what governs us.

COMMISSIONER SALTZMAN. Mr.—Dr. Docter, do you feel as does Mr. Miller about the *Brown I* decision relative to separate but equal?

DR. DOCTER. I think *Brown I* is talking about feelings of inferiority which are generated within youngsters who grow up and go to school in segregated environments. A feeling of inferiority—that's the direct language within the decision.

And also demonstrates, I believe, it states something like a kind of damage never to be undone. This is the challenge of an integrated experience. It's the challenge of attitude change. We're dealing here with feelings, and there are strong feelings about prejudice within our society. And, obviously, the courts have handed to the school districts the responsibility to deal with this phenomenon, to undertake some manner to help the society as a whole cope with the nature of prejudice that grows within a segregated environment.

So, I see *Brown*, *Brown I*, as the foundation document through which integration efforts have begun to take place. Unfortunately, the word busing has cropped into our vocabulary as a code word over the last 10 to 12 years in such a manner that is noncommunicative and stimulates great emotion and anxiety for the general population and is entirely misunderstood.

Obviously, what we're after here is a program of attitude change. That requires some proximity. In Los Angeles the question that we are faced with is whether or not the kind of long distance busing which is required in a city of this size is going to promote the kind of attitude changes that is expected of us within an integrated educational setting. That's the serious question. If the answer to that is no, it will not, then we're going to have to find some other way to provide opportunities for youngsters to get to know each other, to exist together in some kind of a setting, in some manner, without doing what people usually think is done by planning busing routes and simply putting youngsters on a bus.

Now, I think that some transportation is obviously going to be necessary if you put kids together who are long distances apart. It's not so much a question of the bus ride that bothers people, because primarily, the people who are concerned about this leave the public schools, sort of a public school flight, it's not just white, it's a lot of races. That this public school flight results in an increase in the enrollment in private schools, and more often than not, these some parents put their kids on a bus to get to that private school.

So our job is to make the public school attractive enough to fit the same attitude identification that the parent has for that private school. And that's what I think we're struggling to do, through curricula incentives, through manipulation of time factors and process and the content of the instructional program in order to deescalate the anxiety that's connected with this code word of busing, and to escalate the willingness of parents to get a better education for their youngsters while at the same time achieving an integrated experience.

Boy, that was a long answer for a short question.

COMMISSIONER SALTZMAN. I appreciate it. It was elequent. Mrs. Rice, are you committed to the idea of overcoming minority isolation and also white deprivation of a multicultural experience in the public school?

MS. RICE. Yes.

COMMISSIONER SALTZMAN. May I ask the same question of Mr. Bardos?

MR. BARDOS. Yes.

COMMISSIONER SALTZMAN. Mr. Ferraro?

MR. FERRARO. I'm committed to improving the quality of education.

COMMISSIONER SALTZMAN. Mr. Nava?

DR. NAVA. Yes, to the question that you asked.

COMMISSIONER SALTZMAN. Mr. Miller?

MR. MILLER. Yes.

COMMISSIONER SALTZMAN. Mrs. Watson?

MS. WATSON. Yes.

COMMISSIONER SALTZMAN. I would like to make one further observation. Mr. Ferraro has indicated that there was a failure of—program for desegregation in certain cities. Our very intensive studies around the country, and I hope you will peruse carefully our report, sir, indicate that what you assume is not the case, that the media has often emphasized the negative aspects of the desegregation effort throughout the country, but indeed in Boston over 176 schools were desegregated, approximately, as I recall, in only 4 schools was there any opposition, and in only 2 schools of 176 was there any significant degree of violence.

Furthermore, that the Boston situation had many creative aspects which might make helpful contribution in your consideration of a plan here in its own plan for bringing about a more effective quality educational program.

And we have noted around the country that the desegregation, integration effort the attempt to guarantee to our children a quality of experience in American schools that conform to the American ideal and the constitutional principles of America often produces an innovation in curriculum, and in planning, and in community commitment to education that elevates the quality of education. So that in this process, this painful process, this growing process, I have sensed great optimism and commitment from almost every segment of the community of Los Angeles. And I will leave Los Angeles with great hope for its future as a great American city, even though there are individuals who are willing to risk the principle of the constitution for seemingly expedient ends.

MR. FERRARO. Well, I would just simply say—Would you wish me to respond?

CHAIRMAN FLEMMING. If you'd like to, I'd be very happy to have you do it and then I'd like to recognize John Buggs, our Staff Director, who has some questions.

MR. FERARRO. Thank you, Dr. Flemming. I would simply observe, sir, that as I, as a coordinator of teacher training as well as a member of this board, observe in the city of Inglewood a phenomenon that I think is counterproductive. A few years ago that community was 20 percent black and 80 percent white. When a forced busing program was established, there was not only substantial white flight, but the populus, the student populus, changed to 80 percent black and 20 percent white. As of September, there are approximately 93 percent of the students in the Inglewood district are black, and that's very difficult to integrate that. Information to me on about November 30 in regard to Boston was that within the last 2 1/2 months, about 2,100 students have left that district. Also, that a substantial portion of that district that is not bused. Two areas, one white, one black, are not touched at all, and so my question is, I wonder if that's serving children, that is, all of the children.

I, too, want integration. I want voluntary integration wherever possible. But my first criteria again, sir, is that I would like to have an improvement of curriculum and that the quality of education for every one of the 600,000 youngsters in this city school district are served to the maximum capability. And anything that's going to jeopardize that, to move out of their community substantial distances, or limit their opportunity to participate in sports or other activities, just as one member of this community, and one member of the board, I have to look for better solutions.

CHAIRMAN FLEMMING. Mr. Buggs?

MR. BUGGS. Thank you, Mr. Chairman. I suppose that it was about 80 years ago that this controversy really began. And as some of you probably know, the process through which the Supreme Court went did not begin in 1954. The fact is that the Court has moved rather cautiously and rather deliberately to the point at which *Brown* I came about.

Some of you may recall that back in 1938 the University of Missouri was required, who permitted—who would not permit a young man by the name of Gaines, a black man, to go to the law school, required the State of Missouri to build a school for him, if, indeed, they would not permit him to go to the regular university. In that instance the implication was that there must be at least the tangible evidence of equality, and there was no such evidence at the time that that decision was made.

In 1950, two other cases came down from the Court. One had to do with the University of Oklahoma that had permitted a young man to enter school there, a black man, for the first time. But they made him have his lunch in a corner of the cafeteria and at a separate table, and they made him sit in the back of a classroom to be provided with the education that he sought, and they refused to let him take up residence in the dormitory. So far as Oklahoma was concerned, that represented separate but equal.

In that same year in a Texas case, *Sweatt v. Painter*, the Supreme Court took another step because the University of Texas had refused to permit a black man to enter its law school and felt that they could build one for him as had been done in Missouri in 1938. Whereupon, the Supreme Court said that there now, in its view, were more things than simply the tangible evidence of inequality; there were the intangible matters to be concerned with. And those intangible elements had nothing to do with the physical facilities. Not really did it have very much to do with the quality of its teachers. Nor did it have anything to do with the quality of its instruction. What it had to do with was whether or not in this society individuals who are of different racial backgrounds in a society in which there is a minority and a majority and where that majority effectively controls the instruments of government, politics, of all of the other elements that make for power, whether or not in such a situation it was really possible to have a segregated education and also an equal education. Because those intangible elements were needed in order to make for equality, had to do with the associations between people which resulted in the development of certain amenities, certain opportunities and certain advantages that they could not have if they were separated.

They, therefore, said that in that case, Texas could not build such a school regardless of how good it was because the prestige and the name of the University of Texas had created in the minds of the people of that State and elsewhere, a kind of situation in which no person in Texas who went to the school that was proposed for blacks could ever have the prestige that the University of Texas conferred on them.

I don't believe that it is an accurate assumption to say that the Supreme Court required quality education. All of us want it. The word quality has never been used in the *Brown* decision, either in I or II. What it said was that there must be equal educational opportunity. And if you look back at the Texas case and at the Missouri case, for that matter, the only possible interpretation that can be given to equal educational opportunity is integrated education, desegregated education, if you will. It puzzles me if the members of the board of education believe, as I think that they do, they are law-abiding citizens and believe in, with the exception of one member, that integrated education and desegregated education is important, and knowing as you do that there is no evidence in all the history of this country in which voluntarism with regard to races has ever solved any problem, how you could believe that you could in any way serve the commands of the Constitution by saying to the people of this State and this city, this district, do it if you want to, because that's what voluntarism is. There is no way, and you know it.

MS. WATSON. Right on.

MR. BUGGS. You know it, there is no way to have desegregated integrated education in this community without requiring it. And to say that it is otherwise, is in my view, to indicate to this body that when you said you supported it, you really don't. Thank you.

CHAIRMAN FLEMMING. If any member of the board wants to comment on Mr. Buggs' comments that is certainly your privilege, but I do have a couple of questions that I would like to address to the members of the board.

DR. NAVA. All right. Let me say on behalf of the board only that I think virtually every board member would agree with what Mr. Buggs has said. However, the board has not, to this date, formalized a plan to submit to the court.

CHAIRMAN FLEMMING. I think your comment is an important comment, and certainly is one that we should keep in mind as we evaluate the evidence that we've listened to throughout these three days. There is one specific question that I would like to ask and I'll address it to the president of the board.

We received testimony from members of the Citizens' Advisory Committee to the effect that they had requested funds from the board to be utilized for the purpose of employing consultants to help them in the discharge of their duties. And as I recall the testimony, it was to the effect that no response had been received from the board or that the funds had not been made available. Do you have—I can't—they didn't cite specific requests, just when they were made and son on but if you recall that kind of a recommendation and care to comment on it, I'd appreciate it.

DR. NAVA. Yes, I believe that the last request for augmentation of the budget of CACSI was to the approximate amount of some \$170,000, roughly. It involved specific authorization for a number of different activities. One of the large amounts in question was approximately \$67,000 for the employment of contract personnel that would be brought in from various locations to advise and to assist CACSI in the testing out of various possible alternatives that CACSI might then consider presenting to the board by the use of computers and other means.

The board frankly believed by, as a body, that it was premature at this point in an action I believe we took last week—the board members might correct me, but I think it was last week—to designate a large amount of money for that kind of consultants, and that instead we augment the budget of CACSI in order to permit them to continue the necessary work that would permit them then to present a report to the board even if at a more general level, thus leaving to the board upon receipt of a plan or plans to the board and, hopefully, before the end of December, the choice as to whether or not depending upon the decision of the board, we would like CACSI or CACSI-designated consultants to flesh out or to go into greater detail regarding the particulars of the various options or whether once board chose a plan, the board staff with consultants and others we might choose to designate, might help the district then start to proceed with fleshing out the details of or elaborating plans for our presentation to the court.

And so at this point, I think it is not accurate to say that the board by majority would refuse to give funds to CACSI to hire consultants, but that we want to reserve judgment as to at what point CACSI then does what the board and staff ought to be doing, and when we get a report from CACSI, we will then make that determination.

MS. WATSON. Mr. Chairman, may I interject this here. That is the conclusion of the discussions. To be completely honest, we could not get the five necessary votes to transfer money into the account that would at this time allow CACSI to bring on the kinds of consultants they were requesting. Because we could not get the five votes, we agreed that we would wait. The response you just heard was the outcome or kind of a compromise so that we would not leave the committee without some kind of indication that we are willing to support the request at another time. But, factually, we could not get the necessary votes.

DR. NAVA. If I may, Mr. Flemming, in reference to Ms. Watson's remark that I was not being honest. I was being literally correct and honest as well. I am empowered only to speak for the majority of the board. I am empowered only to say what is publicly correct to say and not to reveal remarks that may have been made in confidence or at another form of board meeting authorized by law whose discussions are privileged.

The only report that came to the board was for the amount that the board, I believe, six to one approved. Only Mr. Ferraro voting against the augmentation of the CACSI budget. That is the only thing that is really relevant at a public disclosure of board actions.

MR. MILLER. Mr. Chairman. May I comment on the question on the subject of the relationship of CACSI to the board because I think it's important to put it in the proper perspective. I've detected in two of the questions that have been asked, one about the lack of expertise and now about the funding, a sensitivity of the Commission to statements that perhaps the board in some way has not been in full support of CACSI, and that's why it hasn't come up with more.

The Commission should know that CACSI has been in existence for 9 months, 6 months since the supreme court ruling in *Crawford*. I believe something over \$200,000 has been appropriated in response to the committee's requests. In fact, there was an item for consultants earlier that the board went ahead and approved. This latest request from CACSI came a couple of weeks ago, very shortly before everyone had thought its recommendations were due. And I think that what has happened with CACSI, is not a question of whether CACSI says the board has or has not given the expertise or support. But I think the Commission in its wisdom could turn attention to the performance of CACSI in terms of coming up with recommendations.

I think that after 9 months and over \$200,000 we are entitled to a very solid set of strategies and recommendations. To my knowledge, all that that labor and funding has brought forth is a single sheet of

paper with about 15 sentences on it. And I think that to be perfectly candid, given that kind of performance, may be statements made, that that has happened, because the board for some reason did not respond.

The board has provided very significant funding and very significant support to the Citizens' Advisory Committee and has awaited for some time with eagerness for what that committee will recommend.

CHAIRMAN FLEMMING. Mr. Miller, has the point of view you just expressed relative to the work of the committee been conveyed to the committee officially by the board?

DR. NAVA. Yes. Yes. However, I might add, Mr. Flemming, that everything Mr. Miller said is correct and I think every board member would support his interpretation and his recital of facts.

I would add only one thing on behalf of the district generally, that the many subcommittees of CACSI have been working long and hard and to their great credit to do something that no other school district in the country will have had the benefit of. And it's like an automobile assembly plant, people are working on different parts and there can't see what the car's going to look like, but we are pretty much down at the assembly line, and before the end of December the collective wisdom of the various subcommittees of these volunteer citizens will be brought together into some form of a coherent set of recommendations to the board.

But the board really frankly felt that the point might very well come where CACSI might want to continue to operate because of their excitement and dedication and the value of their work, but the board may well have to say, thank you we're going to take into account what you've said, but now it's up to us to get the job done. But the judgment has been reserved on that.

DR. DOCTER. I'd like to just add a little bit too. This is the way we do it at board meetings. This is beginning to sound a lot like a board meeting.

CHAIRMAN FLEMMING. Yes, I heard the informal comment that this begins to sound like a board meeting. And I might say that as we have held public hearings throughout the country, we, of course, have always met with the board of education, and normally they do sound like a board meeting, and that is very helpful to us. I mean, in terms of—

DR. DOCTER. I think in the establishment of the committee the board was operating on the premises that those who are going to be impacted by a particular decision should participate in the process of arriving at that decision, and we were reaching out to the general community to be a sounding board, to be a reflection agent to help us deal with some of the crucial issues of communication with significant groups and also facilitate some understanding of the dimensions of the issue with which we were faced.

The board created the entity. We gave it a charge, it was a rather broad charge. We wanted their involvement. They began working and were struggling to achieve a degree of consensus. I think it's become evident that around this issue there will probably not be consensus from any large population group, and now they are reaching a point where they intend, I suppose, to bring to us a recommendation at least from the majority of that committee.

The sense of dedication with which they have addressed themselves, I believe, was deserving of the kind of support which they requested of us.

I am sorry that we have not seen fit to provide them with all of the consultant resources that they have requested. I think that's unfortunate. There is some confusion about what is really expected of this committee. Do we want from them broad parameters of a plan, basic guidelines, or do we want from them the very narrow specifics of a detailed plan.

I think most of the board members, and I think maybe all of them, feel that what we want from the committee at this time are the broad parameters, the guidelines of a general plan. And that we will work with them in terms of our staff, in terms of whatever consultant help might be needed later. Once those parameters are established in terms of fleshing out the detail of the plan, and so I think there's a little communications gap, that maybe that explanation would help. But I think we're really on the right track.

CHAIRMAN FLEMMING. I appreciate very—does someone else—I appreciate very, much the comments that have been made in response to the question. The Commission recognizes that this is a unique approach and for that reason we're very, very much interested in the testimony that has been given both by the members of the committee and by representatives of the community and by the members of the board. Because particularly in connection with our clearinghouse function, we want to obviously include in any report that comes out of a hearing of this kind of, some evaluation of this particular process.

Now as I understand on the specific issue, in effect, the committee was given some additional resources but not given as much as they requested. But you, in effect, postponed the letter request to be looked at again after you have had the opportunity of further dialogue with the members of the committee.

Listening to the superintendent, I understand you're looking forward to the possibility of that kind of a dialogue, say, the first week in January.

DR. NAVA. Very likely, sir.

CHAIRMAN FLEMMING. I want to express appreciation for the very frank way in which members of the board have expressed themselves in connection with this very fundamental issue.

Some of you, at least, I'm sure, have had the opportunity of reading our report that we issued in August. And if you had the opportunity

of reading it, you know that John Buggs, our staff director, set forth in a very effective manner the point that we've arrived at as a result, particularly of public hearings of this kind.

Now, I've taken note in my own mind, at least, of the comments that were made by one or two members of the board relative to the action of the U.S. Supreme Court in connection with the case arising out of Austin, Texas.

I just want to say that listening to you impresses upon me the fact that our General Counsel and his associates should take a very close look at that and try to put it in what we conclude is the frame of reference at the present time. And I think that we ought to include an analysis of that kind in the report that we prepare relative to the hearings in Los Angeles.

I personally am just a little bit confused as to the implications of the action, because at the moment, of course, the only official action that's been taken by the court is to remand it to the circuit court, and I note that three justices make some comments in connection with the remanding. I notice that two or I mean voted against remanding it, and I don't know where the others stand, because they didn't associate themselves, at least affirmatively, with the comments of the three justices.

But I do think it's important for us to take a look at it as we try to whenever there's been a significant decision on the part of the court.

As you read the comments of the three justices, they seem to have some ideas on burden of proof, what kind of burden of proof rests on plaintiffs.

But, as I see it, the court has not done anything to disturb some of its basic decisions beginning with *Brown* and dealing with the question of burden of proof and the Denver case. Although this—these three justices maybe are suggesting a different burden of proof than existed in the Denver case or have disturbed what they have said up to the present time about the utilization as a tool to bring about desegregation, of the pupil transportation, or, to put it another way, of reassignment of students; when the reassignment of student produces a need for transportation, why then it makes good sense to use it.

But throughout these hearings, I think I have sensed a good degree of commitment to the implementation of the decision rendered by the supreme court of California, that has certainly been very encouraging and it seems to me that there are a lot of positive forces at work in the life of the community, which should end up by giving today's children and young people in this community an equal chance as far as education is concerned; an equal opportunity to participate in the resources that the city and the State and the Federal Government are making available for educational purposes.

And as I tried to indicate in the opening statement as a result of our experiences in other hearings, we have discovered that people who

make that kind of a commitment and recognize the constitutional and moral imperative really get a great deal of satisfaction out of it because they know that instead of dividing a community, they're bringing it together, and they are bringing it together by insisting on the fact that the constitutional and moral imperatives be implemented.

We recognize, and I think the record should show this, that this board has not yet made a decision as to the kind of a plan that should be implemented in order to carry out the decision of the court. Obviously we'll be look forward with a great deal of interest and anticipation to the kind of a plan that this board finally presents to the court.

And we recognize, of course, once you presented a plan to the court, the court has got to act on it under the decision of the supreme court. But we appreciate your willingness to be here with us, your willingness to share with us your views because this gives us a record that can be extremely helpful to us in evaluating evidence and finally writing a report and making some findings and recommendations.

DR. NAVA. On behalf of the board, we want to thank you for coming to the city. I think that the forum will have provided a very useful means of communication within the metropolitan area, throughout the State and the Nation. For indeed we're not an island into ourselves, and to that extent I think all of us have done the public good this afternoon.

CHAIRMAN FLEMMING. Thank you very, very much. We appreciate it. I'll ask the hearing to be in order, and ask the counsel to call the next witnesses.

MR. DORSEY. Bishop Charles F. Golden, Monsignor Donald W. Montrose, Monsignor John A. Mahon.

CHAIRMAN FLEMMING. I'll ask the hearing to be in order and I'll ask the marshal to clear the aisles. Persons desiring to discuss these issues, why I would request them to do it in the corridor. May I ask the members of the panel if you would stand, raise your righthand so I can swear you as witnesses.

[Charles F. Golden, Donald W. Montrose, and John A. Mahon were sworn.]

TESTIMONY OF CHARLES GOLDEN, BISHOP OF THE UNITED METHODIST CHURCH, LOS ANGELES AREA; DONALD MONTROSE, SUPERINTENDENT OF HIGH SCHOOLS, ARCHDIOCESE OF LOS ANGELES; AND JOHN A. MAHON, SUPERINTENDENT OF ELEMENTARY SCHOOLS, ARCHDIOCESE OF LOS ANGELES

CHAIRMAN FLEMMING. Thank you very much. We appreciate very much your being with us. Counsel will proceed with questioning.

MR. DORSEY. Bishop Golden, I wonder if you would state for the record your full name and spell your last name for the record and state your religious affiliation.

BISHOP GOLDEN. My name is Charles F. Golden. I'm with the United Methodist Church, Bishop of the United Methodist Church of the Los Angeles area.

MR. DORSEY. Thank you.

BISHOP GOLDEN. Golden is spelled G-o-l-d-e-n.

CHAIRMAN FLEMMING. Okay. Counsel. Proceed.

MR. DORSEY. Monsignor Montrose?

MR. MONTROSE. Yes, sir?

MR. DORSEY. Could you give your full name and your religious affiliation and your title, please?

MR. MONTROSE. Donald William Montrose. I'm a Roman Catholic, and I'm superintendent of high schools in the archdiocese of Los Angeles.

MR. DORSEY. Monsignor Mahon?

MR. MAHON. I'm Monsignor J. A. Mahon. I'm superintendent of the elementary schools in the archdiocese of Los Angeles. I am a Catholic priest.

MR. DORSEY. Thank you. The Commission has heard—

VICE CHAIRMAN HORN. Can we identify counsel, please?

MR. DORSEY. Yes. Would counsel please identify himself. I'm sorry.

MR. BRANDLIN. I am J. J. Brandlin. I am an attorney, and I represent the archdiocese of Los Angeles.

MR. DORSEY. I apologize for the momentary overlook. The Commission has heard testimony from other religious denominations the leadership of those denominations, regarding their position, official stated or otherwise, on the issue of school integration in the Los Angeles Unified School District. And I would ask each of you now if you would to share with us and the Commission your views on school desegregation and the position of your respective denominations. Starting with Bishop Golden, please.

MR. GOLDEN. Start with this end? The manner in which our position might relate to the position, that is, of the school board and the school situation in Los Angeles, would be best expressed in saying that we have taken a position in a rather omnibus fashion that touches upon education in the area of integration or as we term it, racial and ethnic inclusiveness. It's at this point that our position is best expressed and perhaps might be conceived as being related to the concern here.

The issue, as I recall it in my own memory of immediate involvement with the whole issue of human relationships, goes back at least 20 years of involvement in this area. There are positions that have been taken by our church general that represent the official position of the church.

Aside from the official position of the church in this whole area, there are specific positions taken by annual conferences, the conference covering the territory of Los Angeles is the Pacific and the Southwest conference which has also taken, through one of its conferences agencies, a rather specific position in support of racial inclusiveness or integration in the Los Angeles school system.

MR. DORSEY. Thank you. Monsignor Montrose, it's our understanding that the archdiocese in Los Angeles has taken a position on what has been termed white flight to the Catholic schools. I wonder if you could relate that position to us at this time.

MR. MONTROSE. Well, first of all, by way of a little background, the Los Angeles city schools, specifically Superintendent Johnston, has had a very active clergy committee that meets regularly once a month, and I'm a member of that committee. The subject of the meetings over the past several months have been in this particular area.

The committee was widened, and I would like to mention this, as Bishop Golden can indicate, a short time ago there was a meeting of all the heads of the different religious affiliations here in Los Angeles at which Cardinal Manning was present. I was also present. And, at that meeting, it was decided that this group of religious leaders would form a—would write a statement that would show its support of the concept that is really under discussion today.

We don't have really the plan as yet because we don't have—it hasn't proceeded that far. Cardinal Manning at that meeting did offer to be one of those who would compose this. He's very much in favor of the—very much supports the position of the decisions. In fact, on December 23 in his office there will be a meeting of some of the leaders there who will at that time write the statement.

So with this background this gives you kind of an idea of where our church leadership is with regard to this. Also speaking for the secondary department and Monsignor Mahon will for the elementary—we have in our administrative handbook a statement to the effect that Catholic schools should not become havens for students who are, who may be seeking to avoid the pressure of integration in any part of the archdiocese. As you know, this has already existed. Our archdiocese covers three counties. It covers Santa Barbara, Ventura, and Los Angeles Counties, so we've already had instances of this in Pasadena, where there was this same type of order came down.

This is our basic policy. I would like to mention that in one of our schools out in the west valley last month, there were something like 80 applications, and all of those applications were refused.

There's also a number of applications in the San Pedro area in the high school there, and those applications were refused as well. So we really have taken a position, while we depend on the goodwill of the individual principals, we feel that we're going to support the decision when it is made and support the plan.

MR. DORSEY. I'm following up on what you've just said, one of the concerns of—not really a concern, one of the questions that arises from that is how do you go about determining those applications which you suspect as being a result of, what would be termed "white flight" and those that are normal increments to your particular parochial school system?

MR. MONTROSE. Now this is speaking for the high schools, what we do in the high schools. Our high schools are from the 9th to the 12th grade. So that the basic policy is that we accept students at normal transfer points. This would be, normally, for in practically all the schools, the ninth grade. In some schools it would include the 10th grade depending on the situation and in the area.

We have over 60 schools. We feel that it's—being really practical, it's going to be very difficult to tell right at that point. But in other grade, the other grade levels, when they come in as transfers, we have recommended that each school have a board. If there are any doubtful cases, that they be reviewed by an admissions board. That's what we've done, and it worked. As I mention at those two schools that happened to mention the situation, and they have turned away these other students. But I think that we could be vulnerable right at the admission grade, you know, like the ninth grade. It's very hard to tell, but this is our policy, and we do have the board, and hopefully we'll be able to be effective.

MR. DORSEY. Monsignor Mahon, I wonder if you could address yourself to the same question.

MR. MAHON. For the same reasons as Monsignor Montrose has stated, the elementary schools would support any program of integration in public schools. Our safeguard for any possibility of our schools becoming havens or refuges for children who are escaping a program of desegregation in public schools is stated in a policy which has been approved by our own archdiocese and board of education.

The policy in general indicates that our schools have open enrollment, that is, we accept children without reference to their racial, ethnic, or national background. There is a limitation on that, however, and that limitation comes into effect when a local public school district is involved in a program of desegregating its schools.

The general notion is that we do not wish Catholic schools to become refuges for pupils or parents who wish to avoid anything that they find distasteful in other schools, whether that be desegregation plan or violence or anything else that they might find that they do not want their children involved in.

If the public school district is involved in a program of desegregation, then any child accepted into our schools other than that of a—at a level other than the normal entrance level, of kindergarten or first grade, the principal is required to establish that the parents are really interested in the kind of program from a philosophical and religious points of view that the Catholic school offers, but not simply avoiding something else.

And they do that by establishing that the family has recently moved into the general area where the school is located, into the parish, specifically. If they've moved into the parish, then their application is given consideration or if they have attempted to enter the school at a normal entrance level but for some reason have been refused. Or-

dinarily that reason would be simply that the fact that the school had accepted its full quota of pupils. We have a maximum of 40 children per classroom. If they have been refused for that reason, then their application is given consideration at a later time. But, basically, that summarizes our policy on the point.

MR. DORSEY. Bishop Golden?

MR. GOLDEN. There was a related matter that might have some meaning here. Several years ago when we were faced with the same kind of a concern in the State of Mississippi, we had a number of United Methodist Churches that were prepared to provide facilities for private schools, at which time we had to issue a proclamation at that time that the United Methodist Church was not to be utilized in that sort of thing. It might be well to be aware of the fact that there are processes by which that sort of thing could not be looked forward to as a way of diverting the whole process of the racial inclusiveness on the part of persons who are not necessarily in agreement with the position, official position, of our church.

MR. DORSEY. Am I correct in my belief that both the United Methodist Church as well as the archdiocese are involved in the superintendent's clergy committee? Is that correct?

MR. GOLDEN. That's correct.

MR. DORSEY. I have no further questions at this time, Mr. Chairman.

CHAIRMAN FLEMMING. We appreciate your being with us. We have had the opportunity of receiving testimony from some other leaders in the religious community yesterday, and in connection with that testimony, I expressed my own personal conviction that potentially the religious community can provide us with the kind of support that is needed in order to make desegregation work because of the constitutional and moral imperatives that are at stake.

And I asked whether or not there were efforts under way to develop teaching materials, to develop form programs at the level of the local church designed to put the issue of desegregation within this constitutional and moral framework.

As a result of some of my own experiences when I was president of the National Council of Churches dealing with a indicators, I recognize how difficult it is to move something like this down to the level of the local church or the local parish and to really get persons associated with the local church and the parishes involved in indepth discussions of the constitutional and moral imperatives that we are dealing with.

But I continue to think that the effort is worthwhile because when we succeed and when we get discussions of this kind then some of these other issues that are related to desegregation begin to fall into place. People begin to realize they're secondary issues and that the primary objective is one that we're under a mandate both from a constitutional point of view and a moral point of view to achieve.

I'd just like, as a Methodist, I'll address this question first to Bishop Golden because I understand the structure, I understand the system, but I'd like all members of the panel to comment on that, whether there are activities under way designed to make it possible for the people at the level of the local parish, at the level of the local church to really come to grips with the constitutional and moral imperatives that we're dealing with. Bishop Golden?

MR. GOLDEN. Yes. We have, at the conference level, both a program board that covers the whole conference and a commission, both of which have responsibility in these areas.

One is the Board of Church and Society that addresses these kinds of concerns and related concerns. And if we—I would really like to talk about some of these related concerns, because I think they're all part and parcel of the same thing.

CHAIRMAN FLEMMING. Right.

MR. GOLDEN. And some of these concerns will cover the whole area of housing and job procurement and the things that really contribute to the fact of segregation in the school system are all tied together, and so we approach all of them.

The other is a commission on religion and race that addresses itself to these concerns. These also move into the local church. We are now coming forward with the requirement that this will be done in every local church in order that it be done. I agree with Mr. Buggs, in that we do not find that it is done readily on a voluntary basis. We find the necessity of arriving at it as a requirement or at least as a strong imperative, and then—which is supported by the majority of our people. And this moves us into action. And this is what we anticipate at every local church level. This is what we anticipate in the conference.

CHAIRMAN FLEMMING. Taking the Los Angeles School District specifically, it's your hope, your expectation, that the opportunity to participate the discussions, in the consideration of materials that deal with the constitutional and moral imperatives will be made available to each one of the local churches?

MR. GOLDEN. We shall be working on those, we shall be producing ourselves, we shall welcome those that come from any other source that will move us in this direction.

CHAIRMAN FLEMMING. Right. Do you think of any significant program at the level of one of the local churches here that is now under way and that you feel is contributing to the development of a sound public opinion on this issue?

MR. GOLDEN. We have several examples in Los Angeles that seem to indicate the possibility of moving across racial, ethnic, and language lines where people have common interests and concerns.

For instance, an example of that is that in the—among the United Methodist Churches in Los Angeles, there are 10 languages used on Sunday morning in their worship services. We have one church with four congregations made up of four different ethnic groups or three

ethnic, well, four ethnic groups in that one congregation each in its own language, but each being a part of a same setting. So, the setting out of which these others things can grow are created out of that kind of situation.

It is out of that kind of a situation that we have hope for more things materializing than we have now been able to witness.

CHAIRMAN FLEMMING. Thank you very much, Bishop Golden. As I said yesterday, I'm a great believer in statements and resolutions and so on. I've participated in developing a good many of them over the years. But the thing I'm really interested in is when they get down to the level of the local church or local parish and are really used there as a basis for dialogue, discussion, debate, what not, because out of those discussions I think comes a clarification of these issues and a determination on the part of people to make a commitment which is after all what we need in this area.

Monsignor Montrose? Do you have any comment on this particular issue?

MR. MONTROSE. Yes. My initial comment is that, you know, I am in the school department.

CHAIRMAN FLEMMING. I understand that, right.

MR. MONTROSE. But I'm also on this clergy board, and there was the effort made several months ago to enlarge the participation of Catholic priests on the board so that we would have representation from different areas—for instance, a priest from San Pedro we have someone from the Spanish-speaking area, the black area, and so on, the Valley—the idea being that there would in these people; there would be leadership in the local area, when this particular effort was to be made, because it was the plan that it would get down to the individual church.

These names were really submitted and we went to Cardinal Manning about who would be good people to serve, so that the people that were selected were those who had his approval. So it shows his interest in the matter.

As to what has actually happened other than the continued participation, there's a problem, and there has been by members of the board of education no efforts to meet and the clergy would cooperate, try to organize meetings where they would go, but they run into a little problem. The problem is that all you can do now is go and talk about the philosophy, and people haven't been too interested in philosophy. They want to know what is going to happen to their kids, and so nobody is able to tell them that. So that they've run into some real problem on the local level right now in the different meetings that have been organized, and I think that the real effort is going to have to be made when—once the plan is really determined and receives the court approval.

That at this point is when the real public relation effort is going to be made, and I hope we'll be set up for it then.

CHAIRMAN FLEMMING. Appreciate your comments, particularly recognize the validity of the last point that you have made. And yet, it does seem to me that if we're kind of persistent in trying to get persons to take a look at the constitutional basis for this, and the moral basis for it, that when the specific plan emerges, then they'll look at it in a frame of reference that could be extremely helpful in terms of getting support for the plan.

It seems to me if people don't have this frame of reference, then they begin to pick away at, you know, various parts of the plan without realizing how the various parts of the plan relate to the implementation of very important moral and constitutional imperatives. And so that, of course, I might—I have referred once or twice to the report that we issued in August, and I might just even suggest that that could be used for a basis for discussion. Not everybody would agree, I mean, it would be a vigorous discussion and copies are available. Right, Mr. Staff Director? I mean all you got to do is ask for them, we'll get them to you.

Okay, Monsignor Mahon, would you like to comment on this?

MR. MAHON. Dr. Fleming, well, I would like to limit my reaction to the internal operation of the elementary schools. I think that would be more appropriate, if you'll permit.

CHAIRMAN FLEMMING. Yes, indeed.

MR. MAHON. I feel personally that as far as the constitutional and particularly the moral imperatives of desegregation are concerned, we in the Catholic schools are in a position to teach the basis for that, for those imperatives in a way that perhaps no other schools can do.

We are able to teach the moral basis for brotherhood in our religion classes. We are able to integrate the concepts of justice, social justice, the virtue of justice as a religious virtue into our whole program. So I think we, perhaps, I would suggest are doing a fine job in the schools as far as the pupils are concerned.

Now, as far as our administrators are concerned, my experience—I realize that Archbishop Golden was referring to general public and not specifically to religious administrators but my experience with the administrators of our own schools has been that the policy that we have enunciated simply represents their feeling. They would not wish to allow our schools to become refuges for those who are avoiding desegregation. They take a positive standpoint. In fact, I'm glad that we do have this policy, but I think that a great deal of local care and concern would be exercised in the admission of children in the school if a desegregation policy or program is adopted in a local public school district. And I think that that has been the experience where that has happened. Using the example mentioned by Monsignor Montrose in Pasadena, we did not, at the time a busing program was mandated in the Pasadena unified school district, find that there were any significant number of Catholic parents or non-Catholic parents asking for acceptance for their children in Catholic schools. It's simply not happen-

ing. I realize it's a presumption that, an assumption that we should not overlook, but I don't think the experience has borne it out.

CHAIRMAN FLEMMING. Thank you very much. Commission Ruiz?

COMMISSIONER RUIZ. I have no questions.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. Mr. Chairman, I'd like two exhibits in the record. The first, I'd like General Counsel to work out with the archdiocese school administration, an exhibit that shows the location of the various elementary and high schools in the archdiocese and within the Los Angeles Unified School District so that we might have that as a part of the record, since we already have in the record the various areas and the racial proportions within those areas for the public sector.

I would like, if it is available, to know by school, elementary and secondary, what is the existing percent for the most recent school year of non-Catholics, and if you have it, minority students.

I think it's important to lay the basis factually prior to a court order so that one might be able to judge 4, 5 years from now to what extent white flight, if any, has occurred in these particular schools.

CHAIRMAN FLEMMING. Without objection, that will be done and entered in the record at this point.

VICE CHAIRMAN HORN. The second exhibit I would like is from the archdiocese. As I recall, you receive a substantial amount of money from the Los Angeles Unified School District for various educational programs.

I'm curious to know whether any of that money goes to support bilingual instruction in the archdiocese.

Would you know offhand?

MR. MAHON. Perhaps I would be the most appropriate one to answer that. That's ordinarily on the elementary level that that kind of program would exist. If I might—I would like to correct the question you've asked. I don't believe it is true that the archdiocese receives any money whatsoever for the operation of programs from the Los Angeles School District, nor do we receive it from the Federal Government.

Children in parochial schools do benefit by Federal Government programs, but the archdiocese receives no money whatsoever.

VICE CHAIRMAN HORN. Are those—unfortunately, it was in yesterday's hearing where I saw a chart, and I didn't know which private school they were talking about, but it showed the breakdown of the amount of money given by the Los Angeles Unified School District and it listed private schools, *X* amount of dollars, and I assumed that was mostly going to parochial schools for some sort of assistance in nonreligious areas.

MR. MAHON. Notice that that would be, whatever amounts of money were described were public school programs. They were not parochial schools programs. They were public school programs offered to parochial school children.

VICE CHAIRMAN HORN. I see. I wonder at this point in the record, can we have our General Counsel engage in a dialogue with both the unified school district and the archdiocese, just to print in the record to what extent and for what types of programs do funds flow through the Los Angeles Unified School District to any private schools including the archdiocese?

CHAIRMAN FLEMMING. Without objection, that will be done, but I think distinction that is being made here is the one that I understand is made possible under the Federal legislation, that is, there's not a direct flow of funds, but that students in the parochial schools have the opportunity of participating in certain programs that are provided by the public schools. I was involved in working on that particular amendment, so that—

VICE CHAIRMAN HORN. This is the '65 Morris amendment, I recall it myself.

CHAIRMAN FLEMMING. That's right. Okay. But we can get the kind of information that you suggested.

Any further questions? Mr. Buggs?

MR. BUGGS. No, thank you. No questions.

CHAIRMAN FLEMMING. We're very grateful to you for coming and sharing with us your insights and giving us thus information and we appreciate the leadership that is being provided in this area very, very much. Thank you.

Counsel will call the next witnesses.

MR. DORSEY. Virna Canson. Judge Samuel Sheets.

CHAIRMAN FLEMMING. May I ask the witnesses to stand, please, and raise your right hand?

[Samuel C. Sheets and Virna Canson were sworn.]

TESTIMONY OF SAMUEL C. SHEETS, VOLUNTEER ATTORNEY, WESTERN REGION, NAACP; VIRNA CANSON, REGIONAL DIRECTOR, WEST COAST REGION, NAACP

CHAIRMAN FLEMMING. Thank you. We appreciate your being with us. Counsel will proceed with the questions.

MR. DORSEY. Would you each, starting with Judge Sheets, state your full names for the record, and your affiliation with the NAACP, if you would?

MR. SHEETS. Mr. Dorsey, Chairman Flemming, ladies and gentlemen. My name is Samuel C. Sheets. I reside at 3556 Canyon Crest Road in Altadena, California, which is in the Pasadena School District. I am an attorney. I'm a—I was introduced as Judge Sheets. That's technically correct. I'm an administrative law judge for the State of California, but I'm appearing here as a private citizen pursuant to your subpoena. I'm a volunteer with the NAACP, a volunteer lawyer with the Western Region of the NAACP.

MR. DORSEY. Thank you. Ms. Canson?

MS. CANSON. Mr. Dorsey and Chairman Flemming, Commissioners, my name is Virna M. Canson. I am regional director of the West Coast Region NAACP. My residence is Sacramento, 4216 Lotus Avenue, and my business address is 870 Market Street, Suite 378, San Francisco.

I have some notes.

MR. DORSEY. Starting with Ms. Canson, you have expressed in the course of our study certain concerns about the manner in which the process of school desegregation has been handled in Los Angeles. I wonder if you would at this time share some of those concerns with the Commission.

MS. CANSON. I'd be delighted to. Mr. Dorsey, it would be a little easier and I would flow if I could read my statement, but I will be happy to respond to your question. Which would you prefer?

MR. DORSEY. If you could basically summarize your testimony, since the Commission has generally taken the position that we would prefer testimony than an oral presented statement.

MS. CANSON. All right. I'd be delighted to.

CHAIRMAN FLEMMING. Your complete statement, however, will be inserted into the record as a part of the hearing.

MS. CANSON. All right. Very good.

Let me say I have several concerns. I don't know which is the most important, so let me just share them.

MR. DORSEY. If you could give us some background first, and then go into your concerns.

MS. CANSON. Well, I had concerns when I came in several days ago to the hearing, and they have been sharpened by reason of the testimony of the board just today. Whether or not there exists the will to really comply with the court order, on the part of the Los Angeles Unified School Board, is a question in my mind.

I am deeply disturbed at what appears to be transferring the responsibility. In order to get myself really prepared for this session today I did in fact attend the meeting last night of the citizens' committee, and I saw a lot of sincere people hard at work struggling to get some things done.

And as I sat here today and listened to the testimony, my heart ached for those people and for the democratic process.

I also am appalled at the law professor, member of the board, Howard Miller, who today flaunted the Austin decision before this august body and in a rather, I think, insulting manner, playing to the audience, suggested that this was a mandate. I consider this a disservice on the part of a public official. I consider it the kind of thing that make for the climate for dissension.

Another major concern that I have is that it appears to me that moving into the leadership vacuum is the chief of police and the sheriff, and I am deeply troubled. Several weeks ago, I've forgotten the exact date, I had occasion to write to the chairman of the board to point

up that I felt a tone was coming through from them that we are going to have trouble and this awful thing is happening to us, and everybody's going to be violent, and so we must do things. Even at that point, Chief of Police Davis seemed to be the central figure in the planning over-all community wide. At least this is how it was projected, and I am deeply troubled by this.

These are my general comments in response to your question, as they relate to the board. I had occasion to look at some of the charts in the report before us of December and I suppose some of the sections there, two charts particularly, which talked about the crime and violence in certain schools undergirds my representation that there is much too much emphasis on the criminal aspects, the potential for disturbance and this type of thing.

I have some concerns, and I'm sure there must be some good reasons that the press is absent from your panel of testimony. I don't know whether this is a thing that you do not do, but I'm sensitive as an NAACP'er in this particular area at the, I don't know quite how to put it, the manner in which some things are reported. And when I say the absence of the press, I don't mean to say that the working press here that are sometimes our best allies, I didn't mean that. I meant the chairmen of the editorial boards. I feel that's an institution in this community. I feel that the kind of misrepresentation made by the board member gets spread and fanned through maybe not a sympathetic press, but certainly not an adverse press. I think that's a disservice.

I guess generally these are the things that I had in mind. It is appearing that we need to have some real encouragement for this board. I think that the board is projecting, at least a majority of them, seem to be projecting that it's something that we might get around to doing. It's sort of diffusing the whole business. That this is in fact a court order. Discounting the 13-odd years that have transpired, you know, since the case was filed, really sort of, if this continues, almost making a mockery of the law.

And I'm committed to the kinds of steps that NAACP knows how to take to turn that around. That's kind of a long answer.

MR. DORSEY. Mr. Sheets, having participated so extensively in the Pasadena School desegregation situation, and being close enough to Los Angeles to be able to at least be cognizant of some of the broader issues that are happening, I wonder if you'd share some of the experiences that you had with Pasadena which may or may not be relevant in the Los Angeles situation?

MR. SHEETS. Thank you, Mr. Dorsey. I mentioned that I live in the Pasadena Unified School District. But what I didn't mention is that I was one of the original counsel in *Crawford versus Pasadena School District*. Excuse me, *Crawford versus Los Angeles School District*.

In fact, the *Crawford* case was the result of a case against the Pasadena School District. In 1963, the Supreme Court, in *Jackson versus Pasadena School District*, which is 59 Cal. 2d 2, 876, unanimously

decided that school districts in California have an affirmative duty to integrate.

Armed with that decision, the ACLU, the NAACP and other interested groups and individuals, in July 1963, filed the lawsuit called *Crawford versus Los Angeles School District*. And just as a personal aside, it was my job as one of the lawyers to actually have the plaintiff sign the petition. And so I trekked out to East 70th Street in July 1963, and got Arlene Crawford and her mother to sign the petition.

What I would like to share then first, Mr. Dorsey, is my great concern about the lack of commitment to carrying out this Supreme Court mandate. Thirteen years have elapsed. Just think about that. One whole generation of public school children has graduated from kindergarten through 12th Grade. We have seen children proceed through the school district without any real attempt being made to implement that mandate.

Indeed, what distresses me most as a citizen and as a lawyer, is the patent denial by the Los Angeles School District that it does have an affirmative obligation to integrate, and this is true even though Judge Alfred Gittleson you may remember, in 1970, affirmed that the Los Angeles School District has that obligation, and even though the Supreme Court of California in June of 1976, reaffirmed that that obligation exists.

And I would ask you then, before I very briefly talk about Pasadena, because I think Pasadena does have some object lessons for Los Angeles, I would like to ask this Commission if I may be so bold, a couple of questions. I applaud your use of the subpoena power. I think, I was subpoenaed here as you indicated. I think you need to use the subpoena powers that you have to get representative views. There are people who can express themselves with great persuasiveness, but because of circumstances, they feel constrained not to appear. And I'm talking particularly about personnel in the Los Angeles School District. I think you ought to, and I suggest that you need to get some of that information on your own initiative by the use of subpoena power.

I would like to ask you, what powers do you as a Commission have and intend to exercise? May I make these rhetorical questions. What powers do you intend to exercise? Is your function merely advisory, or can you mandate change?

What do you consider the Los Angeles School District's responsibility to be? Is it to merely remove vestigial segregation and just incidentally integrate, or do you believe it has an affirmative duty to integrate? See, I think it's the latter, on the basis of *Jackson versus Pasadena School District*, and on the basis of *Crawford*. And I also think it's the latter because experience teaches us that unless you have an affirmative duty to do that which is onerous or distasteful or controversial, you're not going to do it.

And that's amply demonstrated in the Los Angeles situation. Board members and teachers and administrators are embattled and even if

they propose to do something, they have to check with all these forces first. So I believe what we need to do is to suggest that it is no longer possible to evade the responsibility to affirmatively integrate. And I believe that until that position is adopted, and I think as I said there's precedent for it, we aren't going to integrate. We will not do it. It is not the American experience to integrate, not blacks at least, into the society. Any society that can accommodate slavery, consistent with Christianity, and the judicial—and the Jewish religion, any society that can accommodate separate but equal; any society that can accommodate denial of equality of opportunity, is not likely voluntarily to remedy those conditions. It's just not psychologically possible.

I think some force is required just like force is required to pay taxes and even to attend school. We don't leave it to voluntary accommodation to people our school system. We have compulsory laws. I think it's clear in history that some compulsion is required and I don't think we should blink from it.

Now in Pasadena, we have that experience. In 1970, almost at the same time that Judge Gitleson was deciding *Crawford versus Los Angeles School District*, Judge Manuel Real was deciding *Spangler* against Pasadena School District. And under his decision, in early 1970, Pasadena actually moved to and did integrate.

And unlike Los Angeles, it didn't do it in a haphazard way. It didn't empanel 50 committees with a long time line, but in about three months, a group of administrators, teachers, parents and students, came up with the Pasadena plan for integration. And I note with some irony that Los Angeles has sent people to Dallas or some other places, Denver, or one of those other D. places, and yet its contiguous school district has available to it a plan of integration.

I believe then that the way to test to the bonafides of this school district is to see whether it is honestly trying to evaluate plans that exist in California for integration. And that would seem to me to start with Pasadena.

We had 39 classically segregated schools in September, 1969. In September 1970 we had no segregated schools. No racially segregated schools. We didn't have step integration. We didn't have partial integration. We instituted complete and total integration. And I believe that it is impractical to talk about piecemeal integration in Los Angeles for the same reason we found in Pasadena it was impractical to do so. For when you talk about piecemeal integration, you allow those persons who are opposed to the idea an escape valve.

And so I would say that one of the ingredients is to demand, for effective integration, a total package with a time line that is reasonable, rather than in the far future.

And finally, let me say very briefly, I don't believe we ought to spend any more time talking about the efficacy or non-efficacy of busing. Every educator in America knows that you cannot operate the public school system without busing children. Nor does any educator

try to do it. It is indisputable that nearly every school district in America uses buses, and to great advantage.

The rub comes when busing, an effective tool to integrate, is instituted in segregated systems. And what is more obvious is that busing must be—must be used for white children as well as blacks. That is to say, it is inequitable to bus black children from the ghettos to the suburbs or other silk stocking districts. What is required is that all children be required to go and that is what happened in Pasadena. And that is why we were able to integrate.

Incidentally, that is productive of some discord. Not great discord, but it is productive of discord, because people are required to effectively change not only their conduct, but their attitudes as a result of busing. Because busing effects integration. To put it this way: it is time for white people to share some of the burden of integration. It is time that black children stop being the sole responsibility for it.

When you bus white children into the ghetto, then they share some of the responsibility for the existence of the ghetto. If white children, to continue, are bused into the ghetto, certain things happen. Some flee, but those who stay not only receive a new awareness of what America is all about, it's multiplicity, but they become incapable of tolerating the demeaning conditions that exist in the ghetto.

The very best thing that could happen to the ghetto would be for some of the people in the Pacific Palisades and other areas to be required to send their children there. For tacitly they now feel and act as though it is perfectly all right for black children to remain in the ghetto.

Finally, in Pasadena I can say with absolute candor, that there are large numbers of students, and that's what education is all about, who are better off because some of them have now had an integration experience for 6 years. I can prove that by one citation.

A couple of years ago at a board meeting in Pasadena, a school board meeting, where from 500, 600, and even 800 people attended, 2,300 students petitioned the board, the Pasadena School Board, to continue the education program that employed integration. And I think that's the greatest testimony that any body could receive. The students themselves understand and appreciate the value of integration, for the students know that where they have an opportunity to really get to know each other, which is a byproduct of integration, they, for the first time in their lives in segregated America, can learn to know and understand someone of a different racial or ethnic group. And that understanding causes them for the first time to really appreciate the other person with a different point of view.

And I submit to you that's what the public school system in America is supposed to be all about. It is supposed to allow people without constraint, without restriction, to get to know each other, of different backgrounds, so that they can extract from that knowledge those good things that in here in difference, and can shed the stereotype that has been perpetrated that different is bad.

Thank you very much for this opportunity to be here.

MR. DORSEY. I would like to follow up, if I could, on some of the things that you said. The Commission did hear testimony earlier today, I believe, if I'm not mistaken, regarding the desegregation experience of Inglewood in which it was portrayed that a school district which started at a balance of 80 percent white and 20 percent black shifted in a very short period of time from—to 80 percent minority and 20 percent white.

I'm curious if you know, because I know of your involvement in the Pasadena School system, whether or not in the 6 years of desegregation, the Pasadena School system has experienced such a racial change?

MR. SHEETS. It has experienced, yes, some change, but not that radically. As a matter of fact, Pasadena has a majority of minority children. But I would hasten to add that's still a better picture than the average picture in America. For outside the school system you can't find that mix generally in America. What I'm saying is, we live in a segregated society. And what I'm urging is that to the extent that we make possible some interracial interchange in schools, to that extent, we cut that vicious cycle of perpetuating segregation.

And finally, on that point, I think we have to look for the causes of the change. In Pasadena, the newspaper has been an instrument to foster discord rather than to perpetuate accord. And I suggest then, that one way to stabilize integrated systems is to urge everyone who says he or she is in favor of that concept, to act consistent with that and take on those negative influences in the community who attempt to foster discord.

MS. CANSON. I'd like to comment just a bit. I'm not a formal educator as such. I am aware, however, based on the information from our Inglewood Branch of some factors which you may wish to explore.

Our Inglewood Branch was very, very much concerned about a constitutional amendment offered by Assemblymen Howard Burman, which gave the option to the local governmental entity to approve the employment of persons who live outside of the city.

That perhaps may be a few steps removed, but I think it's part of the dilemma. Okay? I think also the matter of wholesale transfers and this type of thing is one of the factors that may have contributed to that rapid thing. I simply offer those as general possibilities.

MR. SHEETS. Well, there is a, there is another factor. I—it's very difficult, to very briefly indicate it, but I tried to say it earlier. We have a history of segregation in this country. Those school districts which are trying to integrate, honestly integrate, are faced with a massive negative concept in the community.

I mean housing is still segregated. And jobs are still segregated. If school districts had half a chance to implement a segregation plan, without the massive, what I call outside negative influences, I think we would see more clearly the benefits of integration.

I think that that's what this Commission can be very helpful in pointing out. Point out that the fears, and you've done this eloquently, but continue to point out that most of the fears voiced by those opposed to integration are merely transitory, that they are capable of being overcome. You know, a few years ago blacks were considered not sufficient raw material for professional baseball and professional football, and when I was in the military, we were not even accorded decent treatment. We were segregated. We said—they said to us, if blacks and whites are permitted to fight together, rather than fight the enemy, they'll fight each other. That's proved to be false.

At one time we couldn't go into restaurants, and we couldn't receive other public accommodation. That's proved to be false.

So why don't we try for a change in school to really educate people, to do what Charles Silverman said the education system is to do. It's not just to educate youngsters in school, but it is to educate the entire community to its potentiality. And I believe if we do that, if we do it consistently and in depth, we will begin to turn the tide against this monstrous concept that it's all right to let black children fester in inferiority.

It is monstrous because we have decided in all other areas not to let disability interfere with education. So if a kid is blind, what do we do? We have special education. If a kid is deaf, what do we do? We have special education. If a kid is deaf and blind, we still don't write him off. We say yes, he can learn to read. But if a kid is black, if a kid is poor, we write him off. We say, we can't do anything. And that's not true.

Any nation that commits itself to educate, can educate the children. Israel, with one-third the standard of living that America has, educated its children. And I believe the time has come and I hope, you know, I realize you are generous with your time, and I empathize with you, but I also envy you, ladies and gentlemen, Commissioners, because you are—on the cutting edge of tremendous change. I would give anything to be there with you. To be able to hear what you have the privilege of hearing. And to make the decision you are going to make.

And I urge you to do it that way. I urge you, you know, to understand that some of us are saying a great crisis exists, that no longer can we temporize. We must solve this thing immediately, because every child we lose is one child too many.

Now I know you know that, I'm not—I don't mean to insult you. But I still think occasionally it's well to let you know that some of us feel that almost unbearable agony because everybody seems to be frustrated and unable to come to grips with the problem.

I'm saying, you know, let's solve it in 1977. If we can put a man on the moon and a probe on Mars, and we can build 50,000 airplanes in a year in World War II, and we can do all those other things, nobody else ever did, why can't we educate our children without their being restricted by segregation? Why? I say we can do it. All we have to do is commit ourselves to that task.

And when we walk out of here today, I think I'm going to feel pretty good, because I see in your faces, you believe that. And I believe it. Thank you.

MR. DORSEY. Thank you very much. And I have no further questions, Mr. Chairman.

CHAIRMAN FLEMMING. Commissioner Freeman?

COMMISSIONER FREEMAN. I just want to thank you, Judge Sheets, and Mrs. Canson. I think that you have made an excellent contribution to this testimony. Thank you very much.

MR. SHEETS. Thank you.

MS. CANSON. Thank you very much.

CHAIRMAN FLEMMING. Commissioner Ruiz?

COMMISSIONER RUIZ. No questions.

CHAIRMAN FLEMMING. Commissioner Horn?

VICE CHAIRMAN HORN. I'd like to add to Mrs. Freeman's thanks. I'm most impressed by your testimony and the eloquence with which you gave it, and the very real feeling of generations that goes behind it.

MR. SHEETS. Thank you.

CHAIRMAN FLEMMING. Mr. Buggs?

MR. BUGGS. Just echo the same thing.

CHAIRMAN FLEMMING. All right.

MS. CANSON. May I, Mr. Chairman, just say one thing?

CHAIRMAN FLEMMING. Yes.

MS. CANSON. There are located five branches of the NAACP within the geographical boundaries. Two of them, three of them are represented here today. It provides an excellent mix all the way from the branch in San Fernando that deals with those who are open advocates of racism to blacks, and I want to simply say, your timing is good. I hope that you have served to blunt the trend toward the politicizing and fear-spreading that I saw about to engulf Los Angeles, and it seems to me that maybe your presence was the only force that might have been able to do it at this time.

Thank you.

CHAIRMAN FLEMMING. Thank you very much. I want to express to you and to Judge Sheets my own personal appreciation for presentation that you have made. And Judge Sheets, in connection with what you referred to as the rhetorical questions, some of those questions dealing with basic issues are dealt with in earlier reports of the Commission. But the rhetorical questions that relate to Los Angeles will be dealt with in the report that we will file accompanied by findings and recommendations and we do appreciate your contribution very, very much.

MR. SHEETS. Thank you.

CHAIRMAN FLEMMING. We're now—this completes the hearing in terms of our listening to witnesses that we have subpoenaed. As I indicated at the beginning of the hearing on Monday, we have reserved some time for the—this afternoon to listen to unscheduled witnesses.

On Monday morning we indicated that anyone who desired to be heard should get in touch with our staff in the staff room and make arrangements.

We also indicated that we would hear persons on a basis of the first one to sign up would be the first person to be heard and so on down the line.

We also indicated that the last time for indicating a desire to be heard as an unscheduled witness would be one o'clock this afternoon.

Our General Counsel's office has presented us with a list of 17 persons who have indicated that they would like to be heard. As I indicated Monday, whenever we listen to unscheduled witnesses, we do apply the 5-minute rule.

At the same time, we indicate to the unscheduled witnesses that if they desire amplify their comments, they may do so in writing and their comments will be included in the hearing.

I'm going to follow a practice of calling the names of four persons at a time, and asking them to come up to the witness table. We'll be able to swear all four at once, and then listen to them, and then we'll call the next four persons on the list.

General Counsel will be responsible, or his associates for calling the witnesses, for keeping time, and indicating to me when time has expired. When it has expired, a witness may finish the last sentence, as long as it doesn't become too involved, A last sentence sometimes, that happens.

But again, I want to emphasize the fact that if the witness then desires to amplify her or his remarks, that we would be very happy to have them do that in writing and we will include it in the record.

Counsel will proceed to call the first four witnesses.

MR. LEE. John Caughey, John Caughey. Pat Benson. Ronald Wilkins, Ernestine Henning. Would you please sit in the order that I called you. John Caughey, Pat Benson, Ronald Wilkins after Ms. Benson and Ernestine Henning.

MR. WILKINS. Mrs. Henning could not attend. I'm representing both groups.

MR. LEE. All right.

CHAIRMAN FLEMMING. If you would just remain standing I can administer the oath.

[John Caughey, Pat Benson, and Ronald Wilkins were sworn.]

TESTIMONY OF JOHN CAUGHEY, PAT BENSON, AND RONALD WILKINS

CHAIRMAN FLEMMING. Thank you, we're very happy to have you with us.

MR. LEE. I'm going to keep time and what I'm going to do is at the end of three minutes I will raise my fingers, three fingers to indicate three minutes have elapsed.

When you have 1 minute left, I will then raise one finger. And then call time after 1 minute.

MR. CAUGHEY. I'm John Caughey, 1897 Mango Way, Los Angeles. I'm a historian, a professor at UCLA, retired. I'm also co-chairman of education for ACLU. And for a long time have been active in the efforts to bring about integration at the schools in Los Angeles.

With my wife, we have produced the largest bulk of writing of a scholarly sort on the school segregation in Los Angeles, and the efforts to get rid of it. Some of this material was passed over to the staff some weeks ago, and I hope is part of the record, particularly hope that this book, *To Kill a Child's Spirit*, is part of the record of this hearing.

It, like the volume that staff brought out, is in essence a case study on how to avoid bringing about integration of the school system. That isn't what I hoped to be writing about, but that's what the facts dictated, and I would say that is true of your book in spite of the more optimistic heading, "School Desegregation In Los Angeles" which is somewhat like the heading "The Snakes In Ireland" on a book. And the entire content of that book is there are no snakes in Ireland. There has been no school desegregation in Los Angeles to date.

I'm undoubtedly—you are all aware that you have come to a city that is predominantly white; that it is located in a county that's still more white, and in a State that is whiter still. We have, in this city, in the population, approximately one black in five, approximately one Mexican American in four, and there are other minorities of smaller size. Basically, this is not a segregated city.

None of the agencies of city, county, or State government impose segregation or enforce segregation in Los Angeles. The one great exception governmentally is the Los Angeles Board of Education, which does assign children to segregated schooling, and has increased over the years the number of children assigned and the number of schools segregated.

It's so-called integration efforts have not changed one segregated school to integrated. It has put forth some effort to enable minority children to go out into nonsegregated schools and there occurs something like the integration of nonsegregated schools, but that obviously is not the kind of integration that will solve the problem of eliminating the segregated schooling that exists in Los Angeles.

In the time available, I'd wanted to talk on three points, and to compare two systems. One of these is the way to identify segregated schools in a city such as Los Angeles. And I would submit to you that any school which has a preponderance of minority—of pupils of one minority is going to register in this environment as a segregated city—segregated school. Any school that has a combined minority that is a preponderance in the school is very apt to register as a segregated school.

We have quite a good many of both of those types in Los Angeles. Some of them I'm sure are functioning as integrated schools, especially those with combined minorities of a United Nations-type, spread, which many people who are familiar with them insist do function as integrated schools. They should be subtracted from the list.

But here is a substantial list in the other two groups. The—let me say something about the impact of *Crawford*. The plaintiff class in *Crawford* consists entirely of the pupils who are assigned to segregated schools. No other student in the Los Angeles system falls into that class. Those who are in the nonsegregated schools are not in the plaintiff class for whom relief is sought. They have, at least in theory, all the benefits that is asked for pupils who are now assigned to the segregated schools.

Let me say also that the—the—another impact that should come from *Crawford* is that the—the order, the essence of the order in *Crawford*, is to eliminate, well first, is come in in with a master plan that will show how the, over some period of time, there will be an elimination of segregation in all of the schools in the Los Angeles District. This is the—this is the punch line in the decision of the United States—of the State supreme court, that this order is affirmed and is to go into operation. This is oftentimes overlooked by those who only read the State supreme ourt decision and do not look ahead. Do not look to the writ of mandate of 1970, in which this order was set forth.

I see I'm not going to have time to compare two methods of integrating, one that the district has followed—

MR. LEE. Our time is just about up, Mr. Caughey, I'm afraid.

MR. CAUGHEY. Which has been on a purely voluntary basis, and helping some children to escape from segregated schools.

MR. LEE. Mr. Caughey, your time is up, I'm sorry.

MR. CAUGHEY. Well, I thought I was allowed to finish the sentence.

MR. LEE. I'm sorry, please finish the sentence.

CHAIRMAN FLEMMING. You may finish that sentence.

MR. CAUGHEY. Well, I warn you, it is a two-clause sentence. First of all, but I shall try to say it as rapidly as possible.

What the school district has been working on and what it seemingly is planning to work on is an essentially voluntary program of removing some pupils to integration. Whereas the plan that ought to be brought into effect, and the only one that can be effective is one that attacks segregated schools, and proceeds school by school to change that school over from segregated to integrated.

That's my sentence.

MR. LEE. Thank you. Would you like to submit that for the record, Mr. Caughey?

MR. CAUGHEY. Yes, I shall.

CHAIRMAN FLEMMING. We would appreciate it if you would submit the statement that you were working from for the record.

MR. CAUGHEY. I shall do so.

VICE CHAIRMAN HORN May I suggest also, Mr. Chairman, that in view of Dr. Caughey's leadership here, that he also be permitted to give us some excerpts from his book, which was a pace-setter in this area. Since we cannot reprint the whole book in the record, perhaps we could reprint some significant paragraphs.

MR. CAUGHEY. Yes, you have already done so to some extent in your staff report, preparatory of this meeting, and you are fully at liberty to reprint anything in this book.

CHAIRMAN FLEMMING. Thank you very much. We appreciate your being here with us.

MR. LEE. Ms. Benson, would you like to begin?

MS. BENSON. My name is Pat Benson, I represent the American Friends Service Committee, Pacific Southwest Region, Education Program Committee— in the L.A. concern.

I'm a third world media journalist in the area of education. Member of the National Council on Black Children, member of the California Association of Compensatory Education, that's Title I, and an inner-city parent in the Los Angeles Unified School District, Area E.

I've resided in Los Angeles for approximately 4 years now, just a little bit over that. One of the basic concerns that we have is that, with due respect to the professionalism of the people that you have heard in testimony up until now, there is an inbred structural racism in the city which cannot be denied. Inbred and structural is something that I know you can identify with, and it is something that is de facto, de jure, and very difficult to wipe out.

The Los Angeles Unified School District, however, does have within its structure, methods available to it to wipe out just this kind of racism. They have made in the positive line an effort to establish a multicultural textbook committee, comprised of people who are ethnically identifiable and proud of it to themselves. And I have worked very shortly with these people and understand that they are correct in their assessments of textbooks and I respect their opinions and they are doing a good job. That's a positive line.

However, in the negative line, the Los Angeles Unified School District, as well has its own television channel, which may not be receivable by all members of its Unified District Community on the air waves. However, it is cabled to some sections of its schools, and receivable by air waves to some schools. They have not utilized to its maximum potential this communication arm of its own body, to help the people to ethnically identify with themselves, to have pride in themselves and go along with the other things I know you're concerned with.

One of the other concerns that we have is that in terms of the Citizens' Advisory Committee on Student Integration, we know that there are people who literally work eight and a half hour jobs all night, go to meetings in the morning, go home to two and a half hours and sleep, see their babies and go back out to meetings in the evening because they are so committed. In terms of the school districts' finance problem in support of CACSI whereas they can establish a seven to zero vote yeah for staff requests, they cannot establish that kind of vote for CACSI's supportive services.

In an assessment on our part, we feel that the Citizens' Advisory Committee is not being given the due respect in terms of its own

professionalism, being the parents and the community people that they are.

In terms of the clergy and my—thank you, and my experience, I am an integration parent from the City of Rochester in the Year 1971. Working under the auspices of the Genesee Ecumenical Ministries Urban Task Force on Education. There is no such ecumenical ministries task force in this city. There is conversation among the ministries, but we do not feel that the conversation is strong enough at this point to conduct the necessary climate for the people to respond. Okay?

The police department and the sheriff have established certain administrative priorities for which they are to be commended, however, informed sources at the various levels of rank and file in this city say that the conversation of the rank and file is what do we have new that we are going to be ready to use in terms of weaponry and strategy? That is not acceptable to the people of Los Angeles, nor is it acceptable to the Friends Committee, for as you know, we are propagators of nonviolent pluralistic existence.

You cannot get within the structures of these organizations to advise them simply because they will not hear you. If you have not worked your way up through the organizations, you may not be respected. This is the kind of inbred cultural discrimination that exists. Parent involvement in the Los Angeles Unified School District is a specific, in that you are invited to participate from Point A to Point L, but you may not progress from Point M to Point Z. If you do, then the system will try to apprise you of its own commitments. So that you can be structured into the system beyond your own priorities.

In summation, we think that the district and the city and the county have the facilities to do what is necessary, but that they need prodding and we thank the Commission sincerely for their appearance in the city prior to the fact. Because you have brought some people from their drawing boards to the line of public opinion, and perhaps now they will go back to the drawing boards and speed up their time lines.

Thank you.

CHAIRMAN FLEMMING. Thank you very much.

MR. LEE. Mr. Wilkins, you're next.

MR. WILKINS. Thank you. My name is Ronald Wilkins. I serve as chairman for the Sixth Avenue School Advisory Council. I am also a member of the Concerned Educators and Black—and Parents Organization.

I'd like to speak from a prepared text, if that's okay.

The carefully staged conspiracy by the Los Angeles Board of Education to devise an unfair yet acceptable integration plan is being unmasked and called into question throughout the district. Growing numbers of politically conscious and socially responsible people insist that quality education and a fair share of teaching positions must serve as the foundation for any successful integration plan. Otherwise such plans are unworkable and useless.

Needless to say, it is black people that the school system has most decisively failed. Yet as usual we are making the greatest sacrifices to end segregation voluntarily and involuntarily. In a fruitless effort to disguise the magnitude of classroom instability in inner-city schools and play down what is obviously the wholesale removal of black teachers and resource personnel from these same schools, concurrent discussion of student and staff integration in board sponsored meetings are avoided.

It is racist and unjust to base district-wide teacher assignments on a 70 percent white and 30 percent minority basis when proven discrimination in hiring and contracts relative to blacks exists.

Furthermore, the 16 percent quota for black teaching positions is not being fulfilled, particularly in the Valley, and recently when new contracts were awarded, black teachers received a mere 13.6 percent of them.

Yet the board continuously claims that its affirmative action program is working to alleviate these disparities. It is acceptable for white teachers to reflect the white ethnic compositions of student enrollments and hold 70 percent of the teaching assignments everywhere in the district. Yet blacks are accused of being separatists and racists for insisting that teaching staffs in predominantly black schools be 70 percent black.

According to board of education statistics, 45 percent of minority teachers have been displaced since the inception of this misnamed staff integration program. Yet minorities account for only 29 percent of the total teaching staff in a district whose pupil enrollment will be overwhelming majority in a few years 80 percent.

Yes, our goal is quality education. Yes, we think the real issue in education, just as it is with every other aspect of our lives is the acquisition of power, and not stale concessions such as compensatory and remedial tokenism, multi-cultural absurdity, advisory councils and bogus school integration plans that offer us illusions of power and of being equal while the causes and consequences of our political and economic impotence remain unchanged.

It is not enough to have equal access to an education that is failing even most white pupils. The instructional programs are so outmoded that they hardly manage to prepare us for the new—for the few unskilled, demeaning, and low-paying jobs that are available.

Those end products of the Los Angeles school system that aren't rescued by such jobs become the victims of unemployment, prison, welfare, accidental death, and suicide.

The role of education is no longer that of simply preparing us to increase earnings and buy more goods. Education must prepare the present and future generations of our people to reason, investigate, and ultimately govern a society that has failed them.

Even worse, the primary and secondary curriculums in our schools do not provide us with meaningful political solutions to the present so-

cial crisis in our communities or the society as a whole. Education must be for the changing of society in ourselves if it is to be meaningful. It must be accurate and relevant; it must stress principles and values that confirm human dignity and human development is more important than material development and the gross national product.

We want the best facilities, texts, equipment, instructors that the society is able to produce to be made available to our youth. We want role models in the classroom who are informed, creative, just, unselfish, and sensitive to the needs of black youth. If the board and its Citizens' Advisory Committee on Student Integration recognized and appreciated our needs, they would not need to ram down our throats an integration plan that seeks to compromise us to the point of betraying our own interests.

Despite board boasts to the contrary, affluence at anyone's expense or semiskilled labor market are its educational goals. These are the chilling realities, whether or not a people is white, brown, black, or whether or not he or she graduates from an integrated school or a quality school.

The Citizens' Advisory Committee on Student Integration has, for its part, consistently refused community input and proposals that were out of line with board wishes. Those appointed to CACSI, with few exceptions, represent either board financial or political interests, and as such are only in opposition to—are not only in opposition to community needs, but are without real roots in their respective communities.

The chairman of CACSI himself sought to intimidate community persons invited to one meeting with the threat of police being called when CACSI proposals were challenged with too much persistence.

At a subsequent CACSI meeting, community people were required to write questions on cards rather than address questions or comments to CACSI panel members verbally. The more embarrassing and provocative questions were underhandedly and methodically censored and were not responded to.

MR. LEE. Mr. Wilkins, you have one more minute.

MR. WILKINS. Thank you. Eventually CACSI meetings in most areas of the inner-city were hosted by increased numbers of plainclothes security in an effort to stifle public disapproval and outrage at CACSI composition, claims and proposals.

It is also worth noting that while CACSI boasts a 120 member group, only 36 or even less of the original appointees are active. While CACSI passed a motion 6 months ago which speaks to improving the quality of education with any integration plan, no such plan or guarantee for quality education exists.

The State supreme court in its opinion in the *Crawford* suit expressed confidence on page 48 that quality desegregated education would be provided. We, too, insist on its inclusion in any integration plan.

In conclusion, it is easy for us to see that the only victors in this very costly game of education politics may well be the Los Angeles Board of Education. Unless, of course, this Commission fulfills its responsibility to 600,000 young people who desperately need a meaningful education.

For our parts, we will not stand idly by and allow black teachers to continue being the losers at the hands of an irresponsible board that managers to operate in the public's name. Know also that we will no longer allow our youth to mark time as expendables in a school system organized for their destruction.

Thank you.

MR. LEE. Thank you, Mr. Wilkins. Mr. Wilkins, would you like to submit that for the record?

MR. WILKINS. Yes.

MR. LEE. THANK YOU, MR. WILKINS. MRS. BENSON, MR. CAUGHEY.

CHAIRMAN FLEMMING. COUNSEL WILL CALL THE NEXT FOUR WITNESS.

MS. ORVIS. Celia Leary, Daniel Smith, Howard Watts, Phlym Winge. If you would come forward please.

Once again for the reporter; if you sit in the order in which you called, he would appreciate it. It's Celia Leary, Daniel Smith, Howard Watts, Phlym Winge. Thank you.

CHAIRMAN FLEMMING. All right. In order now? If you would stand so I can swear you in as witnesses?

TESTIMONY OF CELIA LEARY, TEACHER, LAUSD; DANIEL SMITH, SOUTHWEST COMMUNITY ORGANIZATION; HOWARD WATTS; PHLYM WINGE

[Celia Leary, Daniel Smith, Howard Watts, and Phlym Winge were sworn.]

CHAIRMAN FLEMMING. Thank you and we're happy to have you with us.

MR. LEE. After you have talked for 3 minutes, I will hold up three fingers and then one more minute, I will hold up one more finger. Five minutes.

Ms. Leary.

MS. LEARY. I am Celia Leary, a teacher in the Los Angeles City Schools. I teach reading and first grade children and in a segregated so-called United Nations School about 2 miles from here.

My main concern as a teacher is that the Los Angeles City School District operates a a double standard, and that it is bad for our children.

The *Brown* decision of 1954 was a long time ago and it's been 13 years since the beginning of the *Crawford* case, and still the board has not as yet assumed full direct leadership towards desegregation of the Los Angeles city schools.

If teachers conducted their business in such an indifferent manner, well, you can imagine what would happen. As a further example of

double standard, I have here two board publications of about 10 years ago; one, this one, was distributed to all teachers, this one was printed and made available upon request, but little or no attempt was made to publicize its existence.

This one is called the "Teaching of Values" and it lays out concepts of integrity, courage, responsibility, a sense of justice, reverence, love and brotherhood, and a respect for law and order. It be a guide for teachers to help them develop these virtues in their students.

This one is the report of the summer planning team of 1967. It contains a demographic study, much as the one that was presented here, a review of special funded programs and a careful, designed set of recommendations for developing plans for the integration of the Los Angeles City Schools beginning immediately as of then, December 1967. And I may add, it's still a first-rate document.

When this proposal was presented to the board, they thanked us for our work and practically ignored it. They hope, I'm sure, that we would go back to our teaching of integrity, courage, responsibility, sense of justice, reverence, and love and brotherhood, and a respect for law and order.

This atmosphere is, this double standard, this "Do as I say, not as I do," I submit, is far more damaging to our children than any of the possible dangers that many parents fear in the desegregation, it is subtle, but insidiously dangerous and is condoned by our district even today.

I hope that your being here today will change all this.

VICE CHAIRMAN HORN. Thank you very much for your testimony. We appreciate you joining with us.

Counsel will call the next witness.

MS. ORVIS. Excuse me, Ms. Leary. If you would mind, could you just state for the record specifically the names of the books that you just mentioned?

MS. LEARY. Yes. This one is call "The Teaching grades 1 through 14," and it is a publication Number GC15 of the Los Angeles City School Division of Instructional Service.

This one I have filed with your staff. It is called "Report of the District Planning Team, Summer 1967" of the Los Angeles City Schools.

VICE CHAIRMAN HORN. Will Counsel assure that we have got both documents on file with the Commission so that we can pursue it as the report is written and developed?

MR. LEE. Yes. Will the second witness state your name and organization, please?

MS. SMITH. Daniel Smith, the Southwest Community Organization, and we are concerned with you still—the idea of you thinking mixing the staff was integration. Now I know you know better than that. Mixing of the staff in the so-called minority community, it has always been more so-called other people than minority people in the black community, and I assume it's been like that in the Mexican American.

And now, you finally got to 40 percent in some schools, 30 percent in some, and maybe one or two 50 percent, but like it was stated here by this gentlemen, you have taken that away.

Now, I was under the impression, I was told in Area E by somebody there in charge that the inner-city schools, which is supposed to be the black and the Mexican Americans, is the ones where the teachers—every day you get—these schools get a different substitute? It's a white teacher or non-black teacher that doesn't want to teach in that area, they call there and then they are only there 1 day and then the next day they send somebody else.

So, therefore, the students are not being taught in their main subjects, such as math and reading and English, and so forth, you know what main subjects are. Those are the ones that are suffering in the black community.

But in talking to some teachers that teach in East L. A. Now they say that is not happening there. Now they also said that teachers change has not been because they had an ethnic balance when they started all this, but some of the so-called black schools had what they call, a so-called ethnic balance, but they changed all of the good teachers.

I was concerned about this so-called *Brown I*, the very idea of them saying that blacks are inferior because they're brought in all black schools, that is a lie, put that down, that is very much a lie.

Now before all of this so-called integration come up, when you had nothing but so-called segregated schools, blacks, what they were taught, they certainly were not inferior, but it's whites who are inferior, non-blacks, not the mixing in, in the first place, it's human relations—did you cut this off—it's human relations to mix and to get acquainted with other people. That's human relations.

So the whole thing is inferior if you want to put it that way. But just—you—a person can learn how—skills and things without mixing, and they can learn the skills without mixing, but being that you claim that is what you want, and actually it's justice, and then you should have some mixing, but okay.

Mixing is not a one-way street like you have been headed, so I don't know what you people are supposed to be representing. I suppose you are supposed to be representing the government.

This so-called affirmative action is racist, and if you are part of that, put that down and work on it, because all all they do is eliminate blacks and replace them with Mexicans or Spanish-speaking Americans or some other so-called minority, which you're not solving the Mexican's problems when you do that, and they should recognize it, because by taking what belongs to somebody else, but they should have what belongs to them, not somebody else's, because they'll never get what belongs to them by doing that.

We have a concern about this board. I went down there to one of the teachers and parents and meetings, and they had all so-called

responsible people. You know what they're supposed to be, affirmative action and over the substitutes and all this. They got up and gave a lot of rhetoric, but when people began to ask questions, they would just hoodwinked it off by a superintendent. Superintendent Johnston—

Ms. ORVIS. Ms. Smith, your time is up. If you could just finish your sentence.

Ms. SMITH. Okay. There is no dealing with the issues, and there is no quality education going on in the black community right now. And those people sitting up there on that board, this is a means of racism, to even delete the amount of education that have been going on in these black areas.

Ms. ORVIS. Thank you very much. Could the third witness identify himself, please.

MR. WATTS. Yes. My name is Howard Watts, and I am an observer at the Los Angeles Board of Education as a private citizen, nonparent.

First of all, I'd like to ask this Commission, since it is within the realm of public records, to have a copy of the speakers' list of the open session. The bureaucrats that I've talked to said that they could not give it out. I'd hope that doesn't take off of time that. I am trying to get my point across.

First of all, in 5 minutes it doesn't do us justice to do—a chance or give us a chance to really give you any input. Like at the board we can only have 5 minutes there, too, and everything else is ended.

Under an issue that came to one of the committees of CACSI, the Emergency School Aid Act was brought to that body and they asked that members of that committee be a part of the eSAA grant, that the board of Education is going to put in an application for in January.

Personally, I think that is against ESAA's guidelines because these people are still playing around with integration. Integration has not come into the school district. They may not be part of the committee.

On the more broader statements, I have a lot of materials that I've had to pay for of where many other people in this district, and these are the maps of the racial and ethnic survey of 1975 of the different ethnic groups in the school district.

I also have a copy of a document that I just got along with this, and it's called the "Basis for Planning 1975—1980" Johnston's name is on it, January of 1976. This is supposedly \$5 that we have to pay for it if we are not a member of their elite group.

The members of this committee were appointed mainly by pressure groups within the board of education and within the staff. This is a list of their membership.

I have also a reproduced statement of the Austin court case by the United State Supreme Court. A PELA, Professional Educators of Los Angeles, members of whom you did not subpoena, got this from one of the radio stations right over the phone, and they reproduced it on a typewriter.

Another issue that is very important. Many, many amounts of money have been spent already for integration in the school district, not directed to integration, but spending of money for staff committees, for so-called visits to other cities, for so-called curriculum committees, and when we see it we have—all we have got is a document that shows a transfer of funds. We don't see who's involved. We do not see the items, and we do not see a final report as to what happened on those committees and at those trips, when those trips occur and when they end.

The way we find out some of the information is by the minutes that we are able to gather from the CACSI group.

Last night I was at the CACSI group, and I just about flipped. They came out with a resolution or a motion that they, somebody on the committee, to try to get a survey taken. That survey was voted down by the CACSI group because they didn't want the general public to know what they were doing. They don't want the parents of this school district and nonparents and voters to find out what they are doing. We never have a chance to speak at this CACSI group, meetings, committee meetings, or full committee. Out at Forshay Junior High they had a community committee meeting. There is where they had these cards that you're supposed to write out the questions, and you could not object to integration. I happen to feel that until integration comes into the school district the way it should be, and that is by one version, and that is having every people, all the people involved, not having just a certain group, and certainly the pressure groups are not part of our school district, and those consultants are certainly not a part of our school district, such as Chicago, Illinois, and Long Beach, and other places where these consultants are coming from.

VOICE. Thank you.

MR. WATTS. I happen to thank this Commission, but I don't think they have a right to get involved in our local jurisdiction. I think the board of education, if it has to be is, we should kick them out and get members on the board that are going to do the job, where you the Federal Government stays out of our business on a local level.

Thank you.

MS. ORVIS. Thank you, Mr. Watts.

VICE CHAIRMAN HORN. Counsel will call the next four witnesses, please.

VOICE. Dorothy Rochelle, Mary Montez, Jeffrey Horton, and Jo Kate Stern.

VICE CHAIRMAN HORN. If you will stand—remain standing and raise your right hand, and if you can move down one chair, please.

VOICE. I want you to sit in the order you were called.

VICE CHAIRMAN HORN. If you would raise your right hand, please.

[Dorothy Rochelle, Jo Kate Stern, Mary Montez, and Jeffrey Horton were sworn.]

TESTIMONY OF DOROTHY ROCHELLE, JO KATE STERN, MARY MONTEZ, AND
JEFFREY HORTON

VICE CHAIRMAN HORN. Please be seated.

MR. LEE. You have 5 minutes to make your statements, and when you have gone through 3 minutes I will raise three fingers, and when you have 1 minute left, I will raise one finger.

MS. ROCHELLE. My name is Dorothy Rochelle, I've been a Title I parent in the Los Angeles City Schools and I'm here as a parent representing myself. I want to congratulate you for coming. I wish you had come earlier and I hope you will come back again soon.

I think that your report will be not be complete. It will be biased because you have left out a big category of people who you have talked about for 3 days who should have been here to give their input and those were the Title I parents.

I want to raise some concerns that I haven't heard for the 3 days that I've been here. I want you to look at the Title I law very closely before you start fooling around with it. I'm not taking a position against following-the-child, but I do think you should have some dialogue with the advisory council, the President's Advisory Council on the Disadvantaged Child, the Lawyers Committee under Civil Rights, and the National Coalition of Title I parents.

I think when you start fooling around with regulations and doing what maybe you want to do for L.A., you have to realize what it might do in Danville, Virginia, or Topeka-Kansas. As you know, many school districts resist the advisory committees at the local schools now.

With the Title I at the target schools, what will happen to that money when it goes to suburbia and the parents are not able to follow that money and it becomes general aid? We, as Title I parents, we support categorical aid, and never will support the block grant that the money can be used in any way.

I think that the Federal Government has a tremendous responsibility to give this school district some money. It cannot do the job, and the little \$28 million is peanuts even if they could use all of that, you could not integrate this district with that type of money.

So I think you have a responsibility to get the money for L.A. from somewhere.

The second thing I want to raise is a bilingual education. I don't know if you are aware that a black child could walk in here now and speak to you for 25 minutes and you would not understand anything that he said. Many of our children do not speak or understand English as it is written.

And all of the money, the Title VII, the Title I, the State comp. ed. money, never addresses itself to the black child who does not speak or write standard English. And I think you ought to look at that.

Many black parents in Los Angeles are not aware of what's going on in student integration. We have a black education commission who has the responsibility of advising our board, and at that commission

there's no way for a parent to get their input in. You're not allowed to speak. Black parents should be represented not by personal people, but they should be represented by that commission and that needs to be looked at.

Many children come from Israel, Norway, and Sweden and they go into white schools, and they're speaking fluent English in a month or two. And that's because they're in an integrated setting and they're with children who are speaking English. So I'm not always sure that keeping children, non-English speaking together serves their best purpose. You learn best by being with people who are doing it every day.

I think that integration will work best in Los Angeles if parents, trained parents, sensitive parents, on both ends of the mountain are trained and paid, now. Right now. So 6, 8 or 10 months from now, they'll be able to help to implement whatever plan goes on.

Thank you very much and I thank you for bringing a shot of adrenalin to Los Angeles.

VOICE. Thank you. Will the next witness—

VICE CHAIRMAN HORN. Thank you very much. Your points will be well taken on Title I. As you know from sitting here, the Commission has had a line of questioning with various witnesses on the ramifications of the money following the child and the various regulations in a desegregation situation, and I want to assure you that we will take into account the national ramifications you talk about.

I must say I was fascinated that you mentioned that the black education commission does not permit parents to really talk before it. I, for one, had not known that before. I would certainly share your hope that there would be vehicles within the apparatus of policy formulation in the school district that would permit parent input on a citywide basis.

MS. ORVIS. Will the next witness state your name and organization please?

MS. MONTEZ. My name is Mary Montez, and I'm a parent. I have three children in the L.A. District. I'm also a member of CACSI.

One of the main reasons why I felt I wanted to come before you is because one of the issues that has not been raised—at least I'm not aware of it in the past—has been the transportation safety of the children.

We are very concerned. We feel that in order to integrate, there is not going to be anyway that we're going to transportation. The safety of the children is one of the most emotional issues now being brought up.

We have had several incidents of incompetent bus drivers and we feel that is very, very important to develop criteria which is going to ensure the best possible chances for the safety of our children. In other words, train these people that are going to be handling the buses.

Seventy percent of the score is based on the written test and only 30 percent of that score is based on the practical test. That means that they don't have that much time out driving which they base the score on. We're very concerned about that.

Also, the school district contracts other bus companies, and they don't have as much control over those other bus companies as they do over their own district buses. One of the things we're very concerned about is that no attempt has made as yet to either recruit, screen, or start anything in the way of training for these people that are going to be transporting our children.

There is a limit of 16 hours to any one day when a bus driver may drive. Some of these rules have been broken in the past. When a driver or when an applicant comes and applies for that position, there is no way that they can check on whether they have a drunk driving record before. It takes several weeks, 2 or 3 months before that is cleared.

Now we have had incidences where we have had drunk driving bus drivers and we've had to replace them with someone else.

And one time we had a group of parents that had to drive their children home. We are very concerned about these things. There is no way that we're going to have people want to cooperate if they're not assured of the safety of their children.

Okay. I would like to submit more of the statements or, these statistics, in writing to you at a future date.

VICE CHAIRMAN HORN. Please do, and we will put them in the record at that point.

MS. MONTEZ. Yes, I would like them to be I know that there's not enough time to go into this.

To touch on these things briefly, another thing, I think we have to have an emphasis on the fact that this is the first time in the United States that we have dealt with a tri-ethnic group as far as integration. I don't think enough emphasis has been given to the Chicano community, Mexican American, Spanish speaking, is the largest single ethnic minority group in L.A. And, it is projected that by 1980, we will be 35 percent of the population, and I think that is conservative. I don't think we have really emphasized. Integration in the past has been a black and white issue. Here in L.A. we're breaking ground. It is going to be a tri-ethnic issue.

One of the consultants that we spoke to that is supposed to be very knowledgeable in integration, at one of the conferences that we had, said, "I never knew that, I never knew that there were—Chicanos were involved."

Well, this just goes to show the lack of awareness, sensitivity.

Again, the board of education has to show leadership and sensitivity. I don't think any program can be successfully—how can I say—undertaken unless we have a sensitivity, leadership, follow through commitment from the board of education.

I think a very good example yesterday, I think we mentioned something about CACSI being underrepresented. I have some figures here that I'm going to leave with you that I think is very, very significant of lack of commitment of the board.

When they appointed the CACSI, the CACSI board, there was about 114 members. The Spanish-speaking members only made up 19 of those members representing 17 percent; we represent about 30 percent of the population. And I'm saying that all minorities were under-represented. The combined minorities in CACSI is 40 percent. The combined minorities of the student population is 60 percent.

In CACSI, we have the reverse. How can other people, the white majority, develop programs that are going to affect the minorities? We are affected whether we like it or not and we have to go with the law. Now I feel that if we're going to affect the majority of the people, then the majority of the people should be there helping to develop that plan which is going to affect us.

And the last statement that I want to make is in regards to affirmative action, again, the lack of commitment of the board to some of the things—

MS. ORVIS. Excuse me, Ms. Montez. Your time is up. Could you finish that sentence, please.

MS. MONTEZ. I will stop now. I will submit it in writing.

VICE CHAIRMAN HORN. Thank you very much.

MS. ORVIS. Will the next witness please state your name and organization?

MR. HORTON. Yes. My name is Jeffrey Horton. I am a teacher at Crenshaw High School in South Los Angeles. Crenshaw is, has an all-black student body and I'm here representing the Crenshaw High School faculty Senate. I would like to speak to you about what we have done at Crenshaw High School in preparation for next year's student integration and about what we would like to do.

Our actions have stemmed from two realizations. First, that desegregation is required of LAUSD in the fall of 1977 and is therefore imminent, and second, that this desegregation is long overdue and that integration of the city schools represents an opportunity for significantly upgrading the quality of education throughout the city.

Thus motivated, the Crenshaw faculty senate in mid-October requested that the administrator schedule a shortened day, staff development session on student integration. The request was granted and on November 2 the entire faculty met. The intent of this meeting was to inform the faculty of the developments in the area of school desegregation and to stimulate discussion along two lines.

First, as to what desires the faculty had regarding an overall plan, and second, as to what steps could be taken at Crenshaw towards the successful implementation of this plan.

The program consisted of brief presentations by representatives from the District Student Integration Resource Office and from the Integration Project, an ad hoc group which has studied integration here and elsewhere. These presentations lasted less than a half an hour and dealt with such areas as the Citizen's Advisory Committee on Student Integration's activities and guidelines, the history of the issue in Los

Angeles, the relation of integration to quality education, and the role of teachers in planning and execution.

The remainder of the time was devoted to the faculty discussion and questions. This meetings was successful in raising the level of awareness among Crenshaw's teachers.

Subsequent to the meeting, the faculty senate drafted two letters. One was sent to faculty chairpersons at all LAUSD schools and simply related what we had done and urged them to initiate similar discussion and planning.

The second letter was sent to the president of the board of education with copies to other board members, district staff, and faculty chairpersons at all schools with an 80 percent or greater minority enrollment.

This letter made two requests of the board; first, that there be no monoracial schools remaining under whatever plan was adopted, and second, that staff be provided to make plans for student integration and to open lines of communication with parents, students, and community members.

It is to this second issue I would like to address the remainder of my remarks. As a followup to the meeting and letters the faculty senate passed a resolution urging all department chairpersons to initiate discussion and planning within their departments on the effects of student integration. There are several obstacles, however, to the generation of this planning activity within the faculty, and these obstacles stem in large part come from the absence of positive leadership from the board and the district staff at this time in the area of student integration.

MS. ORVIS. Mr. Horton, you have about 1 minute.

MR. HORTON. The attitude is not uncommon among teachers, and for that matter among parents and students, that it pointless to do anything until plan is adopted. This obstacle to active planning can be overcome with immediate action by the governing bodies of this district to utilize staff development time to prepare teachers, students, and the community for student integration.

Without such support, our task is rendered much more difficult.

We at Crenshaw urge the board of education and the district staff to make provisions in January for the utilization of currently scheduled and additional staff development time to plan for student integration. Only a unified effort involving administrators, teachers, students, and parents can make mandatory desegregation into the occasion for a significant improvement in the quality of education in Los Angeles.

Thank you.

VICE CHAIRMAN HORN. Mr. Horton, let me ask you, on staff development, how much staff development time has existed to this date at Crenshaw in terms of educating and sensitizing the faculty there to work in a multicultural environment?

MR. HORTON. This year, the only time that has been spent was for the meeting that I described here. There is a program in Los Angeles, a three-point-three program which was designed to acquaint teachers with various ethnic groups and relating to them in the school environment.

But no time this year at Crenshaw has been devoted to that so it's only the meeting that the senate requested.

VICE CHAIRMAN HORN. When did you join the system?

MR. HORTON. This is my second year in the Los Angeles system.

VICE CHAIRMAN HORN. Were you given any staff development along this line prior to this meeting you described?

MR. HORTON. Last year I participated in two of these three-point-three programs, one on a specific group, namely the black child, and one generally on the ethnic groups in Los Angeles.

VICE CHAIRMAN HORN. Was it helpful?

MR. HORTON. I found that the three-point-three programs were not helpful, that they were poorly conducted and carelessly structured.

COMMISSIONER HORN. Is that the feeling of most of the faculty with whom you deal?

MR. HORTON. Yes. There seems to me to be a great deal of resentment at being forced to take these inservice classes which are not of particular value.

VICE CHAIRMAN HORN. Has the faculty suggested to the school administration what would be helpful to deal with their real problems?

MR. HORTON. We have, in the senate, we have several ideas as to what we would like to do. We would like to conduct some role playing sessions and things like that—curriculum expansion, plans, and so forth. Because of many reluctance on the part of the faculty to do anything until there is a directive from the Board and the district staff, it's sort of difficult to begin implementing there, but we plan to go ahead and request a time for these things.

VICE CHAIRMAN HORN. All right. Counsel—thank you—Counsel call the next witness please.

MS. ORVIS. Before I do that, would you like your statement for the record?

MS. STERN. Yes, I will.

MR. LEE. Okay. Will the next witness please state her name.

MS. STERN. I am Kate Stern. I'm the commissioner officially for the Los Angeles County Commission on Human Relations and unofficially as a vice-chairman of the community relations committee of the Jewish Community council, unofficially. What we are really talking about here and after listening to 2 days of discussion, it's clearer and clearer that we're really talking about attitudinal change and change there will be. The only unchanging fact of life is the face of change. And it's met always with resistance and with a certain amount of very definite discomfort. I listened yesterday and I had a strong feeling that there's a need for healing, that there's a need for understanding that every dif-

ferent group that has spoken has its own fears for different historic reasons that are a part of the pattern of their own unique heritages. And I think we need to understand this.

The old German poet Heinrich Heine lack the wonderful statement, "We cripple our minorities and then we blame them for limping." We are listening to the results of that crippling, day after day after day. I make no apologies for my own community. The historic record of the Jewish community has always been in the forefront of public of public education and of civil rights. Yes, we have our percentage of resisters, too, as does every other community, but the high priorities of education has always proven itself. And we and the Asian community have set those priorities, and it's no accident that out of seven Nobel Prize winners, four of them happen to be Jewish and one happens to be Asian. We're talking about the whole future of a viable democratic society, with the quality of the education that it has given as of now, and I, for one, refuse to accept that one member of the school board is symbolic and representative of the Jewish community. That individual is not.

We're talking essentially of—the key of what we are talking about is the quality of the leadership to affect change. And at this point in time we have reached the moment of truth. We can no longer tolerate nonleadership. The school board has got to take a leadership position that is positive.

The example of the president of our city council last week, who used a legitimate issue of zoning in the Santa Monica Mountains to create a devisive atmosphere in this community and say we would punish the Jewish inhabitants who are only a part of the Santa Monica Mountains by "busing in minority students," quote and unquote, from the *Los Angeles Times* was a total disservice to this community in terms of setting climate.

I hope people are sophisticated enough to understand who speaks for whom in this community, what political agendas are grinding; and there are many.

This community has tremendous wealth of talent, and those talents have to be used productively. So what do we do? I sat in with the chairman of the education committee of this Commission after the Watts tragedy. I have heard it all before 12 years ago.

Twelve years ago we were talking about the things that could have been done and still have not been done. We need a response from the media. We did a program called "Good Neighbors Come in all Colors" for housing; we need a "Good Education Comes in all Colors" right now.

There is a conference coming up here Degregation Without Turmoil. I would hope that all of our community representatives here are part of it.

I am concerned about the whole affair of middle management, and what the gentleman to my right spoke of as "intensive at competent

staff development." The parameters on a State level I refuse to accept cannot be changed. There can be changes? Legislators are elected by people and people need to put pressure for change. I hope that our Los Angeles resources can create a climate that obeys the law creatively and peacefully that makes the difference between a Boston and Minneapolis.

Thank you.

VICE CHAIRMAN HORN. Thank you very much. We appreciate having you, with your long record in human relations, join with us, and we appreciate the testimony of the other witnesses.

MR. BUGGS. May I take this—Mr. Chairman, may I also thank Mrs. Stern with whom I worked for many years, and to say to I guess Mrs. Montez that I certainly do sympathize with your concerns with regard to the safety of children who may be on buses going to school.

And I agree with you, that there should be training. I hope that some of the fears can be set at rest, however, by recognizing the fact that the safest mode of transportation in the United States today is the school bus.

MS. MONTEZ. May I respond to that? I realize that this is what we've been told, but you must understand, in order to have peaceful integration it's a very emotional issue and we are dealing with emotions. In order to have the most peaceful possible integration, and being because this district is so large in area, that there will be many, many buses more than any other city because of the impacted areas and the distances between those areas that this is an emotional issue that we can not sweep it under the rug, and I think we have tried for too long and we have to deal with this first or at least parallel to the concerns like curriculum and quality education, and attitudes and everything else that goes hand in hand. Without busing we will not achieve integration. Without safety in busing it'll be very difficult to deal with the citizens. The children are the most precious possessions.

VICE CHAIRMAN HORN. Thank you, again.

Counsel, please call the next four witnesses.

MR. LEE. Will the following please come to the stand? Dr. Forest Weir, Mr. Woodrow Rideaux, Ms. Abbyne Winge, Ms. Janice London, Ms. Cynthia Rushing. Please sit in the order I've called you.

Now, Mr. Rideaux, you first sit at the table there and then Ms. Winge and Ms. London and then Ms. Rushing. Dr. Smith, he's later. Thank you.

VICE CHAIRMAN HORN. Why don't we have the last—that's right, Dr. Smith. That's Mr. Lee. All right.

VICE CHAIRMAN HORN. Come on up. That's the last witness, I believe, am I correct, counsel?

MR. LEE. Yes. Dr. Ernest Smith.

VOICE. No, there are two Dr. Smiths.

VICE CHAIRMAN HORN. Two Dr. Smiths?

MR. BUGGS. Dr. Ernest Smith.

VOICE. They are both Ernests, and they both want to talk.

MR. BUGGS. Is that right?

VICE CHAIRMAN HORN. Shall we have both Dr. Smiths come forward. We might as well swear all of the witnesses at once.

A VOICE. May I say Mr. Avant is representing Mr. Rideaux who is president of the Los Angeles Branch of the NAACP.

VICE CHAIRMAN HORN. If you will please stand and raise your right hands and we will swear you all in as witnesses.

[The witnesses were sworn.]

MR. LEE. I will raise my three fingers when 3 minutes have elapsed, and I will raise one finger to signify you will have 1 minute left.

Would you begin, sir, state your name and organization.

TESTIMONY OF JOEL AVANT, ABLYNE WINGE, JANICE LONDON, DR. ERNEST SMITH, AND PROFESSOR ERNIE SMITH

[Joel Avant, Aplyne Winge, Janice London, Dr. Ernest Smith, and Professor Ernie Smith were sworn.]

MR. AVANT. Thank you. My name is Joel Avant and I'm the—

VICE CHAIRMAN HORN. Would you mind spelling that, please?

MR. AVANT. First name Joel, J-o-e-l, last name Avant, A-v-a-n-t.

VICE CHAIRMAN HORN. Thank you very much.

MR. AVANT. Again, I'm the chairperson of the educational department for the Watts Branch NAACP. And I'm standing in for Mr. Woodrow Rideaux, the president of the Watts Branch NAACP, who is unable to be here today.

I shall speak to the issue of school integration as it relates to the affirmative action employment mandates derived from the 1964 Civil Rights Act, and its amendment of 1972. And the sociopsychological climate for the implementation of an effective program.

We believe in an integrated education system, one that will facilitate the opportunity for an equal and quality education for all people. One that will provide an equal opportunity to participate in the political, social and economic development of our country.

However, statistical data published by the Los Angeles Unified School District, Publication No. 354, Racial and Ethnic Survey, Fall of 1975, presents the following: In regards to pupil and staff ratio in the district, Spanish surnamed pupil percentage 29.7, nonprofessional staff 3.9 Spanish surnamed, certificated staff, 5.9, which shows a deficit with respect to employment, 25 percent.

Black, 24.5 pupils percentage, nonprofessional staff 9.0, certificated staff 16.5, which shows an 11.5 deficit in employment percentages.

White 40.2 pupils, nonprofessional staff 70.0, certificated staff 71.0, which shows an excess of 34.8 employment.

We, therefore, believe that any plan that does not include corrective measures for the existing unbalanced employment and institute an affirmative action plan that will facilitate a decline in unbalanced employment will be in violation of the 1964 Civil Rights Act and its amendment of 1972.

We are confident that a pleasant psychological and social climate for integrating will prevail if and only if the public announcements are not violently based and oriented. Such negative attitudes, actions and approaches will cause a psychological reaction by the citizens which will create violent feelings leading to violent actions, which is a natural defense mechanism of all humans when threatened with violence.

Therefore, we feel that any responsible public education and public official who encourages violence by such subtle methods as publicizing anticipation of violence using unrelated historical events as reference; the Watts riots, the Revolutionary War of 1776, the Indian Treaties would be an act of deliberate—deliberate anti-integration, antihumanism, and antidemocracy.

MR. LEE. Three minutes have passed, Mr. Avant.

MR. AVANT. Thank you.

All we ask is an equal opportunity to live that we may live and help others to live, so that all—so that all will have the dignity and rightful place in developing a democratic system of life in our community and our country.

Thank you.

MR. LEE. Mr. Avant, Mr. Avant, would you like to submit that for the record, your statement?

MR. AVANT. Yes, thank you.

MR. LEE. We'll pick it up at the end. Will the next witness please state her name and organization?

MS. WINGE. My name is Abye Winge. I'm a parent and a member of the Watts Branch of the NAACP. I would like to state that the official position of our branch of the NAACP is that there shall be no integration plan until the board implements an affirmative action plan.

MR. LEE. Excuse me, ma'm, could you spell your name out for us?

MS. WINGE. A-b-l-y-n-e.

MR. LEE. Thank you.

MS. WINGE. There is no reason why the implementation of a realistic integration plan cannot be peaceful if the necessary steps are taken to lay the necessary groundwork including the opportunity for parents and teachers of the sending and receiving schools to sit down together and discuss their concerns and feelings about their children's new environment and what help the child and the parent can expect.

Parents have a right to know what assistance they can expect in making the transition as stimulating and educational one for both the faculty and the parent. We as parents do not want our children to be used as political pawns by persons in authority who have political ambitions such as the chief of police.

We believe that the Los Angeles Unified School system has an obligation to make sure that the advisory committees and PTA, which are the officially recognized entities of the school system, continues to provide the leadership and protecting the welfare of students. These bodies must not abdicate their role to a body whose function defined by law does not include running the Los Angeles City School system.

In carrying out the mandate of the courts, the school board has an obligation to make sure that at the same time a police state is not spawned by the very institution that provides educational direction for a democratic society.

If the integration plan is to succeed and promote the best in a true democratic society, then there are some other issues that must be addressed, some of which were discussed at a Community Under Siege workshop sponsored by the Watts branch of the NAACP and other supporting organizations of which I was a coordinator.

At that conference there was concern expressed regarding collective bargaining process, and whether or not the needs of the black substitute teachers are being met in the negotiations.

Also there was discussion regarding the level of commitment on the part of both the teacher's union and the Los Angeles School District in the contractual hiring of black teachers districtwide to meet the affirmative action guidelines.

Since we black parents who send our children to the Los Angeles public schools cannot shop around for the best educational buy such as private schools etc., we are compelled to buy with our tax dollar the educational product and services presented to us whether we wish to or not.

Therefore, the time has come for parents to become actively concerned about and interested in the employment relations and arrangements of the teaching staff. This interest should be supported by your Commission, because our children are on the receiving end of what comes out of those bargaining sessions. The negotiation agreements impact upon the amount of monies available for the number and kinds of books placed on library shelves and utilized by the teachers and students as well as the amount and kinds of science equipment and the quality of curriculum material and most importantly, the ego building opportunities provided black children within the classroom and outside.

The time has come for parents to begin to monitor the financial arrangements of employment working conditions, benefits, etc., as well as seek to open up the bargaining process to address the social injustices that affect the hiring of black teachers districtwide to meet the needs of black children and their self awareness. In this system where the teaching staff is made up of a majority of other/white.

MR. LEE. Three minutes have passed. I'm sorry.

MS. WINGE. And where the majority of students are minority, it is most important that black parents become actively involved in having input into how that tax money pie is cut for teachers' salary, fringe benefits. Speaking of fringe benefits, we pay millions of tax dollars through the State legislature into the teachers' retirement fund, which again must soon be analyzed.

When a school system such as the Los Angeles Unified School District operates from a base of white majority adult population and a

white minority student population, we cannot any longer close our eyes to the racism that is responsible for this dilemma. All of which makes it possible for white teachers and administrators to receive lucrative salaries to underwrite the education of many of their own children in private schools. The treasury will continue to be rated at the expense of disenfranchised substitute teachers, contractual teachers and our children, if we are not watchful.

Also, the time has come for the United States Civil Rights Commission, the courts, and the Los Angeles City School system to examine the safety precautions and practices regulating the protection of our children on school buses. Each year the Los Angeles City School District, and Occidental Life Insurance Company enter into contractual arrangements for school hour and 24-hour protection of children on an optional basis and underwritten by individual parents. Many, many parents whose children ride the school buses cannot afford to buy the insurance. These parents cannot afford individual transportation back and forth to these schools. In addition, many of these parents cannot travel to those distant schools to protect and address the needs of their children in their parent-teacher-student relationship programs and problems.

The school district and those companies with which the district maintains contracts provide a general liability insurance which covers school buses and their drivers only. They do not carry passenger insurance. There must be passenger coverage for our children. The school system has a moral obligation to provide protection for our children just as protection is provided athletes, school nurses, counselors, and principals of schools as a group.

The Los Angeles school system has an obligation to act on these issues now.

MR. LEE. Thank you. Thank you very much. Would you like to submit—

VICE CHAIRMAN HORN. I wonder, Counsel, at this point in the record, I'd like an exhibit that asks the school district just what they are spending on insurance for liability, especially in pupil transportation, and any other area, and to what degree this protects the students involved. And the name of the companies with whom these contracts are placed. And without objection, it'll be inserted into the record at this point. Thank you very much.

MS. LONDON. My name is Janice London, and I'm a parent and a member of an advisory council, local advisory council, and a PTA.

I have presented my speech to the Los Angeles School Board, and I'd like to present it to you.

My name is Mrs. Janice London. I am a parent who is active in a parent advisory council and a local PTA. I speak as a representative of parents who expressed concern about the integration plans at a recent workshop of the Watts Branch of NAACP.

I speak concerning the educational process of black children as well as their safety. I speak concerning the attitudes of white teachers recent to the black schools, and I speak concerning the hiring practices of the board.

Throughout our country's history, white Americans have fought the rights of black people to education. They have preserved a segregated society in their churches, women's clubs, beauty shops, and schools. They have used black people at their whims as scapegoats to build their own egos.

These inequities have been endured by us and our foreparents and have taken a heavy toll on our children. Therefore we feel that any integration plan proposed must include these items:

One, a program to build the black image which has been distorted and twisted by past injustices and by our present social and economic environment. Our children must have black teachers and administrators for models and for understanding their problem of blackness.

It must include programs of self-awareness and ego building. These programs must have their conception and implementation by black teachers. It must exclude white teachers who through past experience or testing have shown the following: a belief that black children are intellectually inferior to whites; a belief that black children are behavior problems; that they must be punished by any means and at all costs, including police in the schools with no plan for constructive programs; a distinct dislike for black people and an unconcern for black children as shown today by excessive absenteeism, poor classroom control, lack of continuity in the educational process, and a refusal of some teachers to teach black children.

In addition, the plan must represent our concerns for the safety of our children. This plan necessitates parent aides and not security guards to ride buses as well as a group insurance plan covering these children and aides at no cost to either.

It should include parents as monitors of the collective bargaining process and it must issue bilateral motion or two-way busing.

The black parent will not accept willingly a jig saw diploma which testifies simply that he was at school, although he can't read and he can't write. We want our children to grow up feeling equal and comfortable and at home in the world in which he lives. We want for our children nothing more than every other mother and we will accept nothing less.

VICE CHAIRMAN HORN. I assume, Mrs. London, that you would, in your list of things you object to with white teachers in terms of lack of sensitivity, would say that you would just as soon not have a black teacher that has those characteristics either? Because I have seen both have those characteristics in the public schools of Washington, D.C., and I assume people are people around the country, and there are some poor teachers regardless of race, and good teachers regardless of race.

MR. LEE. Mrs. London, would you like to submit that for the record, your statement?

MS. LONDON. Yes.

MR. LEE. Thank you. The next witness please state her name and organization?

MS. RUSHING. My name is Mrs. Rushing, and I'm a parent and a member of the Watts Branch NAACP.

MR. LEE. Go on, please.

MS. RUSHING. I made this presentation to the school board, and now I wish to make it to you.

My name is Mrs. Rushing. I'm speaking on behalf of sincere teachers who chose not to be here tonight. I present this complaint to the Los Angeles Board of Education through the Watts Branch NAACP Conference of November 20, 1976. On behalf of sincere teachers opposing racial balance of teachers, the present plan violates the concept of integration. It implies a racially balanced staff polarized by race. It proposes to balance teachers staff without recognizing the polarization of neighborhoods which would suggest equal exchange of personnel.

Instead, it presumes the matrix of all schools to be white with minority tokenism. The entire premise is false.

Neither professional nor nonprofessional staffs reflect the racial or ethnic backgrounds of the public population as a basis for hiring.

Statistics of Fall 1975, show that 59.8 percent of the student population are minority, while 70 percent of the teacher force is white. Present birth trends will cause a further drop in the white percentage. Who will fill the suburban schools? Who will the white teachers teach?

The issue is one of economics. The rule of 35 percent minority teachers in minority communities and 15 percent minorities in white communities show that racial balance has already occurred as only one ghetto area with a 90 percent minority population, has 50 percent minority teachers, and only one white area where a white pupil population of 80 percent has a minority teacher force over 15 percent.

The term minority is whimsical and black teachers may not necessarily be represented equitably in any given minority composition, since that composition is arbitrary and not based on population.

Racism or white preference is shown by the statistic of the non-professional staff. Understanding the historical difference in educational opportunities between whites and nonwhites, the professional overrepresentation of whites is not balanced by the nonprofessional overrepresentation of nonwhites. Only 9 percent of the clerks, cooks, janitors, aides and so forth are black, while 79 percent are white.

Tenure was offered to white substitute teachers coming to the violent ghettos. In addition to demoralizing the black community, it increased white employment. No equal opportunity was presented to blacks. Black tenure and experienced teachers were sent to the white areas replacing inexperienced transferees to the ghetto. They were interviewed, accepted or rejected individually. The same process did not occur in the ghetto. This rebukes the concept of lottery.

Black long-term substitutes are abolished or reduced to day-to-day substitutes since positions designated for whites must be filled by whites.

Economics again. High absenteeism and inexperience of whites, low teacher morale and removal of large numbers of tenured teachers from some schools as high as 75 percent has affected pupil discipline and the already poor performance of black children taught by a predominantly white staff previously is further eroded presently.

We feel, therefore that this present plan innocently or deliberately reverses affirmative action, increases white employment, during a decline in white pupil population, and reinstates a teaching staff within the Los Angeles School system reminiscent of white supremacy of the past.

VICE CHAIRMAN HORN. Mrs. Rushing, I'd like to ask Mr. Dorsey, in previous day's testimony I've pursued exhibits of the relative balance of full-time, part-time, substitute faculty, in primarily majority and primarily minority schools. Do you have from the Los Angeles Unified School District their affirmative action statistics as to vacancies that have occurred in the past 3 years, let's say. The number of applicants and whether they were white, Mexican American, or black, and just which of those categories did certain percentage hiring occur? Have you got that information in your interviews?

MR. DORSEY. No, we do not. Our information on racial breakdown did not go by substitute versus regular—

VICE CHAIRMAN HORN. Well, may I suggest that as an exhibit at this point in the record, we go back to the school district and we pursue this question since it's a very real question in terms of parents and many others that have testified, as to just how many job vacancies have been opened; what type of individuals have been hired in that; what was the relative experience; are we talking about substitute teachers being tried out over *X* number of years and eventually being blanketed in? That's not an uncommon practice in both pre-college and college educational systems.

And let's get the ethnic breakdown of those various individuals.

MR. DORSEY. My understanding, Mr. Chairman, was that that was to be—you mentioned that yesterday's testimony, and we have already taken steps to get that.

VICE CHAIRMAN HORN. Well, but I mentioned it in terms of this primarily majority, primarily minority school. Now I'm mentioning it in terms of just hiring, and there's a difference in nuance which I'll be glad to work out with you later. But I'd like it introduced at this point in the record and without objection, it is so ordered.

I'm—one of my concerns here is, and I guess I would like your advice on this, Mrs. Rushing, is how many students in the Watts area do you know personally that are going on to college? Do you know a dozen or a couple of dozen?

MS. RUSHING. I hope that all of them are.

VICE CHAIRMAN HORN. No, no, but I mean personally are now in college. I'm sorry, I should have said are now in college, do you know many?

MS. RUSHING. I don't, no.

VICE CHAIRMAN HORN. Because my impression talking to a number of black students as the university president over the past 6 years is that a number of them really don't want to major in education because some of them feel that that was the path that often was open to their parents as one of the few areas where there was not extensive segregation, such as the doctor, lawyer, medicine, dental, so forth.

And I sense sort of a reaction with some students against pursuing a career in education. And thus I'm trying to get at to what degree is perhaps the Watts Branch of the NAACP encouraging students to go to college and pursue a career in education.

I would frankly think despite the lowering of birth rates and the difficulties the public schools are in, that for black students as I've said, many times for Mexican American students to pursue a career in education, there are great opportunities. But I do detect a psychological attitude on the part of a number of students that they would rather be accountants or in business or in all these other professions that are now opening up to them.

MS. RUSHING. Well, presently we see a large percentage of unemployed teachers.

VICE CHAIRMAN HORN. Well, that's correct. Of all races. And you're saying there are black teachers that are certified and qualified, and they have not been employed sufficiently?

MS. RUSHING. Oh, there are many.

VICE CHAIRMAN HORN. When job openings occur?

MS. RUSHING. There are many.

VICE CHAIRMAN HORN. Well, this is what we hope to develop in this exhibit.

All right. Counsel will call the next witness.

MR. LEE. Before I do that, I'd like to ask Mrs. Rushing, would you like to submit your statement for the record?

MS. RUSHING. Certainly.

MR. LEE. Next witness would please you please state your name and affiliation with organization?

DR. SMITH. Okay. I'm Dr. Ernest Smith, M.D., Martin Luther King Hospital, affiliated with the Watts branch of the NAACP. Before I start, I'm talking on violence, pupil integration and I'm talking from a concept of a hidden agenda. I'd like to refer you to a book published by a Dr. David Lopez Lee, "School Desegregation in Los Angeles Unified School District," and I would recommend that a correction be made on Page 73, Exhibit II, No. 11, wherein the NAACP and the Urban League are listed as organizations representing the major ethnic groups, and change to 72, under No. 7, Civil Rights Organizations. And certainly the host of this conference is the NAACP.

COMMISSIONER RUIZ. What number on Page 73 is that exhibit?

DR. SMITH. Number 11 on 73.

COMMISSIONER RUIZ. Number 11 should be changed where?

DR. SMITH. I would recommend that it be changed to 72 under Civil Rights Organizations, No. 7. And I think that might be a hidden agenda. The label of violence has been applied to the black community and its schools and has been used to accomplish a multitude of sins, and it covers a hidden agenda.

On March 25, 1974, the Los Angeles Unified School District, along with the local law enforcement, sponsored a white elitist conference concerning black student violence. In December 1975 a spurious report of combat neurosis amongst white ghetto teachers was issued by a UCLA psychiatrist. In August of 1976, a peculiar fear-provoking television broadcast aired violence in the Los Angeles schools.

Since 1973 there have been periodic sensational reports of school shootings by so-called gangs. These reports have not been balanced by the dope rates on the white high schools in 1975, nor historical actions of the Ku Klux Klan or the Nazi Party, nor the stress diseases of black people resulting from white racism.

From these data arise a hidden agenda of unilateral tenure which hires more white teachers in the face of a white declining student population, places a hiring freeze on and a layoff of black teachers, and institutes a southern plan of 1954 which reduced the black teacher force of the south by 65 percent. Violence in the community-labeled black has represented a persistence of the helter-skelter plan which we read about with Charles Manson. This is evidenced by the annual rapid transit slaying, especially since 1973 to 75, Chicano assassinations during the year 1974, rock concert beatings of 1974, nonsensical school arsons, and Chief of Police Davis' speech in Sacramento in December of 1975, where he blamed the black and Chicano communities for white student dope addiction. He promised white parents violence in white schools as an outgrowth of violence in black schools. Hidden agenda? Secret initiation of the Alpha File on black youngsters.

VICE CHAIRMAN HORN. Excuse me, do you have a citation on that quote of Chief Davis in your remarks?

DR. SMITH. The exact day?

VICE CHAIRMAN HORN. Well, was it in the newspaper?

DR. SMITH. Yes, in the L.A. *Times*.

VICE CHAIRMAN HORN. Counsel, why don't we just get that for the record, and insert it at they point.

DR. SMITH. Okay, you'll find that the raid occurred 1 day before the statement.

The hidden agenda, secret initiation of the Alpha File on black youngsters. That also was in the L.A. *Times*. It would be good for you to look at that, these are youngsters allegedly declared violent but not proven violent. Hidden agenda, racial conflict between blacks, whites and Chicanos, and police control of the schools. The Los Angeles community has been set up for violence which I feel does not have

to occur. Cross burnings during the spring of 1976, which were denied by the Ku Klux Klan, and I might believe them. Misrepresentation of Bus Stop's demands, and the so-called arsenal or Easter egg hunt which is currently being painfully spun out on the Mojave Desert represents the white antagonist.

Constant referral by the chief of police to the Watts riots of 1965 as a point of reference for violence, the incessant siren display in the ghetto of fire engines, ambulances and police cars, especially after midnight and on weekends. The position of CORE established black antagonists.

The Los Angeles Unified School District is a protagonist. The Los Angeles Police Department established itself as a mediator by organizing school principals in a minority cultural class and by corraling under a committee with leverage ministers and parent cell groups. These functions could be better handled by other social organizations in the community.

In 1974 a television interview with the dean of the school of education at UCLA declared a breakthrough in education which was not specified, but would allow their students to teach children of all races and cultures. The hidden agenda? UCLA would be a unique source of all teachers coming into the L.A. school district. There would be an assurance of employment for their graduating seniors. There would be a destruction of the black awareness programs and the self-esteem programs, as well as no need for black teachers.

School integration increased urban construction, return of industry to urban areas is noble. However, we must remember the discussion in September of 1976 of a commission of bankers in Washington which proposed white urban return. We look at Marcus Foster, the superintendent of the Oakland School District, who was killed, and the only one killed by the SLA for his political leanings, but yet his crime was decentralization of the school board and the treasury.

We had a class sponsored by the L.A. school district dealing with stress for teachers, and as a result of that, 1 day later the school principal there became ill after eating out of a common crab salad at a local luncheon of his staff at a restaurant. My car was smeared with human feces, and the school was vandalized with graffiti white style, written on the blackboard. Our NAACP conference was held on November 20, 1976, and it was followed by a letter which seemed to warn us to lay off of gang violence and pupil integration.

I say there is a hidden agenda, and before people spin off on trying to plan integration, they better search for it.

VICE CHAIRMAN HORN. Counsel, call the next witness.

MR. LEE. Before I do, would you like to submit your statement for the record, Dr. Smith?

Would the next witness please state his name and organization.

PROF. SMITH. My name is Ernie A. Smith, Ph.D., I am associate professor of linguistics at Cal. State University at Fullerton, and I'm

the member of the Watts chapter of the NAACP Committee on Education. I'm here to address a matter that has been—I handed a copy of it to the staff director and I hope that he will disseminate this amongst you, concerning the practice at the State of California Department of Education level, and at the level of HEW Office of Education with regards to the Commissioners interpretation of the notion, bilingualism.

It is my contention as a linguist and as a certified linguist that the language of the United States slave descendant of African origin represents a morphological deviation from English that constitutes in fact a separate language. And that in the same manner in which Asian Americans, though they are born and reared in the United States, are considered to be limited English speakers because of linguistic retentions and influences from their autochthonous Asian languages. And in the same manner in which Hispanic Americans, though they are born and reared in the United States, are considered to be limited English speakers because of linguistic retentions and influences from Spanish and other Hispanic American languages. And in the same manner in which Native Americans, though they are born and reared in the United States, are considered to be limited English speakers because of linguistic retention and influences from their autochthonous Native American language, African Americans born and reared in the United States are no different.

They're entitled to bilingual education on the basis of linguistic retentions and interference modifications from their autochthonous African language and the misnomer that black Americans speak a sub-standard or a deviate variety of the Euro-American English is nonsense.

Morphophonetically, linguistically, African speech is not related to grammatic English. English is not morphophonetically related to the Hamito-Bantu language family, and wherever African American speech systematically differs phonologically and morphophonetically from Euro-American English is a result of the linguistic retention of Africa.

No group in America has been more oppressed, repressed, depressed, suppressed, and compressed, and kept in social isolation from dominant Euro-American. White Americans are quick to claim Native American blood, and I've never seen a one of them claim black blood. So let's deal with what has in fact occurred as a result of the legacy of separation in the United States.

Asian Americans have not been as isolated, but they are given bilingual education. Hispanic Americans have not been as isolated, but they're given bilingual education. Native Americans, though they have lived on reservations, are given bilingual education. Now you tell me the difference in East L.A. and Watts, you tell me that Chinatown is a separate environment where a language other than English is dominant? I'll show you Compton, California, I'll show you Harlem, I'll show you Hough. I'll show you concentrations of blacks, isolated from

mainstream Euro-American speakers of English. And I am here as a linguist to attest and to give documentation that the morphophonetic structure of Hamito-Bantu languages persist to exist and will exist as long as blacks are kept in social isolation from mainstream Euro-American speakers of English.

And to the extent, and only to the extent that blacks are integrated, will this cease to exist. There are ambilingual blacks. There are blacks who, because of social proximity or public instruction, have the ability to understand and speak Euro-American English. This is black English, and the only meaning of black English, a black who speaks English. To the extent that a black has been beat, kicked, raped, robbed, used, abused, and made a tool and a fool of in social isolation from Anglo-America, he is a speaker of a variety of Hamito-Bantu language that has been called by Robert Williams, a psychologist at the University of Washington in St. Louis, Ebonics. Ebony sounds, black sounds, is the name that has been given by psychologists and linguists to African American speech.

All human language is basically pulmonic, eggressive noise, noise brought from the pulmonary artery into the laryngeal and pharyngeal and oral and nasal cavity, and black language in America is nothing but black sounds.

VICE CHAIRMAN HORN. Professor—Oh, yes. Commission Ruiz.

COMMISSIONER RUIZ. Mr. Chairman, I noticed that you were speaking extemporaneously. I hope you have that written down.

PROF. SMITH. I do.

COMMISSIONER RUIZ. Very well, because you've made a lot sense.

PROF. SMITH. Thank you.

VICE CHAIRMAN HORN. Let me—let me ask you, Professor Smith, as an expert in linguistics, I take it you've had an opportunity professionally to examine the differences of opinion between the English as a Second Language Program, and the bilingual bicultural education program.

PROF. SMITH. Yes, I have.

VICE CHAIRMAN HORN. Could you give us your professional views on the pluses and minuses of both programs?

PROF. SMITH. The problem remains in the area of what constitutes a dialect. To give you some linguistic information. In modern linguistics, whenever you count a language as a dialect of a language, you are in essence saying that it has a verb system that is essentially the same, but what makes it a dialect is that there are phonological differences in meanings of the vocabulary or the lexemes.

I can say the word "mine eyes" M-i-n-eyes, and you might interpret "mine eyes" not to be a condiment for a sandwich, but in Carolina, "mine eyes," is mayonnaise. So we have a phonological difference that may cause some unintelligibility.

If I were to say "Will you put some mine eyes on it, plyse," now if I've used English grammar so its English, but I'm using a different

level of phonemes so we have deviations that could call unintelligibility. But when I tell you something that says, to the effect, "I ain't never gon' over that no mo," "I ain't" is one negative, "never" is two negatives, and "goin' over that no mo" is three negatives in one sentence. That is African, that is not consistent with the morphophonemic rules of English. Understand that?

Tri-negatives. Or "ain't nobody goin' never do nothin' to me no time, no way, no how." That's six negatives I gave you, and that's not consistent with the morphophonemic structure of English. If I were to ask Mr. Buggs, "Say, man, where were you be when I come by your house looking for you," He say, "Well, sometime I be there, and sometime I don't be there." The word "be" as it's used by African-Americans represents the aspect of location and not a time.

In African languages, and this is true of Oriental languages, there is no present tense verb. If I tell you, "right now," the minute I got through saying, "right now," it was gone. There are no present tense, or what's called copular verbs in African American speech, nor are there copular verbs in African speech. So if someone were to ask you, "Where is your mother?" "She gone." There is no "She is gone," because the pronoun, "she" represents existence. She exists, and her state of being is "gone." The proposed verb is not deleted, it never existed in the African languages, and it doesn't exist in African-American speech. "She gone." Where's "What's the matter with him, man?" "He sick, that's what wrong with him." Not, "He is sick," "He sick." He exists, and that's a pronoun to represent existence. And his state of being is "sick."

You need not introduce, he is this, exists sick, or she exists, exists gone. You need not introduce a copular when you use a pronoun in Hamito-Bantu language family. That feature is another example, I've given you three already. How many more you need?

VICE CHAIRMAN HORN. Well, I take it in response to my question as to the pluses and minutes of ESL versus bilingual-bicultural education, that the thrust of your testimony is that black Americans should be eligible for State and Federal grants in these language programs similar to Mexican-Americans.

PROF. SMITH. Right.

VICE CHAIRMAN HORN. Similar to—Mexican Americans, Asian Americans, and other groups?

PROF. SMITH. Right.

VICE CHAIRMAN HORN. I still don't have an answer to my question, however, as to whether you professionally have reservations about the ESL approach versus the bilingual approach?

PROF. SMITH. Okay, let me read a quote from the United Nations Charter, United Nations Organization of 1953-53. On the last page of my article, Paragraph 109, the United Nations Organization on Page 17 in this report on language in education states, "It is axiomatic that the best medium for medium each child is his mother tongue.

Psychologically, it is the system of meaningful signs that in his mind work automatically for expression and understanding.

Sociologically, it is a means of identification among the members of the community to which he belongs, and educationally he learns more quickly through it than through an unfamiliar medium."

VICE CHAIRMAN HORN. Well, I take it you would then for the bilingual approach?

PROF. SMITH. Definitely.

VICE CHAIRMAN HORN. As opposed to the ESL approach.

COMMISSIONER RUIZ. You know, we had a man that was elected senator because he was an expert semanticist I think we have good material here. You should run for political office.

MR. BUGGS. Mr. Chairman.

VICE CHAIRMAN HORN. Yes. Mr. Buggs?

MR. BUGGS. May I just make a couple of remarks? Regardless of what Dr. Smith's contributions may be with regard to linguistics, I think the people here ought to know that he had another area of contribution, which I think is important.

Most people do not know that after the Watts riot in 1965, there were two other incidents at least which occurred in this community which could have very easily and almost did result in other riots which to some extent might have been even worse.

And I recall that 6 months after the Watts riot, when Mr. Smith and I were both in the county courthouse involving an issue related to a situation which at that time we called the Detweiler matter, that if it had not been for him, he was at that time, and I can see it very vividly, wearing a T-shirt with Malcolm X's picture on it. If he had not been there on that occasion to use the influence that I think you've seen here today, a very articulate young man, that things would not have turned out nearly as well as they did on that occasion. And whatever your contributions may in the future be. Dr. Smith, I doubt that they will ever surpass that one. Thank you.

PROFESSOR SMITH. Thank you.

VICE CHAIRMAN HORN. Let me ask my colleagues if they have any other comments they wish to make?

Let me thank each of you for your testimony, it has been most helpful, and we appreciate you joining with us today. As usual in the open forums, and I think my colleagues would share this point view, we always learn something that we didn't anticipate, and that the staff didn't anticipate in the formal hearings and the preparation for the formal hearings. I found both your testimony and the testimony of those that preceded you most helpful in terms of focusing some of the inquiries that the Commission will be carrying on in the preparation of its report on desegregation of the public schools in Los Angeles.

I suspect most of us on the Commission would agree after listening to the testimony for 3 days that despite the complexities of the Los

Angeles situation, which have been mentioned by a number of both lay witnesses as well as professional educators, that we are optimistic, and that most of our witnesses were optimistic that there would be effective, peaceful desegregation and the improvement of educational quality.

And I think the phrase used by one of our open session witnesses, Mary Montez, that what is needed is sensitivity, leadership and commitment is a good phrase for most groups in Los Angeles in positions of leadership and most people in the community to take to heart.

In the Commission's studies throughout the United States over the period since 1957, we have found, as we have mentioned, both as individual Commissioners and in our consensus written reports, that nothing beats good faith and hard work in carrying out the law of the land, and enforcing the Constitution of the United States, and the opportunities that are provided under it.

So if there is no further business to be brought before the Commission, I now adjourn it *sine die*.

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