

OUTLOOK

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

September, 1975

PENNSYLVANIA PASSES LAWS,
HEW PROBES FEDERAL IMPACT
AFTER SUPREME COURT RULING

To meet strictures on state aid to private school children set out by the U.S. Supreme Court in May, Pennsylvania has revised its legislation. Acts 88, 89, and 90 of the 1975 General Assembly, signed by the Governor this summer, will continue the flow of state aid to children in both non-sectarian and church-related schools—but with new constitutional safeguards, state officials believe.

In Meek v. Pittenger, the high court ruled auxiliary services out because the state had mandated delivery of services on the premises of church-related schools. The justices also struck down loans of instructional equipment and materials for all private school students in Pennsylvania because some could be diverted for religious use; the loans were in effect, the court said, loans to schools, most of them church-related.

Pennsylvania's new Act 89 attempts to avoid the defect for auxiliary services. It says that auxiliary services cannot be provided "in a church or in any facility under the control of a sectarian school." This means that students in church-related schools must receive the services in publicly controlled settings—public schools, neutral sites, or perhaps mobile units near their own schools. Nonsectarian schools, like public ones, may service their children on their campuses. Act 89 increases the allotment for the auxiliary services from \$36 to \$45 per student.

Act 88 allows \$20 per student, up \$5, for textbooks. The Supreme Court in Meek re-affirmed the constitutionality of textbook loans. In a legislative attempt to parallel the textbook law, Pennsylvania's Act 90 provides \$5 per private school student for instructional materials. It stipulates that materials must be for individual student use, "pre-prepared" only for nonideological instructional use, and not divertible for religious use. Henry T. Reath, attorney for the Pennsylvania Association of Independent Schools, says the new laws should "pass muster."

At the federal level, the ruling in Meek against one state's mandating of on-premises services poses questions for two major programs, ESEA Title I (Aid for Disadvantaged Children) and Title IV (Libraries, Learning Resources, Education Innovation and Support). David Mathews, Secretary of Health, Education, and Welfare since Aug. 8, is continuing HEW's legal review of the impact of Meek upon federal programs, before final regulations are drawn for ESEA Title I and Title IV.

Meanwhile, Office of Education officials and leaders in private education stress that Congress in the Education Amendments of 1974 laid down the strongest mandates ever for "equitable participation" of private school children in major federally-funded programs. Private school administrators have heard two pieces of advice. First, administrators should continue working for full implementation of federal provisions to assist private school children. At the same time, their approaches should be ones most likely to meet the potential problems arising from Meek. For instance, the services for private school children should be provided at neutral sites if possible; also, program staff should serve public as well as private school students.

VALUE-ORIENTED EDUCATION
ON UPSWING, MAGAZINE SAYS

Sensing a "values crisis" in the country, Americans appear interested in renewing the emphasis on values training in schoolrooms, U.S. News & World Report says. That new interest could herald a "comeback for religion in schools," as well, says the magazine, as "a revival in church-related schools."

The Aug. 18 article deals with the role of values education in public as well as independent and church-related schools. It includes interviews with leaders of CAPE and member groups involved in Catholic, Hebrew, and Lutheran education. The national magazine reports that parents who select church-related schools see those schools as offering "more discipline and more sharply defined values."

MONTESSORI AND MILITARY
SCHOOL GROUPS NEWEST OF
11 UNDER CAPE'S UMBRELLA

Two national groups, one of Montessori schools and one of military schools and colleges, have joined the Council for American Private Education (CAPE). The additions this summer put 11 national private educational organizations under the umbrella of CAPE, which now represents some 13,400 schools that enroll about 90 percent of America's private elementary and secondary school children.

The new association members are the Association of Military Colleges and Schools of the United States (AMCSUS) and the American Montessori Society. The first is a 61-year-old group whose membership includes 37 schools; they range from elementary schools to junior colleges with secondary school departments. All share an emphasis on discipline and preparation for the service academies or college, says the Executive Director of AMCSUS, retired Marine Maj. Gen. Clifford B. Drake. AMCSUS expects to expand, he says. Under a policy instituted this summer, schools less than fully military in character may join the Association.

The American Montessori Society (AMS) has been a mainstay in reviving Montessori education in the U.S. since the mid-1950's, says AMS National Director Cleo Monson. AMS membership includes nearly 300 of the 1,400 schools in this nation using the Montessori approach to early childhood education. AMS schools are operated by a variety of denominations and organizations. They serve about 20,000 students, most from ages three to six; some schools extend into the elementary level and a few into the secondary level.

Addition of the American Montessori Society has prompted CAPE to broaden its outlook. Membership rules have been altered to include pre-schools as well as elementary and secondary institutions. CAPE is a national nonprofit association formed in 1971 and funded by the Ford and Danforth foundations and dues from member groups. Members are nonprofit organizations which support nondiscriminatory admissions policies.

TITLE IV COUNCILS DRAW
ON PRIVATE SCHOOL SECTOR

For two new programs funded by OE for state management, 50 states, the District of Columbia, and three U.S. territories have appointed Title IV advisory councils. All have at least one member, as required by P.L. 93-380, to represent "private elementary and secondary schools." Some have more in that slot, Hawaii the most with four. In all, 80 are identifiable as from the private education sector.

Title IV councils are charged with helping to design and monitor two programs—Part B, Libraries and Learning Resources, and Part C, Educational Innovation and Support. The councils will help draft long-range general state plans and annual program plans. Both plans, by law, must assure "equitable participation" of children in private schools.

PRIVATE SCHOOLS SHARE DIP
IN NATION'S K-8 ENROLLMENT

About 4.6 million youngsters will enroll this month in private elementary and secondary schools, by federal estimates. The 1975-76 "back to school" forecast from the U.S. Office of Education (OE) predicts private schools will serve 3.4 million elementary pupils and 1.2 million high school students this academic year.

Meanwhile, the nation's total kindergarten through 12th grade enrollment is slipping. The OE forecast indicates this year's count will drop to 49.6 million, down from the 50.1 million last September.

U.S. Commissioner of Education Terrel H. Bell says the public and private school sectors will share in the enrollment drops, which are confined in both cases to kindergarten through 8th grade classrooms. Enrollments at that level, he predicts, will decrease about 619,000. Of that drop, 519,000 will be in public schools and 100,000 in private ones, Dr. Bell estimates.

OE figures show one recent trend holding; of America's 49.6 million kindergarten through 12th grade students, roughly one of every ten will be served in 1975-76 by the private educational sector. Of the 4.6 million private school students, CAPE estimates that 90 percent will be in schools served or operated by CAPE's 11 national member groups.

U.S. MINT ENLISTS STUDENTS
TO RECAPTURE LOST PENNIES

Children in private and public schools are collecting pennies—to start bank accounts, to buy trees for sprucing up school grounds, or at one Michigan school, to buy a new chimpanzee for Detroit's zoo. The U.S. Mint wants students to help put lost and strayed pennies back into circulation. For any student or group that trades in \$5 or more in pennies at a bank, the Treasury Department provides a Special Citation.

Students at Friendship School on Cape Cod used 3,000 coins from their penny hunt to buy Bicentennial trees. A penny drive at St. Mary's Academy in Hudson, N.Y., netted \$86; kindergartners retrieved the largest part, 2,000 of the pennies.

PRESIDENT'S COUNCIL PROMOTES
PHYSICAL FITNESS, SPORTS IN
MANY SCHOOL-BASED PROGRAMS

To help "shape up America," the President's Council on Physical Fitness and Sports seeks to involve all schools—private as well as public. Its purposes are to promote physical fitness in students and develop interest in physical exercise and sports for life. Benefits include the improvement of general learning potential in students and better health in adulthood, the Council says.

In recent talks with CAPE, Council official Dr. Asahel Hayes stressed that all Council programs and services are open to private and public schools alike. Its publications define the impact of physical activity upon health and describe innovations for physical education professionals. The program funds Demonstration Center Schools in every state. Public or private, such schools are models for developing and spreading "quality programs."

For all students, the Council promotes awards programs in physical fitness and sports. It has designed school-administered tests for individual fitness and for 39 types of sports, ranging from weight lifting and rugby to bicycling and orienteering. Award winners get presidentially-signed certificates and decals and sweater emblems. For professionals in physical education, the Council plans six regional clinics for 1975-76. Dr. Hayes notes that private school personnel are welcome. Topics will include technical and scientific developments and new programs; special sessions are planned on physical fitness for the handicapped.

PRIVATE SCHOOL SECTOR ACTS
WITH OTHERS IN EDUCATIONAL
COMMUNITY ON THREE FRONTS

On three fronts this summer, the private school sector has achieved added status as an integral element of the nation's educational community. In dealings with the Internal Revenue Service and two congressional committees, private elementary and secondary education has stood with other elements of American education—public and private, at college and pre-college levels—in responding to national policy concerns.

Private education on all levels is concerned about IRS regulations which tie the civil rights practices of institutions to their tax-exempt status. Agreeing with the principle, CAPE like others questioned the proposed record-keeping and reporting requirements. Answering a CAPE inquiry, IRS has said the agency plans to treat all private educational institutions uniformly. All tax-exempt institutions must, under pending rules, prove their lack of racial discrimination more frequently than in the past. However, IRS assures private schools as well as institutions of higher education that new guidelines will "not impose duplicate and expensive administrative burdens." The agency has advised CAPE that "final guidelines will apply equally to private colleges, universities, secondary schools, and elementary schools."

In the area of tax reform, CAPE has joined ten other national groups in statements to the House Ways and Means Committee. The American Council on Education (ACE) testified in July and will again in November. The ACE-led effort is on behalf of institutions educating most of 9 million students in public and private higher education and another 4.6 million in private elementary and secondary schools. A key issue is the tax treatment of charitable gifts to educational institutions, which depend heavily upon philanthropic support.

Before the Senate Subcommittee on Education, CAPE joined others in urging Congress to continue funding for the National Institute of Education, the research arm of federal education. CAPE Executive Director Robert Lamborn commended NIE for focusing on "manageable objectives" and improving its dissemination efforts "so that all school children may benefit" from NIE's findings.

ACTIVE INDEPENDENT SCHOOLS
OUTDATE NATION BY 100 YEARS

More than 100 years before America became a nation, colonists founded three independent schools that are still in operation. Cary Potter, President of the National Association of Independent Schools, says of the oldest schools in NAIS, three have celebrated "not their bicentennial, but their tricentennial." They are Collegiate School of New York City, born in 1638; The Roxbury Latin School (1645) in Massachusetts; and Hopkins Grammar (1660), now merged with Day Prospect Hill School in Connecticut. Among NAIS members are six schools operating since the 1600's. Potter says 17 of the NAIS schools in seven states have already had "a 200th birthday."

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Council members: The American Lutheran Church • American Montessori Society • Association of Military Colleges and Schools of the United States • Friends Council on Education • Lutheran Church—Missouri Synod, Board of Parish Education • National Association of Episcopal Schools • National Association of Independent Schools • National Catholic Educational Association • National Society for Hebrew Day Schools • National Union of Christian Schools • U.S. Catholic Conference.

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