

OUTLOOK

A report from CAPE, the Council for American Private Education, Washington, D.C.,
a coalition of 15 national organizations serving private schools (K-12)

Number 69 • March 1981



The 'New Beginning' and the Schools

Federal aid to education has had its own "day of reckoning" before the Reagan administration and has emerged facing a 20% decrease in its budget.

As anticipated by Budget Director David Stockman's "little black book," circulated to key members of Congress early in February, Reagan's proposed budget cuts \$1.4 billion from federal elementary and secondary school programs and seeks consolidation of at least 57 programs into a system



"Just a little trim please, Ron"

of block grant funding. Under the proposed plan, federal money would be given both to school districts and state education agencies.

The program consolidation and fund reduction could eliminate many federal programs established under the Johnson administration to aid disadvantaged children. A budget official of the Education Department told *The Washington Post*: "The programs are being wiped out and strings are being removed from the aid. It's a radical change from existing programs."

Stockman anticipated that his plan "will be popular with many, especially those who believe that the federal role is to supply resources, not to specify what must be done with those resources." Conversely, he envisioned disapproval emanating "from each separate group or interest that now has one or more separate programs it identifies as 'its own' and that under this proposal would have to compete for resources with other groups at the state or local level."

Rev. Thomas G. Gallagher, Secretary of the Department of Education of the U.S. Catholic Conference and CAPE Board member, reacted to the proposals with some misgiving: "I am concerned that the revisions might establish new procedures which could easily by-pass the poor, let alone private schools, and that the new system could alter established programs which address the needs of minorities and the disadvantaged." Moreover, Gallagher said he felt "a sense of unease about all that discretion being given to the states to be used indiscriminately."

Subject: Postponement of Pending Regulations

"My second decision today is a directive ordering key federal agencies to freeze pending regulations for 60 days. This action gives my administration time to start a new regulatory oversight process and also prevents certain last minute regulatory decisions of the previous administration, the so-called 'midnight regulations,' from taking effect without proper review and approval."

President Ronald Reagan at first
White House press conference,
January 29, 1981.

A "Memorandum to Executive Branch Agencies Ordering 60-Day Freeze on Regulations," issued by the White House Press Secretary on the same date, announced that the President had also ordered eleven Cabinet members, among them the Secretary of Education, to refrain from issuing any new final regulations for the next 60-day period.

The agencies were instructed to inform the Director of the Office of Management and Budget "of any regulations that may not be postponed due

(continued on page 2)

(continued from page 1)

to emergencies that may arise or to statutory or court mandates," and confer with him about other regulations which may be exempted from the freeze because they had "...the effect of lessening rather than increasing the regulatory burden."

The first notice of postponement appeared in the *Federal Register* of February 4, shifting from February 5 to March 30 the effective date of regulations dealing with two library programs and "grant programs without specific regulations."

It was followed by an Education Department announcement on February 11 putting off the effective date of 27 sets of regulations to March 30. The list of affected regulations appears in the February 17 issue of the *Federal Register*, pp. 12495-12496.

Legislative Update

Tuition Tax Credits

S.550 (Packwood, R-OR; Moynihan, D-NY and Roth, R-DE).

Pending before Finance Committee.

H.R.380 (Luken, D-OH) and others.

Pending before Ways and Means Committee.

Tax-Exempt Status of Private Schools

H.R.82 (Ashbrook, R-OH) and others.

Pending before Ways and Means Committee.

Guidance for Elementary School Children

H.R. 1598 (Perkins, D-KY).

To provide comprehensive guidance and counseling through state and local LEAs.

Pending before Subcommittee on Elementary, Secondary and Vocational Education.

Hearings tentatively set for April 9.

Testing

H.R. 1312 (Gibbons, D-FL).

Pending before Subcommittees on Elementary, Secondary and Vocational Education; Employment Opportunities; and Postsecondary Education.

H.R. 1662 (Weiss, D-NY et al).

Pending before Subcommittees on Elementary, Secondary and Vocational Education; and Postsecondary Education.

Sunset Review

H.R.2 (Blanchard, D-MI).

Pending before Rules Committee and Subcommittee on Legislation and National Security.

H.R. 58 (Long, D-LA) and others.

Pending before Rules Committee.

Youth Opportunity Wage Act

S.348 (Hatch, R-UT).

To authorize a youth minimum wage differential. Workers under age 20 would receive 75% of minimum wage.

Pending before Labor Subcommittee.

Charitable Deductions to Extend to Non-Itemizers

S.170 (Packwood, R-OR and Moynihan, D-NY).

Pending before Finance Committee.

H.R.501 (Conable, R-NY and Gephardt, D-MO) and others.

Pending before Ways and Means Committee.

National Service System

H.R.1730 (McCloskey, R-CA).

Pending before Committee on Education and Labor; Subcommittee on Military Personnel; and Veterans Affairs Committee.

Capenotes

...The Cape Executive Board had lunch with Secretary of Education Terrel Bell during its February 19th meeting. Among matters discussed were CAPE's keen interest in the appointment of the top private school representative in the Department and private education's stake in the block grant proposal. The full Board will confer with the Secretary during its annual meeting in March.

...Assistant Secretary for Private Education Al Senske and Rev. Thomas Gallagher, Secretary of the Department of Education of the U.S. Catholic Conference and a CAPE Director, addressed the Association of American Publishers on textbook trends in private schools.

...The Executive Director spoke on prospects for private education as seen from Washington at the annual meeting of the National Association of Independent Schools in Boston.

...CAPE participated in a meeting of the National Science Teachers Association called to discuss developments in energy education.

COUNCIL FOR AMERICAN PRIVATE EDUCATION/1625 Eye Street, N.W., Washington, D.C. 20006

Robert L. Smith, *Executive Director*; Carla Gelband, *Editor*; Jay Roudebush, *Art Editor*

(202) 659-0016

[ISSN 0271-1451]

OUTLOOK is published monthly (September through June) by the Council for American Private Education. Annual subscription \$7. 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, District of Columbia, Florida, Georgia, Indiana, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oregon, Puerto Rico, Rhode Island, Tennessee, Texas, Virginia, Washington and Wisconsin.



And Beyond

Nebraska High Court Rules Against Christian School

The Faith Christian School in Louisville, Nebraska, came into existence on August 29, 1977. On January 30, 1981, the Supreme Court of Nebraska ruled that the 22-pupil school must conform to state requirements for minimum standards, compulsory attendance and teacher certification.

The school contended that enforced compliance would violate not only parents' freedom of religion as guaranteed under the First Amendment, but also their Ninth Amendment rights to bear, raise and educate children as they see fit.

Faith Christian, which uses the Accelerated Christian Education curriculum, has refused to seek approval from the State of Nebraska for its operation, its curriculum or the accreditation of its teachers. It has done so in the belief that a Christian education is mandated by the Bible, making teaching a way of life, not an activity to be confined to the hours of the school day. Thus, to Church Pastor Everett Sileven, the State, as an un-Christian institution, cannot be a proper judge of his school, nor should it even attempt to inspect what takes place on God's property.

In *State Ex Rel Douglas v. Faith Baptist Church*, the court held that the State has the power to impose reasonable regulations for the control and duration of basic education, and that although parents may send their children to nonpublic institutions, they "do not have the right to be completely unfettered by reasonable government regulations as to the quality of the education furnished." It further held that "the State has a compelling interest in the quality and ability of those who are employed to teach its young people, and a requirement that such teacher possess an appropriate baccalaureate degree is neither arbitrary nor unreasonable and is a reliable indicator of the probability of success as a teacher."

The court concluded, "The refusal of the defendants to comply with the compulsory education laws of the State of Nebraska as applied in this case is an arbitrary and unreasonable attempt to thwart the legitimate, reasonable, and compelling interests of the State in carrying out its educational obligations, under a claim of religious freedom."

Chief Justice Norman Krivosha, dissenting on the matter of teacher licensure, said, "I find nothing either in our statutes or in logic which compels a

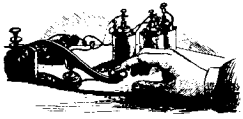
conclusion that one may not teach in a private school without a baccalaureate degree if the children are to be properly educated. Under our holding today, Eric Hoffer could not teach philosophy in a grade school, public or private; Julia Child could not teach cooking; and Thomas Edison could not teach the theories of electricity."

School Chaplaincy: Trying It Out

Episcopal seminarians are given an early opportunity to try out their vocational goals: those who think they might want to become school chaplains are encouraged to take a year off from their formal studies and serve as interns in Episcopal schools. Seminarians may spend a full academic year teaching religion and history, coaching, directing plays, supervising dormitory life, preparing and conducting services, assisting in chapel programs and aiding in pastoral care. They find that the experience enables them to gain perspective on their spiritual life, their studies and their plans for the future.

An intern who returned to Yale Divinity School after a year at Kent School, Connecticut, wrote in the *National Association of Episcopal Schools Newsletter*, ". . . it became increasingly difficult to remain an 'intern'. . . I willingly accepted a full-time obligation to the school community. . . . The joys and frustrations of this year were precisely those of active involvement. To relate openly and effectively to young persons and adults in so many different capacities was an exciting and constant challenge. It required not only an eagerness to teach, but a willingness to learn as well. The time for oneself had to be carefully set aside or else it was easily lost in schedules and other commitments. It required a willingness to try and understand the frustration of the student who had no spare time, and the faculty member who could not reach the student, and the administrator who could reach neither. The internship. . . gave me time: to change my pace, to examine my call and to begin to know the breadth of service in God's Church."

"By the end of the school year," one supervising chaplain wrote in the *Newsletter*, "we had a full-time faculty member rather than a part-time intern. . . . To some extent, the intern was too productive for his own good. His day off disappeared regularly because of coaching commitments, and as more and more people saw his independent capability, more and more people asked him to help." Another described the relationship of an intern and a school as "a bit like the first year of an arranged trial marriage — joys and frustrations, successes and disappointments, expectations and challenges, learning and love."



Capeline

● **Education Fellows:** The Education Policy Fellowship Program (EPFP) of the Institute for Educational Leadership announces that it is accepting applications for one-year fellowships that provide an opportunity to work under the direction of selected educational policymakers at the federal, state and local levels. EPFP is a non-degree program for outstanding mid-career individuals. Applications will be distributed through March 27, 1981. Write Application Coordinator, EPFP, Suite 310, 1001 Connecticut Ave., N.W., Washington, D.C. 20036.

● **Handicapped Children in Private Schools:** The Department of Education is considering publishing a document concerning the private education of handicapped children. In a "notice of intent" appearing in the *Federal Register* of December 24, 1980 (pp.85082-84), it asked for comments on "Services Provided to Children Who Are Placed in Private Schools by Their Parents" (p.85083). Opinions were solicited on current provisions for consultation, comparable benefits and levels of expenditure as well as the feasibility of the Department's providing further guidance in the application of the EDGAR provisions to such children. Although comments are due by March 11, it is possible that responses received after that date will be considered. Write Ms. Shirley Jones, Office of Special Education, Dept. of Education, Room 4030 Donohoe Bldg., 400 Maryland Ave., S.W., Washington, D.C. 20202.

● **NEH Youth Projects Grants:** April 15, 1981, is the deadline for submitting applications for Planning and Pilot Grants awarded under the National Endowment for the Humanities Youth Projects Program. The projects "provide support for educational institutions, cultural organizations and community groups interested in developing out-of-school humanities programs for children and youth under the age of 21." ("Out-of-school" may be construed as involving time spent after school hours, or during weekends or vacations.) Projects must focus on disciplines of the humanities. Write: NEH, MS 351-E, NEH Youth Projects Guidelines, 806 15th St., N.W., Washington, D.C. 20506.

● **NIE Grants:** Following are deadlines involving the National Institute of Education's research grant program in organizational processes in education: April 9 and December 10, 1981 for small grants (under \$15,000; up to 12 months) and April 9, August 13 and December 10, 1981 for preapplications for major grants (over \$15,000; up to 3 years). Write Gail MacColl, School Management and Organizational Studies Team, NIE, OERI, 1200 19th St., N.W., Washington, D.C. 20208.

● **Humanities Grants:** The National Endowment for the Humanities' Division of Education supports projects designed to strengthen the teaching of the humanities in elementary and secondary schools. Eligible projects include the development of curricula and curricular materials in history, literature, and foreign languages; extended teacher institutes; demonstration projects that will have regional or national impact on the teaching of the humanities. Application deadlines are April 1 and November 1. Write Crale Hopkins, Elementary and Secondary Education Program, NEH, MS 202, Washington, D.C. 20506.

OUTLOOK

COUNCIL FOR AMERICAN PRIVATE EDUCATION

1625 Eye Street, N.W.,
Washington, D.C. 20006