

Decision Due On Alternative Schools Here

Federal civil rights officers expect a decision some time after Christmas to see whether two federally funded "alternative schools" here for blacks and Mexican-Americans are illegally segregated and violate civil rights laws.

But Superintendent of Schools Dr. Richard Foster, who appeared Wednesday morning in Washington before a Department of Health, Education and Welfare hearing on the issue is confident the school district's stand will be vindicated.

Under fire are Black House, an all-black "alternative" school, and the all-"Chicano" Casa de la Raza.

FOSTER AND three aides were summoned to Washington to explain the two schools' operations before the HEW civil rights arm.

The hearing came after Senator John D. McClellan (D-Ark.) filed a complaint against the two schools.

J. Stanley Pottinger, HEW's civil rights chief, said yesterday that he expects a decision on the investigation of the two schools "sometime after Christmas."

"This has national implications," Pottinger said in Washington. "The question is whether this (establishment of Black House and Casa de la Raza) is affirmative action to truly overcome the effects of past discrimination or a form of discrimination itself."

IN BERKELEY, Foster said yesterday that Pottinger had told him "we could continue and there will be no precipitous action out of Washington."

He said the McClellan complaint that the schools violate Title Six of the Civil Rights Act of 1964 was "not an educational issue but rather a political issue."

"It was an attempt to embarrass the leader in desegregation in America in order to have solace for their segregation," Foster charged.

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Foster was in Washington with Lawrence Wells, director of the Berkeley Unified School District's "experimental" schools; Horace Uphaw, director of Black House; and Victor Acosta, director of Casa de la Raza.

THEY ALSO met with Rep. Ronald V. Dellums (D-Berkeley) who said he supported the two schools, Foster said.

In Washington, HEW, which is charged with enforce-

ing civil rights laws, released a letter from Secretary Elliot L. Richardson to Senator McClellan stating that "As a result of your inquiry the office for civil rights is investigating the Berkeley project."

Robert B. Binswanger, director of HEW's experimental schools program, noted that "Berkeley has presented a valid experimental design. Three hundred children having this kind of alternative experience is worth testing, assessing and evaluating."

FOSTER SAID that "they understand what Berkeley is

trying to do, and that we did it all in the open, and they agree that there must also be some circumstances in which we could run a school for black youngsters and Chicano youngsters and not violate Title Six.

"The question which is uppermost in their mind is:

"How can such a program be acceptable in Berkeley and still not allow a racist situation to develop in Little Rock — or Little Rocks?"

Pottinger and his staff will continue to study the programs, but arranged for no further meetings on the subject, according to Foster.

Black House, Foster said, was set up two years ago to provide extra support for black students at Berkeley High School who have suffered from being "in a culture that has been Anglo-controlled and racist to minorities."

CASA WAS also established this fall at the request of the Spanish-speaking staff of the district and the Mexican-American community, to help their youngsters maintain their cultural heritage while receiving public education.

A total of \$50,000 of HEW funds are used in the two programs which are a part of the district-wide experimental schools project which will receive roughly \$5 million over the next five years from federal sources.