

CAPE OUTLOOK



Student Press and the First Amendment

On January 13 the Supreme Court ruled 5-3 in favor of administrative control over school-sponsored student activities, making censorship permissible for a "valid educational purpose." The *Hazelwood v. Kuhlmeier* case began in 1983 when the principal of East High School in suburban St. Louis, Missouri ordered the removal of two stories from *Spectrum*, the student newspaper. He had objected to an article about teen pregnancy which referred to some of East High's students anonymously, on the grounds that it violated their privacy, that it could appear that the school were endorsing mores that led to pregnancy, and that it was inappropriate reading for younger students. The second article dealt with children of divorced parents and quoted a named student who was sharply critical of her father. The principal removed the article for the same reasons and because the story did not include the father's side. Three *Spectrum* editors filed suit against the principal and the school district, charging that their First Amendment right to freedom of expression had been violated. In 1985 a federal district judge held that since *Spectrum* was the work of a journalism class, the newspaper was a curricular issue and therefore not subject to First Amendment protection. In 1986 a federal appellate court overturned the 1985 decision, ruling that a student newspaper was a public forum and therefore granted freedom of speech.

Private schools are not public forums, and consequently First Amendment rights do not strictly apply. However, in light of this 1988 Supreme Court decision, private school administrators, students and faculty newspaper advisors might choose to examine their views of the role and function of the student press. The case raises some challenging questions. Is a student newspaper more restricted by administration policy when it is the product of a journalism course? Do schools want to simulate as much as possible a real world environment for their journalists, whatever that might be? Should student journalism be more of a "civics lesson," in which students can freely express views under the rights of the First Amendment, as

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Family Issues of 1988

At a recent conference on child care and parental leave held by the American Jewish Committee in Washington, Dr. Deborah Phillips, a psychologist at the University of Virginia noted that by the year 1990 there will be 23 million American children under the age of six. At the height of the "baby boom" that figure was 24.5 million. We are approaching another boom. She also predicted that by 1995 two-thirds of preschoolers and three-fourths of school children will have working mothers. Today 20 percent of infants are in child care. Family issues are a high priority this year both in Congress and in the presidential campaign. Congresswoman Patricia Schroeder is conducting her Great American Family Tour with a pediatrician and a child care expert, and the Democratic members of Congress met for a weekend in late January with their families to discuss such issues as wider health insurance coverage, child care, family leave, minimum wage, and other family needs. Senator Hatch, a Republican has introduced his own child care bill. Many are predicting that a child care bill will pass in this Congress, and hearings begin this month for a greater federal role.

As Congresswoman Lindy Boggs of Louisiana, a member of the House Select Committee on Children, Youth and Families indicated in her keynote address, the U.S. and South Africa are the two industrialized nations providing the fewest government-sponsored benefits for having children. In fact, a 1987 ABC/Washington Post poll reported that 71 percent of the American public feels that more available quality child care is necessary.

Most of the conference was devoted to the child care issue. Dr. Phillips noted that there has been no conclusive evidence that child care is harmful to child development—not even infant care. There are four main determinants of quality child care: well-trained personnel, small child/staff ratios, parental involvement and stability of the arrangement. The fact that there is a 42 percent turnover rate in staff is obviously a problem.

Several speakers emphasized that child care does not thrive on the principle of supply and demand. The demand is there, but the resources without greater government participation are not. The next important date to watch is February 25, when hearings begin for the Alliance for Better Child Care's comprehensive bill.

Private School Facilitator Update

With a new office at CAPE, new phone lines, a new computer, a distinguished National Advisory Committee and a full staff in gear, CAPE's Private School Facilitator Project, announced in November's Outlook, is off to a good start. The Advisory Committee includes distinguished educators and administrators from several private school associations and an NDN facilitator from New York State. The new project assistant, Lydia McShane, a graduate from Georgetown University School of Foreign Service, is capably providing a talented and versatile one-woman support system.

Most Project time this first year will be devoted to spreading the NDN message to the private school community, telling of successful adoptions, identifying NDN programs and practices of wide potential interest to the varied school systems, establishing "model adoptions" and identifying programs developed by private schools that could enrich the NDN body of offerings. The private school facilitator will also work with state facilitators in the NDN network to foster more effective relationships between them and the private school community. During the next three months Frank Delany, the private school facilitator will be traveling to Georgia, Ohio, Florida, California, Michigan, Illinois, Massachusetts, New Jersey, Pennsylvania and Minnesota. He will meet with Lutheran education executives at the national LCMS conference and with selected groups at the National Catholic Education Association conference.

The Project is helping Lutheran Church-Missouri Synod schools in Hawaii adopt the NDN program "Talents Unlimited," and Catholic schools in New York to adopt "Early Prevention of School Failure." It is working with California Seventh-day Adventists to find the best NDN program to meet their particular needs for improvement in the mathematics curriculum. Germantown Friends School in Philadelphia developed Education for Parenting, now used in nine public and six private schools in that area, and the Project is working to see that this program is validated as an NDN offering. Currently Choate-Rosemary Hall has the only existing NDN program developed by a private school, "Public-Private School Collaboration."

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The need for the Private School Facilitator Program is greater than ever. There were fewer private school adoptions in 1987 than in 1986. Through future fundraising efforts the Project hopes to assist schools with limited resources to adopt programs of great potential value. If you have questions please call Frank Delany or Lydia McShane at (202) 659-0177.



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

A coalition of 14 national organizations serving private schools (K-12)

Robert L. Smith, *Executive Director*; Carol Ruppel, *Editor*; Jay Roudebush, *Art Editor*

(202) 659-0016

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dissenting Justice William Brennan states, or should school-sponsored student expression be consistent with the school's "basic educational mission," as Justice Byron White writes for the majority opinion?

Outlook asked these questions of private school association directors, administrators and teachers. Generally they do not make a distinction in the rules for newspapers emanating from journalism classes. As one headmaster put it, that was a "red herring" distinction. All agreed that governance over student publications is sensitive, and subject to judgement calls made first by faculty advisors. Students need to learn how to wield this powerful tool, the press, in order to avoid causing damage to the community. Yet, students deserve the right to publish dissenting or critical viewpoints, responsibly. All establish a difference between adult free press and the school newspaper. In neither context is freedom unlimited, but in schools it is subject to the wisdom of adults who serve a community. Most often the code revolves around "the law of charity" as some Catholic administrators describe their boundaries, or sensitivity, and fairness. Private schools have the freedom to operate consistently with the values of their community. The Christian Schools International, for example, base their policy for their student writers on their philosophy of *in loco parentis*. A spokeswoman for the National Association of Independent Schools says that the student newspaper fits into the educational philosophy of the school, which is a "coaching-learning model," a side-by-side learning style in which students and teachers, like students and coaches, work together to formulate questions and answers. This avoids the situation in which an authority censors. As one director put it, private schools focus on the individual, and enjoy the right to treat each case as such.

Capenotes

*The second edition of *Private Schools of the United States*, a listing of CAPE member schools, is now being compiled. This directory is useful to public policy makers, prospective parents, college admission counselors and CAPE members. A survey was sent to your schools on February 8, 1988. Please fill it out so that our new directory will be complete and accurate.

*The Oregon School Study Council cites several studies which have found that the one factor which successful people share in common is their active participation in extracurricular activities during their high school careers. Neither top grades in high school or college, high aptitude tests or parents' salaries were comparable predictors of success later on.

*Addressing his audience at the U.S. Chamber of Commerce kick-off Breakfast Bunch meeting on January 21, Secretary of Education William Bennett commended business for its generosity to education. He admonished the business community, however, not only to give, but also to ask for something in return, for although the United States spends more than any other nation for education, Bennett finds American education "underproductive." Successful schools have good principals, good teachers, parental involvement and low incidence of drug use. They are not successful because they spend money. The secretary took the opportunity to lambast teacher certification, noting that parents choose to spend thousands of dollars for private schools in order to find *uncertified* teachers for their children. When asked about the need for a federal Department of Education, given President Reagan's early pledge to close it down, Bennett reported that the president had commended it for its job, and observed that it wasn't bothering anyone. Bennett disagreed: it was "bothering the right people."

*The National Endowment for the Humanities and the Harvard Graduate School of Education are inviting applications from New England area teachers of history and social studies to participate in a four-week program, "American History: The Female Experience." This graduate-level study of recent scholarship and historical texts will be held from July 5 to July 29 at Harvard. Participants' schools must contribute \$100 for materials provided for their schools. Contact Women's History Institute, P.P.E., 339 Gutman Library, H.G.S.E., Cambridge, MA 02138; (617) 495-3572.

*The Center for Disease Control has published its free booklet, *Guidelines for Effective School Health Education to Prevent the Spread of AIDS*. Contact the Office of School Health, CDC, 1600 Clifton Rd., Mail Stop A-14, Atlanta, GA 30333; (404) 639-3286.

*The 22nd annual survey of college freshmen attitudes and career plans of the American Council on Education and the Higher Education Research Institute reports that 8.1 percent of freshmen plan to become teachers, up from 7.3 percent in 1986, and nearly double the figure in 1982. The number of students interested in teaching reached its peak in 1968, when 23.5 percent of freshmen aspired to become teachers.

*The Center for Education Statistics is in the process of gathering representative data on private school administrators and teachers and school characteristics for the Department of Education to update its information.

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Legislative Update

The omnibus spending bill for FY 1988, (P.L. 100-102) includes \$20.6 billion for Department of Education programs. Money for education is also budgeted elsewhere:

*Head Start, administered by the Health and Human Services Department, received a seven percent increase over 1987.

*The National Science Foundation received a large increase, in part to improve science and math education.

*School breakfast and lunch programs will continue to be subsidized by the Department of Agriculture. Lunch subsidies now range from 25 cents for children whose families earn more than 185 percent of poverty-level income, to 1.4 dollars for children whose families earn less than 130 percent of poverty-level incomes. The special milk program is also continuing.

*The National Endowment for the Humanities received an increase for education programs, fellowships and matching grants. The National Endowment for the Arts, and the Corporation for Public Broadcasting received increases.

President's Education Budget for FY 1988—President Reagan plans to present his new budget proposal during the week of February 17, increasing funding for the Department of Education from its current \$20.2 billion to \$21 billion.

ECIA Reauthorization (H.R. 5)—Conferees will begin meeting March to negotiate differences between the House and Senate proposals to reauthorize elementary and secondary education programs.

Civil Rights Restoration Act (S. 557 and H.R. 1214) In late January the Senate approved S.557, which would restore the scope of civil rights enforcement limited by the Supreme Court's 1984 ruling in *Grove City v. Bell*. If approved by the House, institutions receiving any federal funds will be required to end discrimination against women, minorities, the handicapped and the elderly in all programs. Senators amended the bill to

make it clear that the law could not be construed to require private hospitals receiving aid to perform abortions. Schools qualify for religious waivers if they are controlled by religious organizations.

Capenotes

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*The Principals' Center at the Harvard University Graduate School of Education will hold an institute, "The Principal and School Improvement," from July 11-20 at Harvard. Principals should apply before April 15. Contact: Programs in Professional Education, H.G.S.E., 339 Gutman Library, Cambridge, MA 02138; (617) 495-3572.

*The National Broadcasting Company (NBC) and the Carnegie Foundation for the Advancement of Teaching will award \$1,000 to each of ten high school teachers for projects they have devised that use television viewing to teach freedom of the press. To compete teachers must submit a four to six-page essay about their television news projects and photocopies of the two best samples of student work. Contact NBC National Teachers Awards, c/o Carnegie Foundation for the Advancement of Teaching, 5 Ivy Lane, Princeton, NJ 08540; (609) 452-1780.

*School Partnerships International is a school-to-school visitor exchange program sponsored by the National Association of Secondary School Principals, linking U.S. schools with a partner from Austria, Costa Rica, France, Germany, Great Britain, Israel, Italy, Japan, Spain or Venezuela. Schools are encouraged to exchange groups of students with a teacher for a three to four-week period on an annual basis. Students attend classes, make presentations, live with host families, take excursions and participate in the community. Contact School Partnerships International, NASSP, 1904 Association Dr., Reston, VA 22091; (703) 860-0200.

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