

OUTLOOK

A report from the Council for American Private Education, Washington, D.C.

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NATIONAL CONFERENCES DRAW
LEADERS IN GOVERNMENT,
EDUCATION, LAW, RESEARCH

The character, condition, and concerns of the nation's private schools and their role in American education and society were featured as representatives of federal and state government, private school leaders, and research scholars gathered in Washington during the week of November 28 for a series of national conferences. The Council for American Private Education (CAPE) coordinated the series--two conferences in collaboration with the U.S. Office of Education (OE), one as cosponsor with the National Catholic Educational Association (NCEA), and the last under contract with the National Institute of Education (NIE) and in collaboration with the newly-formed Associates for Research on Private Education (ARPE).

First, at the Commissioner's Meeting on Private Schools, U.S. Commissioner of Education Ernest L. Boyer and key OE personnel met with CAPE's Directors to discuss private school matters, particularly those related to federal education programs administered by OE. Next, over 200 attended the two-part second national conference on private education, "Private Schools: Fact and Future II." Segment One dealt with "Private Schools and the States" and was cosponsored by OE and CAPE. Segment Two, "Private Schools and the First Amendment," was cosponsored by NCEA and CAPE. Last, leading scholars gathered for an unprecedented national conference, convened by ARPE and CAPE, to consider research on private schools.

BOYER: PRIVATE EDUCATION
"ABSOLUTELY CRUCIAL"; OE
SUPPORT WILL BE AGGRESSIVE

"Private education is absolutely crucial to the vitality of this nation," U.S. Commissioner of Education Ernest L. Boyer said, keynoting the second national conference on private education, "and public policy should strengthen rather than diminish these essential institutions. The United States Office of Education and all of us in this Administration," he continued, "are determined to sustain and strengthen the rich tradition of private education which we share." The "sustained vitality" of these schools is no mere accident. It is the evidence of their educational richness and diversity, their commitment to excellence, and their "deep concern for the yearnings of the human spirit."

"I pledge," the Commissioner continued, "that the nonpublic education office in OE will be assigned top priority and will receive more aggressive and sustained support than it has ever had before." The Commissioner plans, also, to increase the advisory role of nonpublic schools in OE, involving private school representatives in meetings, workshops, study groups, and conferences, as well as naming them to national advisory councils.

"We are determined," he told the conferees, "to see to it that nonpublic school children are fully served by those OE programs for which they are eligible." Saying OE will not accept "careless administration in this essential matter," Boyer found encouragement in the recent policy statement of the Council of Chief State School Officers that calls for "each state to provide educational benefits to all children to the full extent allowable." This objective will be vigorously pursued. "We must convert into deeds our well-intentioned words."

BROAD EXPERIENCE "URGES"
CONCERTED COLLABORATIVE
STATE-LEVEL INITIATIVES

Private school people working together and becoming involved accomplish more for their schools and for all of private education than they ever could independently--it was said by a chief state school officer, liaison and coordination officials on staffs of state education agencies, the Executive Director of the Education Commission of the States (ECS), leaders in CAPE-type state organizations, and by CAPE's Executive Director. Frank B. Brouillet, Superintendent of Public Instruction for the State of Washington, said, "In a large multi-faceted political system, a group speaks louder than the individual." In Washington, for instance, the Washington Federation of Independent Schools (WFIS) is looked to as the "voice of non-public education." As a result, said Brouillet, private education has had an impact on legislation and the activities of the state education agency. They are "routinely involved" in important educational decisions.

Roger Van Dyken, Executive Director of the Washington Council for Private Education (WCPE) as well as WFIS, and Chairman of the CAPE State Activities Task Force, explained that through "constant and patient education" relationships between WFIS, which is strictly political, WCPE, which is strictly educational, and the legislature are "indeed excellent." Donald Kell, President of the Michigan Association of Nonpublic Schools (MANS), discussed the history and major activities of MANS, emphasizing current statewide activities related to modifying the educational finance structure of the state to include provisions for educational vouchers.

The Broward County Nonpublic Schools Association in Florida, the only known county-wide private schools group in the country, finds consolidation an aid in dealing with the county school board. In addition, said Roger Sikkenga, Principal of the Briarwood Christian High School in Birmingham, Alabama, the group planned, among other activities, cooperative bus transportation, teacher pools, statistical surveys, and equitable student credit transfers. The Florida Association of Academic Nonpublic Schools (FAANS) formed after legislation was passed which would have severely repressed the independence of Florida's private schools. The governor vetoed the bill. FAANS solidified and worked to find ways to prevent a similar occurrence. Now, reported Charles O'Malley, currently Consultant for the Nonpublic Schools with the State Department of Education in Florida and earlier a leading figure in the creation of FAANS, the Department of Education "looks to FAANS" for answers on problems dealing with private education.

Warren Hill, Executive Director of the Education Commission of the States (ECS), underscored the significance of continuing, open, cooperative relationships between private school representatives and those in governors' offices, state legislatures, and state education agencies. Urging private school people to take the initiative in establishing and strengthening such sound relationships, he anticipated growing public support for private schools and assured the conferees of the constructive interest of the ECS staff. "I would have your spokesmen, as they seek understanding of and support for private schools, also clearly aware of and supportive of the state's total educational need." If they are not, they may well be "dismissed" as narrowly self-serving.

Advising careful consideration of suggestions "implicit and explicit" in earlier sessions, Robert Lamborn, CAPE's Executive Director, recommended state-level initiatives designed "to secure and strengthen" the public service role of the private schools. He proposed seven major "lines of action": (1) promote communication among the state's private schools; (2) develop relationships with local, metropolitan, and state governments--and their agencies; (3) maintain relationships with education-related organizations, public and private; (4) establish relationships, on the state level, with those from the state in the federal administration and Congress; (5) identify and develop constructive relationships with private school advocates of "proven power" among their "peers" in commerce, industry, government, the media, and the foundation world; (6) seek out relationships with private school people in other states; and (7) support collaborative efforts to create, at the national level, a constructive private school presence.

CONFEREES CONSIDER FIRST
AMENDMENT THEORY, PRACTICE,
IMPLICATIONS FOR ACTION

Senator Richard S. Schweiker (R.-Pa.), practicing attorneys, and professors of law posed questions to the conferees on the theoretical and practical aspects of the First Amendment. One set forth by Stephen Arons, professor of law at the University of Massachusetts: Is our country's system of financial support for only public education a violation of civil and not just religious liberties? Arons argues that because of the financial structure of American education, many parents--especially poor ones--who send their children to public schools are coerced by the political majority into exposing them to values and educational methods which may be at variance with family beliefs, thus threatening First Amendment rights. No education is value-free, he maintains, and an educational establishment which offers no value options is necessarily suspect on civil rights grounds.

Not only is the preservation of individual consciousness threatened but, because of majoritarian political control of the school system, the health of the entire political system is at stake. Before the Supreme Court will be able to recognize arguments of this sort, Arons continued, we must somehow change the climate of public opinion. He sees a long struggle. David Young, legal counsel to the Catholic Conference of Ohio, believes quicker solutions are possible. He sees Catholic school parents, and those of other faiths whose children attend church-related schools of their choice, as victims of "discrimination" because their educational tax dollars are taken away but not given back. He believes tax credits for tuition payments would help end that discrimination.

Charles Whelan, law professor at Fordham University, gave an overview of aid-to-education cases from 1947 to 1977, pointing out developments in tax policies and regulations during that period to be kept in mind in considering constitutional questions on aid. Attorney Charles Wilson, in his discussion of the difficulties in arguing cases involving "excessive entanglement," underlined the importance of consistency. On the one hand is the question of the National Labor Relations Board's jurisdiction over private schools. Here it can be argued that Catholic schools are pervasively religious, therefore jurisdiction over them would be "excessive entanglement." On the other hand, it can be argued in aid cases that Catholic schools are not "pervasively religious," that Title I teachers can enter the precincts of a nonpublic school and not get involved in religion.

Citing examples, Wilson explained he sees hope in present Title I litigation because of the "obvious deference" the Supreme Court has historically given to acts of Congress that it has not given to state legislation. Dealing with the Packwood-Moynihan bill, Whelan raises the question of whether attacks on the tuition tax credit bill would be lessened if the base of beneficiaries were broader--if, for instance, the credit were for general educational expenses, thus including public school parents as beneficiaries. He sees "formidable" political opposition to voucher plans. Acceptance by a state of a voucher plan would represent a willingness on the part of the state to abandon the public educational system in favor of a policy of public support of education. Whelan believes it "wholly unrealistic" to think that a state would adopt such a policy.

Whelan cautions that when educators and lawyers make fundamental choices about future action they must keep in mind that any proposal for enhancing cultural diversity in the U.S. does have to be balanced by a concern for at least the kind of fundamental political unity that makes us one nation. Some members of the Supreme Court, he said, see public schools as fostering both political and cultural unity.

"I see good things ahead for the cause of nonpublic schools in Congress," said Senator Schweiker. Diversity, he believes, is "healthy." Without it, we might as well "stamp out young citizens from a Big Mac Machine." He is in sympathy with the parent who gets "slapped with the tab for both public and private education if he uses the free choice for his children he's supposed to be entitled to." Seeing a solution to the problem in tuition credit, he predicted: "With your help, we can pass tuition tax relief in 1978. Together, we're going to give nonpublic schools a new lease on life," he said.

CONFERENCE ON RESEARCH ON
PRIVATE EDUCATION TYPIFIES
RAPIDLY DEVELOPING TREND

"It was an extraordinary opportunity for scholars doing research on private schools to exchange ideas, think about priorities, and initiate joint enterprises," says Donald A. Erickson. "So far as I know, no conference like this has ever previously been held." The Washington Research Conference on Private Education, convened December 1-2 by Associates for Research on Private Education (ARPE) in collaboration with CAPE, was further evidence of dramatic strides being made to focus research activities in the field of private education.

ARPE was formed at last spring's annual meeting of the American Educational Research Association (AERA). Welcoming as members researchers, practitioners, and others "vitaly interested in research," ARPE was established "to assist both producers and consumers" of research on private education, regardless of their points of view. It is a Special Interest Group of AERA; as such it will schedule sessions in conjunction with annual AERA conferences and remind the 9,000 AERA scholars of research opportunities in the field. Headed by Erickson, ARPE President and Director of the University of San Francisco's Center for Research on Private Education, and Sister A. T. Sheehan of the University of Toronto, Secretary-Treasurer, the new organization "attempts to accomplish more than would otherwise be possible by supplementing, rather than competing with, other agencies.

Members will receive the ARPE news, CAPE's OUTLOOK, and Inform, newsletter of the Center for Independent Education (CIE). A directory of U.S. and Canadian scholars interested in research in private education will be provided, "courtesy" of the University of San Francisco Center. ARPE Abstracts will keep members abreast of studies, analyses, and arguments "relevant to private educational research and gleaned on a systematic basis from a long list of periodicals from many disciplines." Members will identify articles for abstracting, which will be done in San Francisco. The "venture" will be financed by CIE.

In a related research initiative, CAPE and the Educational Information Resources Center (ERIC), a facility of NIE, are launching a joint effort to identify significant research and descriptive documents related to private elementary and secondary education, to create within ERIC "The National Repository of Private School Information," and to stimulate its use by scholars, practitioners, and others interested in the nation's schools. Leading scholars and private school educators see private schools as a "largely untapped" source of experiential data of significance to both public and private education.

The Washington Research Conference, funded by NIE, was designed "to identify the most promising lines of research relevant to private schools." Among others attending were the members of CAPE's Scholars Advisory Committee--Bruce Cooper, Donald Erickson, who serves as CAPE's Director of Research, Richard Nault, and Thomas Vitullo-Martin. They, along with Rev. Michael O'Neill, Director of the Institute for Catholic Educational Leadership, have been instrumental in providing the leadership which has resulted in the identification of interested scholars, the formation of ARPE, the establishment of the Center for Research in Private Education, the Washington Research Conference, and the CAPE-ERIC National Repository of Private School Information.

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