

cape Council for American Private Education outlook

"Voice of the Nation's Private Schools"

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Joint Board Issues E-Rate Proposals Some Schools Would Get Deep Discounts

Two days after Election Day, while Washington pundits were still spinning the returns, the Federal-State Joint Board submitted to the Federal Communications Commission its long-awaited recommendations for implementing various provisions of the *Telecommunications Act of 1996*. Like the elections, the Board's proposals produced a raft of reactions - among educators, policy makers, and industry leaders.

For schools, the recommendations meant mostly good news. Responding to the Act's requirement that all schools and libraries receive telecommunications services at a discount, the Joint Board proposed that such discounts should apply to any available telecommu-

nications services, including internal wiring among classrooms and access to the Internet. Discounts would cover initial connection costs as well as monthly rates.

If the Board's recommendations are adopted by the FCC in May, \$2.25 billion will be set aside each year to finance the school and library discounts. Schools would be allowed to use the discounted E-rate (E is for education) for services most appropriate to their needs, from the

most basic to the most advanced.

The Board proposed that the discounts should range in steps from 20 to 90 percent, with the greatest discounts going to the most economically disadvantaged schools. It also suggested that a particular school's discount should be determined by the percentage of its students eligible for participation in the National School Lunch Program. The U.S. Department of Education estimates

that almost 70 percent of schools would get at least a 50 percent discount, and Vice President Gore said that one-third of schools would get at least an 80 percent discount.

Recognizing that many private schools do not participate in the school lunch pro-

gram, the Joint Board recommended that the FCC "seek additional information and parties' comments on what measures of economic disadvantage may be readily available for identification of economically disadvantaged non-public schools or, if not readily available, what information could be required that would be minimally burdensome."

Responding to the Joint Board's overall recommendations, Secretary of

Elections 1996 Common Ground?

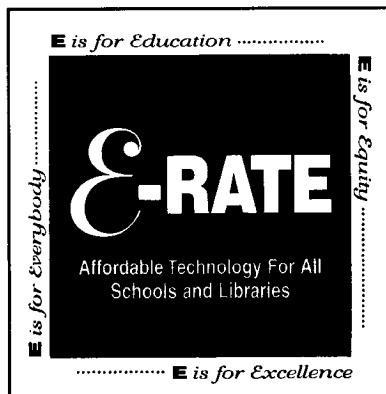
After splitting the difference on Election Day between a Republican-controlled Congress and a Democratic President, voters now know who will chart the course of national public policy in coming years, but they are still in the dark on exactly what the course will be. And in the area of education, where partisan agendas sometimes differed substantially during the campaign, it is especially hard to guess what issues will spring forth from the "common ground" and "vital center" the President and Congressional leaders now pledge to seek.

While it is not likely that the White House or the Congress will permit either side to secure any favorite partisan campaign issues, their mutual desire to co-exist and be productive may result in agreements around the kind of noncontroversial issues that marked last month's budget compromise.

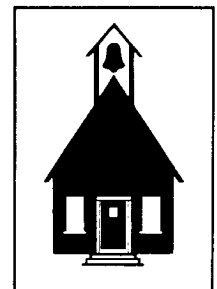
Education Technology

One likely candidate for a common-ground education initiative is education technology, a popular issue which both sides of the political aisle can support — and have supported. October's federal budget agreement between the Presi-

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Joint Board...

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Education Richard Riley said the decision "moves American education closer to achieving our national goal of universal access for all schools - public and private - and for all of our nation's many wonderful libraries."

Joe McTighe, CAPE's executive director, said the Board's proposals "would allow many schools to take a giant leap into the Information Age." At the same time, however, he sounded a note of concern about the discount mechanism the FCC will ultimately adopt. "In order to make these services affordable, we need to make certain that the formula truly reflects a school's ability to pay," he said.

In May, the FCC will act on the Board's recommendations. EdLiNC, a coalition of 32 national organizations (including CAPE) concerned with the *Telecommunications Act*, said it would continue to work to educate the public about the need for the E-rate and to make certain that the FCC's final regulations meet the needs of schools and libraries.

Elections...

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dent and Congress, for example, included a \$200 million *Technology Literacy Challenge Fund*, which will provide hardware, software, and Internet access to students in public and private schools. Although viewed as a good beginning, the level of funding is regarded by most educators as not nearly enough.

Joe McTighe, CAPE's executive director, said he hoped the public and private school communities would work together to secure substantial federal resources for technology. He called for an effort akin to the collaboration that brought about the *Elementary and Secondary Education Act of 1965*. "We need to come together on our own common ground to secure technology programs that benefit students in the 90's just as we secured Title I services for needy students in the 60's," he said. "The level of funding schools need is too heavy a lift for any single sector to obtain on its own."

New Handbook From USDE

What's a private school principal to do? It's hard to maneuver through the thicket of titles and chapters and formulas that make up federal education programs. And it's hard to stay abreast of the frequent changes in the laws and regulations that govern these programs. And harder still is ensuring that the school's students and teachers participate fully in the services these programs provide. What's a private school principal to do?

Well, help is on the way! The U.S. Department of Education's Office of Non-Public Education has just published a comprehensive handbook for public and private school educators entitled *Serving Private School Students With Federal Education Programs*. The handbook provides the latest information on the major federal programs available to private school students, including the reauthorized *Elementary and Secondary Education Act, Goals 2000*, and the *Individuals With Disabilities Education Act*.

But the beauty of the book is that it also covers a host of information about lesser known programs. Are you wondering if private schools come under the provisions of the *Americans with Disabilities Act*? Read the book. Do you want to know what private schools must do to comply with bloodborne pathogens standards? That's in the book, too. From the National Library of Education to the National Endowment for the Arts, from radon to tobacco, from FEMA to OSHA — everything you ever wanted to know about federal programs is all in the book.

And here's the best part: the handbook is free. To get your copy (one per school, please) send a letter or e-mail message to Patricia Lee at the following address:

Patricia Lee
U.S. Department of Education
Office of Non-Public Education
600 Independence Ave., SW
Washington, DC 20202-0122
E-Mail: Patricia_Lee@ed.gov

Court Watch

• **PEARL Rejected:** The U.S. District Court for the Eastern District of New York ruled last month that the means employed by New York City to provide Title I services to religious-school students in the wake of *Felton* are constitutional.

In *Committee for Public Education and Religious Liberty (PEARL) v. U.S. Department of Education*, PEARL charged that USDE's "off the top" policy (which requires that the extra costs of providing off-site services to students in religious schools be deducted from a district's total Title I allocation) and the way it was implemented in NYC resulted in better services for private school students than public school students.

Judge John Gleeson rejected the argument that New York City was violating the rights of public school students.

• **Camp What?** Here's a mouthful of a case: *Camps Newfound/Owatonna, Inc. v. Town of Harrison*. At issue is the constitutionality of a Maine law that denies exemption on real estate taxes to nonprofit institutions that do not principally serve Maine residents. The U.S. Supreme Court heard oral arguments on the matter last month.

During the session, Chief Justice Rehnquist suggested that if the law were upheld, private schools located in the state that do not mainly educate Maine residents might be required to pay local property taxes.

A decision in the case is expected in June or July.

(Note: Since the National Catholic Educational Association has arranged for copies of the handbook to be sent directly to Catholic schools, those schools are asked not to request the book from USDE.)



Clinton Seeks Felton Reversal

High Court Could Rule This Term

The Clinton Administration filed a brief with the United States Supreme Court on October 29, 1996, asking it to reverse the 1985 *Aguilar v. Felton* decision, which prohibits public school teachers from delivering Title I services in religious schools. The brief was submitted in support of a petition by New York City and other parties seeking the return of Title I teachers to parochial school classrooms.

New York City's petition had been prompted by indications in some recent Supreme Court rulings that five of the nine justices (Rehnquist, Scalia, Thomas, O'Connor, and Kennedy) may be willing to reverse the Court's decision in *Felton*.

Lower Court Prepares the Way

In September, the U.S. Second Circuit Court of Appeals upheld a lower court decision disallowing New York City's petition, in essence saying that only the Supreme Court can overturn a Supreme Court decision. The Second Circuit's action opened the way for the City's appeal to the High Court, which could decide to hear the case sometime in the current session.

The Administration's brief, filed by Acting Solicitor General Walter E. Dellinger, noted the enormous costs faced by school districts across the country in complying with *Felton*. New York City alone spends \$11 million each year on mobile vans. Additional funds are spent on computer-assisted instruction, leases for neutral sites, and other methods consistent with the Court's ruling.

Dellinger said the 1985 decision has had a detrimental effect on "low income students in need of remedial aid in both public and private schools."

NCES Staffing Report

Private School Teachers Turn Conventional Wisdom Upside Down

Just because private school teachers work longer hours for less pay than their public school peers, doesn't mean they aren't happier with their work. That, at any rate, is one of many unconventional conclusions one can draw from the fascinating and extensive collection of data found in *Schools and Staffing in the United States*, a new report from the National Center for Education Statistics.

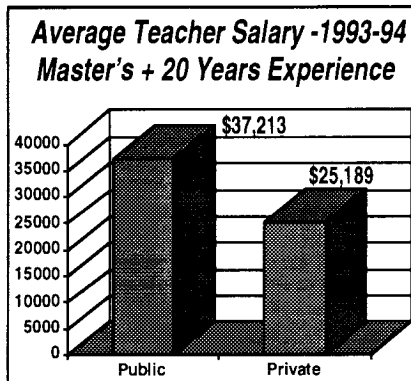
school teachers reported that overall they were highly satisfied with their working conditions. Moreover, 52.1 percent of teachers in private schools said that given the chance they would "certainly" become teachers again, in contrast to 38.0 percent of teachers in public schools.

A few factors help explain the difference in job satisfaction. Class size may be one of them. Private schools have an average of 14.5 students per teacher, compared to 17.0 students in public schools. School climate probably plays a part as well. Far fewer teachers in private schools view absenteeism, drug use, tardiness, verbal abuse, disrespect, student apathy, and lack of parental involvement as being serious problems in their schools.

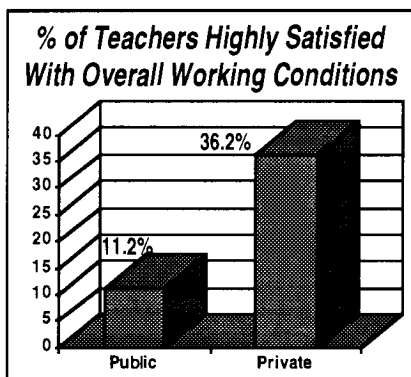
On another front, teachers feel more empowered in private schools - at least when it comes to establishing curriculum. The percentage of private school teachers who thought they had a great deal of influence in establishing the school's curriculum was 55.7 percent, compared to 34.3 percent of their public school counterparts.

Apart from data on teachers, the study reveals some other important information. Two examples: The typical private school has 191 students, compared to 436 students in the typical public school. Extended day care programs and pre-kindergarten programs are substantially more abundant in private schools than public schools.

To order copies of the report *Schools and Staffing in the United States: A Statistical Profile, 1993-94*, which was published in July 1996, call the Superintendent of Documents at 202-512-1800 and ask for publication NCES 96-124. Cost: \$15.



According to the report, private school teachers in 1993-94 worked an average of 47.3 hours per week both in school and out of school, compared to



45.2 hours for public school teachers. The average salary that year for a teacher with a Master's degree and 20 years experience was \$25,189 in private schools and \$37,213 in public schools. Yet, 36.2 percent of private school teachers and only 11.2 percent of public





capenotes

• Voters in **Colorado** were busy on Election Day with various ballot initiatives. They defeated (83 percent to 17 percent) a constitutional amendment that would have eliminated tax exemption for real property used for religious purposes (though it would have continued the exemption for property used for nonprofit schools). At the same time they rejected (58 percent to 42 percent) a measure that would have recognized as "inalienable" the right of parents to "direct and control the upbringing, education, values, and discipline of their children."

• In **Washington**, voters rejected a ballot initiative that would have created state vouchers for use in private schools, as well as one that would have permitted school districts to establish charter schools.

• Public and private elementary and secondary schools are eligible for grants of varying amounts under AT&T's new **Learning Network**

Grants Program. Over the next five years, AT&T will award \$50 million to fund projects that demonstrate the use of technology in innovative ways. For more information contact:

AT&T Foundation
1301 Avenue of the Americas
Suite 3100
New York, NY 10019
Telephone: 212-841-4683
E-mail: attfound@attmail.com

Additional information is available on the Web at <http://www.att.com/foundation>.

• A panel of private school educators gathered in Washington under CAPE's sponsorship earlier this month to review **Blue Ribbon Schools** applications submitted this year by 140 private elementary schools. The panel selected 103 schools to be sent to the U.S. Department of Education for a second review in January by public and private educators. Schools that survive that review will then be slated for site visits in the spring, and the best of the bunch will be named Blue Ribbon Schools in early June.

cape's Legislative Conference

March 11-12

Radisson Barcelo Hotel
Washington, DC

- White House Briefing
 - USDE Briefing
 - Legislative Briefings
- A chance to help shape education policy

**Help our elected officials
find common ground:
programs that benefit all
the nation's children.**