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1988 STATE LEGISLATION: A PRIVATE SCHOOL VIEW

A recent survey of education bills introduced during the 1988 state legislative sessions conducted by the Education Commission of the States reveals two things: a healthy level of activity and a dearth of new ideas.

It is axiomatic that how states deal with education financing gives the best clue to their commitment to education quality. Many states surveyed are increasing their education budgets at higher than inflation rates. The most potentially far-reaching plan is in California. Backed by a petition signed by 1.2 million voters, a school finance initiative will be on the November ballot which, if passed, will assure that schools receive an annual fixed percentage (about 39 percent) of the states' operating budget. Other states will undoubtedly take notice. If passed the plan could stimulate wider citizen interest in education. Conversely, it could trigger public interest in reducing educational costs, jeopardizing state-aided programs for private schools. Or it could lead to reductions in other human service programs, thereby canceling the benefits of increased educational funding.

The consequences for private schools of major state financing plans are always unpredictable and uncontrollable. In California for example, possible cuts in human services affect the lives of families of our inner city students. (A higher percentage of minority students attend private schools than public schools in California.) Or this state plan could make it more difficult to pass school bond questions which, in a perverse way, can affect private school enrollments in those localities.

At-risk students are a growing central interest in many states. Minnesota has a

"96 by 96" plan whereby by 1996, 96 percent of state students for whom that is the graduation year would actually graduate. A California bill would require school districts to provide career and academic counseling for each student. New Hampshire now mandates a competency test before a student can drop out.

All of these state initiatives have an important common theme—they focus on the progress and well-being of students, one at a time. Private school educators take note: the best education for each student, "at-risk" in these instances, is a growing interest of public education. Magnet schools and school choice plans are clearly part of the trend. So is improved, better funded vocational education. Less directly so are state efforts to improve teaching and curriculum. In Georgia a bill was introduced to require school administrators to spend at least two hours a week as classroom teachers. A Michigan bill designates 10 curriculum areas for schools to cover including, notably, non-traditional ones like the visual and performing arts, speaking skills and computer science. Florida wants more money for teacher aides and merit pay.

What all of this appears to mean is that one of the keys to private school effectiveness—giving attention to the learning and growth of each student—has become a part of the reform agenda in public schools.

Will this increased personal attention and individualization provide greater competition with private schools? This is entirely plausible. But it is also safe to conclude that whenschools of all kinds meet the needs of each of their students more effectively every school will benefit.

Private schools have one unique characteristic which should serve them well in the more competitive era ahead: flexibility. They can change programs, curriculum, leadership or almost anything else necessity requires with unusual speed. For this capacity we are the envy of our colleagues in both higher and public education. The biggest challenge to private schools in the days ahead is to make creative intelligent use of this tremendous advantage.

RUNYON-McCRARY LIKELY TO STAND

The Supreme Court's recent rehearing of the Patterson-McLean Credit Union case will probably not lead to a decision to reconsider Runyon-McCrary, the landmark civil rights decision of 1976 ruling that private schools cannot discriminate on the basis of race (c.f. **Outlook**, Sept., 1988). That is the view of close observers of the Court. **Outlook's** reporter attending the jam-packed October 12 session fully concurs.

The most notable moment in the two hours came during a lengthy colloquy between conservative Justice Antonin Scalia and Roger Kaplan, the lawyer making the argument for overruling the case. Mr. Kaplan seemed unable to answer the Justice's repeated questions about why the Court should abandon its usual adherence to precedent. Scowling, Scalia said "If that's all you have, Mr. Kaplan, I'm afraid it's nothing. Justice Scalia was in the 5-4 majority when the Court decided in April to hear arguments about re-opening the Runyan-McCrary case, so this exchange could be telling. The Court will hand down its decision when it is reached, and no one can predict that date.

SOME ADVICE TO PRINCIPALS

Another article in this issue describes some of the special challenges to private schools stemming from 1988 state legislative programs, and concludes that our schools will have to make full use of their exceptional flexibility in a tough period ahead.

A recent series of 12 "Leadership Papers" by John Gardener, founder of Common Cause and former Secretary of Health, Education and Welfare, provides unusually rich grist for private school heads as they face the future. Although each paper has its special theme, "Renewing, The Leader's Creative Task" is particularly germane.

Warning that in a mature organization there is a tendency for "form (to) triumph over spirit" and that "people become prisoners of their procedures," Gardener reminds us of the "versatility of our Founding Fathers" and that "frontier societies and organizations in early stages of development tend to be simple, fluid and uncompartimentalized, which stimulated versatility."

Moreover, there is an important balance to be preserved between continuity and change. Scientists, for example, make remarkable innovations, but these would not be possible without well established "attitudes, skills and habits of mind," part of an enduring intellectual system.

Gardener lists some of the familiar steps which leaders can take to renew their staffs: feeding responsibility, stretching, delegating and including them fully in decision-making.

In addition, good leaders are continually "touching the earth," keeping close to what's going on. They "keep the

doors and windows open" to get messages, information, criticism and stimulation. They "watch out for the future" and "sharpen their sense of things to come." And finally good leaders renew themselves continually and learn to handle ongoing stress. Gardener recalls the words of Montaigne about his home: "I endeavor to free this corner from public storm as I do another corner in my soul."

Of the other pamphlets in the series, "The Moral Aspects of Leadership" speaks particularly well to the condition of private school principals. Each of the 12 papers may be ordered from Leadership Studies Program, Independent Sector, 1828 L St., N.W., Washington, DC 20036.

LEGISLATIVE UPDATE

The 101st Congress is scheduled to adjourn on October 21. Partisan politics has played a major role in final hour legislation. The 101st with the new Administration, after January 21.

H.R. 3660 and S. 1885—The Act for Better Child Care Services bill was attached to (**H.R. 925** and **S.2488**) the parental and medical leave bill in the Senate in an effort by the Democrats to pass both, but a filibuster blocked passage of either for this Congress.

P.L. 100-436—The President signed **H.R. 4783**, making appropriations for the Departments of Education, Health and Human Services and Labor for fiscal year 1989.

Cavazos confirmation—The Senate confirmed the nomination of Dr. Lauro Cavazos as the new secretary of education.

H.R. 5311—Rep. James Florio (D-NJ) introduced a bill on September 15 **amending the Asbestos Hazard Emergency Response Act by adding requirements.** Electron microscope air monitoring would be required. No financial connection could exist between the inspector/management planner, the contractor undertaking implementation, and the air monitor. EPA training courses would be taught by more qualified instructors, and those enrolled in courses would have more relevant backgrounds and take continuing education. After passing their exam, accredited personnel would first work under supervision. Random, on-site inspections during abatement would take place. Asbestos transportation and disposal would be tracked, and an asbestos commission would exist. Maintenance and service workers would be assured a "right to refuse work" if they have not had appropriate asbestos safety awareness training.

H.R. 4939—On October 14 the Senate passed the House-passed bill designed to **reduce lead in drinking water** which would recall all lead-lined water cooler tanks, ban the sale of such tanks, establish a lead-screening program for children and require EPA to assist schools in removing lead from their drinking water. Congressman Waxman (D-CA), in an effort to expedite this bill, introduced an amendment which was accepted dropping the requirement that EPA lower the acceptable amount of lead in the drinking water. The bill awaits the President's signature.

S. 2600 and **H.R. 4178**—This bill would extend unemployment benefits to nonprofessional school employees between academic terms.

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S. 744—On October 7 the Senate passed the House-passed **H.R. 2837**, which would amend the Toxic Substances Control Act to address indoor radon abatement. Among its provisions, the bill requires EPA to update and publish its "Citizen's Guide to Radon," to establish new building construction model standards, and to provide technical assistance to states including seminars to assist in monitoring and mitigation. Grants to states would be made available.

EPA would conduct a study to determine radon contamination in schools, identify high concentration areas and test a representative sample of schools in those areas. EPA would provide technical guidance for testing and reducing radon levels in schools. Testing devices and laboratory services could be provided. The bill awaits the President's signature.

H.R. 1720—The Welfare Reform bill was signed by the President on October 13. This will replace Aid to Families With Dependent Children with the Job Opportunities and Basic Skills ("JOBS") program. The measure is meant to provide skills and training for long-term employment. It requires parents with children over age three to enroll in such state-sponsored programs.

H.R. 5210 and S. 2852—The House and Senate both passed omnibus **drug bills** which would expand the Drug-Free Schools and Communities Act and emphasize education and treatment. The new legislation would target education programs to underserved groups and would deny student aid to those convicted of drug offenses unless they complete a rehabilitation program. It would include a \$30 million Health and Human Services Department grants programs to encourage constructive activities among youth gang members. The two bills now go to conference.

H.R. 5365—On September 23 Congressman Coats (R-Ind.) introduced the "Family Support Centers Act of 1988" to establish grants for the improvement of health, family and preschool services for families with young children through the Department of Health and Human Services. Grant recipients would offer services to the local high-risk community at

housing projects, community centers and churches, etc. The centers would provide a number of services to include pre- and post-natal care, lunches, nurse practitioner care, Head Start, parenting education, drug abuse prevention; family-based, center-based and after-school child care for children under age 13.

S. 2839—Senator Claiborne Pell (D-RI) introduced the Teachers' Professional Development Act to encourage teachers to work in urban schools, enhance the status of teachers, recruit and retain minority teachers and provide incentives to make teaching a career choice. He intends the measure to serve "as a vehicle for discussion."

H.R. 18 and H.R. 460—The House Education and Labor Subcommittee on Employment Opportunities marked up these two bills on October 5. **H.R. 18**, introduced by Congressman Udall (D-AZ) in January of 1987, would establish the **American Conservation Corps** to employ young people to conserve and develop natural and cultural resources for the dual purposes of enhancing the environment and offering a constructive work experience especially to disadvantaged youth. **H.R. 460**, the **Voluntary National Youth Service Act**, also introduced in January of 1987, by Congressman Panetta (D-CA) would provide matching grants to states through the Department of Health and Human Services for service projects for youth aged 17 to 24. Such service would take place in day care centers, hospices, nursing homes, libraries parks, schools, neighborhood improvement projects, etc.

*A Philadelphia attorney speaking before a group of school superintendents, custodial supervisors and board members at the National School Board Association's **asbestos abatement compliance** workshop, warned schools not to postpone their responsibilities. Legal actions from parents and employees will result. The management plan must be made available to them, and signs must be posted warning of the presence of asbestos.

David Kling, chief of EPA's hazard abatement division, suggested that schools share information concerning quality of inspectors, management planners and abatement contractors in order to avoid price gauging, dishonesty and faulty work. He warned schools to scrutinize the credentials of these experts to demand proof of prior experience and training and to check references. Barring the availability of such credentialed personnel, Kling suggested that schools accredit their own.

*Peter G. Briggs, headmaster of Greenwich Country Day School, was elected for a two-year term to the newly created advisory board for the Fund for Improvement and Reform of Schools and Teaching. The program, funded by Congress, is "designed to foster experiments in such areas as teacher enrichment and certification and parental involvement." (*Education Week*) The 15-member board will recommend projects from schools, states, colleges and organizations for funding.

*Sister Catherine McNamee, president of the National Catholic Education Association, and member of CAPE's Board of Directors, was named one of 23 members of the governing board of the National Assessment of Educational Progress, appointed by William Bennett. The board is to have substantial authority over content of the tests and reporting of results.

*David L. Krause, head of Valley Lutheran High School in Saginaw was named Michigan's **Principal of the Year** by the National Association of Secondary School Principals. The winners were chosen for their commitment to educational improvement and community involvement.

*More research has found that cooperative learning yields high results. So report David W. Johnson and Roger T. Johnson in the March issue of *The School Administrator*. The National Catholic Education Association cites these two University of Minnesota researchers in their September *Momentum*: "One of the strongest principles of social and organizational psychology...is that working together to achieve a com-

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mon goal produces higher achievement and higher productivity than does working by oneself."

*The Educational Excellence Network of Columbia University sponsored a study recommending more and better history courses, including non-Western civilizations. The commission working for them compiled a summary of history requirements in each state and prepared "Building a History Curriculum: Guidelines for Teaching History in Our Schools." Send \$3.00 to Educational Excellence Network, 1112 16th St., N.W., suite 500, Washington, DC 20036.

*The National Assessment of Educational Progress (NAEP), "The Nation's Report Card," reported the results of the 1986 science achievement test given to a sample of third, seventh and eleventh graders, and discovered distressingly low scores. NAEP's report, *The Science Report Card*, reports that science instruction relies too heavily on lectures and texts, and too little on lab work. Less than half of the seventh and eleventh grade teachers surveyed had access to labs. Approximately 12,000 students were tested in each of the three levels. At a press conference where the test results were made public, Carl Sagan commented "We live in a society exquisitely dependent on science and technology, in which hardly anyone understands anything at all about science and technology."

*The U.S.-USSR High School Partnership Program was proposed by President Reagan in June and is now sponsored by the American Council of Teachers of Russian, the National Association of Secondary School Principals and Sister Cities International. Ten to 15 juniors and seniors from 25 schools from each country will study abroad while living with host families for a month. American students must be proficient in Russian. Deadline for application is January 10, 1989. Contact U.S.-USSR Academic Partnerships, room 530, 1619 Massachusetts Av., N.W., Washington, DC 20036; (202)328-7309.

*The National Endowment for the Humanities offers grants to support elementary and secondary education projects in the humanities including summer institutes, workshops, collaborative programs and other activities for teachers. Private schools may apply. Contact them at 1100 Pennsylvania Ave., N.W., Washington, DC 20506; (202)786-0377.

*The National Science Foundation sponsors the Young Scholars Program offering grants for science, math and engineering enrichment activities for pre-college students. Contact the Division of Research Career Development, room 630, National Science Foundation, 1800 G St., N.W., Washington, DC 20550; (202)357-7536.

*Drug Abuse Update is the quarterly published by the Scott Newman Foundation and the National Drug Information Center of Families in Action. It is a most informative publication. An article by Dr. Lloyd D. Johnston in their June issue revealed a surprisingly high correlation between cigarette smoking and illicit drug use. He cited a study indicating that teenagers who smoke were found to be 10 times as likely to be actively smoking marijuana as non-smokers and 14 times as likely to be using cocaine, hallucinogens or heroin. Another study showed that in 1980, substance abuse killed 30,000 drug users; 100,000 drinkers and 500,000 cigarette smokers. The quarterly is available for \$15 from the Scott Newman Center, suite 1906, Sunset Blvd., Los Angeles, CA 90028.

*Mothers Against Drunk Driving (MADD) and National Car Rental are sponsoring their third annual poster/essay contest for students in grades 1-12. \$13,000 will be awarded in prizes. Entries in English or in Spanish are due by February 13, 1989. Write MADD, National Youth Program, 669 Airport Fwy., suite 310, Hurst, TX 76053.

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