

CAPE OUTLOOK



National Forum Draws Crowds of Educators and Policymakers

Despite crowded hallways and overflowing conference rooms which found 2,500 of the nation's educational leaders cramped for space, the National Forum on Education held in Indianapolis in early December was "an extremely useful and memorable event," according to Bob Smith, CAPE's executive director.

The finale of a series of regional meetings sponsored by the Secretary to consider the report of the National Commission on Excellence in Education, this conference gave a full hearing to the range of issues raised in "A Nation At Risk," and was enriched by the active participation of eight governors, numerous Congressmen and a full complement of the nation's educational leadership.

Private education, as pointed out in our November issue, was not directly involved in the Commission report. However, over 80 private school people from all over attended a reception cosponsored by Indiana CAPE, the U.S. Office of Private Education, Grolier Educational Services and CAPE on the second evening of the conference. And half a dozen private school representatives, including CAPE Director Father Thomas Gallagher of the U.S. Catholic Conference, served as panelists.

One of the most fruitful sessions involving concerns of private schools focused on State-Private School relations. The legal context, historical and contemporary, were discussed respectively by Pat Lines of the Education Commission of the States and Philip Murren, partner of William Ball of the law firm of Ball and Skelly.

Although they both agreed that the state has a compelling interest in the private school's compliance with state fire, safety and record-keeping requirements as well as its following a curriculum which include the basics, there was not a time to discuss at length the basic proposition, brought forward by Murren, that educational freedom is always in the public interest. Nor was there an op-

(continued on page 2)

1,200 Schools Enter Project

More than 1,200 private secondary schools, about one in five of all such schools, have responded positively to an invitation to participate in the Private Secondary School Recognition Project. The 19 page application forms were mailed during the week of December 12th and completed forms are due back no later than the postmarked date of January 16, 1984.

A letter of November 12 introducing schools to the Project stressed that this "is not a project to identify 'the best schools' but rather to focus on a wide range of characteristics of educational quality found throughout private education." It added that it will be a means by which private schools may contribute to the 'national conversation on excellence in education' as well as permit each school to measure its unique strength.

As reported in OUTLOOK of December, this undertaking, supported by Secretary Bell's discretionary fund is being managed by CAPE with the assistance of a Project Advisory Committee of representatives of most segments of private education.

CAPE Appeals Discriminatory Provisions In School Lunch and Student Aid Programs

CAPE and other nonpublic school organizations are appealing to the Administration and to Congress to remove a discriminatory provision in the National School Lunch Program.

In 1981, Congress cut child nutrition programs by one-third, negatively affecting over 3 million children, and accepted a proposal by the Office of Management and Budget which disqualified any private school charging an annual average tuition of \$1500 or more from participating in the National School Lunch Act and the Child Nutrition Act of 1966.

Since 1946 all students, whether attending public, Catholic, or other private schools, shared equitably in the benefit of the National School Lunch Act and other child nutrition programs enacted by Congress. This changed drastically in 1981 when Congress accepted a distinction between public and private school students in the National School Lunch and Child Nutrition Acts.

The rationale for this action was to reduce Federal expenditures by removing subsidies for families who could afford to provide for the nutritional

(continued on page 3)

(continued from page 1)

portunity to consider carefully the crucial issue raised at the very end as to the best balance between parental and state control of education on which Lines and Murren expressed some difference of views.

This session, involving a wide spectrum of opinion (there were two chief state school officers on the panel) on a critical concern for each of the states, was typical of two days of discussion on key topics facing education. As important, from the CAPE view, was the abundant opportunities to mix with people from every part of education from all over the country. One felt that at least for a time, the education community is aroused as rarely it has been and is signalling its strong intention to work with renewed vigor and on all the critical matters facing "A Nation at Risk."



Neighborhood-Based Independent Schools 'Give a Child a Choice'

One of the most vigorous frontiers of elementary and secondary education are neighborhood private schools. It is these, together with urban parochial schools, which are centrally involved in meeting the burgeoning educational hopes and requirements of inner city minority families.

A recent survey by the National Center for Neighborhood Enterprise (NCNE) identified more than 250 alternative schools nationwide but many estimates put the number much higher. NCNE is a nonprofit organization founded in 1981, which fosters neighborhood enterprise in solving social and economic problems. Its ongoing educational program identifies and promotes educational options

for low-income and minority groups.

A conference — the first of its kind — on "Neighborhood-Based Independent Schools," convened on November 9-10 attracting more than 100 participants from all parts of the country.

"These schools are so diversified," commented conference participant Randolph Tobias, associate dean of the faculty at Queens College, City University of New York. "Some are religious-based, some are nationalistic, some are preppy. The common thread is, 'We believe we can do something better than the public schools. There are needs that our populations have that we can fill better than the public schools.'"

"This has been true throughout American history," said Tobias. "The Catholics took this position — that the public schools could not provide a good Catholic education. The Jews took that position."

"We have not established this forum to oppose public education," said Robert Woodson, NCNE's founder and president, and a former program director at the National Urban League and the American Enterprise Institute. "Our concern is. . . that children have a choice. We believe that having broader options in education is good not only for the children, but for the entire educational system."

The public schools' failure to meet the academic, cultural and social needs of minority students was a theme repeated by participants as a central reason for establishing their schools. The participants represented about 60 schools designed to meet the needs of black, Hispanic, American Indian and Asian students.

Survival was a key issue discussed during the conference with several speakers presenting a variety of survival tactics. Not surprisingly, for many of the schools, money remains the key to their survival. Most schools operate on very modest budgets, relying on tuition, donations, and for some, gifts from foundations and private business. Many said their schools had not sought federal support.

NCNE intends to promote the growth and development of these schools by publicizing their accomplishments, providing forums for exchange of ideas and technical expertise, and creating a data bank to serve as a resource for policy analysis and archive development.

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

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(continued from page 1)

needs of their children. It was assumed, without regard to the millions of dollars private schools spend for scholarship and other forms of student aid, that any family which can afford \$1500 for tuition could afford to pay for a child's lunch.

The U.S. Catholic Conference has collected comprehensive data of the impact of the offending provision on the participation levels of private school children in child nutrition programs. The USCC survey identified 246 schools enrolling approximately 131,000 students which charge \$1500 or more tuition and have been disqualified from the school lunch and breakfast programs. Within the next two years, another 243 schools with an approximate enrollment of 158,000 students are expected to reach the disqualifying \$1500 tuition level. The data indicates that significant numbers of low income and/or minority students have been disqualified from the program.

Several other CAPE member organizations have analyzed the impact of the changes on their member schools. The National Association of Independent Schools (NAIS) estimates that 20-25% of their schools have been dropped from the program. The Hebrew Day Schools estimate that up to 10% of their schools have moved out of the program either because of the tuition limitation provision, or the efforts of the other child nutrition cutbacks. Members of Christian Schools International have had a serious problem with the \$1500 tuition limit but have had difficulty determining the impact since their affiliate schools do not have a set tuition figure.

There are two bills pending in Congress which would amend the National School Lunch Act to delete the phrase eliminating from the program "private schools whose average yearly tuition exceeds \$1500 per child." CAPE is working with House and Senate staff to correct the discriminatory aspect of the present Act.

CAPE Rejects Financial Aid Regulations

On another front, CAPE has appealed to the Administration for changes regarding private school tuition allowance in college financial aid needs analysis. Recent modifications in the method for calculating the expected family contribution of applicants for college financial aid from Supplemental Educational Opportunity Grants (SEOG's) and Pell Grants (BEOG's) have adversely affected families with children attending private elementary and secondary schools. Additionally, since the regulations especially hurt lower income families they may become a hindrance to attempts of diversifying private school enrollments.

Since 1976 applicants for SEOG and BEOG could deduct the tuition paid for dependent children attending a private elementary and secondary school when determining the expected family con-

tribution. This was a simple deduction from "effective family income."

The Needs Analysis Services (which set the standards for determining who should get aid) have for academic year 1983-1984 imposed a floor of four percent of income on the allowance for families of SEOG recipients and are adding a \$1,400 cap for 1984-1985. The 4% floor would mean that a family with an "effective family income" of \$15,000 could not deduct any tuition costs unless they exceeded \$600. This would affect an overwhelming number of private school families. For example, in 1981-1982 83% of Catholic elementary schools had tuitions under \$600 and the average tuition of secondary schools was \$790 for the same year. Thus, because a sizable number of private school families enroll more than one child in private schools the \$1,400 cap would limit benefits for a great many families.

CAPE and several of its member organizations have requested the Department of Education which has approved the regulations to review these requirements and to take the necessary measures to see that the Congressional mandate for the consideration "of any educational expense of other children in the family" is administered according to the law.

Legislative Update

The first session of the 98th Congress ended November 18. Several bills were enacted, including several education-related measures. In the next issue of OUTLOOK we will list the bills of interest to private education acted on in 1983 and include a review of the education-related bills carried over to the second session of the 98th Congress which is set to begin January 23, 1984.

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

...has been invited, with its Board of Directors, to participate in a national symposium on war and peace sponsored by its member organization the U.S. Catholic Conference. At the three day meeting in mid-January, participants will develop long term strategies for implementation of the pastoral letter, "The Challenge of Peace: God's Promise and Our Response." Cardinal Bernardin, Chairman of the National Conference of Catholic Bishops which drafted the letter, and others will present papers on implementing the Pastoral within education.

...has just sent out its appeal for individual and organizational gifts. Because the dues paid by our member organizations do not nearly cover all the costs of representing the many needs of private education in Washington, we strongly encourage our readers to contribute as generously as they can. Gifts are tax deductible and will be matched by a challenge grant. Checks should be made payable to CAPE.

Congress Amends Education of the Handicapped Act

The Education of the Handicapped Act Amendments of 1983, a measure reauthorizing sections of the Education of the Handicapped Act for three years, was signed into law by the President on December 5. Education of the handicapped is an issue of significant interest to private education, especially to CAPE's member organization, the National Association of Private Schools for Exceptional Children.

The 1983 bill creates a new \$6 million program to help handicapped youths make the transition from school to work or higher education. The measure also expands early childhood education programs.

The 1983 amendments add to Part B of the handicapped law, P.L. 94-142, an important by-pass provision for private schools by which the federal government can step in to provide services to children in private schools by contract or other arrangements in states where state law or practice make it impossible for the local education agency to do so.

Since the inception of the program the participation of private school students has been quite poor and in some areas of the country has been nonexistent. For example, Senator Thomas Eagleton (D-MO) noted during the recent Senate debate on the handicapped amendments that, among 3,575 Catholic school students in his state suspected or known to be handicapped only 275 had received special services from public schools.

CAPE anticipates that in oversight hearings on P.L. 94-142 recently announced by the House Select Education Subcommittee for mid-February, private education will have an opportunity to strengthen and broaden the provisions for the participation of private school handicapped children. The Subcommittee is now seeking comments on

P.L. 94-142 which will identify provisions of the law which need to be improved.



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