

# ***Civil Rights Office may pull REAA Funds***

**From our Anchorage Bureau**

The future of many federally funded education programs in Alaska may be in jeopardy unless state educators comply with specific provisions of the Civil Rights Act by June.

The Department of Health, Education and Welfare (HEW)

has begun administrative enforcement proceedings against the Alaska State Department of Education and the Regional Education Attendance Area (REAA) because of their failure to comply with Title VI of the Civil Rights Act of 1964, and the HEW regulation implementing the law.

The Director of HEW's Office for Civil Rights in Washington, D.C. notified Alaska Education Commissioner Marshall Lind that, "due to the State's continued failure to submit an acceptable plan for identifying the language of, and providing services to, students whose primary or home language is

other than English, the Office for Civil Rights would, under the law, have to begin administrative enforcement proceedings."

By taking this action HEW will allow the State and REAA's an opportunity to respond to the allegations before an administrative hearing is held in

Anchorage on June 6.

HEW also notified the State and REAA's that although present commitments to provide funding for ongoing programs are unaffected, they will defer approval of any new applications or significant increases in the funding of continuing programs.

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# funding may be cut ...

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The Office of Civil Rights has required during the last eleven months that the Department of Education submit a detailed action plan which:

- Describes in reasonable detail how the Department of Education and REAA's will determine the primary or home language of students and assesses the relative language ability of such students in English and other language(s);

- Set forth measurable, minimum standards according to which the REAA's will develop and implement educational programs to respond to the students' needs; and

- Sets timeframes for development and implementation of REAA educational plans which will assure effective educational programs for students whose primary or home language is other than English.

Just how did the State find itself in this situation?

According to one educator actively involved in the State's bilingual education program, the problem began sometime ago within the structure of the Alaska State Operated Schools System (SOS).

The source confided that internal turmoil at SOS prevented the Department of Bilingual Education from coming up with the material, and that some superintendents did not respond to a bilingual survey sent out by SOS because they "didn't feel it was worth anything."

Continuing, the source said bilingual education was not a priority of the State, "It's just another supplementary education program."

"SOS didn't have a commitment to bilingual education. Anytime anyone went to Juneau to bargain for money they were willing to trade dollars marked bilingual programs for other programs."

According to Silvia Carlsson of the Department of Education (DOE), the state has submitted three different plans to the Office of Civil Rights since November and all have been rejected.

"It appears that the first plan was probably not adequate," she said. "When the second plan was rejected we decided we needed more help with the procedures and asked the Northwest Regional Education Laboratory (Portland) for assistance. They sent up two people and when the plan was finished we were confident we were headed in the right direction," Carlsson continued.

Submitting the latest plan, DOE has been verbally notified this plan has also been rejected.

Carlsson said they have received unofficial word that the Office of Civil Rights would not accept the plan until Bureau of Indian Affairs schools were brought into compliance. She maintains the state has no jurisdiction over the BIA schools and that BIA schools do not

have to comply with state educational laws. Furthermore, the BIA schools are exempt from the Civil Rights Act.

DOE'S overall goal is to take an approved plan to each of the REAA's, let them rework it to fit their individual needs, and submit it as their educational plan. All of which must be completed within the next five weeks.

Should no acceptable plan be developed by the June 6 hearing, the Office of Civil Rights has the power to "stop the flow of every federal education dollar in the state for REAA's."

"No one has put down in black and white exactly what funds we're talking about," Carlsson said, "and we asked repeatedly for a list of programs."

Some programs which have been mentioned are: Title I of the Elementary and Secondary School Act; Title III of the Elementary and Secondary Act; Title IV, Indian Education; Johnson O'Malley; and PL-874-815 Funding to School Districts which have federal lands. These funds are for operational and construction expenses.

"We've been working with the Office of Civil Rights and HEW but we haven't been able to get anywhere. We don't disagree there is a problem, we're just not in agreement as to the formula to solve the problem."