



Department of Justice

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The Department of Justice told a federal court today that the Chicago school desegregation plan is "incomplete" and the city board of education should be required to produce a revised plan that desegregates schools as much as is practical in September, 1982.

The Department's response to the school board's proposal was submitted to U.S. District Court Judge Milton I. Shadur in Chicago.

"The board is on the right track but has not reached its goal" of complying with a consent decree that requires the board to develop a comprehensive plan for systemwide desegregation of the nation's third largest school system, the Department's response said.

The Department's response asked the court to enter an order to provide guidance to the school board on how to proceed so as to assure that the final plan is timely completed and the correct analytical process is applied.

While objecting in certain respects to the student assignment aspects of the plan, the response said the Department was "encouraged" by the plan's educational component which seeks to improve educational opportunities in remaining one-race schools.

The response noted that the complete elimination of all-minority schools in the context of a Chicago-only desegregation plan is plainly impossible, but stressed that the plan must eliminate, where practicable, racial dualism in school enrollments.

(MORE)

The 82-page response, a detailed analysis of the plan submitted by the school board in April, said the plan fails to comply fully with commitments agreed to by the board in a consent decree approved by the court on September 24, 1980. Among the reasons:

-- The plan does not promise to desegregate schools by September, 1981, as the consent decree provides.

-- The plan does not identify specific steps the board will take to desegregate specific schools and does not provide specific justification for schools that remain substantially segregated.

-- The plan does not offer adequate promise of future compliance with the consent decree -- it encourages, without any underlying rationale, the existence of schools that are 70 percent white in a system whose total enrollment is 18 percent white, 61 percent black, and 21 percent Hispanic and other minorities.

-- The plan does not consider the relatively severe isolation of black students -- 231 elementary schools are virtually all-black and only 3.7 percent of black elementary students attend schools that have a white enrollment of 30 percent or more, while almost 26 percent of Hispanics and other minorities attend such schools.

-- The plan encourages voluntary transfers only of minority students to white schools, while insulating white students from being considered in the desegregation of black schools.

-- The plan does not adequately explore a full range of voluntary techniques, but rather relies on those used in the past that have not been successful, especially in desegregating minority schools.

(MORE)

-- The plan falls short of what was promised in the consent decree in providing inadequate mandatory backup to voluntary desegregation techniques.

To insure complete compliance with the consent decree, the Department suggested that the board be required to:

-- Provide a revised schedule for completion of desegregation steps that were to be taken in September, 1981.

-- Submit a timetable for development of the September, 1982, plan.

-- File in December, 1981, any justification for not fully implementing the final student assignment plan by September, 1982.

-- Submit a reporting and review system that will enable the court and the Department to monitor the board's progress toward development of the final plan.

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