

propriate, the Commissioner determines that any of the funds advanced pursuant to this subpart are no longer required to maintain an adequate reserve, he may require that such funds be returned to the Federal Government or made available to some other guarantee agency within the State; and

(c) Such other provision as the Commissioner finds necessary to protect the interests of the United States and promote the purposes of the Act.

PART 180—DESEGREGATION OF PUBLIC EDUCATION

Subpart A—General Provisions

- Sec.
180.1 Purpose.
180.2 Definitions.

Subpart B—Training Institutes

- 180.11 Arrangements with institution.
180.12 Stipends other than travel allowances.
180.13 Travel allowances.

Subpart C—Grants to School Boards

- 180.21 Applications.
180.22 Determinations by Commissioner.

AUTHORITY: The provisions of this Part 180 are issued under secs. 401, 404, and 405, 78 Stat. 241, 246, 247; 42 U.S.C. 2000c, 2000c-3, 2000c-4.

SOURCE: The provisions of this Part 180 appear at 30 F.R. 4359, Apr. 3, 1965, unless otherwise noted.

Subpart A—General Provisions

§ 180.1 Purpose.

The purpose of this part is to set forth the provisions which apply to training institutes and grants authorized under Title IV of the Civil Rights Act of 1964, 78 Stat. 241.

§ 180.2 Definitions.

(a) "Commissioner" means the Commissioner of Education.

(b) "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

(c) "Public School" means any elementary or secondary educational institution, provided that such public school is operated by a State, subdivision of a State, or governmental agency within a State, or operated wholly or predomi-

nantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

(d) "School Board" means any agency or agencies which administer a system of one or more public schools and any other agency which is responsible for the assignment of students to or within such system.

(e) "Special educational problems occasioned by desegregation" and "problems incident to desegregation" mean those problems (other than problems uniquely related to the assignment of students to public schools in order to overcome racial imbalance) arising from the assignment of students to and within public schools without regard to differences in their race, color, religion, or national origin.

(f) Attendance at an institute on a "full-time basis" means attendance at the institute in accordance with the policies and regulations regarding attendance in effect at the institution at which the individual is enrolled, as set forth in the institution's arrangement with the Commissioner.

(g) An "Institute Day" means each day of a program of an institute which is scheduled to provide at least five hours of training.

Subpart B—Training Institutes

§ 180.11 Arrangements with institution.

The Commissioner will arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation.

§ 180.12 Stipends other than travel allowances.

An individual who attends an institute on a full-time basis shall be paid a stipend of \$15 for each institute day of attendance up to \$75 per week. In the event that participation in an institute is interrupted or is terminated prior to completion of the institute program, stipend payment shall be made to the individual for such period as he was in attendance on a full-time basis.

§ 180.13 Travel allowances.

(a) An individual who attends an institute on a full-time basis may be provided travel, or an allowance for his actual cost of travel, from place of residence or employment to place of the institute, and from place of the institute to his place of residence or employment, as set forth in the institution's arrangement with the Commissioner, but not to exceed nine cents per mile. The allowance for travel in the case of travel by private automobile shall be at the rate of nine cents per mile. In the case of joint travel by private automobile by a group of participants, travel allowances shall be payable only to one of such participants, but without reduction on account of contribution to him by the other participants.

(b) In addition to the limitations of paragraph (a) of this section, when air, rail, or steamship transportation is used, first-class accommodations or an allowance therefor may be provided only where first-class accommodations are the only class of service for the most direct travel route, or where less than first-class accommodations result or would result in greater cost than first-class accommodations.

(c) In the event that an individual's participation in an institute is terminated prior to his completion of the institute program, travel or an allowance therefor, from place of the institute to his place of residence or employment may be provided only if such termination is occasioned by extraordinary circumstances not reasonably within the control of the individual.

Subpart C—Grants to School Boards

§ 180.21 Applications.

School boards may apply to the Commissioner for grants to pay, in whole or in part, the cost of: (a) Giving to teachers and other public school personnel in-service training in dealing with problems incident to desegregation, and (b) employing specialists to advise in problems incident to desegregation.

§ 180.22 Determinations by Commissioner.

In determining whether to make a grant and in fixing the amount thereof and the terms and conditions on which it will be made, the Commissioner will take into consideration the amount available for grants and the other applications

which are pending before him; the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

PART 181—STATEMENT OF POLICIES FOR SCHOOL DESEGREGATION PLANS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Subpart A—Applicability of this Statement of Policies

- Sec.
- 181.1 Title VI and the HEW Regulation.
- 181.2 Compliance by school systems eliminating dual school structure.
- 181.3 Purpose of this Statement of Policies.
- 181.4 Initial demonstration of compliance.
- 181.5 Systems without dual school structure.
- 181.6 Systems under Federal court order for desegregation.
- 181.7 Systems with voluntary desegregation plans.

Subpart B—Basic Requirements for all Voluntary Desegregation Plans

- 181.11 Various types of desegregation plans.
- 181.12 Student assignment practices.
- 181.13 Faculty and staff.
- 181.14 Services, facilities, activities, and programs.
- 181.15 Unequal educational programs and facilities.
- 181.16 Attendance outside school system of residence.
- 181.17 Official support for desegregation plan.
- 181.18 Reports.
- 181.19 Records.

Subpart C—Additional Requirements for Voluntary Desegregation Plans Based on Geographic Attendance Zones

- 181.31 General.
- 181.32 Attendance zones.
- 181.33 Assignment to school in zone of residence.
- 181.34 Notice.
- 181.35 Reports.

Subpart D—Additional Requirements for Voluntary Desegregation Plans Based on Free Choice of Schools

- 181.41 General.
- 181.42 Who may exercise choice.
- 181.43 Annual mandatory exercise of choice.
- 181.44 Choice period.
- 181.45 Failure to exercise choice.
- 181.46 Letters to parents, notices, and choice forms.
- 181.47 Prospective students.
- 181.48 Choice may not be changed.
- 181.49 Assignment according to choice.
- 181.50 Transfers for special needs.