

# OUTLOOK

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SUPREME COURT RULES ON  
OHIO AUXILIARY AID BILL

In late June the U.S. Supreme Court handed down its ruling on Wolman v. Walter, the Ohio case challenging a statute which provides various forms of state aid

to pupils in private elementary and secondary schools. The ruling cited a three-part test for such legislation, clarified the Court's position on several types of services, called for lower court reconsideration of earlier rulings on state laws in New York and Minnesota, and provided contrasting judicial views on the "wall of separation."

In writing the majority opinion, Justice Blackmun cited a three-part test for such legislation. It "must have a secular legislative purpose, must have a principal or primary effect that neither advances nor inhibits religion, and must not foster an excessive entanglement with religion." Using this test, the court upheld the loan of textbooks and reusable workbooks and manuals; standardized testing and scoring services, with no involvement by private school personnel in test drafting or scoring; diagnostic speech, hearing, and psychological services in private schools by public school employees or physicians under contract; and therapeutic, guidance, and remedial services, performed on a neutral site. Struck down were the loan of instructional materials and equipment and field trip transportation.

The New York case, Levitt v. Committee for Public Education and Religious Liberty, involves a state law which provides funds to private schools for standardized testing and attendance reporting required by the state. A three-judge district court found the law invalid on the grounds that it subsidized operating costs of private schools as they performed administrative tasks required by law, thereby advancing religious aims of private schools. In Minnesota the law authorizes the loan of instructional materials directly to private school students. Also, tax-funded teaching equipment and auxiliary services, such as diagnostic speech, hearing, and counseling services, may be provided on private school premises. In November, 1976, a Minnesota district court approved the part of the law dealing with instructional materials, but because the state had no plans to put into effect the provisions of the law dealing with auxiliary services, the district court didn't rule on them. Now the court will have to review the entire law again, as a result of Wolman. The case: Minnesota Civil Liberties Union v. Casmev.

Dealing with the perennial difficulties of the "wall of separation," the majority embraced the three-part test. Justice Stevens argued for the application of the rule promulgated by the late Justice Hugo Black: "No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion." Justice Powell, on the other hand, observed, in a separate opinion: "At this point in the 20th century we are quite far removed from the dangers that prompted the Framers to include the establishment clause in the Bill of Rights. The risk of significant religious or denominational control over our democratic processes--or even of deep political division along religious lines--is remote, and when viewed against the positive contributions of sectarian schools, any such risk seems entirely tolerable in light of the continuing oversight of this Court. Our decisions have sought to establish principles that preserve the cherished safeguard of the establishment clause without resort to blind absolutism. If this endeavor means a loss of some analytical tidiness, then that too is entirely tolerable."

OE, CAPE, AND NCEA TO HOLD  
SECOND NATIONAL CONFERENCE  
ON PRIVATE SCHOOL CONCERNS

The second annual national conference on private precollegiate education will be held in Washington, D.C., November 29-December 1 under the sponsorship of the U.S. Office of Education (OE), the Council for American Private Education (CAPE), and the National Catholic Educational Association (NCEA). Building on the base provided by the 1976 conference, "Private Schools: Fact and Future II" will consist of two parts. The first segment, cosponsored by OE and CAPE, will consider state-level governmental, professional, and social forces affecting the welfare of private schools and the ways private schools can effectively respond. The second segment, cosponsored by NCEA and CAPE, will consider the evolving interpretations of the First Amendment and their implications. The opening dinner session will be addressed by U.S. Commissioner of Education, Ernest Boyer.

Those attending will include representatives of the Federal Administration and Congress, state governments, national organizations serving state officials, professional associations, the research community, national foundations interested in precollegiate education, and private school representatives.

GRANTMAKING ORGANIZATIONS  
FORMING AREA ASSOCIATIONS

Grantmaking foundations and corporations with philanthropic-giving programs, encouraged by the Council on Foundations, are reaching out to one another and forming area associations. "We find in the Northwest that we are able to multiply our influence by cooperating on programs," says Greg Barlow, Executive Director of the Medina Foundation in Seattle. Speaking for the Puget Sound Grantmakers Forum, he says foundations in his area look at cooperative action as a way to preserve their independence.

Of the approximately 30 associations which have formed, the Conference of Southwest Foundations is typical. Begun in 1948, the organization gathers information about philanthropic trends, organizations, and needs in order to help maintain and promote ethical conduct and wise administration of foundations, trusts, and tax-exempt funds. The group also stimulates the exchange of information, ideas, and procedures of mutual interest among its members. Twenty-seven area associations are "cooperating associations" of the national umbrella organization, the Council on Foundations, headquartered in New York.

GEORGIA PRIVATE EDUCATION  
COUNCIL FORMED, BECOMING  
TWENTY-SECOND STATE GROUP

The Georgia Private Education Council (GPEC), organized by representatives of seven private school groups, is the twenty-second such state organization in the country. There is "real satisfaction" in seeing GPEC become a reality, says Fred H. Loveday, the group's first President and Executive Secretary of the Georgia Association of Independent Schools (GAIS). The new organization will promote excellence in education, encourage educational diversity, communicate and cooperate with other segments of American education and with other state and national organizations, and help preserve family choice in education. In addition, they will work to assure the freedom to make religious, spiritual, and moral values a major concern in education, share ideas, activities, and information among members, and maintain a working relationship with CAPE.

All members subscribe to an admissions policy free from discrimination on the basis of race, color, and national origin. Member organizations include, in addition to GAIS, the Atlanta Area Association of Independent Schools, the Atlanta Association of Montessori Schools (AAMS), the Catholic Schools of the Archdiocese of Atlanta, the Catholic Schools of the Diocese of Savannah, the Georgia Association of Private Schools for Exceptional Children (GAPSEC), and the Southeastern Association of Independent Schools. J. P. Aland, Jr., (AAMS) is Vice President; Robert Detweiler (GAPSEC) is Secretary/Treasurer.

SEVENTH-DAY ADVENTIST AND  
SOLOMON SCHECHTER SCHOOL  
ORGANIZATIONS JOIN CAPE

Two organizations have joined CAPE's membership over the summer: the Seventh-day Adventist Board of Education, K-12, and the Solomon Schechter Day School Association. Now, 14 national organizations belong to the Council, approximately 15,500 schools are served, and about 4.2 million students are enrolled in CAPE-member schools.

The 1,274 Seventh-day Adventist elementary and secondary schools across the country and in Canada enroll about 73,500 students. Dr. Charles B. Hirsch, Executive Secretary of the Seventh-day Adventist Board of Education, K-12, which serves schools of the General Conference of Seventh-day Adventists, will be a CAPE Director. The Solomon Schechter Day School Association is an agency of the United Synagogue Commission on Jewish Education. Forty-six schools are affiliates of the Association, with a total enrollment of 8,700 students. Four are high schools. Most of the schools are on the East Coast, although two are in California and three are in Canada. Chanoch Shudofsky, Day School Coordinator, will join CAPE's Board of Directors.

PRECOCIOUS STUDENTS SHOULD  
BE ACCELERATED, HOPKINS  
SIX-YEAR STUDY SUGGESTS

Academically precocious children should be accelerated, not held back with their "agemates," says Dr. Julian Stanley, Director of Johns Hopkins' Study of Mathematically Precocious Youth. Assuming that one's agemates are one's social and emotional peers is an "unreasoned assumption," denying the "great adjustive capacities" of many intellectually highly talented youth, Stanley says.

In six years, working with 450 mathematically talented seventh- and eighth-graders identified in a 1972 talent search, the study has fostered acceleration geared to the eagerness of the students for rapid advancement. Four of the group have already completed undergraduate school. Fears about accelerating gifted students are "groundless," says Stanley, and are held by those who harbour an "envy and distrust" of the gifted.

Stanley urges parents of precocious children to accept opportunities for them to progress at their natural academic rate and to have a part early in educational decision-making. To ease the acceleration process, he suggests early entry into kindergarten; study with teachers skilled in helping the gifted; skipping "last" grades in elementary, junior high, or high school; and satisfying course requirements by examination.

NUCS' 57th CONFERENCE  
DRAWS 250 TO CHICAGO;  
STATE HONORS VANDER ARK

The "overall feeling" of the 57th annual convention of the National Union of Christian Schools (NUCS) was one of "inspiration and closeness," said Kenneth Swets, of NUCS. Meeting in Chicago in August, 250 Christian school board members, administrators, and others--NUCS delegates and members of the Association of Christian School Administrators--attended sessions on the theme, "PACE: Positive Approaches to Christian Education."

Among other happenings during the three-day gathering, John Vander Ark, who retired July 15, was honored for his 24 years of service as NUCS Executive Director and presented with a Resolution of Tribute from the Michigan legislature. State Senator Gary Byker made the presentation. Vander Ark's successor is Dr. Michael T. Ruiter. Presidents of Calvin, Dordt, and Trinity Christian Colleges led a panel discussion on the subject, "Christian Leadership"; Dr. Joel Nederhood of the Back to God Hour was the featured speaker at the banquet; and Greg Woznick, former teacher and administrator, conducted three motivational and goal-setting workshops. NUCS, a charter member of CAPE, supports admissions policies which are nondiscriminatory on the basis of race, color, and national origin, as do all CAPE member organizations.

E. E. FORD FOUNDATION  
MAKES SECOND "GENERAL  
PURPOSES" GRANT TO CAPE

The Edward E. Ford Foundation has made a second grant of \$25,000 to CAPE in support of the Council's general purposes. While most of the Foundation's support goes directly to independent secondary schools, the Board also helps organizations devoted to the improvement of independent secondary education and is particularly interested in those with ideas and experiments that go beyond the institution originating them. Believing strongly in educational pluralism, the Board believes, further, that private education must be supported so public and private education may work closely to maintain and encourage our heritage of pluralism.

PERCENTAGE OF LAYPERSONS  
HEADING CATHOLIC SCHOOLS  
SHOWING MARKED INCREASE

There are well over 1,100 lay Catholic school principals in the U.S., and the number is growing. "When I attended my first diocesan principals' meeting five years ago, I felt like an oddity in a world predominantly garbed in black and brown," says Randolph J. Harris, a layman who was then principal of St. Mary's High School in Sandusky, Ohio. Four years later, he was "one of many" lay principals. In 1975, 13.8 percent of the Catholic high schools had lay principals; in 1976, the percentage was 14.1. In 1975, 11 percent of the Catholic elementary schools had lay principals; in 1976 the percentage was 13. On the basis of a random survey of diocesan school superintendents, one could conclude, Harris reports, that approximately 20 percent of all Catholic schools will have lay principals as schools open.

PUBLICATION CONSIDERS WAYS  
TO INCREASE OPPORTUNITIES  
FOR CHOICE IN EDUCATION

Sixteen authors are contributors to Parents, Teachers, and Children: Prospects for Choice in American Education, a new book published by the Institute for Contemporary Studies in San Francisco. A national group of distinguished educators, social scientists, legal scholars, and community leaders, the writers examine the present state of American public education and consider ways to increase educational choice, broadening the narrow subject to include the areas of cultural pluralism and social trust.

Berkeley law professors John Coons and Stephen Sugarman present a basic argument for choice, a system which would encourage cultural pluralism, tolerance, and trust, benefiting all classes in society. William H. Cornog, Superintendent Emeritus, New Trier Township High School in Illinois, discusses "geographical predestination," which, he says, operates in our public educational system. The volume, introduced by James S. Coleman, includes as its other contributors Denis P. Doyle, E. Babette Edwards, Nathan Glazer, Andrew M. Greeley, R. Kent Greenawalt, Marvin Lazerson, William C. McCreedy, Michael Novak, John P. O'Dwyer, Robert Singleton, Thomas Sowell, and Richard E. Wagner.

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**COUNCIL FOR AMERICAN PRIVATE EDUCATION**  
1625 Eye Street, N.W. Washington, D.C. 20006 (202) 659-3236  
Robert L. Lamborn, Executive Director; Barbara Blaes, Editor

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