

CAPE OUTLOOK



In Memory of Representative Carl T. Perkins

The education community in Washington and those who follow education legislation nationally were shocked and deeply saddened by the sudden death on August 3rd of Congressman Carl Perkins from Kentucky. The powerful and tenacious Chairman of the House Committee on Education and Labor, Congressman Perkins was a constant friend and energetic advocate of the welfare of school children, schools, teachers, principals, and educational priorities.

We at CAPE and the private school community in general feel a special sense of loss for a man, one of the rare few in Congress, who never forgot that the nation's school system includes private schools and private school students. His even-handed and deeply concerned attention to the good of all the nation's school children will mark him forever as one of the educational heroes of this era. Next to Lyndon Johnson, no one has been so individually responsible for the creation and implementation of the policies and laws through which the Federal government plays its part in the educational life of the country. Coming from the poor and rugged hills of eastern Kentucky, to which he returned every weekend, he understood vividly the intimate connections between poverty and educational achievement. The Elementary and Secondary Education Act with its critically important centerpiece, Title I — for disadvantaged children, the Vocational Education Act, the School Lunch and Breakfast programs, the Guaranteed Student Loan Program, The Higher Education Act, Older Americans Act, The Women, Infant and Children Program and the recent Math-Science education legislation addressing the teacher shortage are some of the major pieces of legislation which his work made possible.

Congressman Perkins will be loved and remembered because he cared so much for those in our society who need so much care.

Presidential Praise to Principals

On August 27th, in Washington, the principals of the 60 private secondary schools selected in the Exemplary Private School Recognition Project were awarded special plaques by Secretary of Education Terrel Bell. Their counterparts from 202 public schools were also honored on this ceremonial day highlighted by an after-lunch speech by President Reagan (his teacher-in-space message).

The day's activities included a panel discussion on school improvement lead by National Commission on Excellence Director Milton Goldberg and featuring Virginia's Governor 'Chuck' Robb, a luncheon address by Secretary Bell and a mammoth day-end reception at the spacious Corcoran Art Gallery.

After the President's speech at the Marriott Hotel, each private school principal (or school representative), in the alphabetical order of their school's state, was handed his plaque by Secretary Bell flanked by a photographer as Bob Smith of CAPE read off the names. The private school principals seemed extremely happy with the occasion and particularly pleased to be honored in the same setting as their public school colleagues.

At a brief private school meeting after the ceremony in which Bob Smith thanked all the schools for participating and noted that never before in history had so many different kinds of private schools been represented in one room, he announced that a second Recognition Project would be conducted during 1984-85.

Invitation letters to all private secondary schools will be mailed on or about September 14th. The Project, regrettably, is unable to include elementary and middle schools next year because of very limited funds.

The Project Report will be completed and ready for mailing about September 30th. All schools in last year's Project as well as schools requesting a copy will be sent one. Please address requests to:

Project Office
Council For American Private Education
1625 Eye St., NW #1011
Washington, D.C. 20006

The 60 schools identified as exemplary by the Exemplary Private School Recognition Project are listed on page 4.

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NYC's Chapter 1 Aid Ruled Church-State Violation

In a case which has serious potential implications for private schools, a Federal appeals court ruled in July that New York City's program of sending public school teachers into nonpublic schools to teach remedial academic courses and provide guidance counseling to disadvantaged students under Title I of the Elementary and Secondary Education Act of 1965 violates the Constitution.

The unanimous decision by the U.S. Circuit Court of Appeals for the Second Circuit praised the program but said that it violated the First Amendment's prohibition against governmental involvement in religion. The decision reverses an earlier ruling by a District Court dismissing a suit filed initially in 1978 by six parents who said the city program violated the separation of Church and State.

In 1981-82, the Chapter I program reached some 231 nonpublic schools that enroll 13.2% of the total number getting services in NYC. Judge Henry Friendly who wrote the appeals court decision said, "The constitutional problem arises from the fact that the vast majority of these nonpublic school students attend religious schools," with 84% in Catholic schools and another 8% going to Hebrew day schools in 1981-82. The program will remain in place pending the city's appeal, according to the board of education. In August, the U.S. Department of Justice filed an appeal with the Supreme Court to overturn the 2nd U.S. Circuit Court of Appeals July decision.

In a related case, the Supreme Court in February agreed to hear arguments next term in a Grand Rapids, Michigan case that tests the constitutionality of a state authorized school program in Grand Rapids in which public school teachers taught remedial courses in some private school classrooms leased by the local school district (Grand Rapids v. Ball).

The justices may decide to review the Chapter I case in conjunction with the similar Grand Rapids dispute and decide them together. The main difference between the two programs is that NYC's Chapter I program is open only to economically and educationally disadvantaged nonpublic school students while the Grand Rapids classes are open to all students, in public and private schools. The two cases could set new precedents for the use of public funds to assist private school students, according to observers of Church-State issues.

Congress Passes Math & Science Legislation

The Education for Economic Security Act, the so-called "math-science" bill, which seeks to improve math and science education at the secondary and undergraduate levels through new National Science Foundation and the Department of Education programs was signed by the President on August 11, 1984. The bill establishes a 2 year \$965 million Federal program to fund a variety of programs to upgrade instruction in mathematics, science, computer technology, foreign language, and employment based vocational training programs.

The bill calls for the U.S. Department of Education to administer a \$350 million effort to "improve instruction" in mathematics and science in FY 84 and \$400 million program in FY 85. The National Science Foundation would administer a \$210 million program in FY 1984 and 1985 to upgrade teacher training, improve teaching materials, provide scholarships for college graduates going into science teaching and establish awards for outstanding teachers, and partnerships with business.

10% of the funding flows to the Secretary's discretionary fund, with the remaining going to the states in block grants. The bill directs 70% of a state's allotment for elementary and secondary programs.

During the final consideration by the Senate a controversial amendment to permit student religious groups equal access during off-school hours in public schools was passed which essentially put the bill "over the top." CAPE is extremely gratified that two years of effort to pass legislation in an area of critical teacher shortage has ended successfully and that private schools are included as equitable participants.

Other provisions of the bill authorize \$75 million in each of the next 3 fiscal years for magnet schools in districts undergoing desegregation and \$100 million in the next three fiscal years for the Asbestos School Hazard Abatement Act of 1984. The asbestos removal program would be administered by the Environmental Protection Agency and would provide grants to schools most in financial need and with the most serious asbestos problems.

The first Federal appropriation to help schools detect and remove asbestos materials will become available under a 1984 supplemental appropriations bill signed by the President in August. Private schools

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

(202) 659-0016

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

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Robert L. Smith, *Executive Director*; Kellen Flannery, *Editor*; Jay Roudebush, *Art Editor*

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are eligible participants under the law. According to experts, however, the 1984 \$50 million appropriation will not begin to equal the amount schools are spending on asbestos removal and abatement.

EPA is gearing up now to accept applications for the new school asbestos removal funds. While the money is appropriated for this fiscal year, it is unlikely that schools will get the aid until early next year, according to EPA staff. Schools must submit detailed applications to their governors, who will rank schools by extent of the asbestos hazard and financial need. The Education Department has 60 days to comment on the schools recommended for funding and EPA will prepare its priority list based on the states' recommendations.

Legislative Action

Congress adjourned for the Democratic and Republican Conventions and Labor Day without accomplishing as much as its leaders hoped. When it reconvenes on September 5 there will be 4 weeks in which to complete all legislative efforts before the final recess, set for early October, because of the elections. Top priority will go to appropriations bills. Because this is the second session of the 98th Congress legislation which is not acted on in both chambers and sent to the President will die. All pending legislation will have to be introduced again when the 99th Congress convenes in January, 1985.

Recent Action . . .

Education Department Fiscal 1985 Appropriations

Both the House and Senate bills call for increases in fiscal 1985 Federal education spending by nearly \$2 billion over this year's budget to \$17.2 billion. Under these bills more than \$1.3 billion of the \$1.9 billion increase would go to higher education programs. Under the House passed bill Chapter 2 would receive an increase of \$200 million; the Senate bill recommends an increase of \$52 million for Chapter 2.

When the Senate appropriations bill goes to the floor an amendment is expected to be offered to fund the new math and science improvement act.

HR 11, Omnibus Education Bill

The House bill reauthorizes several education programs including adult, bilingual, and Indian education, women's equity, impact aid and other programs. The Senate has only extended one program — adult education. The House version also includes a voluntary prayer in school amendment which the Senate bill omits. At press time a House and Senate conference had not yet been scheduled.

Reauthorization of Vocational Education Act

Both houses have approved a new Vocational Education Act, but the bills are so dissimilar that staff predict "a very hard conference."

HR 4477, Talented Teachers Act (Wyden, D-OR)

This bill, based on the recommendations of a Congressional Task Force on Merit Pay for teachers, authorizes fellowships to 2 outstanding teachers in each congressional district to allow them to take time off for research to develop new programs. The measure also provides up to 10,000 college scholarships to high school students who intend to become teachers. Students would receive up to \$5,000 a year and in return would be required to teach two years in public or private schools for every year that they received assistance. The bill passed by a voice vote in the House on August 1, 1984.

Senate action is not likely in this session of Congress.

Other House passed bills, including the School Facilities Child Care Act and the Computer Literacy Act of 1984, may never be considered before the Congressional recess.

Civil Rights Act Passes House — Action Stalled In Senate

By a vote of 375-32 the House in July passed the Civil Rights Act of 1984. This major legislation affecting all educational institutions overturns the recent Supreme Court ruling in *Grove City College v. Bell*, which narrowed the reach of Federal anti-discrimination laws. The House bill, HR 5460, would ensure that an entire school or college is subject to Title IX anti-bias laws if its students or any department receives Federal assistance. The bill would also apply to the Civil Rights Act of 1964 and to the laws prohibiting age discrimination and discrimination against the handicapped.

In September, the Senate also will try to pass the Civil Rights Act of 1984, despite six attempts since the spring to mark up the bill in the Labor and Human Resources Committee. Senator Orrin Hatch (R-UT), Chairman of the Committee, disagrees with the scope of the proposed new legislation. Other Senators have threatened to filibuster the bill should it reach the Senate floor. However, the Senate leadership has placed the bill on its agenda for action before recess and Senate Majority Leader Howard Baker, a cosponsor of the bill, may bring the House passed version directly to the Senate floor.

Congressional support for the legislation is bipartisan in both chambers. House and Senate supporters affirm that the legislation simply would return the scope of anti-discrimination laws to the original intent of Congress by restoring institution wide coverage for Federal sex equity and other civil rights laws. CAPE member organizations support the principles of nondiscrimination incorporated in the House and Senate bills but some believe both bills need clarification to avoid potentially intrusive administrative regulations and to subjecting institutions to government investigations into their various programs and activities.

Schools chosen for recognition by the Exemplary Private School Recognition Project, 1983-84 are:

Albuquerque Academy, Albuquerque, NM
Allentown Central Catholic High School, Allentown, PA
Baldwin School, Bryn Mawr, PA
Bellarmine Preparatory School, Tacoma, WA
Beth Jacob High School of Denver, Denver, CO
Bishop Amat Memorial High School, West Covina, CA
Bishop Foley High School, Madison Heights, MI
Bishop Loughlin Memorial High School, Brooklyn, NY
The Brearley School, New York, NY
The Bryn Mawr School, Baltimore, MD
Cardinal Ritter College Prep High School, St. Louis, MO
Carolina Friends School, Durham, NC
Cathedral High School, Springfield, MA
Christian Brothers Academy, Lincroft, NJ
The Crossroads School, Santa Monica, CA
Culver Academy, Culver, IN
Deerfield Academy, Deerfield, MA
Delbarton School, Morristown, NJ
DeMatha Catholic High School, Hyattsville, MD
Father Flanagan High School, Omaha, NE
Fenwick High School, Oak Park, IL
The Fieldston School, Riverdale, NY
Fordham Preparatory School, Bronx, NY
The Gilman School, Baltimore, MD
Grand Rapids Christian School, Grand Rapids, MI
Groton School, Groton, MA
Groves Learning Center, St. Louis Park, MN
Heathwood Hall Episcopal School, Columbia, SC
Holy Cross High School, San Antonio, TX
Holyoke Street School, Holyoke, MA
Interlochen Arts Academy, Interlochen, MI
John F. Kennedy High School, Somers, NY
Judge Memorial Catholic High School, Salt Lake City, UT
Luther High School South, Chicago, IL
Lutheran High School North, St. Louis, MO
Marquette University High School, Milwaukee, WI
Martin Luther High School, Greendale, WI
Mercy High School, Farmington Hills, MI
Mercy Vocational High School, Philadelphia, PA
Moreau High School, Hayward, CA
Mt. Carmel High School, Chicago, IL
Nazareth Academy, Rochester, NY
The Park School of Baltimore, Brooklandville, MD

Phillips Exeter Academy, Exeter, NH
Pius XI High School, Milwaukee, WI
Princeton Child Development Institute, Princeton, NJ
Rehoboth Christian High, Rehoboth, NM
St. Agnes Academy, Houston, TX
St. Elizabeth High School, Oakland, CA
St. Francis Prep School, Fresh Meadows, NY
St. Ignatius College Preparatory, San Francisco, CA
St. Mary's Academy, Portland, OR
St. Paul's School, Concord, NH
St. Teresa's Academy, Kansas City, MO
St. Xavier High School, Louisville, KY
St. Xavier High School, Cincinnati, OH
Shanley High School, Fargo, ND
Valley Christian High School, Cerritos, CA
Watkinson School, Hartford, CT
West Catholic High School for Boys, Philadelphia, PA

CONGRATULATIONS!

GROLIER EDUCATIONAL SERVICES

. . . extends sincere congratulations to the staff, students, and parents of the 60 private secondary schools honored under *The Exemplary Private School Recognition Project*.

We were pleased and honored to have participated with you in the events of the memorable awards ceremony held in August in the nation's capital.

We look forward to a continued positive partnership as you embark on a new school year.

Grolier Educational Services
Sherman Turnpike
Danbury, Connecticut 06816
Tel: (800) 233-2384

In CT: (203) 797-3500

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COUNCIL FOR AMERICAN PRIVATE EDUCATION

1625 Eye Street, N.W.

Washington, D.C. 20006