

Language Deficiency— **Equal Education**

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HEW's Office for Civil Rights (OCR) has asked Chief State School Officers in 26 states, including Alaska, to help assure that some 333 school districts are providing equal educational opportunity to Spanish-surnamed, American Indian, Asian American and other national origin minority students. In Alaska, the request involves the Greater Anchorage Borough, the North Star Borough, and the Unorganized State Schools.

According to Marlaina Kiner, Region X OCR Director, the effort is a follow-up of a policy established in May 1970 placing responsibility on school districts receiving Federal funds "to rectify the language deficiency and open instructional programs" to national origin minority students who face language barriers.

Peter E. Holmes, Director of the Office for Civil Rights, said in his letter to the State that the U.S. Supreme Court decided in *Lau v. Nichols* that failure of a school district to provide special assistance to students who are not proficient in English denies them a meaningful education, and violates Title VI of the Civil Rights Act of 1964. Title VI prohibits use of Federal funds for programs that discriminate as to race, color, or national origin.

Holmes asked for a coordinated State-Federal approach in gathering information needed to determine whether the school districts are meeting their Title VI responsibilities.

Districts identified meet one or the other of the following criteria: districts that report more than 4,000 national origin minority students who are now receiving any type of special language instruction; or districts that report an enrollment of more than 1,000 national origin minority students with less than 10 per cent of them receiving special language instruction.

In all, approximately 1.1 million national origin minority students are in the districts named nationwide.

"The fact that these students may not be receiving special language instruction on the basis of reports submitted by the districts to date is not in itself proof of discrimination," Holmes said. "But we do have a strong indication that we need to look further into situations that meet these criteria, and if we find problems, we will ask for corrective action."

Holmes said the U.S. Office of Education is exploring for ways to provide technical assistance and will also contact the state education agencies.

"By enlisting the State agencies in this effort," Holmes said, "the Office for Civil Rights will gain the benefit of their special knowledge, strengthen the possibility of voluntary resolution of problems, and increase the awareness of the States as to their own Title VI responsibilities."

Basically, the States are asked to assist in determining more specifically the need for new language instruction programs in each district, and the extent to which that need is being met.