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ABSTRACT

The commission outlined a legislative program at the Federal level. Federal aid should come under the direct control of the executive branch to consolidate and simplify all education aid programs. This reorganization should include continuous and effective presentation of the State point of view to the responsible authorities. A new three-tiered structure of Federal aid programs was proposed: general aid, functional block grants, and categorical aid. General aid would assist in providing more years of public education with provisions for increased quality. Functional block grants would more specifically aid in areas of education for the disadvantaged, educational research, improving administration, vocational education, and educational facilities. Categorical aid would induce special effort in projects which should be self-sustaining after the projects are undertaken. The commission concluded that the Federal Government should strengthen higher education through Federal resource allocations that provide equal opportunity to all applicants and that consider the long term needs of higher education. The commission supported the recommendation that a Council of Higher Learning be created within the Office of the Secretary of Health, Education and Welfare. (LN)

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1969
FEDERAL LEGISLATIVE
PROPOSALS

Report No. 12
Education Commission of the States
Denver, Colorado

The Education Commission of the States is a non-profit organization formed by the Compact for Education in June 1966. Forty-one states and territories are now members of the Compact, of which the unique goal is to further a working relationship among state governors, legislators and educators for the improvement of education.

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U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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foreword

In September, 1968, representatives of the Education Commission of the States met with U.S. Secretary of Health, Education and Welfare Wilbur J. Cohen, U.S. Commissioner of Education Harold Howe II, and members of their staffs to discuss forthcoming federal legislation affecting elementary, secondary and higher education. The following document is comprised of the legislative proposals and goals they represent which were presented by the Education Commission at that time.

It should be noted that when these proposals were formulated the Congress had not yet taken action on the 1968 higher education and vocational education bills and the education appropriations for fiscal year 1969 had not yet been determined. It is assumed, therefore, that some recommendations, which were necessarily general at the time of formulation, should be reconsidered in light of the need for a thorough appraisal of the situation in higher and vocational education and funding in relation to the Congressional action.

These proposals were formulated on the basis of resolutions adopted by the Steering Committee of the Education Commission of the States, the National Governors Conference and the Legislators' Section of the National Legislative Conference during the past year.

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goals

The Commission's legislative proposals to improve the system of federal aid for education have been developed in relation to the following educational goals:

1. Opportunity for a minimum of 16 years of free year-round public education, adding two years of pre-school training and two years of post-secondary education to the customary 12 years.
2. Opportunity for higher education for all who have the desire and capacity for it.
3. Opportunity for training and continual retraining of all youths and adults who need and want it.
4. Intensified and individualized education for urban children and youth; commensurate educational improvement for those in depressed rural areas.
5. Continued and increased assistance to children and youth in private schools.
6. Full and equal educational opportunity for all.

problems

The Commission recognizes the following problems of the federal education aid system which its proposals would attempt to alleviate:

Funding is inadequate, uncertain, and late; rational planning is often impossible, and dependence is created on unstable financing.

Programs are unnecessarily proliferated, complex, fragmented, and conflicting; in addition to the negative educational effects, the resulting administrative burden is notable.

Programs do not match needs and priorities; program and budget distortions result, and integrity of educational systems and institutions is undermined.

The system does not take sufficient advantage of the opportunity to broaden state and local responsibility and capability.

legislative proposals

Reorganization

Reorganization of the federal aid system should be accomplished by means of a Congressional grant of authority to the President, in the manner in which recommendations of the Hoover Commission were implemented, to consolidate and simplify all education aid programs, including:

- reduction of the number of separate funds;
- streamlining of application and accounting procedures with greater reliance on comprehensive state planning and state accountability;
- harmonization of matching and apportionment formulas and of legal regulations and requirements;
- introduction of maximum administrative flexibility and coordination;
- all such reorganization to be subject to Congressional veto.

State Voice

Both the reorganization of the structure and the administration of the resulting system should be accompanied by provision for continuous and effective presentation of the state point of view to the responsible authorities. We would like to reserve the opportunity to make a detailed proposal in the near future directed toward meeting this crucial need.

New Structure

A three-tiered structure of federal education aid programs is proposed, consisting of general aid, greatly broadened categorical aids which would become functional block grants, and a limited system of categorical aids to stimulate and support action in specific areas. Aid for early childhood, elementary, secondary, and vocational education should be dispensed within this structure, to the greatest degree feasible, to the states according to comprehensive state education plans, with adequate provisions to insure maintenance of state and local effort and to maintain and increase where possible the benefits transmitted to children and youth in private schools.

General Aid

Such support would alleviate the financial burden on the states, support broad educational purposes, and enhance the flexibility of state application of federal funds to state and local problems. Specifically, it would assist in provision of more years of free public education, increase the capability of states and localities to deal with the problems of core cities and sparse, depressed rural areas, and assist in the recruiting and maintaining of high-quality teachers.

Functional Block Grants

To the extent feasible, these grants should be distributed to the states according to statewide matching formulas which take into account school population, density and sparsity of population, relative state wealth, and the proportion of disadvantaged, handicapped, and educationally deprived. They should be established for the following broad purposes:

Special, compensatory, and other high-cost education, concentrating on the disadvantaged, educationally deprived, and handicapped (physically, mentally, and emotionally), particularly though not exclusively in depressed urban and rural areas.

Research, experimentation, and innovation, to achieve better and more effective education and provide incentives for greater effort in these areas.

Administration and planning, to strengthen state education agencies and local school authorities, and to develop the capability for high quality state comprehensive education planning behind each state's programs and its disbursement of federal funds.

Education personnel, to assist in training, recruiting, and keeping better teachers and to strengthen the personnel of state and local agencies.

Vocational, post-secondary, and adult education, to help meet the needs of youths and adults for training to enable them to secure satisfying and productive employment, and to capitalize on the gains of this year's legislation by consolidating all such programs into a single program with a single administering agency.

Construction, materials, and equipment, to assist in providing good school facilities, materials, and equipment for all while partially offsetting the inequalities in resources available for meeting these needs.

In addition, a functional block grant for early childhood education or some other effective means should be considered to provide strong incentive for inclusion of this level of instruction in all school systems. Such a program should consolidate all federal activities in this area.

Further, the discretionary development funds of the Commissioner of Education should be consolidated to make possible maximum flexibility and effectiveness in their use.

Categorical Aids

As they now exist, such aids should be confined to a reduced system to cover those areas where a concerted but limited financial effort is called for in order to induce special effort. In many cases these categorical aids should be considered temporary, since the activities they support should eventually become part of regular programs assisted through general and block aids.

Finally, the program of aid to federally impacted areas should be appraised and revised to insure an equitable distribution of offsetting compensation for the effects of all federal programs.

Funding

Education programs should be fully funded at levels clearly related to needs and to the financial capabilities of states and local authorities. Effectiveness of federal aid programs is dependent on passage of both authorizations and appropriations and allocation of funds to the states no less than a year in advance. Every effort must be made to devise means to work out, in concert with the Congressional leadership, effective and respected procedures for establishing funding levels and securing authorizations and appropriations sufficiently in advance for the states and local authorities to apply these funds within their systems to maximum educational advantage.

Equal Opportunity

The federal government should eliminate legislative and administrative gaps from all federally financed programs, not only in education but also in housing, employment, and other areas where certain prevailing conditions contribute to lack of equal educational opportunity.

Higher Education

In higher education, while it is difficult to foresee the degree and specific focus of reorganization at this point, certain considerations stand out and some guidelines can be established.

Complexity, proliferation, and fragmentation have equally undesirable consequences in higher education; introduction of order into the existing structure does not imply creation of a monolithic structure.

Dependence on unstable financing, distortion of program and budget, and undermining of integrity are, if anything, intensified in higher education under the prevailing system.

Inequity and favoritism are built into the existing structure, in general in a fashion which does not enhance development of a strong nationwide system of higher education.

The growing need for and emphasis on a higher education mandate broadening the meaning of equal opportunity; in particular, much greater effort is needed to ease the financial burden of higher education on the disadvantaged, to provide remedial and compensatory education to the disadvantaged to enable them to cope with and benefit from higher education, and to design federal efforts to implement these and other social aims which do not pose net financial liabilities for educational institutions and systems.

The resources available in individual states to apply toward developing and strengthening of higher education are often in inverse proportion to the states' present and long term needs for higher education.

Commentary on Higher Education

Certain other observations are in order. It is imperative that due weight be given constantly to the accelerating generation of new knowledge. Similarly, proper significance must be assigned to the growing problems of our society and economy—and to our necessary reliance on higher education

in coping with them. Further, we must recognize that our diverse and pluralistic system of higher education, while desirable and well worth the effort and expense to maintain and enhance it, represents a fragmentation of national, state, and nationwide effort. Finally, we must recognize the truism that the scope and quality of education at each level, specifically including higher education, have a profound influence on education at each other level.

We take note here of the excellent *Report of the Advisory Committee on Higher Education to the Secretary of Health, Education and Welfare*, which has recently been disseminated outside the federal government. We must agree with its conclusions that higher education is a national concern, that we cannot afford our present approach to the allocation of federal resources in this area, that the federal government relies on higher education and has a vital interest in its scope and quality, and that the federal government is in a unique position to strengthen higher education systems and institutions and to equalize educational opportunity at that level.

We take note of the Report's goals for the federal role in higher education: that the federal government insure "that the nation possesses the necessary institutional facilities for higher education. . ." In passing, we stress that these are desirable goals of federal activity but that they cannot be exclusive responsibilities.

Generally, we look with favor on the Report's recommended federal policies in higher education and list them here briefly for convenient reference:

- Stabilize federal funding operations.
- Support sustained excellence and achievement.
- Recognize effective effort.
- Maintain diversity.
- Recognize special responsibilities for graduate and professional education.
- Encourage development of national and regional facilities.
- Establish reasonable administrative procedures.
- Encourage other sources of support.
- Revise matching requirements.
- Study and plan for future needs.

The most specific recommendations of the Report concern the creation of a National Council on Higher Learning, to be located in the Office of the Secretary of Health, Education and Welfare. The proposed Council's authority would include taking a complete overview of all higher education and all federal programs (not just those administered by HEW). Its specific functions would be communication and deliberation, research and data gathering, and assessment of priorities and adequacy of existing policies.

We believe this proposal is aimed at fulfilling a vital need and deserves the most serious consideration. We wish to make a suggestion concerning the membership and representation of the National Council, which the Report describes only by saying that it would "include individuals broadly experienced and knowledgeable in all facets of American higher education," to be appointed by the Secretary of HEW.

In order to take the "overview" noted above and make the "assessment of priorities and adequacy of existing policies" assigned to it, the Council should include representation of the major federal agencies involved in federal activity in higher education. In order to increase the likelihood of implementation of its recommendations, the Secretary himself should serve as Chairman of the Council and its membership should include the Commissioner of Education, the Director of the Bureau of the Budget, and representatives of the Congressional leadership. In order to command the respect of the institutions, the Council should include in its membership leading educators. And in order to give due weight to the vital role played by the level of government which must provide the major share both of the resources and the leadership for achieving all the goals in higher education cited previously, the Council must represent the states.

The corollary recommendation for strengthening the Federal Interagency Committee on Education to enable it to coordinate all federal programs in education deserves attention, particularly in consideration of our proposal for reorganization of the federal aid system.

rationale

Recent discussions and actions by the National Governors' Conference and its regional conferences, the National Legislative Conference and its regional conferences, and the Education Commission of the States, its Executive Committee, and its Steering Committee have made it clear that, to meet the needs of the states, the following principles and concepts must be recognized and embodied in federal legislation and administrative practices:

1. States must be given a greater voice in developing administrative and legislative programs, requirements, regulations, and procedures before they are fixed. This meeting is an important step toward implementing the first part of this principle, and it should become an integral part of federal program planning; further, states should be appropriately represented on advisory bodies, planning groups, and task forces.

2. States must be given greater authority and responsibility for managing and distributing federal aid funds, preferably according to comprehensive state education plans developed according to state needs and priorities and approved in advance by Federal authorities.
3. States must not be bypassed in pursuit of solutions to local problems. State programs should be strengthened through the planning review process and with federal assistance to overcome inadequacies and enhance their capabilities in planning, implementation, and administration.
4. The federal aid system for education must be revised and reorganized to consolidate and coordinate programs, to simplify and harmonize procedures and requirements, and to reduce the proliferation, complexity, fragmentation, and conflicts prevailing in existing programs. This principle must be applied specifically to the number of programs, funds, and agencies involved; to planning and accounting procedures; and to matching and apportionment formulas.
5. The resulting aid structure should be three-tiered, encompassing general aid, functional block grants developed from broadened categorical aids, and a limited system of categorical aids to stimulate and support action in specific areas.
6. Workable procedures must be developed to insure adequacy, certainty, and timeliness of federal aid for education. Implementation of this principle specifically implies budgeting in relation to established needs, advance funding to enable states and local authorities to plan for effective use of funds, and amelioration of the confusing and disheartening hiatus between budgeting and authorization, on the one hand, and appropriation and release of funds, on the other.
7. The structure of federal aid for higher education must reflect the needs of all higher education, take account of the growing need for higher education on the part of the nation itself and the part of individual citizens, and move toward greater consistency with the trend toward effective coordination of higher education at the state level.
8. To gain the greatest chance of success, reorganization efforts should be built around the technique of a grant of authority to the President to reorganize in detail, subject to veto by either House of the Congress.
9. To meet the need for modification and development of the system of federal aid for higher education, a body such as the National Council on Higher Learning should be established as recommended by the Advisory Committee on Higher Education in its recent report to the Secretary of Health, Education, and Welfare.
10. A procedure should be developed for bringing together the most knowledgeable and productive leaders of government and education at all levels to establish effective and realistic goals for American education.

11. The requirements of the federal aid system should include provisions to insure maintenance of state and local effort and to increase, where feasible, the benefits transmitted to children and youth attending private schools and institutions.
12. All federal aid programs—not just those for education—must be revised continually to eliminate provisions which favor or condone discrimination.
13. Federal aid must require and enhance state efforts to plan for provision of equal educational opportunity and build it into their programs.
14. Federal aid for elementary and secondary, early childhood, and vocational and post-secondary education should promote and be consistent with provision of a minimum of 16 years of free year-round public education by the states.
15. Federal aid for higher education must promote opportunity for higher education for all without creating additional net costs for institutions and systems of higher education.
16. Federal aid for vocational, occupational, and all post-secondary education should promote opportunity and availability of such training and retraining for all who need it.
17. Federal aid must promote and assist efforts to provide intensified and individualized education for all disadvantaged, deprived, and handicapped children and youth, with particular attention to the needs of those in impacted urban areas and depressed and remote rural areas.
18. The federal aid system should provide for state involvement in the development of objectives and programs for research activities bearing on education which are carried on by federal agencies. Further, in view of the need for standardized and comparable data by the federal government, the states, and local authorities, particularly in planning, federal programs should provide for joint development of standardized statistical and other information and for its analysis and dissemination.
19. Federal programs should recognize and assist in meeting the need for well-trained specialized personnel in all areas of administrative and educational activity at all levels, from the classroom to the state education agency.
20. Federal aid should assist in the provision of good school facilities, materials, and equipment and partially offset the inequalities in available resources among and within states for meeting those needs.

ECS PUBLICATIONS

Regular publications

COMPACT, a bi-monthly magazine

ECS BULLETIN, a monthly newsletter

Reports published by the Commission

- No. 1. Vocational-Technical Education: Changing The Contexts in Which Occupational Education Takes Place, November 1967.
- No. 2. *Community-Centered Post-High School Education, by S. V. Martorana, May 1967.
- No. 3. Statewide Systems of Higher Education Studies: A Summary, by Samuel K. Gove, Fall 1967.
- No. 4. *Power-Play For Control of Education: A Report Of The 1967 Annual Meeting, November 1967.
- No. 5. State School System Development: Patterns And Trends, by C. O. Fitzwater, March 1968. \$1.50.
- No. 6. Guide For Evaluating State Programs In Community-Centered Post-High School Education, March 1968.
- No. 7. Achievements, Legislation and Problems In Education: A Survey Of The States, May 1968.
- No. 8. Background Material On Collective Bargaining For Teachers, by J. Philip Linn and M. Chester Nolte, June 1968. \$1.50.
- No. 9. Teacher Militancy: Strikes, Sanctions and State Government: A Report Of The 1968 Annual Meeting, August 1968
COMPACT.
- No. 10. Analysis of State Programs in Community-Centered Post High School Education, October 1968. \$1.00.
- No. 11. The Politics of Elementary-Secondary and Higher Education by Michael Usdan, David Minar and Emanuel Hurwitz, Jr., November 1968, \$1.00.
- No. 12. Proposals for Federal Legislation, 1969, December 1968, \$1.00.
- No. 13. Collective Bargaining for Teachers, by J. Philip Linn and Chester M. Nolte, December 1968, \$1.50.
- No. 14. State Support for Student Financial Aid in Higher Education, by Richard Grant, December 1968, \$1.00.
- No. 15. ECS Proposal for Vocational-Technical Accreditation, December 1968.

Materials Distributed by the Commission

*Early Childhood Education, March 1968.

Planning for Educational Development in a Planning, Programming, Budgeting System, by Selma Mushkin and James Cleveland, November 1968, \$1.00.

Information about the Commission

The Compact For Education, 1966.

Education Commission Of The States 1968: A Descriptive Brochure, March 1968.

Education Commission of the States 1968-69, an introductory pamphlet, November 1968.

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All publications available without charge unless otherwise noted.

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