

CAPE OUTLOOK



OMB on Lucre and Lobbying

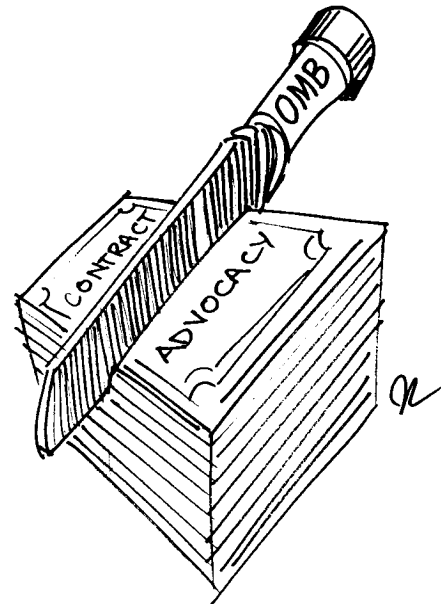
Are federal funding and political activity mutually exclusive? They will become more so if the Office of Management and Budget has its way.

On January 24, 1983, the agency issued a notice of proposed revision to its Circular A-122, Cost Principles for Nonprofit Organizations, the avowed purpose of which was "to ensure that federal tax dollars are not used, directly or indirectly, for the support of political advocacy." This was to be accomplished, according to the notice, by requiring federal grantees and contractors to "separate their grant or contract activity from their political activity."

As originally issued, the proposal would have prevented recipients of government grants or contracts from being reimbursed for the cost of political advocacy and would have disallowed the costs of equipment, personnel, meetings, conferences or publications, any part of which were used by an organization for advocacy purposes. Under those rubrics, any employee of a nonprofit organization whose salary was partly reimbursed by government funds could not spend one minute lobbying on company time without having the government disallow his entire salary under the grant or contract agreement. By the same token, if the government paid for part of an office copying machine, not so much as one copy of a lobbying document could be run off on it without the government disallowing payment for the machine.

Both the business and nonprofit communities took immediate exception to the proposal. Independent Sector, an association of nonprofit and philanthropic organizations, said the new rules would "virtually end public advocacy efforts by most nonprofit groups that receive federal funds." CAPE Executive Director Robert L. Smith wrote OMB, "I can think of few things more ironic than having the only Washington organization speaking on behalf of private elementary and secondary ed-

ucation forced out of our advocacy role because of an ill-considered Administration regulation."



Congressional action came swiftly. Representatives Paul Simon (D-IL) and Barber Conable (R-NY) called for immediate withdrawal of the circular, claiming that by it the "OMB would stifle and gag some of the most dynamic voices in our society." The House Subcommittee on Legislation and National Security held hearings on March 1 with the Subcommittee on Civil and Constitutional Rights following suit a week later.

Responding to the unprecedented public outcry, OMB announced on March 10 that it would, for the time being, withdraw its proposal, needing "more time for consultation." Agency spokesman Michael McConnell said, "We are guessing that it will take several months."

Senate Math/Science Hearings

Not to be outdone by its colleagues on the House side (see *Legislative Update*, page 3) the Senate Subcommittee on Education, Arts and Humanities met on March 8 to begin a three-day series of hearings on the nation's crisis in math and science education.

The diversity of witnesses called to appear before the Committee testified to the widespread dimensions of the crisis: representations were made on behalf of public and private elementary and secondary education, higher education, math, science

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and foreign language professional associations, and high technology industry.

CAPE Executive Director Robert L. Smith, calling attention to "the underlying irony of our present circumstances," noted that "The mightiest industrial, technological country on earth is in grave danger of losing its pre-eminence because of its gross neglect of the first principle of even the poorest of nations: to bring up its youth in the knowledge and skills necessary for national survival."

He strongly supported legislation to finance summer institutes and scholarships for current and potential math and science teachers; to give incentive grants for cooperative community attacks on the math/science problem; and to provide low-cost loans to college students pursuing math and science degrees.

In addition, he urged Congressional consideration of a plan to underwrite a voluntary national service period of a year between high school and college graduation during which a youngster would spend time in math or science teaching. He recommended also that students themselves, as well as retired senior citizens, be regarded as good potential sources of math and science teachers.

Excellence in Private Education

CAPE is undertaking a project to stimulate a national conversation about quality in private education and to recognize some exceptionally good private secondary schools in the process.

In response to a request from the Department of Education, it has agreed to manage the private school half of the Department's Secondary School Recognition Program, an effort to identify and accord recognition to unusually successful secondary schools throughout the nation. CAPE and the organizations participating with it believe that in so doing, they can begin a necessary dialogue on excellence both within the private school community and between private and public education, thus underscoring the diversity and "peculiar charism" of private schooling.

A committee representing about 98% of the constituent parts of private education met for the first time at the Department of Education on Febru-

ary 24. Assured by the Department that the recognition program was a "federally stimulated effort but not a government-owned effort at all," the group set out to develop its own methods of establishing an apparatus, procedures and criteria for making the selection of unusually effective private secondary schools.

The committee discussed, among other matters, the number of schools to be selected; the numerical relationship between the finalist schools and the statistical importance nationwide of the groups they represent; the establishment of criteria that relate to a holistic rather than a programmatic assessment of schools; and the relationship of national school organizations to the nomination and screening process.

The next meeting of the committee is set for April 12.

"A Kletz By Any Other Name. . ."

It appears that the meetings hosted by Chuck O'Malley, Executive Assistant to the Secretary for Private Education, have been Koffee Kletzes, not Koffee Klatches. The sixth such was held on March 2 at the Department of Education and featured Alvin Vanden Bosch, Chairman of the Illinois Advisory Committee on Non-Public Schools, who brought not only etymological enlightenment to the meeting's title but educational enrichment to its deliberations.

Vanden Bosch, and his colleague Roy McDermott, Manager of the Non-Public School Approval Section of the Illinois State Board of Education, depicted their state as one in which non-public schools are well-served, where they may, if they so desire, be accorded full state recognition under a set of criteria developed solely for them.

To Vanden Bosch, a positive relationship between a state department of education and the non-public school community depends on four factors: the existence of a cohesive organization of non-public schools with which the state department can work; a climate of trust operating between state officials and the non-public schools; a mutual appreciation of a state's unique social and political history; and an operating consensus on basic principles dealing with non-public education.

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

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A coalition of 15 national organizations serving private schools (K-12)

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Illinois seems to have met these prerequisites. Since 1971 it has had an Advisory Committee on Non-Public Schools representing to state officials the interests of 17 groups of non-public schools. The state's statutes dealing with non-public schools reflect the state board's assumption of private school integrity: the schools need not be state-recognized; their teachers need not be state-certified; their courses need not be state-approved. Private school leaders have been able to see their goals in the context of the state's history of non-public schooling and have geared their prospects for action accordingly.

Finally, a consensus on principles of non-public schooling can be seen in the Foreword to the State Board of Education's Policies and Guidelines for Registration and Recognition of Non-Public Elementary and Secondary Schools which states, in part, "The primary obligation for the education of the child belongs to the parents. The state derives its right to provide education to the extent that the state acts for the parents."

The New Tuition Tax Credit Bill

President Ronald Reagan sent his first piece of legislation (aside from his budget) to the Hill on February 16—his new tuition tax credit bill, the Educational Opportunity and Equity Act of 1983 (S.528). In a press conference and later that day in a meeting with supporters, James Baker, Reagan's Chief of Staff, commented, "We want to see (tuition tax credits) enacted into law. . . . We plan to have the President out front on this."

Senator Robert Dole (R-KS), Chairman of the Finance Committee, on behalf of Senators Packwood (R-OR), Moynihan (D-NY), Roth (R-DE) and D'Amato (R-NY), formally introduced the Administration's bill, saying, "A strong system of private schools available to all income classes should contribute to a better education for all our children."

S. 528 is identical to the Administration's previous bill, S. 2673, which passed the Senate Finance Committee last fall, except for three relatively minor changes: it deletes an amendment relating to handicapped education; it drops an amendment concerning school accreditation; and it raises the income level cap for family eligibility from a range of \$40,000-\$50,000 to a range of \$40,000-\$60,000. This means that a full credit is available to families with adjusted gross incomes up to \$40,000, and then phases out gradually to \$60,000 where it is rescinded completely.

The project costs are estimated at \$245 million in 1984; \$526 million in 1985; and \$754 million in 1986 and beyond. Although hearings have not yet been scheduled in the Senate Finance Committee, they are expected to be held by the end of March.

Tara M. Kalagher

Legislative Update

Math/Science

House passed H.R.1310 on March 4 by vote of 348-54. Calls for \$425 million in FY '84 for programs administered by ED & NSF. Formula grants to school districts for inservice training; course planning; scholarships; institutes.

Senate Subcommittee on Education, Arts and Humanities held hearings March 8 & 9; April 7.

See *Outlook #90* for description of other bills.

Social Security

House passed H.R.1900 on March 9, 282-148. Among other provisions, it calls for mandatory inclusion of nonprofit institutions by 1/1/84.

Senate Finance Committee passed March 10.

Draft Registration/Student Aid

S. 122 (Durenberger, R-MN).

Would repeal provision of P.L.97-252 barring student aid to young men not registered with Selective Service.

Pending in Education, Arts and Humanities Subcommittee.

H.R.1567 (Burton, D-CA); H.R.1622 (Schroeder, D-CO).

Post-secondary subcommittee hearings February 23 & 24.

District court in Minneapolis declared law probably unconstitutional on March 10.

Charitable Contributions

Would make permanent a provision in 1981 tax law allowing non-itemizers to deduct charitable contributions on tax forms. Provision now slated to expire in 1987.

S.337 (Packwood, R-OR).

Pending in Finance Committee.

H.R.1315 (Conable, R-NY).

Pending in Ways and Means.

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Among its recent activities on behalf of its constituency, CAPE:

. . . has given oral testimony to the Senate Subcommittee on Education, Arts and Humanities on proposed math-science legislation.

. . . has urged OMB to withdraw a proposed regulation which would result in significantly diminishing the effectiveness of CAPE and other advocacy groups.

. . . has met with local members of Parents and Educators for Tuition Tax Credits to consider ways to maximize the chances of passing the Administration's bill.

. . . has organized a session with Education Secretary Bell at the spring meeting of its Board of Directors.

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