

cape Council for American Private Education outlook

"Voice of the Nation's Private Schools"

April 1997 • Number 224

Council Members: American Montessori Society • Association of Military Colleges and Schools of the U.S. • Christian Schools International • Evangelical Lutheran Church in America • Friends Council on Education • Lutheran Church-Missouri Synod • National Association of Episcopal Schools • National Association of Independent Schools • National Catholic Educational Association • National Society for Hebrew Day Schools • Seventh-day Adventist Board of Education, K-12 • Solomon Schechter Day School Association • U.S. Catholic Conference • Affiliated State Organizations in 30 States

Secretary Riley Addresses CAPE Conference

Urges Private Schools to Take National Tests

Employing the homespun, soft-spoken, Southern-gentleman style that has become his trademark, Secretary of Education Richard W. Riley delivered the keynote address at CAPE's annual legislative conference last month, and the audience of private school leaders seemed to weigh his every word.

"We come together today at a point that I think is the most thrilling time to be involved in education in our lifetimes — perhaps in the history of this great nation," the Secretary told the attentive group. He went on to describe the heightened sense of national urgency and purpose about the work of education, work which he said the nation is focused on "like never before."

National Tests

Not surprisingly, the audience listened with special care when the Secretary spoke of national tests, the big stick that these days complements his speak-softly approach to school reform. The Clinton Administration has called for voluntary national tests in 4th grade reading and 8th grade math, and the private school community, generally wary of any government-sponsored tests, has raised a number of concerns about the proposal (see last month's *Outlook*).

"The idea behind these tests," the

Secretary said, "is to give parents and educators valuable information about how their students are progressing in these most basic of basics." He made clear the tests will be voluntary, saying "no school, public or private, will be compelled to give the tests if they do not want to do so." And he stressed there is "no sort of national curriculum related to the tests," saying

their only purpose is "to help parents to hold their schools accountable and serve as an impetus for setting higher academic standards." In concluding his comments on national tests, the Secretary urged private schools to administer them when they become available, adding that the Department will pay for schools to do so during the program's first year.

Budget

In discussing the Administra-

tion's proposed education budget, Secretary Riley reminded the group of the President's pledge to make education his "number one priority for the next four years" and called on the private school community to provide active support for a budget which "invests in education like no budget before." The Secretary cited President Clinton's requests for \$7.5 billion in Title I funding, \$500 million for educational technology, and \$360 million for Eisenhower Profes-



Get the Full Text of the Secretary's Speech and Much More on CAPE's New Web Site:

www.capenet.org

Council for American Private Education

capenet

information for and about private schools

What is CAPE?

Newsletter: Outlook

What's New?

Public Policy

School Facts

Blue Ribbon Schools

sional Development Grants as budget items of particular relevance to private education.

Riley used the occasion to announce that the private school community would have the opportunity to participate fully in the President's proposed *America Reads Challenge*, which, if approved by Congress, would amass one million volunteer tutors for children who need extra help to learn to read. He said students in private schools who need reading assistance would be eligible beneficiaries of the program.

Riley then signaled the Department's intent to call on religious groups and others to provide volunteer tutors, and he hastened to interject his belief that tutoring services could be provided in religious schools "because the tutors will be part of a publicly administered program." The issue of on-site tutoring services led to extensive remarks by the Secretary about the Title I case currently before the U.S. Supreme Court (see accompanying article).

E-Rate

Commenting on the campaign to attain the E-rate, a discount on telecommunications services for all schools, the Secretary, a relentless advocate of the

proposal, said he "always made it clear" that by "all schools" he meant public and private schools. "Billions of dollars in new investments will be available to both public and private schools if the FCC approves this proposal to give schools and libraries deeply discounted access charges for the Internet," he said. Calling the Internet "the blackboard of the future," he advised the audience that "the average discount would be about 60 percent for every school, and a third of all schools will receive discounts of up to 90 percent." He encouraged the private school community to continue its good work "to make the E-rate a reality."

Moral Character of Children

In concluding his presentation, Secretary Riley turned to the topic of developing the moral life in children. He described the work as consistent with the mission of CAPE's member institutions and consistent with the mission of the Department of Education. Riley ended his remarks by saying, "I want our Department to work with every sector of society to give our children the cue that education is something to pursue and cherish, and I look forward to continuing to work with you to that end."

Riley on Title I

Watching the Title I court drama unfold these days is like reading a fairy tale. You're expecting a happy ending, but you can never be completely sure until the story is over.

As the tale of Title I nears its end, a pivotal chapter will play itself out April 15 behind the huge bronze doors of the sparkling marble building that houses the United States Supreme Court - a fairy tale setting if ever there was one. On that day the Court's nine justices will hear oral arguments for and against overturning their 1985 decision in *Aguilar v. Felton*, which prohibits public school teachers from delivering Title I services on the premises of religious schools. The justices will likely hand down a final decision — the story's last page, so to speak — sometime around July 1.

When Secretary of Education Richard Riley spoke at CAPE's legislative conference last month, he quite understandably touted the Clinton Administration's support for getting the Court to reconsider *Felton*. He reminded the group that when the New York City Board of Education steered the case through the court system, the Justice Department filed briefs on his behalf at every step on the way.

The Secretary seemed to take special delight in quoting the bottom line of the Justice Department's final brief in the case — the brief it filed in February before the High Court: "Accordingly, our submission is straightforward: *Aguilar v. Felton* should be overruled."

Rooting for a happy ending to the Title I saga, Secretary Riley said, "I know you share with me the hope that this decision will soon be a thing of the past." He went on to assure his listeners that he and his colleagues at the Department of Education "will do everything we can, should the Supreme Court decide to overturn the *Aguilar* decision, to ensure a smooth transition for your schools."



Excerpt from Justice Dept. Title I Brief

The outcome of *Aguilar* was not dictated by the Court's prior decisions in the area. Indeed, that decision's reliance on hypothetical concerns about the need for intensive supervision to ensure the secularity of a publicly administered program — concerns that had never arisen in years of actual administration of Title I in New York City — was inconsistent with most of the Court's prior entanglement decisions, which had stressed the need for a careful and 'real world' evaluation of the administration of any program involving public aid to students at religiously affiliated educational institutions. *Aguilar's* approach is also inconsistent with subsequent decisions of this Court, which have returned to that more practical and restrained approach. The consequences of the *Aguilar* decision are, moreover, very serious. In the judgment of the Secretary of Education, the less effective pedagogical methods available for private school students (such as teaching in rented vans, or remote computer-assisted instruction) and the large financial costs incurred in those methods have had a serious, adverse effect on the ability of students, at both public and private schools, to receive the needed remedial educational aid.

Accordingly, our submission is straightforward: *Aguilar v. Felton* should be overruled. (Submitted to the U.S. Supreme Court - February 1997)

Frank Riggs, Congressman and Coach, Tells CAPE Conference He'll Push for School Choice

Of all the points made by Representative Frank Riggs (R-CA) during his Capitol Hill breakfast presentation at CAPE's annual legislative conference last month, perhaps none was more revealing of the man and his values than his offhanded disclosure that he volunteers as coach for his son's 9th grade basketball team. That the person who heads the House subcommittee dealing with almost every piece of primary and secondary education legislation can find time in an impossibly crowded schedule to coach b-ball bespeaks a commitment to family and school that is personal and real.

Of course, the Chairman of the House Subcommittee on Early Childhood, Youth and Families revealed much more than a yen for hoop in the course of his remarks. For starters he announced that he and Representative William Goodling, who spoke briefly at the breakfast and who chairs the House Committee on Education and the Workforce, had agreed to support education tax credits for parents of students in grades K-12. He said when the debate begins on the President's Hope Scholarship proposal for tuition tax credits in grades 13 and 14, he will interject the issue of

school choice in grades K-12. Why, he wondered, do we have programs that support public and private school choice at the pre-K level and programs that do the same for higher education, but nothing to promote choice in primary and secondary schools?

Voucher Support

Speaking just for himself, he said he wants to advance a voucher experiment — and a fairly large one, at that — along the lines of S.1, a Senate bill which would enable low-income children who attend unsafe schools the chance to attend safe schools, whether public, private, or parochial. He supports expanding eligibility to include children attending under-performing schools. A large-scale voucher experiment is needed, he suggested, to find out once and for all if school choice improves student achievement. He later added, in response to a question on the topic, that private schools that participate in the program should not have their unique nature and identity compromised.

Full Agenda

Representative Riggs said Congress's plate of education issues

would be full this year with unfinished items from last session and new priorities for this one. The carry-over issues include the reauthorization of the Individuals with Disabilities Act (IDEA) and the elimination of ineffective spending. New agenda items include President Clinton's *Call to Action for American Education*. Eight items of the President's ten-point plan fall under the jurisdiction of Rigg's subcommittee.

Commenting on various aspects of the Administration's plan, Riggs said he supports the setting of minimum academic standards in math and English along with assessments to go with them. He also made clear he opposes a national curriculum in any subject area. Regarding charter schools, he is interested in additional funding, but wants to make sure deregulated schools are held accountable.

In the end, the Congressman seemed to impress his audience as a man clearly committed to education. So deep is that commitment that he voluntarily gave up a seat on the powerful House Appropriations Committee in order to keep his place on the Education and Workforce Committee. Why? Education is where his heart is, he said.

CAPE Photo Op: CAPE Director Joe McTighe with the President and Vice President at a White House Symposium on National Standards - April 2, 1997





capenotes

• At a high-tech roundtable at the White House, **President Clinton** announced early April that California, "America's largest school system," and leaders of 240 technology companies have joined Maryland, Michigan, North Carolina, and the country's military schools to support national standards and national tests in 4th grade reading and 8th grade math. With California's endorsement, the President said, "states and school systems that educate nearly 20 percent of America's school children are now on the road to measuring their students against those high standards."

California's support of the testing program came from **Delaine Eastin**, the state's superintendent of public instruction, who pledged to "make this happen within the next couple of years." But aides to California **Governor Pete Wilson** said Eastin was speaking for herself and the state had actually not decided whether to support the President's plan. Nonetheless, the high-profile White House event and the push the President has given this proposal in the past two

months are sure signs of the issue's status as a top priority for the Administration.

• **Rep. Christopher Shays** (R-CT), Chairman of the House Subcommittee on Human Resources and Intergovernmental Relations, announced last month he would like to establish a voucher experiment in D.C. schools and also enact some reforms in Title I. In testimony at a hearing of the subcommittee, **Paul Steidler**, Senior Fellow at the Alexis de Tocqueville Institution, called for allowing states "to use Title I and other federal education funds — in combination with state, local, and private money — to provide scholarship/voucher opportunities for students in problem-plagued schools."

• How would your life be different if while you were growing up you had been given different messages about who you are and what you might become? A new book by **Anne Chapman** examines how particular kinds of messages sent by families and schools — gender messages — influence how children and adolescents view themselves, their potential, and their future. The book offers

practical suggestions for parents and educators on "how to overcome negative aspects of gender stereotyping" and how to enhance the learning prospects of young people.

A Great Balancing Act: Equitable Education for Girls and Boys is available for \$22 from the publication sales office of the National Association of Independent Schools, 202-973-9749. NAIS accepts American Express, MasterCard, and Visa.

If you weren't at CAPE's Legislative Conference this year, you missed:

- luncheon address by the Secretary of Education
- breakfast on Capitol Hill with remarks by chairmen of two powerful committees
- White House briefing in the historic Indian Treaty Room

Don't miss out in '98!
Plan now to attend
March 17-18