

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 63 • September 1980



Senske Named Assistant ED Secretary

Al H. Senske, for the past nine years Secretary of Elementary and Secondary Schools for The Lutheran Church-Missouri Synod, was named Assistant Secretary for Non-Public Education on August 18. He replaces Edward R. D'Alessio, who resigned on June 25.

Senske's responsibility in the Department of Education is to ensure the maximum participation of non-public school students in all federal education programs for which they are eligible.

Commenting to *Outlook* on his appointment, Senske said: "I appreciate the confidence expressed by the CAPE Board in submitting my name to Secretary Hufstедler and the White House for consideration. The on-going support of, and communication with, all non-public schools will be very vital to me and my staff. We pledge to represent non-public education in every way possible, so that pupils enrolled in all schools, public and private, might have viable access to a quality education."

The new Assistant Secretary was a founding Director of CAPE and has served both as its president and treasurer. He has been a classroom instructor, football coach and administrator at Concordia Teachers College, River Forest, Ill. He has represented the interests of non-public education before many agencies of the federal government and has served on a variety of local and district school boards. He and his wife Ruth, a public school librarian, have made their home in St. Louis, Mo.

Senske received his B.S. degree from Concordia Teachers College, Seward, Neb., in 1951; his M.A. degree from Denver University, Colo., in 1954 and his doctorate in education from the University of Colorado, Boulder, in 1963.

D'Alessio, the former Assistant Secretary, was named Executive Vice President of Seton Hall University in July, and assumed the duties of interim chief operating officer upon the resignation of the University's president in August.

Asbestos Aid Available in Principle But Funding Still in Future

Schools wishing to clear their air of potentially dangerous asbestos particles may be able to do so under the terms of P.L. 96-270, the Asbestos School Hazard Detection and Control Act of 1980, signed by President Carter June 14.

The legislation, introduced last year by Sen. Jacob Javits (R-NY), attempts to protect school-children and personnel from the ill effects of exposure to asbestos fibers. Scientific study has linked such contact with cancer and other diseases, and the presence of crumbling, fiber-releasing asbestos materials in schools has been widely documented.

The law establishes two categories of aid to schools: grants for asbestos detection and loans for asbestos control. The grants to local educational agencies (including nonprofit elementary and secondary schools, as defined in Section 11 of the Act) may be made until June 14, 1982, for amounts equal to 50% of program costs. The Secretary of Education may increase the federal government's share after a determination that an applicant has insufficient fiscal resources with which to participate in the program.

Grants may be awarded for: visual inspection of school buildings; sampling of building and insulation materials; tests for asbestos content level in suspicious materials and tests for detection of imminent danger to persons within school buildings.

Interest-free loans, for amounts equal to 50% of project costs (or larger, at the discretion of the Secretary) are available for plans affecting more than 2500 square feet of surface to contain or remove any materials containing asbestos in school buildings "in which such materials pose an imminent hazard to the health and safety of children or employees"; replace asbestos materials removed from school buildings and make repairs necessary to "restore school buildings to conditions comparable to those existing before containment or removal activities were undertaken."

The detection program is authorized at \$22,500,000 for fiscal years 1981 and 1982 combined, while the loan program authorizes an expenditure of \$75,000,000 for each of the two years. To date, there has been no money appropriated for these programs.

"Baby BEOGs" Fails Senate Tests

The Senate sent Baby BEOGs home from school twice last spring. On April 30 the Committee on Labor and Human Resources defeated (8 to 5) an amendment to the Higher Education Act offered by Sen. Howard Metzenbaum (D-OH) to extend eligibility for basic educational opportunity grants to needy students attending private elementary and secondary schools. On June 24 the full body thwarted a similar attempt by Sen. Pat Moynihan (D-NY) by a vote of 71-24.

Moynihan, aided by Senate co-sponsor Abraham Ribicoff (D-CT), attempted to clarify his proposal during the debate by posing and answering the following questions:

Q: "What will be the effect of this amendment on the public schools?"

A: "The effect. . . will be negligible. . . . It will have no perceptible effect of any kind. It simply allows disadvantaged students who now have no opportunity to attend private schools to do so."

Q: "Will it assist students who attend schools that discriminate on racial or other grounds?"

A: "The answer is a flat no. . . . Attendance by a single pupil receiving these grants at a school makes that school subject to every civil rights act and regulation of the federal government regarding education."

Q: "Will this program compete with other federal education programs for scarce resources?"

A: "To a degree, any program does. But a program of \$120 million in the context of a federal budget of \$613 billion is scarcely a major diversion."

The major opponent of the plan, Sen. Ernest Hollings (D-SC), characterized it as "the classic, penultimate, quintessential. . . 'foot-in-the-door' legislation." He reproved his colleagues who supported it for resurrecting the old tuition tax credit issue in a new guise: ". . . This amendment's proponents come here again with a new variety and a new flavor," he charged. "It is almost like Baskin Robbins ice cream. They will give you a new flavor every week, and they will modify it."

Legislative Update

Child Health Assurance

H.R. 4962 (passed House December 11, 1979)
S. 1204 awaiting floor action.

Youth Act of 1980

H.R. 6711 (Perkins, D-KY)

S. 2385 (Williams, D-NJ et al)

See March *Outlook* for bill descriptions.

House approved H.R. 6711 August 26, 337-51.

Senate Subcommittee on Education, Arts and Humanities has markup scheduled September 9 and 12 on Title II (education portion) of Senate bill.

Cuban and Haitian Refugee Education Aid

To aid state and local educational agencies in educating Cuban and Haitian refugees.

H.R. 7859 (Stack, D-FL)

House approved August 18.

House bill pending before Senate Labor and Human Resources Committee.

Tuition Tax Credits

More than 50 bills have been introduced. Illustrative is H.R. 366 (Gradison, R-OH) et al), pending before House Ways and Means Committee.

S. 1095 (Moynihan, D-NY and Packwood, R-OR) is pending before Senate Finance Committee, with sponsorship growing.

Presidential Commission on National Service

H.R. 6868 (Panetta, D-CA)

S. 1843, Title II (Tsongas, D-MA)

Reported by House Select Education Subcommittee September 3; full committee markup tentatively set for end of month.

Senate passed bill (mainly concerned with domestic violence) September 4, 46-42. House version of that bill did not refer to national service.

Charitable Deductions to Extend to Non-Itemizers

H.R. 1785 (Fisher, D-VA and Conable, R-NY)

S. 219 (Packwood, R-OR and Moynihan, D-NY)

House bill pending before Ways and Means Committee with 249 co-sponsors.

Senate bill pending before Finance Committee with 43 co-sponsors.

Testing

H.R. 4949 (Weiss, D-NY et al)

H.R. 3564 (Gibbons, D-FL)

See March *Outlook* for bill descriptions.

Pending before House Elementary, Secondary and Vocational Education Subcommittee and before Post Secondary Education Subcommittee.

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International Education Programs

To move such programs from National Defense Education Act to Higher Education Act.

H.R. 5192, Title VI, passed House November 7, 1979.

S. 1839, Title VI, passed Senate June 25.

House-Senate conferees agreed to H.R. 5192 August 22.

House accepted August 28; awaits Senate floor action.

Regulatory Reform

Among other reform bills, the ones most relevant to private education are:

H.R. 4660 (Russo, D-IL)

S. 299 (Culver, D-IA)

To establish "tiered" compliance and reporting requirements, taking into account the relative impact of regulation on organizations of varying sizes.

House bill pending before Rules Committee.

House to consider Senate version September 8.

Senate bill approved by Senate August 6.

Assistant Secretary for Private Education

H.R. 6289 (Guarini, D-NJ)

Pending before House Elementary, Secondary and Vocational Education Subcommittee.

Office of Nongovernmental Education, to be headed by Assistant Secretary of Nongovernmental Education.

S. 2205 (Moynihan, D-NY)

Pending before Senate Governmental Affairs Committee.

Sunset Review

H.R. 5858 (Long, D-LA)

S. 2 (Sasser, D-TN)

See March *Outlook* for bill descriptions.

House bill pending before Rules Committee.

Senate bill reported by Senate Rules Committee September 4.

BEOGs and Loans

(See p. 2.)

Asbestos in Schools

(See p. 1.)

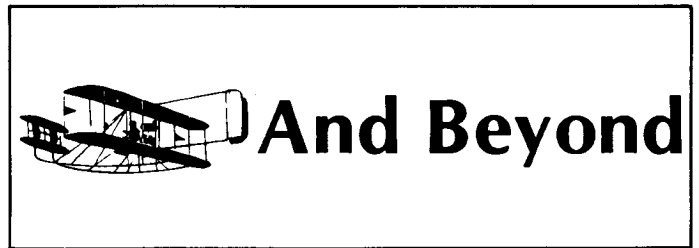
Capenotes

... Robert L. Smith spoke on private education in an interview conducted on cable news television. The discussion was part of that network's week-long coverage of education.

... CAPE's Executive Director attended the annual meeting of the Education Commission of the States in Atlanta at the end of July. He serves that group as a non-voting Commissioner.

... The November issue of *Religious Education* will contain an article written by Mr. Smith on "Private Education and Public Policy."

... The Executive Director attended a July Symposium for Policymakers and Concerned Citizens sponsored by The White Center for Law and Public Policy of Notre Dame Law School.



Learning at Home in New Hampshire

Not all New Hampshire schoolchildren will be involved in the frantic early-morning search for boots and mittens this year. Some will be doing their learning at home. The country's first set of state rules for home education was passed by the New Hampshire Department of Education last June and will remain in effect for a two-year trial period. The regulations provide for parental application to local school authorities for home education programs for children between the ages of 6 and 16.

Five conditions must be met in order for a program to be approved as an alternative to school assignment:

1. Parents must submit an application annually.
2. A "manifest educational hardship" must be found to exist for the child concerned. The parent must show either that "because of some mental, physical or emotional condition of the particular child, school assignment is not appropriate or that attendance at school is not feasible or in the child's best interest," or that "there are special benefits to be derived by the child from a quality home education program and that to deny the child an opportunity to receive such benefits would constitute an educational hardship."
3. The proposed plan must demonstrate that "The child's manifest educational hardship will be satisfied" and that the instruction prescribed by New Hampshire statutes will be provided.
4. The parent must be qualified to teach the child at home.
5. The proposed program must provide for evaluation of the educational progress of the child.



Parents as Partners

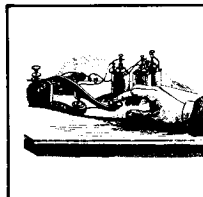
Parents at New York City's Lower East Side Community School not only bake cookies and go on field trips; they also sign their children's completed homework "as evidence that they are creating the proper atmosphere for study and making sure their children are studying."

LESCS was founded in 1976 by Wallie Simpson as a nonsectarian, non-discriminatory alternative school serving black and Puerto Rican families dissatisfied with the city's public school system. It seeks to make partners of its parents, holding them "...responsible for the success of their children in school."

Some parents are reluctant to join this partnership, however, believing themselves incompetent or desiring to remain aloof. Mrs. Simpson blames the school system for inculcating these negative attitudes, saying, "Educators have always been super busy telling African American parents that their children are stupid, lazy, retarded, irresponsible, emotionally disturbed and destined to fail."

LESCS entreats its insecure parents to give their children "...the gift of guidance in seeing that good study habits are developed and positive behavior and attitudes are enforced. . . ." It urges its uninvolved parents to "...give of their time to their children, (to) . . .face and resolve negative behavior patterns when they begin, (to) . . .encourage and instill confidence, (and) . . .be an example of positive behavior. . . ."

Students at LESCS have made remarkable academic progress. Mrs. Simpson attributes this to the dedication of her teachers to "the essence of the Ten Commandments and the Fruit of the Spirit" and the commitment of her parents to an intense and abiding involvement with the school.



Capeline

● **AASA Resolution:** The American Association of School Administrators' Delegate Assembly and Executive Committee approved the following resolution last spring: "Public and nonpublic educators should continue to strive for communication, cooperation, mutual respect, and trust, despite pressures caused by changing enrollments, fiscal austerity, and differing philosophical approaches."

● **Freebies:** Equipment, raw materials available to nonprofit schools from National Association for Exchange of Industrial Resources. Quarterly catalogues sent for yearly fee of \$180. Write: NAEIR, 540 Frontage Road, Northfield, IL 60093.

● **Fulbright Exchanges:** November 1 is the deadline for submission of applications for the 1981-82 Fulbright-Hays teacher exchange program. In addition to overseas teaching assignments, the 1981 program offers summer seminars for current teachers of the classics, German, Italian, and world, Asian and Middle Eastern history and area studies. Seminars will also be held for social studies supervisors and curriculum developers and directors. Basic requirements for presently employed teachers are: U.S. citizenship, a bachelor's degree, three years of teaching experience for one-year positions, and two years of experience for seminars. Write: Teacher Exchange Section, Division of International Education, U.S. Department of Education, Washington, D.C. 20202.

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