

OUTLOOK

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

Number 52 • June, 1979

AUTHORS OF PUBLIC POLICY
ON PRIVATE SCHOOLS URGED TO
UNDERSTAND THEIR DIVERSITY

"Those who wish to create wise public policy concerning private schools must first understand the diversity of the schools--and their intense commitment to maintaining that diversity," says Robert L. Lamborn, Executive Director of the Council for American Private Education (CAPE), a coalition of 15 national organizations serving private schools (K-12). "It is easy," he cautions, "to assume there is a 'private school system' paralleling the public school system--but that is inaccurate and misleading. Private schools are, in virtually every aspect, amazingly varied."

CAPE, using the "simplest sort" of criteria--and omitting categories which are equally applicable to public schools, such as size and urban-suburban-rural location--has identified about 40 groups or categories among the nation's over 20,000 private schools. Most of these categories reflect, in some way, a church or ethnic relationship. A partial list: Amish, Armenian, Assembly of God, Baptist (multiple denominations), Calvinist, Catholic, Episcopal, Friends, Greek Orthodox, Hebrew (Orthodox, Conservative, Reformed), Lutheran (multiple denominations), Mennonite, Methodist (multiple denominations), Moravian, Pillar of Fire, Presbyterian, Reformed, and Seventh-day Adventist.

While most of the 40 categories reflect church or ethnic relationships, others show the nature of ownership (individually-owned independent schools, on one hand, and Catholic diocesan school systems, on the other, for example), or pedagogical principle (the Montessori, Waldorf, and military schools are cases in point), or students served (the handicapped, the gifted and talented, and the socially alienated of the inner cities, among others). Since private schools vary not only in these characteristics but also in virtually all those found in public schools, an understanding of the role of private schools requires a considered inquiry into the nature of their diversity.

An undetermined number of private schools operate independently of any support, or service, system; others, for the most part church-related, operate under an informal but supportive umbrella organization of some sort; but most are served by one or more national organizations. Among the national organizations--and including all of the major organizations identified: American Association of Christian Schools; The American Lutheran Church; American Montessori Society; Association of Christian Schools International; Association of Evangelical Lutheran Churches; Association of Military Colleges and Schools of the U.S.; Association Montessori Internationale--USA; Association of Waldorf Schools of North America; Christian Schools International; Friends Council on Education; Lutheran Church--Missouri Synod; Mennonite Board of Education; National Association of Episcopal Schools; National Association of Independent Schools; National Association of Private Schools for Exceptional Children; National Catholic Educational Association; National Society for Hebrew Day Schools; Seventh-day Adventist Board of Education, K-12; Solomon Schechter Day School Association; United States Catholic Conference, and the Wisconsin Evangelical Lutheran Synod.

"More than ever before, private schools are collaborating on the local, state, and national levels," comments Lamborn. "But they are free to collaborate only because each clearly recognizes the absolute right of every other group to determine its own character." He is convinced that wise public policy "must recognize the schools' diversity, encourage their collaboration, and protect their independence."

BERRY, TIMPANE SERVING AS
ACTING HEADS OF OE, NIE

*Cost
Berry
Timpane*

Drs. Mary Berry and Michael Timpane have been named acting heads of the U.S. Office of Education (OE) and the National Institute of Education (NIE). Berry, presently HEW Assistant Secretary for Education, became Acting Commissioner of Education when Ernest Boyer left OE to become President of the Carnegie Foundation. Timpane, Deputy Director of NIE, was named Acting Director to replace Patricia Graham, who resigned to become Professor of Education at Harvard.

Berry may serve as Acting Commissioner for no more than 30 days, according to law. Marshall Smith, currently Assistant Education Commissioner for Policy Studies, was originally designated as interim head of OE but withdrew his name after there were press reports of severe criticism of his appointment by the Congressional Black Caucus. The reports, subsequently denied by the Administration, maintained that the Caucus created a furor over Smith's research role in the preparation of Christopher Jencks' book, Inequality, charging racial bias--an allegation seen by many as unwarranted.

SUPREME COURT RULES ON NEW
JERSEY, PENNSYLVANIA LAWS
RELATING TO PRIVATE SCHOOLS

The U.S. Supreme Court dealt recently with challenges to laws regarding private education in New Jersey and in Pennsylvania. In the New Jersey case, Byrne v. Public Funds for Public Schools, the Court upheld two

lower court rulings striking down a law allowing parents to claim a \$1,000 income tax deduction for children attending private schools. The U.S. District Court for New Jersey found the law unconstitutional; the U.S. Court of Appeals for the 3rd Circuit upheld that decision. The justices agreed with the appeals court ruling which found the New Jersey statute constitutionally unsound because it had the "primary effect of advancing religion."

In the Pennsylvania case, School District of Pittsburgh v. Pennsylvania Department of Education, et. al, the U.S. Supreme Court dismissed a challenge to a state law requiring school districts to provide free transportation to students attending private schools as far as 10 miles outside school district borders. The law provides for free transportation for students in both public and private schools, and even if no public school students are bused outside district lines, private school students must be, up to a distance of 10 miles, if they require it.

ASSISTANT SECRETARY FOR
PRIVATE EDUCATION PROPOSED,
REJECTED IN HOUSE DEBATE

*June 12, '79
Congressional
Record*

During a House debate on the creation of a federal Department of Education, Congressmen professing to support private schools argued that an Assistant Secretary for Private Education constituted everything from "a

very essential safeguard" (Findley; R-Ill.) to a step leading "to the demise of private schools" (Glickman; D-Kan.). The exchange occurred during consideration of an amendment presented by Congressman Thomas J. Tauke (R-Iowa) which would have called for such an office. Tauke would have created the office and charged the Assistant Secretary to administer "such functions affecting private education" as were delegated by the Secretary and to serve "as principal advisor" to the Secretary on matters affecting private education. The amendment was rejected when Tauke's demand for a recorded vote was refused.

Findley argued that "the diversity of education in this country, particularly that provided by private education, is absolutely vital." Congressman Jack Brooks (D-Tex.) held the position was unnecessary. "The thrust of the federal education program is to develop public and private education without differentiating between the two," he said. Glickman, opposing the amendment, foresaw that "once we get an Assistant Secretary it will not be long before there is no private education any longer." Such an appointment may be a mandate for further governmental "intrusion," argued Congressman John Erlenborn (R-Ill.). It is no guarantee that there would be a "watchdog to protect private education."

MISSOURI PRIVATE SCHOOLS
FORM STATE ORGANIZATION--
REFLECT DECADE-LONG TREND

*1/11/71
relativism*

The Missouri Council for American Private Education (MO-CAPE), formed in May, is the twenty-third such broadly representative statewide organization of private schools. A similar organization is in the final stages of formation in Rhode Island and under serious consideration in other states. D.C.-CAPE, serving the District of Columbia schools, provides a metropolitan model for private school collaboration; and a large county model, The Broward County Non-public School Association, has operated effectively in Florida for a number of years.

The Missouri group represents approximately 600 elementary and secondary schools serving at least 125,000 students. Member organizations represent Catholic, independent, Lutheran Church--Missouri Synod, Montessori, and Seventh-day Adventist schools. A five-person steering committee is presently guiding the group; officers will be elected in the fall. John Schmiedeler, Superintendent of Schools in the Diocese of Kansas City-St. Joseph, currently serves in a liaison capacity. The purpose of MO-CAPE is to promote the interests and betterment of Missouri private schools in several ways. Among them: to provide a framework for communication and cooperation between private schools and other agencies, schools, and associations, both public and private; to encourage diversity in education; to foster a closer sharing of private schools in the state's educational tasks; and to encourage a broad public commitment to excellence in education.

The formation of MO-CAPE--as well as its membership and its purposes--is representative of the national movement toward greater collaboration among private schools which has marked this decade. Nine national organizations serving private schools (K-12) created CAPE in 1971. That number has grown to 15, representing about 15,000 schools and 4.2 million children, approaching by enrollment 90 percent of American private education. In 1971 there were only a handful of state private school organizations. Now they are operating in Arizona, California, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Maryland, Michigan, Missouri, New Jersey, New Mexico, New York, North Carolina, Oregon, Puerto Rico, Tennessee, Texas, Virginia, Washington, and Wisconsin.

LAMBORN RESIGNS AT CLOSE
OF SIX YEARS AS CAPE'S
FIRST EXECUTIVE DIRECTOR

Robert L. Lamborn, Executive Director of CAPE since August 1973, has resigned effective September 30, 1979. "As CAPE's first Executive Director, Bob Lamborn is the one person responsible for CAPE's achievements and prestige on the Washington scene and elsewhere," comments Rabbi Bernard Goldenberg, CAPE President and Chairman of the Executive Committee for the National Society for Hebrew Day Schools. "His sincerity, commitment, enthusiasm--and his readily available storehouse of wisdom and intelligence--enabled CAPE to function so effectively," Goldberg continued. "Bob's resignation has been regretfully accepted." A search is underway for his successor.

Charged with the responsibility "to promote the vitality of the nation's private schools and to enhance their contribution to American education and society," Lamborn and the CAPE staff pursued a broad range of activities. Their efforts have been designed to promote increased understanding and cooperation among all sectors of the private school movement and to strengthen the position of private schools in the American educational system. They have worked to create a heightened awareness in government, the education community, and the general public of the social benefits of an education establishment in which strong public and strong private schools act as complementary social service agencies meeting the public need. In the process, CAPE has moved effectively onto the national scene.

Spokesmen for private education, government, and the research community who met in the spring of 1971 to consider the condition of America's private schools had a "vision," Lamborn recalls, of what could be accomplished by a national private school organization. On the strength of that vision, CAPE was created. "It's been immensely satisfying," Lamborn says, "to have had a part in turning a promising idea into a proven institution."

PRIVATE SCHOOL STUDENTS
BENEFIT FROM STATE-FUNDED
PROGRAMS IN 19 STATES

Nineteen states finance some form of services to children attending private schools, according to a recent study conducted by the Education Commission of the States (ECS). Transportation, the loan of textbooks and other teaching materials and equipment, and health services are most often provided. Some of the states provide funding for the education of the physically and emotionally handicapped or for low achieving pupils. Breakfast and lunch are provided in some. The amount of aid varies slightly: often the amount awarded equals that paid for similar services for public school students. In Iowa, for instance, the funds for textbooks are not to exceed comparable public school costs or \$7.50 per pupil, whichever is less.

Those states which, according to the ECS summary, provide some form of financial support to children attending private schools include: Alabama, Connecticut, Delaware, Georgia, Illinois, Iowa, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, and Wisconsin. These services are distinct from those provided by federal programs.

TAX CODES, SCHOOL FINANCE
PRACTICES "DRIVE" MIDDLE-
CLASS FAMILIES TO SUBURBS

Current tax codes dealing with education expenses and present patterns of school finance are contributing to the middle class' "flight to the suburbs," reports Thomas Vitullo-Martin, weakening the cities' tax bases, and "exacerbating" problems of city schools. Basing his conclusions on an analysis of federal, state, and local tax procedures, the sources of public school funds, and the percentage of the available public funds which are committed to education, he finds that "in the wealthiest suburbs, middle- and upper-income families not only get higher quality education for their children [than in major cities], they pay less for it."

The aggregate effect of the tax deduction system, finds Vitullo-Martin, a consultant to the Ford Foundation and the National Institute of Education, and an associate of the Brookings Institution, is that federal and state governments pay a higher percentage of the tax obligation in a high-income community than in a low-income community. The percentage is up to 70 percent in some New York suburbs, for example, less than 15 percent in the city. At the same time, suburban districts commonly concentrate as much as 80 percent of their tax revenues on support of their schools while New York City spends about 20 percent of theirs on schools. In the suburbs, Vitullo-Martin says, local taxes "are little more than tuition to exclusive public schools," and families can deduct this "tuition" from taxable income.

Vitullo-Martin addresses the issue in his study, "New York City's Interest in Reform of Tax Treatment of School Expenses: Retaining the Middle Class in the City," (City Almanac, December 1978, published by the Center for New York City Affairs of the New School for Social Research). He argues that the combination of disproportionate tax benefits for the public education expenses of wealthy suburbs and the substantial tax disadvantages of using comparably "high quality" city private schools "drives out" middle- and upper-income families. The city's private schools are "valuable social and economic resources," he believes. The city would benefit by providing for the deduction of school tuition, public and private, he concludes--and he sees this measure as politically "within reach." As it is, present tax laws "damage" the city.

OUTLOOK is published monthly (September through June) by the Council for American Private Education. Annual subscription \$6. Council members: The American Lutheran Church • American Montessori Society • The Association of Evangelical Lutheran Churches • Association of Military Colleges and Schools of the U. S. • Christian Schools International • Friends Council on Education • Lutheran Church—Missouri Synod • National Association of Episcopal Schools • National Association of Independent Schools • National Association of Private Schools for Exceptional Children • National Catholic Educational Association • National Society for Hebrew Day Schools • Seventh-day Adventist Board of Education, K-12 • Solomon Schechter Day School Association • U. S. Catholic Conference. Associated state organizations in Arizona, California, Connecticut, Georgia, Indiana, Kansas, Maryland, Michigan, New Mexico, Oregon, Puerto Rico, Tennessee, Virginia, Washington, and Wisconsin.

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