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**ABSTRACT**

The year 1973 was marked by uncertainty and frustration regarding the federal role in education. The Congress and the President were deadlocked on key education issues. Administrative impoundment of funds and delays on appropriations forced State and local officials to struggle with day-to-day continuation of federal programs rather than focus on planning and implementing an integrated use of federal, State, and local programs and funds. Significant changes must be made in 1974 if the most effective use of federal resources is to occur. In this brochure, the Regents examine existing programs providing aid to elementary, secondary, and higher education and make recommendations on the educational issues now before this session of Congress. (Author/JF)

ED 088206

# **Federal Legislation and Education in New York State**



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**The University of the State of New York  
The State Education Department  
Albany**

**February 1974**

LA 005 940

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# FOREWORD

The year 1973 was marked by uncertainty and frustration regarding the Federal role in education. The Congress and the President were deadlocked on key education issues. Administrative impoundment of funds and delays on appropriations forced State and local officials to struggle with day-to-day continuation of Federal programs rather than focus on planning and implementing an integrated use of Federal, State, and local programs and funds. Significant changes must be made in 1974 if the most effective use of Federal resources is to occur.

The extension of the Elementary and Secondary Education Act is of prime concern this year. The legislation should provide some consolidation of similar programs, without a reduction in total support of funds. The legislation must include an equitable formula for the distribution of aid to the disadvantaged which both carries out the original mandate of Title I and recognizes the pressing needs of urban states. The legislation should provide that all Federal education programs should be funded at least one year in advance to facilitate planning by State and local officials.

In 1974, the role of Federal education efforts with relationship to local and State responsibilities should be clarified so that each level of government makes a unique and effective contribution to the total educational program. Federal resources should be used to provide leadership in research and development and to supplement State efforts in education of particular population groups. Federal funds must be used to strengthen State and local education agencies in order to carry out the functions of planning, administration, operation, and evaluation of education programs.

In this brochure, the Regents present recommendations on the educational issues before this session of the Congress. I join with the Regents in urging consideration of the recommendations by the Congressional Delegation of New York and other states, the President, and the executive agencies concerned with education..

Faithfully yours,



EWALD B. NYQUIST

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## **I. The Federal Role in Education — Challenges for 1974**

Nineteen hundred and seventy-three began the first session of the 93rd Congress and a second term for the incumbent administration of the executive branch. The year brought new challenges to the Congress and the Administration regarding Federal involvement in education.

Unfortunately, the impasse between the Congress and the President has adversely affected the workings of many areas of the government. So, too, has it created great problems for education. There has been serious disagreement on a number of critical issues concerning the Federal involvement in education, including appropriations for the Departments of Labor and HEW and the extension of the Elementary and Secondary Education Act which expired June 30, 1973 and is presently on a one-year continuing authorization. Although a compromise appropriations bill for Fiscal Year 1974 was finally signed into law for the first time in two years, the 93rd Congress and the President must face in the upcoming year similar challenges, but with a greater sense of priority and urgency.

During the past 15 years, the Federal Government has taken an increasing role in supporting State and local educational agencies. An impressive array of legislation has been enacted, including such items as The National Defense Education Act of 1958, The Elementary and Secondary Education Act of 1965, The Higher Education Act of 1965, and most recently, The Education Amendments of 1972, which authorized major new programs in elementary, secondary and postsecondary education. New York State commends these initiatives.

In addition to the need this year for a speedy renewal of the Elementary and Secondary Education Act of 1965 and for improved Labor/HEW appropriations legislation for Fiscal Year 1975, there remains to be formulated a Federal policy regarding the general financing of elementary and secondary education. Any Federal movement in this direction must involve not only a definition of equalization of educational opportunity, but also a consideration of the various State and local capacities to achieve this goal. Such challenges must be met within strict principles for establishing a stronger Federal-State-local partnership.

### **Renewal of the Elementary and Secondary Education Act of 1965**

There are currently two bills in the 93rd Congress that propose to extend and amend ESEA. They are H.R. 69, "The Elementary and Secondary Education Amendments of 1973" and S. 1539, The

"Education Amendments of 1974." Both seek to insure the continuation of services for the educational needs of national concern that State and local sources are not able to finance. However, the delivery mechanism is varied in each bill in that some categorical programs are extended intact while others are consolidated into a larger package. It is hoped that this new design will reduce the amount of administrative time and energy currently needed to implement ESEA.

We believe this concept of consolidation is a valid one. When new categorical programs are to be created or old programs are to be renewed, it is necessary to reassess the purposes of the existing programs to avoid duplication and overlap. If more than one special program already exists for the purpose of accomplishing similar or identical objectives, legislative consolidation of these related programs should be realized. We find the consolidation as contained in S. 1539 to date to be conceptually the proposal closest to this approach thus far. It is further essential that the consolidation be accomplished only if the new plan is equal to the sum of its various parts. There have been some attempts in the past year to accomplish the elimination of some Federal education programs behind the facade of "special" or "education" revenue sharing. The proposed Better Schools Act of 1973 is a prime example.

Of legislation currently in operation, one desirable consolidation might include programs serving children whose underachievement is related to poverty. These programs are Elementary and Secondary Education Act, Titles I (Education of Children of Low-Income Families), VIII (Dropout Prevention); Economic Opportunity Act Programs, Headstart and Follow-Through; Teacher Corps; Urban-Rural; and Career Opportunity. The latter training activities have a high impact on the education of disadvantaged children and career opportunities for disadvantaged education personnel. Thus, the consolidation would have the advantage of targeting programs and training funds together.

Another possible combination involves set-aside funds. A number of ESEA titles specifically set aside funds for the dissemination of information about promising practices. A renewal of the legislation should provide for consolidation of these funds so that State education agencies can more effectively carry out the dissemination function.

It is proposed also that the sum of two percent be set aside for State educational agencies to evaluate programs under the various Titles of the Elementary and Secondary Education Act of 1965 and its later amendments. This arrangement would shift some burden away from

the local educational agency and bring to a focal point at the State level a more comprehensive evaluation effort.

The recent controversy evolving from the ill-fated "Better Schools Act of 1973" is an important lesson illustrating the need for more effective evaluation mechanisms for federally funded programs. In proposing to terminate many titles and projects, the Administration maintained some had failed in accomplishing their purposes. In fact, the evaluation of many federally funded programs has been scattered throughout all levels of government with little coordination and uniformity. Thus, the absence of an adequate feedback process endangered their very existence.

Another area of major concern in H.R. 69 and S. 1539 involves the proposals for ESEA Title I Programs for the Disadvantaged. There appears to be a grave controversy concerning the formula for the allocation of funds under this program which raises basic questions about the very character and purpose of Title I.

The original intent of Title I as found in Sec. 101 of the legislation is ". . . to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means which contribute particularly to meeting the special educational needs of educationally deprived children." The major proposals presently being considered by the education committees in Congress would directly undermine and change this intent by dispersing Title I funds around the country, rather than channeling them to local educational agencies with large numbers of needy children. The more dispersion that occurs, the more Title I becomes a general aid program for the entire elementary and secondary population in the country. We urge the Congress to reassess this approach to general aid.

It is also important to highlight the caveat on Title I contained in the House-Senate Conference Report No. 93-682 on the Fiscal Year 1974 Labor/HEW Appropriations Bill. It is stated that no funds will be considered for Fiscal Year 1974 unless "the present Title I formula is revised to remove the inequities in the basic law." In addition to the delay that would be created in the allocation process for the next school year, one might question the kind of "equity" being sought for Title I by the appropriations committees in this process traditionally reserved for the authorization committees.

### **Financing Elementary and Secondary Education**

New York State and other states in the Nation face a critical problem in financing elementary and secondary education. During the

past 3 years, legal proceedings in various parts of the country have challenged current systems of financing on the grounds that they do not provide equality of educational opportunity. In each case the issue is whether present finance systems which result in unequal expenditures per child in local school districts are illegal. At issue is the question of whether costs affecting the quality of a child's education should be a function of the wealth of his parents and the neighbors in the school district.

One implication of these legal proceedings is the immediate need for the State and Federal Government to examine the various capacities and meaning of equalization of educational opportunity in terms of establishing new policy directives and practical solutions.

Will full State funding with variations in expenditure based on measured educational needs coupled with the use of local supplements suffice? What Federal action will help with the solution?

In New York State, the local share of educational expenditures has increased to meet rising educational costs because the State share of total costs has been decreasing since 1968. The present State shared-cost formula has been amended four times since its inception in 1962 by raising the operating expense ceiling and the flat grant amount per pupil. However, the present \$860 ceiling will have been in effect for 4 years in 1973-74. From school year 1968-69 to school year 1971-72, the percentage of State aid of total expenditures dropped 5.5 percentage points from 48.3 to 42.8 percent. State aid, however, increased from \$2 billion to \$2.4 billion in the same period, which means that local expenditures increased rapidly in the same period. If the State provided 48.3 percent of the total expenditures in the school year 1971-72, as was the case in 1968-69, an additional \$300 million of State funds would have to have been available to school districts in 1971-72. The percent of total expenditures from State sources is estimated at slightly over 40 percent in 1972-73.

With a declining State share of expenditures, the local property tax rates must climb unless Federal resources are forthcoming. The Federal Government takes 64 percent of all taxes collected in the Nation and 93 percent of all income taxes. Yet, the Federal Government is paying only 8 percent of the total cost of the elementary and secondary education bill in the country as a whole.

We must obtain an increasing share of the cost of education from Federal resources. The general revenue sharing legislation, Public Law 92-512, does not address this problem since local expenditures for education are explicitly excluded. The extent of fiscal stringencies

that pervade the State give little hope that the revenue sharing problem will provide enough relief in other areas to release other local monies for education.

Furthermore, a recent report by the Federal Advisory Commission on Intergovernmental Relations indicates that even with general revenue sharing and welfare reform, New York is one of two States that does not have the fiscal capacity to raise per pupil spending for elementary and secondary education to the 90th percentile in the State. The fiscal capacity of urban states is strained by the large municipal overburden they must assume. The national average of personal income used for state and local cost of public assistance and Medicaid is .6 percent, while in New York State, 2.3 percent of personal income is used to meet this expenditure.

Other public services cost more in urban centers than the less densely populated areas, and therefore require urban centers to maintain higher tax levies to support the services. This overburden is easily recognized when data of urban centers is compared with similar data from outside urban centers.

The United States Senate, Select Committee on Equal Educational Opportunity, in their Committee Print entitled, "Issues in School Finance," present the following data:

• Education as a percent of total expenditures:

New York City	24 percent
Outside New York City	52 percent
Louisville, Kentucky	40 percent
Outside Louisville, Kentucky	70 percent

• Taxes as a percent of personal income:

New York City	10.2 percent
Outside New York City	6.2 percent
Louisville, Kentucky	5.2 percent
Outside Louisville, Kentucky	3.5 percent

• Per Capita taxes for total expenditures:

New York City	\$894
Outside New York City	644
Louisville, Kentucky	508
Outside Louisville, Kentucky	302

In the development of legislation for financing elementary and secondary education, the Congress must consider several factors. Of great concern to New York State is the extent to which the allocation formula of any act distributes fairly Federal resources among the States. A report from Senator Jacob K. Javits on Federal programs of grants-in-aid to State and local governments describes the kind of inequitable treatment given to highly urbanized states. Most

existing distribution formulas simply do not give fair weighting to the pressing needs in urban areas. The Javits report indicates that in 1971 for every dollar New Yorkers contributed in Federal taxes, the State received 12 cents in Federal grants as compared with the national average of 14 cents. New York ranked 38th in the rate of return among the states. While the Federal Government pays 5 percent of the education bill in New York State, in many states it pays over 15 percent and in one State, over 25 percent.

One of the most striking examples of this inequity is found in the ESEA Title I basic grant program. A State-by-State analysis of the potential maximum Federal payments under this program indicates wide differences in the impact on the states with regard to the education purchasing power of each Federal dollar.

The State of Mississippi's ESEA Title I maximum Federal payment per low-income student for Fiscal Year 1971 was \$504, or 91 percent of the state per pupil expenditure. In contrast, New York's maximum Federal payment per low-income student was \$780.50 or 50 percent of the State per pupil expenditure. If both States had decided to use their money to reduce class size of low-income students, Mississippi would have been able to reduce class size by 46 percent, while New York would have been able to make only a 29 percent reduction.

In setting the nature of increased Federal assistance for elementary and secondary education, Congress must give prime consideration to the development of a program of support to the states either in the form of general grants or reshaped "block grants" which are administered by State educational agencies in conjunction with State funding of elementary and secondary education.

### **Federal-State-Local Partnership in Education**

During the past decade, Congress has experimented with several alternative relationships in governing structures in order to best organize the delivery of Federally funded programs to all students. As a result, it has appeared that there has been a growing national tendency for the traditional pattern of federalism, of governance by Federal, State, and local structures, to be supplemented, if not supplanted, by an additional or new structure for governing — one composed of communities, city-states, counties, and states, each separately or cooperatively relating to the Federal Government for financial and other assistance. This tendency has compounded the confusion of diverse relationships in the delivery of programs. The current manpower legislation is the best example of this misdirection.

The President seemed to promise not only a reorganization of the existing delivery systems and agency structure, but also a return to the traditional pattern of federalism. Instead, Administration proposals over the past year have contained not only increases in personnel in the Washington central offices, but a massive shift of positions and responsibilities to the regional offices. The latter reorganization would merely augment an additional layer of federal bureaucracy, a wasteful exercise during our time of economic crisis. Rather, we believe it is time that a greater Federal-State-local coordination of effort for education be made. Education is a national concern, a state function, and a local operational responsibility.

We believe that a vital role for the states exists in new patterns of federalism in education. State education agencies are being strengthened and many have established a tradition of leadership in the educational programs of their States. The key point for the coordination of local, State, and Federal programs is at the State level. State education agencies should be designated to provide the intermediate services of planning, administering, and evaluating Federal programs in the local educational agencies and institutions. For example, State agencies should have a role in the planning and evaluation of programs developed in a State under the Emergency School Assistance Act. At the present time, they have essentially no role or involvement. If the National Institute of Education (NIE) is to have a major role in educational research and development, which is to effect change in our schools, States should have a substantive relationship with the work of NIE.

New Federal legislation is not required for this purpose. Part C, Sec. 421 (b) of Public Law 91-230, as amended, of the General Provisions Concerning Education, gives the U.S. Commissioner of Education authorization to use the services and facilities of any public agency in accordance with appropriate agreements in the administration of any education program. Additionally, the Congress should provide in all Federal acts funds for State agencies to carry out their role. At least 6 percent of any Federal financial support for communities or local agencies should be provided to State agencies for the state's function in planning, monitoring, and evaluation.

In the implementation of legislation, Federal agencies should be required to submit proposed regulations to the State education agencies so that the formal governing structure may comment upon their content. This is particularly important in view of the unique characteristics of regions and target population groups and for the later monitoring and evaluation activities the state agency will carry out.

Federal agencies have attempted to do this on their own with some success in regard to the Education Amendments of 1972. This practice should be the rule and not the exception.

### **Guidelines for Federal Funding of Education Programs**

In the 1974 session, Congress will be considering various options for the support of elementary, secondary, and postsecondary education. Among the alternatives for continued support of elementary and secondary education will be the extension of the Elementary and Secondary Education Act of 1965, as amended; bills to provide "program consolidation" of existing categorical programs; and "general aid for education." In summary, we suggest that in any of these approaches, the following principles and administrative factors should be incorporated.

**Principles for Elementary and Secondary Education Federal Support:**

1. Elementary and secondary education is the responsibility of the State and the major portion of funding for such education is from State and local resources. Federal funding should supplement these resources and should be directed toward particular Federal purposes.

2. Federal funds should provide services to particular population groups through special aids for the economically and educationally disadvantaged, the mentally and physically handicapped, the gifted and talented, and persons in programs of occupational education.

3. Federal funds should be provided to the states in a manner that will permit and enhance the combination of Federal with State and local funds in equalization of opportunity among school districts in a State.

4. Federal funds should assist in equalizing educational opportunities and outcomes among the states. This does not necessarily mean equal dollars per pupil to all states. The factors of regional difference in cost of services, tax effort, and the fiscal capacity of the State related to the overall commitment to expenditure for social programs must be considered in the Federal distribution of funds.

5. In addition to support of educational operations as indicated above, Federal funds should be used for research and development activities which require a critical mass of resources not available to a single State or local school district; and for educational personnel development through aid to the states for both preservice and in-service training in educational institutions and in teacher centers.

## Administrative Factors for Federal Education Programs:

1. Federal funds should be administered through State education agencies in order that these funds can be linked with State and local resources for a coordinated support of education. Six percent of Federal funds should be used for developing State plans for the use of funds, administration of funds, monitoring of programs, and for evaluation of programs. Federal regional service offices should be discontinued in order to streamline the direct relationship between the states and the U.S. Office of Education in the administration of Federal programs. In administering Federal funds, the states should require that local school districts have district and school plans for the use and evaluation of Federal funds.

2. Research and development funded by the Federal Government should be conducted cooperatively between Federal agencies and those State agencies having the capacity. Research and development program efforts must link Federal, State, local, school, and classroom personnel in a vertical relationship to assure that these efforts will have a direct impact on instruction.

3. Appropriations for Federal programs should be made one year in advance in order to permit orderly and efficient planning at the local and State level for the use of such funds.

## **Federal Support of Nonpublic Education**

The private and parochial schools are in a critical fiscal plight and have turned to public sources for support beyond that already available.

The advantages of diversity in the educational enterprise of New York and the Nation must be reconciled with the goal of equal educational opportunity. This imperative has constituted a major consideration in the enactment of legislation to aid secular instruction in nonpublic schools.

The question is thus presented: to what extent, and under what conditions, should Federal and State legislation protect diversity and make viable the right of parents to choose nonpublic schools for the education of their children?

The majority of the Regents believe that for these purposes Federal legislation is required in harmony with the following principles:

Such legislation should not jeopardize the welfare, stability, and adequate support of the public schools.

Such legislation should be effective in providing meaningful opportunities to children of lower income families who, of all groups, have

the least options in determining when and where their children are to be educated as well as to middle-income families who are feeling the economic pinch of higher tuition cost.

Public support of nonpublic education must be sufficient to maintain a pluralistic system adequate in quality and economical in operation but not so excessive as to jeopardize the independence of the nonpublic school or dry up sources of private and philanthropic support or encourage organization of new schools with the purpose or effect of increasing racial separatism.

Such legislation should require accountability for public funds received, should contain safeguards against increasing racial and social class isolation in the nonpublic schools, should insure against use of public funds for any sectarian purpose or function and that admission policies be nondiscriminatory except where permitted by law on the basis of creed.

All nonpublic schools receiving public funds must be required to meet standards of quality prescribed by public authority but the Federal Government should not be involved in the operation of nonpublic schools.

Finally, such legislation must conform to the principles of constitutionality already enunciated by the courts or have reasonable prospect of being approved by the courts in the event of a challenge to its constitutional validity. In this connection, the Regents are of course mindful of the decisions of the United States Supreme Court and other Federal courts.

### **Funding Existing Education Programs**

Another immediate priority for both the 93rd Congress and the Administration is funding existing education programs in Fiscal Year 1975. Foremost among the issues of concern to New York is adequate follow through on the part of both branches of the Federal Government with the levels of funding anticipated in the legislation. The year 1973 has brought a host of unkept promises in this regard. At a time when solutions for many ills of our society can be achieved through educational means, national priorities have neglected this area.

The President's budget for Fiscal Year 1974 for the Education Division of the Department of Health, Education and Welfare was of deep concern. The overall suggested decrease from Fiscal Year 1972 was approximately \$5 million. Within this overall decrease, there was a considerable shifting of monies that would have resulted in increased Federal control and direction of the remaining programs.

At a time when Title I of the Elementary and Secondary Education Act was being decreased \$12.4 million, the Administration was requesting that total personnel compensation for the Education Division be increased \$15.8 million, including 514 new permanent positions. The National Institute of Education and the Office of the Assistant Secretary for Education, two new programs containing funds in part transferred from the Office of Education, did not explain 60 percent of the suggested increase in total personnel compensation when considered in total.

In student assistance for postsecondary education, where institutions had a program of \$958 million, they would have had a program of \$250 million. The new federally controlled program was proposed to be \$959 million.

Where there is a concern on spending and taxes and the decrease of the Education Division by about one-tenth of one percent of their total budget, the matter of priorities is also a concern. We note that drug abuse education was proposed to be decreased almost 80 percent, while in the Department of Defense, the National Board for the Promotion of Rifle Practice, which promotes civilian interest in small arms marksmanship, was increased almost 40 percent. Since Fiscal Year 1971, the Board's budget has almost doubled.

For Federal Fiscal Year 1973, there had been no appropriation for education programs, with the exception of some items contained in the Education Amendments of 1972 funded through a small supplemental appropriation. For some of these appropriations, the Administration was asking for rescissions. The states were receiving funds on a continuing resolution as interpreted by the Administration at either the Fiscal Year 1972 level or at the level of the President's revised Fiscal Year 1973 budget request, whichever was lower. In cases where the President's budget request was lower than the Fiscal Year 1972 appropriation level, Administration policy had meant a "cutback" in funding levels. This action clearly ran counter to congressional intent in passing the continuing resolution in several instances, particularly since the funding level provided for each program was either at the level of the House- or Senate-passed appropriations bills, whichever was lower.

Presidential impoundment exercised during this period has been ruled illegal and unconstitutional by a number of court decisions during the past year. The most recent was a decision by a Federal District Court in Washington, D.C., on a class action suit brought by the State of Pennsylvania against HEW Secretary Weinberger. Shortly after a motion for a stay was denied, the Administration decided not

to appeal, but to release over \$380 million in education funds impounded in Fiscal Year 1973. There have also been a number of additional decisions forcing the release of other education, health, and social services funds that have resulted in an Administration announcement of its abandonment of this impoundment technique in Fiscal Year 1974.

There remains the question of the length of availability for expenditure of the released funds by the states and local educational agencies. Fiscal Year 1973 funds may be expended into Fiscal Year 1974 under the authority of the "Tydings Amendment," 20 U.S.C. §1225 (b), which expires on June 30, 1974. Since this authority is essential to the proper administration of federally funded education programs, the Congress should immediately pass as a separate and permanent legislative item an extension of the Tydings Amendment beyond its current applicability to Fiscal Year 1973 appropriations. However, with respect to the expenditure of the recently released Fiscal Year 1973 funds in Fiscal Year 1975, there should also be an Administration order allowing such expenditure in accordance with a proviso in the Budget and Accounting Act (31 U.S.C. §701 (a) (2) ). This authority allows the Office of Education to order these funds available for obligation and expenditure for the period necessary from the date of the issuance of the new grant awards. Firmly supporting this authority is Congressional intent as outlined in the Report of the Senate Committee on Appropriations on the Fiscal Year 1974 Labor/HEW Appropriations Bill, Report No. 93-414. Failure to order such an availability extension would necessitate an additional legislative amendment.

After five vetoes of education appropriations bills, the President signed into law on December 18, 1973 a compromise Fiscal Year 1974 Labor/HEW Appropriations Bill, the first in two years. The bill allows the President to withhold up to \$400 million of the total appropriated amount, but not more than five percent of any program or activity. This compromise was necessary for a Presidential signature of the bill, yet also represents a reduction of impoundment allowance from the 13 percent previously proposed in the second Fiscal Year 1973 Labor/HEW Appropriations Bill that was vetoed. Although we are pleased that State and local educational agencies will no longer be plagued by the funding uncertainties of a continuing resolution, we urge that these cuts be restored in Fiscal Year 1975.

In addition, the states are not able to plan for efficient implementation of Federal programs when the appropriations level is not known until long after the program is authorized. We urge the Congress and

the Administration to work together in legislating appropriations bills one full year in advance of actual funding in order to allow the states to more efficiently carry out the objectives of the programs.

Although the major policy directives for financing elementary and secondary programs must yet be established in the 93rd Congress, the foundation for Federal assistance to postsecondary education has been carefully assembled in the recently enacted Education Amendments of 1972. Congress passed a 1973 Supplemental Appropriations Act which provided funds for only a few of the programs included in the Act. The Fiscal Year 1974 Labor/HEW Appropriations Bill also does not go far enough in providing monies for the new programs. The main thrust of the legislation cannot yet be achieved until the major student and institutional assistance provisions are funded.

Federal support of higher education in New York State has been trivial compared to State and local government support. Federal support in 1969-70 amounted to only three percent of the total educational and general revenues of the State's institutions, compared to 38 percent by State and local government. Full funding of the Education Amendments of 1972 is essential, but even that will mean that Federal support of the State's institutions would reach only 15 percent of total expenditures.

Great Federal authorizations are but misleading promises unless Federal appropriations are enacted in Fiscal Year 1975.

## **II. Legislative Proposals: Major Items to be Considered by the 93rd Congress**

In addition to the questions of the extension and financing of elementary and secondary education and the funding of Federal education programs, a number of legislative items should be given priority consideration in the second session of the 93rd Congress. The items are education of the handicapped, the energy bill, early childhood education, instructional technology and communications, education in correctional institutions and vocational rehabilitation.

### **Education of the Handicapped**

Recent Federal Court decisions have stated that handicapped children cannot be excluded from the educational system and that the states must undertake the additional expense required to provide such children with their full constitutional rights. In view of fiscal stringencies of the public school systems throughout the country, it is impera-

tive that the 93rd Congress enact legislation that will assist the states in providing educational services for these children.

Currently there are more than six million handicapped school-age children in the United States. Sixty percent of these children are not receiving even the minimal special educational services they need to have full equality of opportunity. This amounts to over 200,000 children in New York State. One million handicapped children are excluded entirely from the educational system of the Nation.

In the recent position paper on "The Education of Children with Handicapping Conditions," the Regents have noted that New York State is committed to providing equality of educational opportunity for every child. That commitment requires that education be provided for children with handicapping conditions. Many such children, however, are not being educated adequately or at all, despite diverse and varied public and nonpublic efforts. Among the various factors contributing to this condition are: inadequate procedures for identification, screening, diagnosis and placement, lack of interagency coordination, and other shortcomings which prevent schools from educating large numbers of these children.

Central to any legislative program is a viable and functional system of advocacy which places responsibility for the education of these children in the local school district and provides for review and supervision under the State education agency. The State's responsibility is to insure that the interests of individual children with handicapping conditions are met and to insure that their rights to quality education are realized no matter where they are housed.

The ultimate goal is to have children with handicapping conditions become as self-sufficient as their handicaps permit. Although opportunities for achieving long-life, personal liberty, happiness, and self-sufficiency are limited for some children, programs enabling them to acquire an education, cultural enrichment, personal fulfillment, and vocational success are of vital importance to society as well as to the individual. Such children require understanding, acceptance, and help from the schools to fit well into society. The State and its subdivisions have an obligation to educate these children so they can learn to cope with their own physical, mental, or emotional disabilities, as well as with the often limited and stereotyped perceptions of others.

A recent study has estimated that at least \$5 billion will be required annually to provide all handicapped children in the Nation with minimal services. Approximately \$2.2 billion is being expended currently for this purpose by the states with the remainder coming from the Federal Government. For New York State alone, the Fleischmann

Commission reports an estimated need of \$1.2 billion for the year 1972-73, of which at least \$360 million would be new money.

Legislation for this purpose must expand Federal assistance to meet the excess costs per child for each child the State is required to serve. Excess cost is based on the aggregate current expenditure a State makes on the education of handicapped children, divided by the number of children served. The difference between this amount and the State per capita expenditure for a nonhandicapped child constitutes excess cost.

### **The Energy Bill**

The second session of the 93rd Congress should pass legislation for the control and use of energy resources. Of vital concern to New York in any Federal fuel allocation program is the inclusion of a priority for educational institutions. Legislation should include a definition of vital public services that includes education, among other services such as hospitals, health care, public safety, and transportation.

The New York State Education Department has developed a three-phase program to conserve fuel by the education institutions in the states. Already in operation, Phase I is predicted to effect a 15 to 30 percent energy saving through changes in heating and ventilating systems. A State Education Department study has found that the net fuel savings taper off sharply if more drastic actions as outlined in Phases II and III are implemented. However, local school districts have been asked to develop contingency plans for Phase II in the event the fuel shortage becomes more critical. We urge the Congress and the Administration to take every possible step to assure that the educational institutions of the Nation be provided the energy to operate with minimal disruption and loss to students, faculty, parents, and the community at large.

### **Early Childhood Education**

Federal funds for early childhood programs serving children from low socioeconomic families are provided from a variety of sources including ESEA, Titles I and II, The Economic Opportunity Act, and The Social Security Act. There has been a demonstrated need for a coordination of these programs with respect to the following areas: planning, research, evaluation, technical assistance, equipment, staffing and staff development, and nutrition funding. Coordination on the Federal level will mean coordination on the State and community

levels, thus providing better service. Additionally, adequate funds must be provided for construction of new and renovation of existing facilities.

A promising trend in school districts and communities throughout New York State is the development of home-based educational programs for parents and preschool children. Known variously as Outreach, Home-Start, Parent-Child Programs, they provide inservice programs to help parents realize their potential as teachers of children. More support is needed for this largely untapped educational resource, as well as a forceful guarantee of opportunities for parents and professional staff to assume cooperative responsibility for the education of their children.

### **Instructional Technology and Communications**

Plans and projections for change in education must include the development of instructional technology and communications. Instructional management, programming for individual learner needs, more precise and timely evaluation of learner performance, and actual delivery of instructional materials and systems are desired objects that depend heavily, if not entirely, on the employment of modern technology and communications techniques. Long-term economic indicators point to continuing fiscal problems for education if the labor intensity of the process is not substantially reduced. It is time now to seriously consider the contributions that technology can make to improve management and instruction in cost effective ways.

In the recent position paper on "Instructional Technology," the Regents have noted that while technology and communications are widely used in all other aspects of human experience, they have hardly touched education. Although visible, technological capacities are available to improve individualized instruction, to create greater equity for the disadvantaged and handicapped student, to improve the prospects for job training and retraining of our working population, and above all, to stretch financial resources to provide more education at proportionally less cost. Little organized research and development has occurred to make these capacities a structural component of the education system. We believe the time has arrived for the development of serious objectives for the use of technology and communications as part of the mechanism for major change. We believe further that controlled and organized research and development toward such objectives must begin at once. While substantial investment in support of such research and development must be made both at the Federal and State levels, care must be taken to achieve efficiency of

effort. We, therefore, encourage the development of the means for cooperation among State and Federal agencies so that available resources may be targeted on highest priority items.

### **Education in Correctional Institutions**

One area that has received little attention in the past is education in correctional institutions. In combination with other necessary reforms in the Nation's prisons, education programs need to be expanded and directed to prepare inmates for productive work and participation in society once they are released from these institutions. Comprehensive programs need to be implemented that coordinate both the educational and occupational potential of the inmates. Special consideration should be given to initial screening and evaluation procedures to effectively implement programs suited to individual needs. In this area, special emphasis should be placed on basic academic skills required to supplement skill training, on occupational training needs, and on related basic academic skills. Provisions should also be made, to enable an inmate to obtain a high school equivalency diploma and appropriate postsecondary education. Since the educational-occupational training program is constrained by the time an inmate is in an institution, occupational training needs should receive highest priority. The availability and expansion of adequate library resources and services is essential in carrying out any comprehensive educational program.

Consideration should be given to the large number of non-English speaking inmates and the development of specialized programs and services required for this group.

In addition to these programs, it is necessary to provide for pre-service and inservice training programs to insure that the educational staff in these institutions have the requisite skills to carry out effective programs.

One further area of importance is to provide for the coordination of correctional occupational training programs with outside occupational referral programs in order to assist in finding them employment upon release. Other problem areas that should be pursued in connection with the overall objective of education in correctional institutions is inmate preparation for release and followup on all programs in order to evaluate effectiveness and provide necessary information for program improvement.

## **Vocational Rehabilitation**

The 93rd Congress should start planning for a revision of the present formula for the allocation of funds for the basic program to the States under the Vocational Rehabilitation Act. Originally designed to meet the problems of nearly 40 years ago, the formula creates today widely varying differences between what some States receive for each resident handicapped individual. The average per capita vocational rehabilitation grant for each handicapped person for the Nation is \$81.30. Seven States receive less than \$50 per capita while six States receive more than \$100 per capita.

The distribution has a serious negative effect on States with large concentrations of urban areas. New York, for example, where the population is 8.85 percent of the total Nation, receives only 5.28 percent of the funds. This amounts to \$42.43 per capita handicapped, or 49.8 percent less than the average per capita vocational rehabilitation grant in the Nation. Although New York is currently handling 85,000 clients per year, there exists a substantial backlog of eligible persons which increases each year.

In changing the allotment formula, one of two alternatives is desirable. The current formula is the product of population multiplied by the square of the reciprocal of per capita income. It is this "squaring" factor which creates an inequitable distribution. Removal of the "squaring" factor would provide more equity in the formula. Another alternative is to keep the "squaring" in tact, but simply change the minimum-maximum allotment percentages. The expired law provided a maximum allotment of 75 percent and a minimum of 33 $\frac{1}{3}$  percent. Moving the minimum allotment percentage up to 50 percent and leaving the maximum of 75 intact, or changing the range to 60 percent maximum and 40 percent minimum would considerably improve the distribution equity. There is a precedent for the latter proposal in the Vocational Education Act which contains an allotment ratio of 60 percent maximum and 40 percent minimum.

## **III. Operation of Existing Programs and Recommendations**

Since the launching of Sputnik in 1957, Congress has consistently demonstrated its concern for and its awareness of educational needs of the country. It has enacted far-reaching legislation that has propelled us far beyond initial expectations. It would be difficult to assess the impact of any one program on the educational system. The comprehensive nature of these Federal initiatives has extended the equal

educational opportunity to all segments of our population, regardless of race, sex, age, or national origin. The success of these programs can be demonstrated in the following way. Based on the retention rates of pupils entering the fifth grade, the percentage of high school graduates nationwide has risen from 62 percent in 1960 to nearly 78 percent in 1972. During a similar period of time, the percentage of high school graduates entering as full time and part-time students in programs creditable toward a bachelor's degree has risen from 33 percent in 1960 to almost 47 percent in 1970. Considerable gains have been made in education, but much more should be done.

In the following section, we will concentrate on the operation of existing programs and their application in New York State. Each program section will include an introductory statement on the Federal program; a statement describing its implementation in New York, including exemplary projects being utilized; and suggested recommendations for improving the existing legislation.

## **EARLY CHILDHOOD EDUCATION**

Federal funds for early childhood programs serving children from low socioeconomic families are provided from a variety of sources including ESEA Titles I and III, Economic Opportunity Act, Social Security Act, and Appalachian Regional Development Act. Any program funded by Federal money (Head Start, migrant programs, parent and child centers, day care, etc.) must meet minimum standards as set up by the Federal interagency guidelines which mandate four components:

1. comprehensive health care, including physical, dental, mental, and nutritional health services;
2. social services which emphasize helping families to become independent in meeting their own needs;
3. parent involvement programs which provide increasing opportunity for decision making and for improving parenting skills; and
4. children's programs with a developmental point of view.

### **New York State Program**

In New York State, many public school districts have become involved in Federally funded programs for children under kindergarten age. Although a ceiling has been placed on Social Security Act, Title IV-A funds, education and Social Service laws make it possible for

public schools to provide day care for children 0 to 14 years of age. The number of available preschool programs does not meet the demand.

A promising trend in school districts and communities throughout New York State is the development of home-based educational programs for parents and preschool children. Known variously as Outreach, Home-Start, Parent-Child Programs, they provide inservice programs to help parents realize their potential as teachers of children. More support is needed for this largely untapped educational resource.

Some 14 sites in the State are currently involved in Follow Through research and development programs in kindergarten through grade 3 which help children from low socioeconomic families sustain gains made in prekindergarten. These Follow Through programs require continued support. Expansion of Follow Through should allow for proliferation of successful Follow Through components in many other primary programs for children from low socioeconomic areas.

### **Recommendations**

- Comprehensive state planning and coordination of Federal and state programs for technical assistance, equipment, staffing, staff development, research, and evaluation.
- Coordination of all community resources to provide quality programs without duplication and competition.
- Adequate funds for construction of new and renovation of existing facilities.
- Coordination of all nutrition funding to insure adequate provision for all programs without wasteful efforts of applying to several agencies.
- Funding on basis of at least 3 years to eliminate continuous preparation of proposals which is costly in time and energy of local and state personnel.
- Priority for children from low socioeconomic families.
- Assurance of an opportunity for children of all backgrounds to learn together by providing services to families who can afford to pay on a sliding scale.
- Standards set for competent professional leadership.
- Provision for staff development through inservice programs and for career development through local colleges and universities.
- Guarantee of opportunities for parents and professional staffs to assume cooperative responsibility for the education and development of children in both home and school-based programs.

## **ELEMENTARY AND SECONDARY EDUCATION**

Elementary and secondary education legislation has received considerable attention during the past decade by the Federal Government. This area more than any other requires the immediate attention of the authorizing Committees. Most of these programs have expired and are continuing on a one-year automatic extension. The delay in their extension is causing considerable uncertainties for the next school year. The best of programs will suffer from this situation.

The following section indicates the use of Federal legislative authority in elementary and secondary education in New York State. Included are references to the major program areas covered by funded projects and examples of some outstanding activities.

### **ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, P.L. 89-10, AS AMENDED**

#### **Title I — Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families**

Part A of this title provides basic grants to eligible local educational agencies to conduct special programs to meet the educational needs of disadvantaged children. Part B provides special incentive grants to a limited number of local agencies which show special promise of substantial success through existing part A programs. Part C provides additional grants to those local educational agencies, urban and rural, which have an urgent need for such funds due to having the highest concentrations of disadvantaged children. Amendments to this title, specifically P.L. 89-750, provide allocations for migrant children and neglected or delinquent children housed in state-supported institutions.

The purpose of this title is to alleviate the educational deficiencies of disadvantaged children resulting from an impoverished environment and inadequate cultural, educational, and social experiences. Compensatory educational programs are provided to school-age children from public, nonpublic, and institutional schools. Preschool children are also eligible for services. Parents of eligible children in each school district must be involved in the planning, development, implementation, and evaluation of projects through the formation of local parent advisory councils.

## **New York State Program**

Under Title I, ESEA, the allocations for Fiscal Year 1973 to New York State were Part A, \$220,222,842; Part B, 2,702,352; Part C \$10,784,204; handicapped children, \$9,337,521; neglected and delinquent children, \$1,810,093; youth in state-operated correctional institutions, \$740,695; and migratory children, \$2,797,056.

In Fiscal Year 1973, 695 local school districts operated 812 regular school year and summer school projects under Part A of Title I. The educational components most frequently included in these projects were reading, mathematics, pupil personnel services, library services, speech therapy, language arts and English for non-English-speaking students. Some local districts in which exemplary project activities took place during the 1972-73 school year are Brentwood, Elmira, Canastota, Fulton, Glens Falls, Greene, Hempstead, Mount Vernon, Plainedge, Syracuse, White Plains, Yonkers and New York City.

Examples of the foregoing are as follows:

A comprehensive or multifaceted project has been developed by the Fulton City School District, which consists of reading, arithmetic, speech and adaptive physical education programs and a supporting curriculum resource center. This approach provides multiple services to those disadvantaged students who have multiple needs. The activities conducted are based on individualized and small-group instruction, with a highly concentrated use of audio-visual materials and equipment.

The project administered by the Plainedge Public Schools has provided a mathematics tutorial assistance program for disadvantaged elementary school pupils, English as a Second Language (ESL) for non-English-speaking students and reading tutorial assistance, speech therapy and psychological services for students in target area nonpublic schools. The laboratory approach has been developed as a method of instruction in both the mathematics and reading programs, utilizing an extensive variety of materials and equipment. The ESL program has been implemented for students from at least four widely different language backgrounds. Non-public school students have been provided speech and psychological services on an individual referral basis.

An unusual methodology is employed in the project, operated by the New York City Central Board of Education, known as the Guggenheim Museum Program. This program involves the teaching of reading using the arts as motivation and serves 130 eligible children from grades 4, 5 and 6. Workshops in sculpture, painting, drawing, theatre arts, film making, etc., are conducted by professional artists. Compulsory reading classes use reading materials related to the arts the youngsters are studying. Students keep logs of their progress in the arts classes and do research reports on art and artists.

In fiscal 1973, migrant education was funded in the amount of \$2,797,056. A total of 111 projects were located in 19 counties and 60 educational institutions in the State. Some of the activities in migrant education in the State include the following:

Serving limited number of non-English-speaking children through bilingual tutorial services in language-based subjects, as language arts, science, social studies, and mathematics.

Funding summer schools in approximately 30 LEAs. Summer schools have effectively and consistently helped migrant children gain an average of 3 months in both mathematics and reading achievement. They further permit the children to participate in a wide range of educational and learning experiences that they might not otherwise have.

Funding of three transfer record terminals. These terminals are a part of a national network of 170 terminals serving potentially any school for the purpose of recordkeeping on migrant children. Presently, the records of approximately 400,000 migrant children are entered in the national data bank at Little Rock, Arkansas.

## **Recommendations**

- **Renewal of ESEA and substantially increased funding of Part A of Title I.**
- **Advanced funding.** To plan adequately for program activities and services, sufficient lead time is necessary to develop more effective and productive programs for the educationally disadvantaged.
- **The Title I formula.** The formula contained in present law has never been fully funded (36 percent for Fiscal Year 1973) and provides for a concentration of the funds appropriated. Increases in the low income factor will cause a greater dispersion of the available limited funding.
- **Continuation of the carryover provision.** Since congressional appropriations are erratic and are not usually enacted until late in the school year, approval to use the balance of each year's funds during the succeeding year allows school districts to plan more effectively and to get maximum utilization from their allocations.
- **State evaluation of Title I, ESEA programs.** Through the use of a common testing program, State departments of education could evaluate reading and mathematics projects to determine their effectiveness. The law should require that each State follow established procedures and format in compiling a State evaluation report on the impact of Title I participants within that State. These State evaluation reports would then form the basis for a national appraisal of Title I participants.
- **Support of migrant programs.** It is recommended that provision and funding for a span of 5 years be established to support ser-

VICES to the resettled migrant child. The present authorization for 1 year is insufficient to provide program services to the resettled child which prepare him to take his place in the society of school and community.

- State administrative funds. The percentage of the Title I allocation which is provided for State administration should be raised to 5 percent so that funding is available for improved evaluation data collection and for increased field monitoring and technical assistance services at the school district level.
- Flow-thru provision. Projects should be initiated at the local school building level and then coordinated as a districtwide program. On this basis, provision should be made for the allocation of funds in the school district to the local school building, based upon the same formula of eligibility under which the district receives Title I funds. This provision would in no way preclude the school district's being able to use the funds in accordance with its assessment of community needs or vitiate its authority as the final determiner of the most desirable program for that district.

## **ELEMENTARY AND SECONDARY EDUCATION ACT**

### **Title II — School Library Resources**

This title provides grants for the acquisition of school library resources which enable elementary and secondary schools to improve the quality of their school library media services and programs. The program in New York State is administered through a Basic Grant allocation program and competitive Special Purpose grants. Applicants must reflect the needs of both public and private school children and teachers. Allocations for Basic Grants are determined on a "relative need basis," taking into consideration the financial capacity of the school district, the level of pupil reading achievement and the total public and private enrollment.

### **New York State Program**

The Fiscal Year 1973 ESEA II allocation for New York State was \$8,159,503 of which \$7,343,552 were released during the Fiscal Year. The program in New York State focused on two priority areas during Fiscal Year 1973: Reading and Educational Redesign. In order to encourage schools to engage in comprehensive educational planning, the Unigrant Program has been developed. Unigrants provide schools with the opportunity to develop a single project submitted

on one application which draws on both ESEA II and NDEA III funds for school library media program development. The Unigrant Program streamlines administrative procedures at both the State and local level.

Resources acquired with ESEA II funds have stimulated local expenditures for additional facilities and staff. Thus strengthened, school library media programs are providing economically efficient and educationally effective resources support for innovative curricular and instructional techniques. Activities designed to encourage and motivate reading are benefiting measurably.

The brief comments on the following projects indicate how ESEA II funds have stimulated new approaches to learning.

#### A. Carle Place Public Schools — Cherry Lane School

A child centered library media program emphasizing independent and individualized study for basic skills in the primary grades. Pupils use resources with ease and sustained interest.

#### B. Oneonta City School District — Riverside Elementary School

Creative community involvement, innovative motivation techniques, differentiated staffing and flexible scheduling are the strengths of this program to improve basic skills at the elementary level.

#### C. BOCES Ulster County

This interdistrict project features computerized information retrieval in the areas of English and social studies. There is considerable student involvement and the interdistrict faculty cooperation is achieving a high degree of individualization of instruction.

#### D. Lafayette Schools — Lafayette High School

With a 20% American Indian enrollment, the school library media program features a strong collection of Indian culture materials. Modular scheduling and semi-open classrooms together with the materials permit a high degree of individualized learning experiences.

#### E. New York City — Community District #7 — P.S. 25

Multimedia materials in Spanish and English are used with individuals and in small group activities to develop research and language skills in English and Spanish.

### **Recommendations**

- Additional funds for local administrative purposes above the five percent available to the State are essential.

- The acquisition of equipment, furnishing and personal services necessary to maximize the use of school library resources acquired should be included as eligible expenditures. The ESEA II and NDEA III programs should be consolidated, deleting the reimbursement provisions in the present NDEA III legislation.
- The acquisition of learning resources for other federally aided programs should be reviewed to determine whether centralized acquisition for a school library media program rather than acquisition for individual classrooms would not effect considerable dollar savings with no hindrance to the educational process.

## **NATIONAL DEFENSE EDUCATION ACT**

### **Title III — Instructional Resources and Equipment**

This program provides for the enrichment of instruction in one or more academic subject areas. "Academic subject" is defined as the elementary and secondary school subjects of the arts, civics, economics, English, geography, history, the humanities, industrial arts, mathematics, modern foreign languages, reading, and science. Enrichment is provided through acquisition of equipment, materials, and minor remodeling which encourage a quality of instruction beyond that which is ordinarily available to the students in the schools of the State.

The program is competitive and open to all public school districts, campus schools of the State University of New York and the University of the City of New York, and Boards of Cooperative Educational Services. Approved projects are funded on a 50% reimbursable basis.

#### **New York State Program**

During FY 1973, the \$2.6 million allocated under this title were impounded and, therefore, not available for planning and funding. In anticipation of the release of impounded funds, applications were received and evaluated. Although projects were submitted in all academic subject areas, there was a heavy emphasis on reading among the 333 applications received.

In order to encourage schools to engage in comprehensive educational planning, the Unigrant program has been developed. Unigrants provide schools with the opportunity to develop a single project submitted on one application drawing on both ESEA II and NDEA III funds for school library resources. The Unigrant program stream-

lines administrative procedures at both the State and local level, Approximately 22% of the NDEA III allocation was used in Uni-grants.

Since impounded funds had not been released at the time of this writing no exemplary project implementation can be cited.

### **Recommendation**

- The benefits available under Title II of ESEA and Title III of NDEA are mutually supportive in that they provide the necessary materials and equipment to improve educational programs. The consolidation of these programs into one grant program would encourage better educational planning, contributing to the most effective and efficient use of available funding. The reimbursement provision in the present NDEA III legislation should be deleted. In addition, the benefit of NDEA III would also accrue to private school students and teachers.

### **Title III — Supplementary and Education Centers and Services; Guidance, Counseling, and Testing**

ESEA Title III authorizes grants to State agencies for the planning, implementation, and operation of innovative programs in the State's schools. The original legislation of Title III stated that grants may be used for "planning for and taking other steps leading to the development of programs designed to provide supplementary educational activities and services." Subsequent amendments have expanded Title III activities to include the establishment or expansion of exemplary and innovative educational programs and the lease or construction of necessary facilities for the purpose of stimulating the adoption of new educational programs. The former NDEA V-A program has also been assimilated into this program. The combined programs are primarily concerned with innovation, experimentation, systems change and also broad areas of educational reform as well as the development of skills for the fostering of these educational ideals. The guidance, counseling, and testing aspect of the program is concerned, in part, with demonstrating new attempts at providing important skills and training for counselors.

### **New York State Program**

The program is administered by a staff of professional educators working out of the Center for Planning and Innovation. The purposes of Title III are linked with the State's overall comprehensive

plan for educational change and the advancement of quality education in the classroom. This administrative arrangement has been supplemented by increased lay participation through a State Advisory Council and professional inputs by educational experts working from both inside and outside the State Education Department. Such a cumulative endeavor has contributed to the establishment and maintenance of creative and promising programs for the benefit of local school districts and individual students. One of the significant results of Title III is that it has shown that limited amounts of funds can produce results that can benefit more than those directly involved in the funded program. In this way, the overall results of the educational system can be improved. In working to this result, large numbers of State Education Department and local staffs play key roles.

Regional planning for cooperative action within and among school districts throughout the State is another major thrust of the Title III program. Regionalism is effected at the intermediate level through Boards of Cooperative Education Services supplying shared services, upon request, to school districts to support and supplement local district programs. Among some of the related activities underway are those pertaining to the acquisition of planning skills by local school administrators and teachers in the assessment of educational needs and the identification of problems and innovative solutions, the coordination of services such as transportation and maintenance, and collaboration on problems that can be met most effectively on a regional basis.

During fiscal year 1973, 86 projects were in operation in the State of New York of which 19 were in guidance, counseling, and testing. The remaining number (67) represents programs funded in the areas of accountability, inservice education, racial integration, individualized instruction, early childhood education, mathematics, instructional technology, reading, occupational education, redesign, the education of the handicapped, social health problems, bilingual education, data processing, humanities and the arts, open education and urban education. In addition, five projects were funded across the State from the U.S.O.E.'s discretionary funds. As a direct result of the State's dissemination efforts, seven districts are known to have replicated all or part of terminated previously funded Title III projects.

Official word has been received that the Federal appropriations for Fiscal Year 1974 is to be identical with the appropriations for Fiscal Year 1973. As a consequence, allocations to the State of New York under the Title III program for Fiscal Year 1974 are expected to be \$13,595,045. To be used for local funding is \$10,618,832

including \$1,350,987 for education of the handicapped and \$1,612,-248, approximately, for guidance, counseling, and testing. It is expected that \$1,579,127 will be earmarked as the U.S.O.E.'s 15 percent discretionary funds for Fiscal Year 1974.

During Fiscal Year 1973, a national validation process was undertaken to identify, validate and disseminate successful educational practices. In the State of New York, five (5) projects that were initiated and supported under the auspices of Title III ESEA were so identified and validated. Following is a synopsis of each of four (4) of these projects which are known to be currently operating under local funding:

*Southern Cayuga Atmospherium-Planetarium* — This program bridges the gap between the classroom and fields of earth and space sciences. The Center simulates the day and night sky through use of a unique projection system thereby demonstrating both meteorological and astronomical phenomena. A lab and educational program is also provided in addition to learning packets for use in home schools.

*A Comprehensive Physical Education Program for the Severely Physically Handicapped* — Individualized physical education programs and scheduling to insure 100 percent participation are provided for students enrolled in the special education orthopedic segment of the school's program in grades 7-12. Program includes swimming, recreation and driver education.

*Social and Economic Adjustment of Retarded Children* — A preschool center for mentally retarded children aged 3-6 years, a summer camp for about 80 children aged 7-17 and occupational curriculum development are the three major emphases of this program.

*Center for Multiple Handicapped Children* — A centralized facility for treating and educating multiply handicapped children from all boroughs of New York City is provided for those whose needs cannot be met in existent special education classes. The Center operates 12 months per year, 5 days a week.

## **Recommendations**

- Interest in ESEA Title III continues in the State of New York and the Act should be continued with substantially greater funds being appropriated to meet increased need and the appropriation made early enough in the fiscal year to facilitate sound and comprehensive educational planning.

- The plans and procedures now underway for national dissemination of promising educational practices should be expedited and expanded to insure the establishment of an adequate national and State repertoire of feasible innovative practices in education.
- The U.S.O.E.'s 15 percent discretionary funds reserved for use by the U.S. Commissioner of Education should be discontinued and restored to the State's allocation for State administration of the program.
- States should have complete freedom to determine education needs — applying their own definitions of needs — and arrange policies, programs, and procedures to meet such needs across the broad spectrum of State and Federally funded services and programs provided by various departmental units.
- State Education Departments should be eligible for grants as local educational agencies in certain special cases.

## **EDUCATION OF THE HANDICAPPED ACT**

### **Title VI — Education of Handicapped Children**

The several parts of this title provide grants for the initiation, expansion, and improvement of programs for handicapped children at preschool, elementary, and secondary levels. Projects eligible for funding consideration within this title include those submitted by local public education agencies for the improvement of the educational attainment of handicapped children (Part B), regional resource centers and services, centers and services for deaf-blind children, early education for handicapped children (Part C), scholarships and training of personnel as well as dissemination of information concerning educational opportunities for the handicapped (Part D), research and demonstration projects in the education of handicapped children (Part E), instructional media for the handicapped including the establishment of a National Center on Educational Media and Materials for the Handicapped (Part F), and special programs for children with specific learning disabilities (Part G).

Allocations are made to State agencies and distributed in accordance with guidelines established by the U.S. Office of Education within the framework of State plans and program priorities. Handicapped children enrolled in nonpublic elementary and secondary schools are eligible to be included in programs and services in accordance with the regulations.

## **New York State Program — Title VI-B**

Program priorities within Part B of Title VI, representing areas emphasized in Fiscal Year 1974, are:

- Preschool instructional programs
- Resource room programs
- Itinerant teaching programs
- Development funding for New York State Network of Special Education Instructional Materials Centers

Due to delay in the enactment of appropriations for Fiscal Year 1974, New York State has been operating under a continuing resolution which provides funds for grants, aids, and subsidies and administration in an amount equal to that of Fiscal Year 1973. The projected allocation for Fiscal Year 1974 is \$2,934,168. In support of the mandate of the New York State Education Law pertaining to the provision by local public education agencies of defined services to handicapped children, only projects providing nonmandated programs are accepted for Fiscal Year 1974 funding under Title VI-B. Monitoring of approved projects has indicated that Title VI-B funds have been the catalyst for an upsurge of programs for preschool handicapped children whose educational needs were heretofore largely unmet within the public school sphere. In addition, resource rooms and itinerant teaching programs have given many handicapped children, previously confined to special classes, the opportunity to function with other children in regular classrooms for at least a portion of each school day. The needs of multi-handicapped children continue to be a matter of special concern. Ongoing evaluation of funded programs and attention to accountability by funded agencies will receive continued emphasis during 1974.

### **Recommendations**

- Greatly increased funding to approximate the level of authorization to include the expansion of pre-school programs and opportunities for multiply handicapped.
- Advisement by U.S. Office of Education of funding figure at least three months prior to start of Fiscal Year to facilitate effective programming.
- Extension of legislation to enable continuation of programs for handicapped children presently operating within a continuing resolution for Title VI-B, EHA.
- Clarification of federal definition of "Learning Disabled Children" to facilitate planning and programming for such children.

Additional funding measures should be enacted to provide additional sources of funds for the large number of such children with unmet needs.

### **New York State Program — Title VI-D**

Program priorities within Part D of Title VI, representing areas emphasized in Fiscal Year 1974, will be:

1. certification preparation programs which select participants from highly qualified and experienced regular education teachers.
2. programs to prepare personnel to work with the multihandicapped, seriously emotionally handicapped, severely mentally retarded, and learning disabled children.
3. preparation of personnel to function in inner-city schools, rural areas, and community agencies for severely handicapped children.

New York State will receive a total Title VI-D allocation for Fiscal Year 1974 of \$200,000. One-half of this sum will be utilized in conducting inservice special study institutes. During Fiscal Year 1974 approximately 900 teachers and administrators of special education programs will participate in such institutes. The remaining one-half of the Fiscal Year 1974 allocation will be awarded through summer session traineeships which provide tuition and stipend assistance for concentrated summer study.

It is believed that by providing opportunities for both entrance into the field and intensive training in specific aspects of program development and operation, New York State will have a direct influence upon meeting the critical shortage of manpower in selected geographical areas and the encouragement of creative programming throughout the State.

### **Recommendation**

- New York State's allocation has remained constant over approximately the last four years; additional funding is essential to accommodate increased tuition costs and greater numbers of teachers and administrators to be trained.

# **ELEMENTARY AND SECONDARY EDUCATION ACT**

## **Title I (P.L. 89-313) State-Supported and State-Operated Schools for the Handicapped**

Public Law 89-313 provides funds to State agencies which are directly responsible for the free education of handicapped children and which operate and/or support schools for such children.

### **New York State Program**

In New York State, the agencies eligible to participate are the State Education Department, the Department of Mental Hygiene, and the Department of Health. Eligible schools within the jurisdiction of each of these State agencies submit projects, within stated priorities, to the Education Department for review and evaluation. Responsibility for the payment of project funds rests with the Division of Educational Finance, State Education Department. Due to delay in the enactment of appropriations for Fiscal Year 1974, New York State has been operating under a continuing resolution which provides funds for grants, aids, and subsidies and administration in an amount approximately equal to that of Fiscal Year 1973. For Fiscal Year 1974, the projected total allocations are as follows: State Education Department \$5,025,722; Department of Mental Hygiene \$3,848,492; Department of Health \$34,952. A total of 197 schools have been given the opportunity to improve the quality and breadth of services to handicapped children through the extension of the school year and through the provision of programs for language development, speech correction, motor skill development, occupational training and music and art. Additional funding for personnel has facilitated smaller pupil-teacher ratios. Funds for instructional equipment and supplies as well as for inservice training activities in support of approved projects have encouraged the use of a wide range of instructional devices by schools with limited budgets.

### **Recommendations**

- Extension of legislation to enable continuation of programs for handicapped children presently operating within a continuing resolution for Title I (P.L. 89-313) ESEA.

# **ELEMENTARY AND SECONDARY EDUCATION ACT**

## **Title VII — Bilingual Education**

Bilingual education uses two languages, one of which is English, as mediums of instruction. A well-organized program encompasses all or part of the curriculum and includes cultural studies relevant to the ethnicity of the enrolled non-English speaking children. Program participants are children whose knowledge of English is limited, and some English speakers who have demonstrated an interest in learning another language. The major target, however, is the child who does not speak English.

### **Statewide Activities**

- Bilingual education remains one of the Department's top three priorities. The other two are reading and mathematics.
- A Position Paper on Bilingual Education, a statement of policy and proposed action, was adopted by the Regents of The University of the State of New York in August 1972. The paper calls for the provision of bilingual instruction to all students in need of such instruction.
- A State plan which would provide bilingual education to all students in need of such instruction, has been developed.
- The Fleischmann Commission Report, a report of the New York State Commission on the Quality, Cost, and Financing of Elementary and Secondary Education made a very strong recommendation on the need for bilingual education programs.
- Workshops have been conducted to prepare school officials in the preparation of project proposals seeking funds under several ESEA sources, and in particular, Title VII and Chapter 720 of the Laws of 1973. Through these workshops we were able to increase the number of Title VII project proposals in 1973.
- A language dominance test is being developed by the Bureau of Educational Evaluation. This instrument will help schools to decide on the best language to use in instructing students.
- The Pupil Evaluation Program, a statewide testing program, has been expanded to include a Spanish version of the mathematics test. Alternate forms of these tests will be available in 1974.
- A test of science achievement in Spanish is being developed.
- An optional high school equivalency test written in Spanish was made available in 1971 and has been administered since. Approximately 70% of participants passed the examination.
- A pilot project producing a Mathematics Regents Test in Spanish was initiated in June 1972. Plans are being formulated to produce a Biology Regents test in Spanish.

- New York State has already passed legislation which will permit reciprocal teacher certification with Puerto Rico. The Department of Instruction in Puerto Rico is jointly working with the Educational Profession Development Act (EPDA) — Part D Interstate Project in order to reach a reciprocity agreement in all areas of certification. It is anticipated that the Legislature of Puerto Rico will act on this matter this year.
- Proficiency Tests have been developed to permit participants to extend and receive New York State certification in the language areas, thus allowing bilingual education teachers to work in those New York State public schools with a high concentration of non-English speaking students.
- Colleges and universities in New York State have been urged to provide culturally relevant teacher preparation courses for those who plan to teach in schools having a high concentration of non-English speaking children. There are approximately 21 Institutions of Higher Education conducting Puerto Rican Studies programs and related courses, 12 conducting bilingual education at undergraduate and graduate levels, and 30 offering English as a second language training programs.
- In 1973 a State law was enacted appropriating \$1.5 million for special grants to local school districts for the support of 16 projects relating to bilingual programs.
- The Department's Bilingual Education Office, in coordination with Title I and the New York State Administrators in Compensatory Education, stressed utilization of Title I and State Urban funds for bilingual education. This emphasis has doubled the amount of Title I and Urban Education funds used for bilingual education.
- Thirteen school districts in New York City received \$4.0 million under Emergency School Assistance Act (ESAA) grants for comprehensive bilingual-bicultural programs designed for Spanish and English dominant children. A common goal of these programs is the integration of cultural studies into the total curriculum.

### **Summary of Title VII Programs**

- Although no new funds were made available from Title VII this year, continuation grants were received for 26 classroom-centered Title VII bilingual programs currently serving a total of 16,094 students of which 10,143 are Spanish dominant, 5,564 English dominant, 506 French dominant, and 81 Chinese dominant. The total Title VII expenditure for these projects is \$4,422,753.
- Regional Title VII projects include two Right To Read programs — one in Rochester and one in District 8, New York City; a Curriculum Adaptation Center at P.S. 25, in Bronx, New York; a Bilingual Education Applied Research Unit at Hunter College;

a Multilingual Assessment project in Brentwood, L.I.; and a TV Media Bilingual Children's TV Program in New York City.

In New York City, eighteen community school districts are conducting a total of 18 bilingual programs at the elementary and secondary levels. These programs aim to produce totally bilingual/bicultural students capable of using their fluency in both languages at home and at school. Three of these districts (7, 9 and 12) have complete bilingual schools supplemented by Title VII. At the high school level, the New York City Central Board operates four bilingual programs.

- A component added to the auxiliary services for the high school provides basic education to high school dropouts, personal counseling, and job placement.
- A program involving 150 students (100 Spanish, 25 French, and 25 English speakers) at the ninth grade level with a projected 750 students participating is currently in progress at the Brandeis High School.
- A program consisting of a team approach emphasizing small group and individualized instruction based in part on Piaget's theory in Haverstraw, New York.
- A three-unit component in Rochester providing bilingual instruction in a preschool unit, a primary unit including grades K-3, and a secondary unit in Spanish and social studies.

In addition, programs are in operation in Beacon, Buffalo, and North Rockland.

### **Recommendations**

- Although the New York State Education Department Bilingual Unit has made significant contribution as a coordinating agency, no Federal funds, under Title VII, have been made available for strengthening, defining, and carrying out the role of the Department in Federal bilingual education programs. We therefore recommend that:
  - Title VII funds be administered by State education agencies in conjunction with the USOE.
  - at least 5 percent of Title VII funds be allocated to State educational agencies for administrative purposes of bilingual education projects.
  - State education department proposals seeking Title VII grants be permitted.
- State education agencies, local educational agencies, and non-English speaking communities should participate more fully in the preparation of Federal guidelines affecting bilingual education.

- Title VII funds be increased and that the authorization contained in the law be changed so that service projects may be funded in addition to demonstration and/or innovative projects.
- Title VII initiate in coordination with the Department of Education in Puerto Rico and the New York State Education Department an interstate project that will enable transient students from the U.S. mainland and Puerto Rico to continue their normal education through an organized bilingual education program which will permit a greater degree of continuity than what the students have been able to receive. This program may also include a teacher recruiting program in accordance with the Interstate Project mentioned previously.

## **IMPACTED AREAS AID (Public Laws 874 and 815)**

Since 1950 the Federal Government has provided a program of financial assistance to local school districts affected by Federal activities. Payments were made on a per-pupil basis for operating costs (P.L. 81-874) or for the construction of school facilities (P.L. 81-815) to school districts providing free public education for federally-connected pupils where the numbers of such students resulted in an impact upon the resources of the local district.

The rising costs of education in recent years have established obligations under Public Law 874 in excess of funds appropriated to pay for them. Full entitlements have not been paid under all sections of the Act since the 1966-67 school year. Eligible construction projects approved under Public Law 815 also far exceeded funds appropriated to pay such costs, and by July 1, 1972, the backlog of approved construction projects exceeded \$230 million. National appropriations for Public Law 815 in recent years have averaged \$20 million.

The Elementary and Secondary Education Amendments of 1967 (P.L. 90-247) extended the Impact Aid Program to include assistance to public school districts for loss as a result of a major disaster. Payments for disaster assistance were authorized to take precedence over all other obligations of the Impact Aid Program.

### **New York State Program**

During the 1972-73 school year 158 school districts applied under Section 3 of Public Law 874. In the 1973-74 school year, 160 school districts are expected to apply. Since Hurricane Agnes struck in June, 1973, claims exceeding \$14.4 million have been filed by 127 school districts within the disaster area, \$3 million of which was claimed for the devaluation of real property by the disaster.

## **Recommendations**

- Unless massive funding from Federal sources becomes available for the support of public education, Congress should renew the Impact Aid Program. Several school districts in New York State, especially those adjacent to major military bases, would be in dire need without such funds.
- Funds should be appropriated for payment of claims based upon pupils residing in federally subsidized low-rent housing.

## **CHILD NUTRITION ACT**

The National School Lunch Act, which was enacted in 1946 and the Child Nutrition Act of 1966 provided for child feeding programs in both school and nonschool settings.

Amendments to each of these acts provide funding for breakfast, lunch mid-morning and midafternoon supplements, equipment and food distribution to public and nonpublic agencies concerned with feeding children.

The Special Feeding Program for Children (Summer and Year Round) has greatly increased the number of children who are being served meals throughout the Nation.

### **New York State Program**

In New York State during the current school year 1973-74 an estimated 4,700 schools are participating in the lunch program. The contribution of State funds amounts to \$5.5 million, with Federal contributions expected to total \$86 million. In addition, Federal allocations are expected to amount to \$2,260,000 for equipment, \$7,700,000 for the special milk program and \$3,750,000 for the breakfast program. An additional \$2.5 million of State funds are allocated to supplement the breakfast program.

The Special Feeding Program for Children will supply an additional \$1,260,000 for the 1973-74 year round programs. During the summer of 1973 approximately \$11 million was spent for the Summer Program, with approximately \$10 million going to New York City agencies.

## **Recommendations**

- The Federal Government should meet the full cost of the free lunch program.

- The recently enacted Public Law 92-433, which amends the National School Lunch Act, eliminates local discretion in feeding children whose families face unusual hardships or emergency situations. This discretionary feature should be restored.
- Funding for the entire program of child feeding should be at the full authorization level and on an early appropriation basis.
- In view of our great inner-city needs, the requirements for Federal allocations for equipment and space preparation should be liberalized and increased substantially.
- Due to the growth and diversity of programs under the National School Lunch Act, additional administrative funds should be made available to the State.

## **CIVIL RIGHTS ACT OF 1964**

### **Desegregation Technical Assistance**

Since 1965, the State Education Department through the Division of Intercultural Relations has had an annual contract or grant from the U.S. Office of Education under the provisions of Public Law 88-352. Section 403 of Title IV of the Civil Rights Act of 1964 provides that State education agencies may render technical assistance to local education agencies which are desegregated or desegregating.

This technical assistance is intended to provide for:

1. Development of new administrative structures to accommodate changes caused by desegregation.
2. Development of new curricular techniques and materials for use in desegregated classrooms.
3. Development of techniques for school-community interaction to help solve educational problems created by desegregation.
4. Training of administrative staff in pupil assignment techniques which achieve desegregation in an efficient and educationally sound manner (conducted only for school districts under current legal obligation to desegregate).
5. Coordination with other Federal and State programs for more effective use of funds for such programs to assist the district's desegregation effort.
6. Provision of guidance to the district's administrative staff in understanding their responsibilities under Federal and State desegregation guidelines.

In addition, all State assistance units are required to conduct activities designed to eliminate the displacement of minority staff members (through demotion, dismissal, or assignment outside their field) as a result of desegregation.

Local educational agencies are expected to submit letters requesting technical assistance in one or more of the above noted categories.

## **New York State Program**

The Division of Intercultural Relations maintains records of man-days of technical assistance rendered to desegregated and desegregating districts. During the 1972-73 school year, almost 1,300 man-days of technical assistance were rendered to 45 New York State school districts.

The general pattern of the State program now consists of conducting a series of conferences concerned with categories of technical assistance available to local education agencies, followed by on-site visits to the local education agencies and followup conferences subsequent to the visits.

### **Recommendations**

- The necessity for school districts to communicate in writing requesting technical assistance from the State Education Department is a somewhat cumbersome and time-consuming regulation. In addition it may lead to some school districts not receiving necessary services because of failure to have anticipated the needs and requested them in writing at an earlier date. It would be preferable if this requirement were dropped.
- It should be possible for State education agencies to receive grants which extend beyond one year. At the present time, it is difficult to plan programs or projects which may extend over two or more fiscal years.

## **EMERGENCY SCHOOL AID ACT**

### **Desegregation**

The 92d Congress approved the "Education Amendments of 1972," (Public Law 92-318). Title VII of these amendments is cited as the "Emergency School Aid Act." The purpose of this title is to provide financial assistance

1. to meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools;
2. to encourage the voluntary elimination, reduction or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students; and
3. to aid children in overcoming the educational disadvantages of minority group isolation.

No financial aid is available for transportation of pupils for desegregation purposes.

A local educational agency is eligible for assistance if it is implementing a plan pursuant to a final Federal court order, or a court of any State, or a State agency or official of competent jurisdiction, (which, in New York State is the Commissioner of Education), and which requires the desegregation of minority group isolation in the elementary schools.

A local educational agency which has voluntarily adopted and is implementing, or will implement, a plan to eliminate or reduce minority group isolation is also eligible for assistance.

This act also provides assistance for bilingual education.

The guidelines established for the implementation of Title VII provide for State agency review and require that the State educational agency be given 15 days in which to offer recommendations to the applicant and to submit comments to the appropriate Federal agency. Thus, local educational agencies are to submit to the State Education Department a copy of the application being submitted to the U.S. Office of Education, Department of Health, Education and Welfare.

### **New York State Program**

During the spring of 1973 the Division of Intercultural Relations in the State Education Department reviewed all Emergency School Aid Act applications and comments submitted concerning the applications to the USOE Regional Office in New York City. Applications in the amount of \$18,995,208 were funded for New York State.

The ESAA programs which were funded concentrated on development of basic skills in reading and arithmetic and in bilingual education. Some applications had human relations training components. Many provided for extensive staff training in these four areas. Applications for Fiscal Year 1975 were reviewed during November and December 1973 and were processed as required. Extensive assistance was given to local districts in their preparation.

Sixteen "basic" grants, four "pilot" grants and five "bilingual" grants were funded in New York State for the first year of operation. The Division is undertaking extensive program monitoring to insure the efficiency of programs. Initial monitoring indicates programs are meeting objectives of the Act, with most concentrating on "overcoming the educational disadvantages of minority group isolation."

## **Recommendations**

- The Emergency School Aid Program, within a state, should be administered by the State Education Department. State Education Departments have more intimate and thorough knowledge of the school districts and their needs and are in a position to establish priorities of districts according to their eligibility and needs.
- The amount of funds should be increased substantially. An insufficient number of districts will have programs funded because of the limited funds available. There should be sufficient funds appropriated for State distribution for the State to achieve the objectives of the Act.
- The prohibition on using funds for student transportation purposes should be eliminated. Such prohibition discourages desegregation and impedes the achievement of equality of educational opportunity. Research continues to indicate that desegregation is more effective than compensatory education in raising the achievement of many minority group children. Both are needed.
- The State education agency should have 45 days, instead of the present 15 days, to review district applications. The technical assistance provided would be more effective if more time were available.
- Specific financial incentives should be provided to schools which make progress in desegregation. Currently, many of the funded programs are conducted in segregated settings, without reduction in racial isolation.

## **RIGHT TO READ**

Right To Read is best characterized as an effort rather than a succinct program. Its main purpose is to amass support from all sources, public, private, professional and non-professional in eradicating illiteracy and developing the reading abilities of the American people, both children and adults to those levels which permit the full realization of personal and vocational goals common in our complex technological society. This effort seeks to coordinate all reading activities whether federally, State or locally initiated and funded into a comprehensive plan of action which closes gaps which now exist because of the program fragmentation and isolation engendered by the multiplicity of special guidelines governing such programs.

Right To Read has been supported by discretionary monies from other programs or Federal titles channeled into the Right To Read program by the Secretary of Health, Education and Welfare. Monies

support special projects in local educational and community agencies, and a State Right To Read Plan.

### **New York State Program**

The State of New York is one of 31 states receiving Right To Read Grants for purposes of promoting statewide activities related to the national effort. The present grant funds activities to develop public knowledge and support for reading improvement, activities to identify effective practices, and activities related to comprehensive program planning and implementation in 43 selected school districts throughout New York State. These activities are coordinated with other State and federally supported activities in the area of reading education to provide a broad-based State effort in inservice education, evaluation and instructional improvement through use of State-designed resources for inservice education and instructional management.

### **Right To Read Activities**

The Right To Read network, composed of the Bureau of Reading Education of the State Education Department and 12 Boards of Cooperative Educational Services, provides training programs and continuing supportive services to 43 local school districts (36 upstate and 7 in New York City). Each district is in the process of surveying and evaluating all facets of reading instruction and merging these into a single plan of action.

- The Bureau of Reading Education has developed training manuals, planning outline procedures, and forms for reading directors and school administrators.
- Thirty days of training are being provided to local Right To Read directors and their advisory committees in program planning and management.
- Three Regional Right To Read Teaching Fairs have been held.
- Ten days of on-site consultive services are provided to each Right To Read District.
- A statewide Search for Exemplary Practices has been initiated by the New York State Reading Association and the State Education Department.
- Seven school-based Right To Read sites and eight community-based Right To Read sites are in their second year of implementation.

## **Other State Reading Activities**

- Reading programs are the top priority for Title I and Urban Education Projects resulting in more than the 904 reading projects under these programs.
- Project ALERT, an inservice leadership training program carried out in 48 districts, has trained 5,128 classroom teachers, thus affecting the education of 60,000 students in their classrooms.
- More than 2,500 Inservice Reading Resource Kits have been disseminated to local districts using the ALERT model through Boards of Cooperative Educational Services and the New York City School's Bureau of Audio-Visual Instruction.
- Three additional inservice packages are to be made available by May 1974.
- The Bank of Reading Objectives, the first completed resource tool, has been made available to all local school districts.
- Proficiency examinations for reading specialists are also being developed at the present time in anticipation of new certification regulations affecting reading specialists.
- Training programs in the use of the Objectives Bank and the Systems for Program and Pupil Evaluation and Design (SPPED) have been provided to personnel from 46 Boards of Cooperative Educational Services who will provide similar training for personnel from local districts.
- New forms of reading tests have been completed and installed in the Statewide Pupil Evaluation Program.
- Research and development to determine specifications for a new Reading Assessment Measure have been initiated.
- Certification requirements for elementary teachers have been revised to include a requirement for specific evidence of teaching competencies in reading.
- Proficiency examinations in the teaching of reading have been developed as part of the certification procedure.

## **Recommendations**

- If the Right To Read effort is to succeed, the Right To Read Program should be given direct appropriations in an annual line-item budget of its own to eliminate the ambiguities and uncertainties caused by present piecemeal funding of selected activities by funds diverted from other Federal programs. The lateness of such funding and the extremely short time for making application is detrimental to the maintenance of a sustained and well-organized State or local plans of action.
- The role of State agencies in any Federal reading improvement program should be defined and administrative funds appropriated to support that role allocated to each participating State education agency. The Office of Education should contract with State education agencies rather than private institutions for

technical assistance to federally funded reading projects in those states who have the staff and expertise to provide such assistance.

- All contracts for teacher inservice training should be open to State education agencies.
- Future Federal legislation for reading improvement should concern itself with proliferation of proven program practices throughout the Nation's schools through efficient, systematic delivery of training programs, dissemination of information and other supportive services rather than on the theory that a successful demonstration project will effect change in districts, other than the ones funded.
- The greater part of Federal funding for reading improvement should be allocated to inservice teacher and administrator training programs delivered at the local level through media and intermediate service agencies including State education agencies.

## **NEW LEGISLATIVE PROPOSAL**

### **ELEMENTARY AND SECONDARY EDUCATION**

#### **Humanities and the Arts**

**Proposal:** The organization of a National Laboratory for Humanities and the Arts in Education, starting with regional experimental programs, considering the needs of the inner city, suburbs, and rural areas, each to include the following components:

1. A Research and Development Program to study ways of improving education by integrating humanities and the arts into the general education program of all children to insure a system of complete, comprehensive education, involving the senses as well as the intellect; to develop curriculums designed to achieve this end; and to analyze the role of visual and performing arts organizations, museums, and arts councils in the educational program.
2. Humanities and the Arts Demonstrations devoted to testing the research findings and curriculums which stem from the Research and Development Program. These demonstrations would take place in a controlled situation, with an appropriately organized environment, carefully selected teachers and students, and optimum conditions for achieving success for demonstrating learning situations which internalize humanities and the arts for all children. The Humanities and the Arts Demonstrations would serve as models for the following network:

- a. Selected schools which would provide a network of real situations for putting into practice the goals and the kinds of procedures which have proven to be successful in the Humanities and the Arts Demonstrations.
  - b. Teacher education programs for preservice and inservice training of teachers to provide direct personal experience in all phases of the program described above; Research and Development, the Humanities and the Arts Demonstrations, and the Network of Selected Schools. Higher institutions, public, and private organizations would be involved in this program.
3. A national evaluation program to monitor and assess all phases of the development and implementation of the National Laboratory for Humanities and the Arts in Education.
  4. State Education Department Roles
    - a. Monies for State programs to hire consultants and conduct experimental programs to further the humanities and the arts in education for children in the State.
    - b. Five percent of the monies spent in those states having the national laboratory be made available for the State to coordinate, monitor, and evaluate the effectiveness of these programs in the State.
  5. Provision in the legislation for a broad-based National Advisory Committee, including individuals from the humanities and the arts; elementary and secondary schoolteachers, students, and administrators; representatives of higher education, foundations, and the lay public. It will be the responsibility of the National Advisory Committee to set priorities for the National Laboratory's effort to make the humanities and the arts a major concern of general education and to designate the steps to achieve these priorities. The advisory council be responsible for the development of guidelines and the issuance of invitations for proposals, as well as for the screening of proposals.

**Administration:** Administration of the funds and proposals for the National Laboratory for Humanities and the Arts in Education should be the responsibility of the U.S. Office of Education. The National Council on the Arts would administer funds allocated for the arts organizations and the U.S. Office would administer funds allocated for humanities and the arts in education, since the latter funds would be directly related to the schools and the educational activities of humanities and the arts organizations.

This proposal is basically consistent with the underlying philosophy and approach of the National Institute of Education. It attempts to provide an organized, cohesive, systematic method by which humanities and the arts can become a vital part of the lives of all children.

## OCCUPATIONAL EDUCATION

Federal legislation has contributed to the development of occupational education since the enactment of the Smith-Hughes Act of 1917. Currently, the Vocational Education Amendments of 1968 (VEA) provide assistance to the states in meeting the educational and occupational needs of youth and adults as well as the personnel needs of employers.

Federal grants to states may be used to provide occupational education for persons who are attending high school; who have completed or left high school and are available for study in preparation for entering the labor market; who have already entered the labor market and need training or retraining to achieve stability or advancement in employment; or who have academic, socioeconomic, or other handicaps, including physical and mental, that prevent them from succeeding in the regular occupational education program. In addition, provision is made for construction of area occupational education schools, guidance and counseling, curriculum development, State administration, teacher education, and research and evaluation to assure quality in all programs.

### **New York State Program**

In the 1972-73 school year, more than 573,000 persons in New York State were enrolled in secondary, post-secondary, and adult occupational education in high schools, skill centers, the 74 area occupational education centers, and the 44 public two-year colleges. Of this total, 365,000 were enrolled in secondary level programs; 65,000 at the post-secondary level; and 147,000 in adult programs. Programs at the secondary, post-secondary, and adult levels served nearly 110,000 disadvantaged persons and more than 9,000 handicapped persons in 1972-73. At all levels, programs are offered in the fields of agriculture; distribution; business and office; health; home economics; trade, industry, and service; and technical occupations.

During 1972-73, the State's share of Federal VEA funds assisted in the development of 309 new occupational programs and the expansion of 230 programs, serving nearly 30,000 students. In addition to development and expansion of occupational education curriculums, emphasis was placed on the following activities during 1973:

- continued planning and development of 24 regional career education models, to provide all students with information, experience, and skills needed to make meaningful educational and occupational decisions;

- employment of 15 additional placement and followup coordinators in BOCES and large cities;
- further development of cooperative work experience programs, now serving 17,000 secondary and post-secondary students; and work study opportunities, serving 1,500 secondary students;
- increased articulation between occupational programs at secondary and post-secondary institutions;
- improvement of occupational education instruction at two-year public colleges, through revised guidance and counseling methods, developmental skills programs in reading and mathematics related to occupational studies, and use of new individualized instructional techniques and materials;
- development of more comprehensive adult occupational education programs in BOCES and large cities;
- continued development of coordinated program planning, budgeting and evaluation system for occupational education;
- continued operation of two research and development institutes conducting special research and providing consultive services relating to a variety of problems and needs in occupational education;
- employment of regional industry-education coordinators to improve communication between educators and employer and employee groups;
- development of an improved arrangement for curriculum development, through the employment of regional curriculum coordinators in many areas of the State.

In Fiscal Year 1974, approximately \$27,000,000 in Federal funds is available for local assistance to develop, expand, and improve occupational education programs in New York State, representing about 10 percent of the total costs of these programs to the State.

Residents of New York State also have access to Federal and State occupational education programs through Manpower Development and Training Act programs, contracted with both public and private institutions.

### **Recommendations**

- There is a need for increased appropriations in order to facilitate the change and expansion which are projected as needed during the next several years. Each year, New York State has requests for \$4 of Federal funds for every dollar available for distribution.
- Early appropriation of funds by Congress is essential for effective planning and program development at State and local levels.
- The provisions for new programs under Title X, Part B, Education Amendments of 1972, should include workable regulations in order that the occupational education programs can be administered under a unified policy and as a total program for the State.

- Remedial programs such as the Manpower Development and Training Act should be combined with the major occupational training program as a part of the overall plan and operation of occupational education.

## **HIGHER AND PROFESSIONAL EDUCATION**

### **HIGHER EDUCATION ACT OF 1965 (As Amended)**

#### **Title II — A and B**

This title provides assistance to college and university libraries for the purchase of library materials; assistance for schools of library science in offering scholarships and fellowships for the training of library personnel and research grants for experimentation and innovation in librarianship; and specific support to the Library of Congress for the speedy acquisition of foreign language publications.

The Education Amendments of 1972 added several new provisions to existing programs in both Parts A and B of Title II. Under Part A — College Library Resources, the amendments provide for the acquisition of library resources, including law library resources. Also all institutions in a state are eligible to apply for a basic grant up to \$5,000, which is mandated in the amendment. Congress has authorized \$59,500,000 for fiscal 1974, but has appropriated only \$9,975,000 for college library resources. The purpose of Part B — Training and Research Programs is to make grants to institutions of higher education and library organizations or agencies to assist in the training of persons in librarianship, including law librarianship, and to aid research programs. Congress has authorized under Part B for Library Training \$17,000,000 for fiscal 1974, but only \$2,850,000 has been appropriated. For research, Congress has authorized \$8,500,000 but appropriated only \$1,425,000.

#### **New York State Program**

##### **Title II — Part A**

Institutions of higher education in New York State received a total of \$1,043,018 for library services during Fiscal Year 1973. Of this amount, \$698,018 was received for college library resources under the basic grant program.

Degree-granting institutions of higher education apply to the U.S. Office of Education for grants for the improvement of basic library

resources; for the acquisition of additional library materials if evidence of need associated with special situations can be cited; and for supplementary funds if the weaknesses of the institution's resources seem to demand immediate strengthening.

## **Title II — Part B**

Two institutions of higher learning in New York State and the New York City Board of Education received \$327,331 for institutes—traineeship programs and four institutions received \$159,510 for fellowships under Part B of Title II.

Schools of library science may seek grants to support scholarship and fellowship programs. Educational institutions, school districts, State governments, and other public or private nonprofit agencies also may seek support for research projects which are innovative and of national significance in the improvement of library service. In Fiscal Year 1973, three institutions in New York State received a total of \$163,970 for research under Title II-B.

## **Recommendations**

- In recent years, appropriations have not been funded up to the level of congressional authorization. In view of the continuing fiscal constraints which are plaguing both public and private institutions of higher education and the continuing need to increase and strengthen library resources in colleges and universities in the State, it is recommended that the Education Amendments of 1972 (P.L. 92-318) which provide congressional authorization of \$70,000,000 for college library resources for the Nation as a whole for fiscal 1975, be implemented by the Congress to insure an increase in the acquisition of library resources in institutions of higher education to support instruction and research.
- In order to foster cooperative planning and to mesh such planning under Education Amendments of 1972, Title I, Part B, Subpart A with State programs, the State agency should have the right of prior approval of all special purpose grants.

## **Title IV — Student Financial Assistance**

The Basic Educational Opportunity Grant Program (Part A, Subpart 1), one of the new student assistance programs established by the Higher Education Amendments of 1972, was initially funded in 1973-74. Although the appropriation of \$122.1 million is restricted to first-time, full-time students with a reduced award scale, it did mark the beginning of a very significant student aid vehicle which provides for post-secondary educational opportunity on an entitlement basis.

Possible refinements in the Family Contribution schedule and a significant increase in 1974-75 appropriations will broaden the impact of the program. New York's scholar incentive grant program, which has an entitlement feature similar to the Basic Educational Opportunity Grant Program, has been steadily increasing (\$52.4 million is budgeted for 1973-74) with awards going to approximately 230,000 students. As the BEOG program moves toward a full funding stage, it will become increasingly important that Federal and State planning evolve a system of integrated awards so that the needs of the students may be met in an efficient manner.

A second new program, the State Student Incentive Grant Program (Part A, Subpart 3) (which was not funded for 1973-74) has a direct relationship to the State's scholar incentive program inasmuch as it provides \$19 million in 1974-75 for matching grants to those states which, through their scholarship and grant programs, are providing assistance to low-income students. It is essential that the regulations for the SSIG program be flexible in recognizing the diversity of State efforts so as to encourage State participation and expansion of State programs.

Inasmuch as the campus-based Federal aid programs (National Direct Student Loans, Supplementary Educational Opportunity Grants, College Work Study) are continuing to be funded without increases, it becomes increasingly important for the new Federal programs to be effectively joined with State efforts in a period of rising college costs and enrollments.

#### **Title IV, Part A, Subpart 4 — Special Programs for Students From Disadvantaged Backgrounds**

This subpart provides funds for grants to institutions of higher education for three related programs (known collectively as the TRIO Programs) for disadvantaged youths. The programs are:

1. Talent Search — primarily encourages disadvantaged secondary school students with exceptional potential to complete their secondary education and to begin post-secondary education;
2. Upward Bound — provides skills and motivational training to disadvantaged secondary school students with inadequate secondary-school preparation for success in education beyond high school, and such students participate on a full-time basis during all or part of the program;
3. Special Services for Disadvantaged Students — provides remedial and other services for disadvantaged students who are enrolled at post-secondary educational institutions.

The subpart creates a program of paying up to 75 percent of the cost of Educational Opportunity Centers, which would coordinate financial, academic, counseling, tutoring, remediation, admissions, and other pre-college services, to be located in areas with major concentrations of low-income persons. Full-time clientele of the Centers would be eligible for monthly payments of up to \$30.

### **New York State Program**

No direct appropriations were made for use by the New York State Education Department under this title. These programs are funded and administered directly by the HEW<sup>1</sup> Regional Office.

Currently in the State there are 23 Upward Bound programs, at a total of \$2,569,100, seven Talent Search programs, at \$326,900, and 29 Special Services projects, at \$1,675,100, for a total to New York State institutions of \$4,177,900.

Funds for federally supported Educational Opportunity Centers have never been appropriated. \$3,000,000 is being requested in the new Federal budget.

### **Recommendations**

- In states such as New York, which have mounted substantial programs of support for disadvantaged students aspiring to or enrolled in post-secondary education, coordination of Federal-State efforts should be implemented to avoid duplication and to use most effectively the scarce resources available. The law as written would allow the Regents to act for the Office of Education in administering the program in this State, a desirable outcome in light of the fact that the Department has a highly specialized staff which already deals directly with the same clientele and problems.
- Appropriations for Talent Search and Special Services should be carried forward with appropriate increases. Upward Bound was originally intended as a pilot and has long demonstrated its success. Legislation should be amended to emphasize funding projects which institutionalize the Upward Bound findings for larger populations, with a substantial increase in the appropriation level.
- Appropriations for the Educational Opportunity Centers, the successful model for which was the Cooperative College Centers (now also termed EOC's) of State University of New York, should be enacted so that, with the Upward Bound increase, appropriations meet fully the authorized level of \$100,000,000 for this subpart.

## **Title IV, Part A, Subpart 5, Section 419 — Cost of Education Grants**

Section 419 of the Higher Education Act, added by the Education Amendments of 1972 (P.L. 92-318) established an entitlement program of cost-of-education grants to institutions of higher education. The grant is calculated on the basis of the number of undergraduate students enrolled, the number of basic grant (BEOG) recipients enrolled, and the aggregate proportion of supplemental educational opportunity grants, work-study grants, and loans to students received.

No such grants shall be made when the appropriation for making grants under Subpart 1 of Part A of Title IV (Basic Educational Opportunity Grants) does not equal at least 50 percent of the appropriation needed to satisfy the total of all entitlements under that subpart. Because the appropriations for Basic Educational Opportunity Grants did not equal 50 percent of the appropriation necessary to meet all entitlements during fiscal years 1972 and 1973, no grants under Section 419 were authorized. However, the Fiscal Year 1974 appropriation for Basic Educational Opportunity Grants exceeds 50 percent of the appropriation necessary to meet all entitlements. No regulations for application by institutions for cost-of-instruction grants have yet been published, however.

### **New York State Program**

Had this program been in effect for Fiscal Year 1972, it is estimated that New York public and private institutions would have received \$73.3 million in grants.

### **Recommendations**

- In view of the fact that appropriations for the Basic Educational Opportunity Grant programs have reached a level adequate to authorize this program, regulations should be published to provide for its implementation.
- Appropriations sufficient to meet the entitlements of institutions for cost-of-instruction grants, should be made.

## **Title IV, Part A, Subpart 5, Section 420 — Veterans' Cost-of-Instruction Grants**

Section 420 was added to the Higher Education Act by the Education Amendments of 1972. The section established a program of grants to institutions which are intended to increase the number of veterans enrolled. The program is intended to alleviate the increased

costs associated with providing such services to veterans. For Fiscal Year 1974, \$25 million was appropriated for this program.

### **New York State**

During Fiscal Year 1973, 68 institutions of higher education in New York State received almost \$1.5 million for Veterans' Cost-of-Instruction payments provided for in this section. Twenty-one public and 17 private four-year colleges shared over \$775,000. Twenty-seven public and three private two-year colleges shared almost \$697,000. Although it was the intent of Congress to encourage higher institutions to enroll more veterans by providing assistance for the additional cost of instructing veterans, an administrative interpretation of this section as a nonentitlement program reduced funding to 17.7 percent of the requested assistance.

### **Recommendation**

- In view of the continuing fiscal constraints which are plaguing both public and private institutions of higher education and the continuing need to meet the additional costs involved in educating veterans, it is recommended that (1) the original intent of Congress be clarified by an amendment to the legislation, and (2) full funding be provided for the Veterans Cost-of-Instruction Program.

### **Title V — Education Professions Development Act, Part B1, Teacher Corps**

The Teacher Corps has two basic purposes:

1. To supply teachers to work in depressed areas.
2. To train teachers to work in disadvantaged schools. Interns, paid by the local district and enrolled in a master's program at a cooperating university, work under the direction of a master teacher who is a member of the Teacher Corps and who is paid at the prevailing rate by the employing district. The U.S. Office of Education pays 90 percent of the cost to the local district and 100 percent of the cost to the universities.

### **New York State Program**

No appropriations were made under this title directly for use by the New York State Education Department. However, Teacher Corps programs seeking to operate in New York State need the prior approval of the Department.

Teacher Corps programs were approved in Albany, Buffalo, New York City, and Syracuse, involving institutions of higher education

in these cities and providing approximately 200 interns. Program proposals were reviewed in accordance with criteria developed from guidelines suggested by the Teacher Corps office. During Fiscal Year 1974, the Teacher Corps program at State University of New York at Albany was awarded a special grant of \$100,000 to work collaboratively with the State Education Department in providing assistance to a limited number of higher education institutions who are establishing competence-based teacher education programs.

### **Recommendation**

- Funds should be made available to staff of the State Education Department to work with schools and colleges in the development and supervision of programs under the Teacher Corps. At present, the Department has been called on for formal approval only, and under such time pressure as to preclude reasoned discussion or questioning. Federal approvals should be coordinated with and supportive of major efforts in the State to implement competency-based teacher education and certification. Funds should be continued and made available to Teacher Corps program sites throughout the State for joint efforts with the Department in providing assistance to the more than 100 higher institutions developing competence based teacher preparatory programs.

### **Title VI-A — Instructional Equipment**

This program provides matching grants for the purchase of instructional equipment for the improvement of undergraduate instruction in public and private institutions of higher education. It is composed of two categories: category I, for the purchase of laboratory and other special equipment and materials, and category II, for the purchase of television equipment and materials for closed-circuit direct instruction.

The intent of the program is to help meet the increasing financial need of institutions of higher education for the purchase of more and better equipment to improve undergraduate instruction in both new and existing programs. In Fiscal Year 1966, Congress appropriated \$15 million to be distributed among the private and public colleges and universities of the states and territories. For Fiscal Years 1967, 1968 and 1969, \$14.5 million was appropriated each year. No monies were appropriated for Fiscal Year 1970. An appropriation of \$7 million was made for the 1971 Fiscal Year, and \$12.5 million was appropriated for each subsequent Fiscal Year of 1972, 1973 and 1974.

## **New York State Program**

In New York State, the Board of Regents is the State Commission, and the State Education Department administers the Title VI program, with the assistance of a panel of experts from colleges and universities of New York State.

In Fiscal Year 1972, the program served only a part of the need. Of 94 grant requests for category I aid, only 60 could be recommended, for a total of \$865,836, which was the extent of the State allotment. Category II assistance provided \$118,068 in grants for seven out of 19 total applications. In 1973, the appropriation was impounded, but has recently been released. The application of these funds is not known at this time. Sixty-five grant requests were received in fiscal 1973; however, no action was taken on them. As of this writing, 90 new grant requests are being processed for fiscal 1974.

### **Recommendations**

- Appropriations for the Title VI-A program should be made to cover several years, as institutions must budget matching funds for grant requests and plan projects for the improvement of instruction a year or more ahead.
- State allotments, as well, should be made known several years in advance for better planning and program administration.
- Combine category I (laboratory and other special equipment and materials) with category II (television equipment and materials for closed-circuit direct instruction) into a single category. Much of the sophisticated electronic equipment requested falls under both category I and category II. At present, no matter which category the application is prepared for, part of the equipment will be ineligible.
- Continue funding the program at the Fiscal Year 1974 level of \$12.5 million without the 5 percent reduction provision.

### **Title VII, Part A — Construction of Academic Facilities**

Part A of this title (formerly Title I of the Higher Education Facilities Act of 1963) provides grants amounting up to 40 percent of the eligible cost of construction and renovation of undergraduate academic facilities and student health care facilities for higher educational institutions.

Part A provides assistance to institutions of higher education to construct or renovate needed undergraduate academic facilities, such as classrooms, libraries, laboratories, faculty offices, physical education buildings, and student health care centers, in order to accommo-

date mounting student enrollments and/or expand the capacity enrollment ratio and/or correct serious deficiencies in the quality of programs due to inadequacies in existing space.

Under this program, the Federal Government has invested \$144 million of a total construction cost of more than \$811 million during the past 8 years to help provide much needed facilities at public and private colleges and universities in New York State. Funds from this program augment State, local, and private money used in construction and remodeling. All academic facilities are eligible under the act except those used for (1) events to which an admission is charged, (2) gymnasiums used for athletic facilities other than physical education courses, (3) sectarian instruction or religious worship primarily used by a school or department of divinity, and (4) programs of the eight professions eligible under Public Law 88-129.

### **New York State Program**

Grants have been made to 24 projects in 21 community colleges for \$32,367,013 and for 122 projects in 81 public and private colleges for \$112,377,579 from 1965 to 1971. Funding for the 1972 Federal Fiscal Year was about \$3.4 million, of which \$644,000 was reserved for public community colleges. No action was taken on appropriations for Federal Fiscal Years 1973 or 1974. Meanwhile, the State Commission is holding a backlog of grant applications exceeding \$12 million. The "Space Inventory Report — Fall Semester 1971-72" shows 5,330,004 gross square feet which should be razed and 17,785,778 gross square feet which should be rehabilitated, remodeled, or altered to meet new functions and needs. A conservative estimate for the replacement and upgrading of this space would be approximately \$65 million. Thus, the existing needs for replacement or upgrading of facilities are significant without projecting into the future.

The Board of Regents is the State Commission for the Higher Education Facilities Act, and is assisted by an Advisory Committee on Higher Education Facilities Planning and the Advisory Council on Higher Education in shaping policy and reviewing all phases of the program.

### **Recommendation**

- The Title VII-A program should be continued and appropriations should be approved at a level that will help institutions of higher education meet their needs for the expansion of facilities as well as maintain existing facilities in a satisfactory condition

and to replace those facilities which may endanger the lives of students and faculty and/or impede the educational process.

While the need for expansion of academic facilities has largely abated, in New York, only two of the three sectors of higher education reflect this development. Although the private colleges and universities of the State, and the State University of New York, have reduced need for further expansion of facilities, considerable need still exists for expansion and rehabilitation of the facilities of the City University of New York, where the program of Open Admission has caused enrollments to overburden available facilities. To illustrate, the statewide average of New York's public and private colleges provides 132 net square feet per student (excluding residential facilities). However, the State University's campuses and the State's private institutions are above this figure, while the City University of New York is significantly below average at only 63 net square feet per student.

## **Part B — Grants for Construction of Graduate Academic Facilities**

Part B (formerly Title II of Higher Education Facilities Act of 1973) provides grants to institutions of higher education to assist them to improve existing graduate schools and cooperative graduate centers, and to establish graduate schools and cooperative graduate centers of excellence in order to increase the supply of highly qualified personnel needed by communities, industries and governments and for teaching and research.

### **New York State Program**

In Federal Fiscal Year 1965 and through Fiscal Year 1969, New York State institutions of higher education received 26 grants for graduate facilities totaling \$27,437,532. The total development cost of these facilities was \$215,084,351. This program has not been funded in the last four years.

### **Recommendation**

- Appropriations for this part should be reinstated after a four-year lapse to again assist these institutions which need to construct graduate facilities, principally the City University of New York. It should be noted that many facilities are designed for both undergraduate and graduate utilization and are eligible for grants under both undergraduate and graduate construction grant programs. There are great economies in the design, construction, and operation of such multipurpose buildings.

## **Part C, Section 741, Loans for Construction of Academic Facilities**

Part C, Section 741 of the title (formerly Title III Higher Education Facilities Act 1963) authorizes loans to higher education institutions and to higher education building agencies for construction of academic facilities.

### **New York State Program**

From Fiscal Year 1965 through Fiscal Year 1968, New York State institutions of higher education received 33 loans totaling \$57,477,000. In 1970, the annual interest grant program supplanted Federal loans, the emphasis being on the use of private sources of funds rather than government monies.

### **Recommendation**

- While the annual interest grant program has been very rewarding to New York State institutions, it would be desirable to offer institutions the flexibility of seeking to borrow either private or government funds. In some instances, private institutions have found it difficult, if not impossible, to borrow funds from private sources.

## **Part C, Section 745, Construction of Academic Facilities**

The intent of Part C, Section 745 of this title (formerly Title III Higher Education Facilities Act of 1963) is (1) to maximize the participation of private lenders in providing higher education institutions or building agencies with long-term financing needs to construct academic facilities and (2) to assist such institutions or building agencies in reducing the cost of borrowing from such private sources by making Federal grants during the life of the loan.

The Office of Education will consider application for annual interest grants assistance in connection with the construction of undergraduate academic facilities. Such grant assistance cannot exceed the difference between the average annual debt service required to be paid on a loan obtained by the applicant from a non-Federal source and the average annual debt service if the loan were obtained at 3 percent.

### **New York State Program**

In Federal Fiscal Year 1971, seventeen 4-year institutions in New York State received grants totaling \$44,609,412 and five public community colleges received \$12,194,075 in grants. In Fiscal Year 1972, seventeen 4-year institutions received grants totaling \$37,020,447

and two public community colleges received \$3,848,820 in grants. In Fiscal Year 1973, the annual interest grant program was phased out. The remaining authorization provided grants for three 4-year institutions totaling \$15,291,470 and two public community colleges totaling \$3,217,080. These amounts generally will be payable over a 20- to 30-year period.

The Board of Regents, the State Commission for the Higher Education Facilities Act, provides the Office of Education with an evaluation of several items included in the application. These items cover space utilization enrollment projects and relation of the project to statewide and/or regional plans for the growth and development of higher education. The annual interest grant program is administered by the U.S. Office of Education. Under this program, state allotments are not made, but no state may receive more than 12½ percent of the funds available. In Fiscal Year 1972 the amount of loans which could be subsidized nationally was \$620 million.

#### **Recommendation**

- Appropriations under this title should be reinstated at the FY 1972 level. In a period of high interest rates, this program has been of great benefit to institutions in substantially reducing debt service for the construction and rehabilitation of academic facilities.

#### **Part C, Section 746, Academic Facilities Loan Insurance**

Part C, Section 746 of this title authorizes the Commissioner to insure the payment of interest and principal on loans for the construction of academic facilities obtained by nonprofit private institutions of higher education and nonprofit private higher education building agencies.

#### **Recommendation**

- This program should be implemented as it will greatly assist nonprofit private institutions of higher education in securing academic facility construction loans from private sources at most favorable terms and interest rates, thus easing to a degree the burdens of debt service.

#### **Title VII, Part D, Assistance in Major Disaster Areas**

Part D of this title authorizes the Commissioner to carry out a program of financial assistance to public institutions of higher education when the Office of Emergency Planning determines that an institution

is within an area which has suffered a major disaster. New York State's most recent disaster, caused by tropical storm Agnes in July 1972, found several public and private institutions suffering the major damages and losses. Losses totaling some one-half million dollars were incurred, including almost \$200,000 by the State University of New York Agricultural and Technical College at Alfred and \$250,000 by Saint Bonaventure University. New York's experience makes the value of the assistance authorized under Part D clear. It also makes it clear that the assistance should be extended to nonprofit private higher educational institutions.

### **Recommendation**

- This program should be implemented and nonprofit private institutions of higher education included.

### **Title IX — Graduate Programs, Part A — Grants to Institutions of Higher Education**

Part A of this title authorizes grants up to 66 $\frac{2}{3}$  percent to institutions of higher education to strengthen, improve and where necessary expand the quality of graduate and professional programs leading to an advanced degree (other than a medical degree).

Part A also authorizes assistance to institutions to establish and strengthen programs designed to prepare graduate and professional students for public service and to assist in strengthening related undergraduate programs.

One hundred and thirty million dollars is authorized for Fiscal Year 1973, \$40,000,000 for Fiscal Year 1974, and \$50,000,000 for Fiscal Year 1975. However, no funds have ever been appropriated. Consequently, New York has received no money for this purpose and is part of no Federal program.

### **New York State Doctoral Project**

New York is committed to sustain a comprehensive, high quality system of doctoral education to meet society's needs for new knowledge, skilled manpower, and public service. The Regents have embarked upon a four-year project to evaluate all doctoral programs in the State by subject area, and to rate the programs according to quality and need. 1973-74 is the first year of the project. The Regents commitment to marshal the State's resources in graduate education, to promote high quality and to strengthen, improve, and where neces-

sary expand programs is manifest in this doctoral project. It is clear that many institutions need financial assistance to sustain and improve their programs.

### **Recommendation**

- To assist universities in meeting the challenge of high quality, Title IX — A should be funded at the authorized level. If quality is to be maintained and if the needs of society are to be met, institutions must receive financial support to improve their programs.

### **Part B — Graduate Fellowships for Careers in Post-secondary Education**

Part B of this title provides for up to 7,500 fellowships for up to three years for students enrolled in graduate programs. It also provides, in Section 924, for the payment of grants in lieu of tuition to institutions enrolling the holders of these fellowships. Funds are authorized to be appropriated in such sums as are necessary to carry out the provisions of this part. No funds have ever been appropriated for this program, and New York has received no money for this purpose and is part of no Federal program.

### **Recommendations**

- The Title IX — B program should be granted full appropriations at the authorized level. At present, it is clear through information supplied by institutions in New York that many highly qualified graduate students are unable to begin or to continue their studies because they do not have financial support. This is a critical problem for the individuals, for the institutions, and for the nation. The individuals are unable to fulfill their potential and meet their career goals; the institutions are operating programs in many cases below capacity; and the Nation may well face critical shortages in many areas because individuals will not be trained to fill highly skilled positions. Additionally, with the spiraling costs of postsecondary education generally, many institutions are unable to offer even the number of fellowships which they did in the past. The number of fellowships available in many disciplines is at the lowest level in a decade.
- An initial appropriation of no more than \$30 million would be required to fund the 7,500 fellowships authorized. An additional sum would need to be appropriated to fund the grants in lieu of tuition authorized under Section 924.

## NURSE TRAINING ACT OF 1971

The Nurse Training Act of 1971 authorizes grants to schools of nursing and to individuals in nursing education programs. Funding for the programs was restricted in Fiscal Year 1973 and without specific appropriations. Nearly half the funds have not yet been encumbered as they were not released until December 19, 1973.

### FUNDING OF THE NURSE TRAINING ACT OF 1971 (In Thousands)

Program	FY 1973 HEW Operating Level	FY 1973 Impounded Funds Released	FY 1973 N.Y.S. Operating Level	FY 1974 Appropriations
Institutional Support				
Capitation	\$16,800	\$21,700	\$4,875	\$ 34,343
Special Projects	11,430	11,170	65	19,000
Start up Grants	0	2,000	0	0
Financial Distress	170	9,830	0	4,750
Student Assistance				
Direct Loans	0	0	2,914	22,800
Scholarships	40,500	5,000	1,276	19,476
Traineeships	0	0	731	13,016
Construction Grants	0	20,000	0	19,000
Educational Assistance	5,665	4,055	0	7,191
<b>TOTALS</b>	<b>\$74,565</b>	<b>\$73,755</b>	<b>\$9,861</b>	<b>\$139,516</b>

### New York State Program

Of the Federal funds expended in Fiscal Year 1973 from Health, Education and Welfare operating funds, New York State schools and students received the following percentages of the total funds expended:

Capitation	29.0%
Special Projects	.6%
Loans	} 12.0%
Scholarships and Traineeships	

Of the total funds released prior to December 19, 1973, New York State schools and students received 13%. The amount of funding to New York State to date is \$3,783,167 less than the amount of New York State funding for Fiscal Year 1972.

There was no New York State funding under Startup Grants, Financial Distress Grants, Construction Grants or Educational Assistance. However, the release of additional funds may result in additional funding of New York State programs.

## Recommendations

The authorization for appropriations under the Nurse Training Act expires June 30, 1974. Renewal of this program should take into consideration:

- Removal of the need to increase enrollment in nursing programs as a condition for obtaining capitation grants based on enrollment.
- Budgetary appropriation of funds before the academic year begins to enable schools and students to plan their programs.
- Capitation grants on the basis of full-time equivalents for part-time students. Presently, students may obtain aid for part-time study, but schools do not receive funds for enrolling part-time students.
- Coordination of grants to schools such as project and construction grants with the State plan for nursing education — where a State agency has legal authority to establish a State plan.
- Increasing the amount of the capitation grant per student in programs of graduate education in nursing.
- Retaining funding for nursing education as an entity in itself rather than commingling funds with other health professions funds.

## Health Professions Training Act

The Health Manpower Act provides for Capitation Grants, Special Project Grants, Student Loans, and Scholarships to professional schools and students in medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. Funding is made directly to the schools conducting programs.

### FUNDING OF HEALTH PROFESSIONS ACT (In Thousands)

Program	FY 1973 HEW Operating Level	FY 1973 Impounded Funds Released	FY 1973 N.Y.S. Operating Level	FY 1974 Appropriations
Capitation	\$152,200	\$ 13,700	\$14,456	\$185,538
Start up Grants	6,300	5,400	0	6,000
Financial Distress	0	0	844	10,000
Special Projects	39,890	23,110	2,747	50,826
Student Loans	36,000	0	3,673	36,000
Scholarships	15,500	0	812	16,626
Construction Grants	0	100,000	0	95,000
Educational Assistance	9,210	5,790	0	9,500
<b>TOTALS</b>	<b>\$259,100</b>	<b>\$319,900</b>	<b>\$22,532</b>	<b>\$409,490</b>

## **New York State Program**

New York State schools received 9.5% of the Capitation Grant Funds and 7% of the Special Project Grants released prior to December 19, 1973.

Students in New York State programs received 10% of the loan funds, but only 5% of the scholarship funds.

No funding was made to New York State programs under Start up Grants or Construction Grants.

## **Allied Health Professions Training Act**

A wide variety of allied health professions, including psychology, dental hygiene, social work, and physical therapy licensed by the State Education Department, are enumerated for aid to programs and to students under the Allied Health Professions Training Act. Aid is granted directly to the schools. Of the total of \$31,714,000 allocated to these programs and students only \$15,745,000 was available prior to December 19, 1973. New York State programs received \$1,143,000 in Special Project Grants, and \$562 in Special Improvement Grants. New York State students received \$60,000 in Traineeship Grants.

Budgetary appropriations for FY-74 includes the following amounts:

	<u>Basic Appropriations</u>	<u>Reduced Level</u>
Institutional Assistance	\$31,745,000	\$30,158,000
Student Assistance	3,750,000	3,563,000
Educational Assistance	1,359,000	1,292,000

## **INTERNATIONAL EDUCATION**

Beginning with the Fulbright Program of Educational Exchange, the Federal Government has supported programs designed to enlarge American understanding of world affairs. This program was expanded in 1958 with the passage of Title VI of the National Defense Education Act. In 1966, the International Education Act proposed an imaginative and far-reaching program to broaden and deepen our knowledge of major world regions and problems. Unfortunately, this act has never been funded.

The Higher Education Amendments of 1972 extended both NDEA, Title VI and the International Education Act through Fiscal Year

1975. New authorization levels for NDEA, Title VI are \$50 million in Fiscal Year 1973 and \$75 million in Fiscal years 1974 and 1975; for IEA they are \$20 million in Fiscal Year 1973, \$30 million in Fiscal Year 1974, and \$40 million in Fiscal Year 1975. The language of NDEA, Title VI has been broadened to include studies of major international issues and global problems, in addition to the past emphasis on study of world areas and languages.

After earlier support for language and area studies, until suitable alternatives could be devised, the Administration, in its budget request for Fiscal Year 1974, recommended a phasing out of NDEA, Title VI, while maintaining the Office of Education Fulbright-Hays Program at its existing level. Congress approved funding at approximately the same level as in previous years (Fiscal Year 1972 \$15.3 million; 1973 \$13.8 million; 1974 \$12.67 million). The future of the program remains in doubt, however, because of the Administration's plans to reduce the number of categorical programs.

In related action, Congress reduced to \$1 million the Administration's request of \$3 million for the Office of Education Special Foreign Currency Program, which used foreign currencies in excess of normal U.S. Government requirements in selected countries for support of programs of American educational institutions at no additional cost to the U.S. taxpayer. This action apparently resulted from an inadequate demonstration to the Congress by the Administration of the value of this small but educationally significant and virtually "cost-free" program.

The Department of State's Educational and Cultural Exchange Program, which has experienced steady growth in recent years, received another increase in Fiscal Year 1974 to \$49.8 million from its 1973 appropriation of \$45 million, although this is still below the highest appropriation for this program of \$52.9 million in Fiscal Year 1966.

### **New York State Program**

The most direct form of support under NDEA, Title VI comes in the form of Federal assistance to language and area center and programs in international studies at 10 colleges and universities in New York State. Approximately \$1 million comes to colleges and universities in the form of direct assistance and to faculty and students through fellowships and research grants under NDEA, Title VI. An estimated \$1.5 million comes in the form of assistance to both individuals and educational institutions at all levels through the U.S. Office

of Education Special Foreign Currency Program, the Department of State Educational and Cultural Exchange Program, and international programs and activities of other Federal agencies such as the National Science Foundation, the National Endowment for the Humanities, the Smithsonian Institution, and the Library of Congress. Through grants and contracts from the Office of Education, National Endowment for the Humanities, and other Federal agencies, the State Education Department received in Fiscal Year 1973, approximately \$250,000 for support of international education activities designed to assist schools, colleges, and teachers in strengthening their understanding of international problems and major world areas. With Federal support under the Office of Education Special Foreign Currency Program, the Department maintains a continuing office in India, the Educational Resources Center, which provides help to American Teachers and students through the development of teaching materials about India, summer institutes, and training experiences in India.

A critical problem has arisen in New York State this year with the reduction by the Office of Education of the number of language and area centers from over 100 for the Nation as a whole to 50. New York State, which previously had the largest single number of language and area centers of any state, has been affected adversely by this reduction in number of centers and now ranks third after California and Illinois, although the quality and extent of its commitment to area and international studies remains at least as great as any other region in the country and probably greater. It is important that the appropriations for NEA, Title VI be increased to restore previous levels of support of language and area centers while providing funds to sustain at a more meaningful level new programs in international studies at the undergraduate and graduate levels, in which institutions in New York State are already participating but which should be broadened to include many more actively interested and qualified colleges and universities.

### **Recommendations**

- Appropriations for the Office of Education Program of Assistance to International Studies in American Colleges and Universities should be increased from \$13.3 million to \$15.3 million as a first step in moving toward funding at the authorized level of \$75 million. in order to fulfill the broadened purposes of this legislation in the Education Amendments of 1972.
- The Office of Education Special Foreign Currency Program should be restored to its previous level of \$3 million from its Fiscal 1974 level of \$1 million and the Special Foreign Cur-

rency Program of other Federal agencies concerned with education, such as the National Science Foundation, Smithsonian Institution, and Library of Congress, should be provided with increases consistent with the ability of those agencies to demonstrate that such increases can be used effectively. These increases involve no additional cost to the U.S. taxpayer.

- An initial appropriation of \$5 million should be made to the International Education Act, which has been extended for 3 more years by the Education Amendments of 1972.
- Congress should review existing Federal programs in various agencies for the purpose of recommending essential new programs to prepare Americans to live in the globally interdependent world so sharply emphasized by the energy crisis.

## **ADULT EDUCATION, LIBRARIES, AND COMMUNITY SERVICES**

### **HIGHER EDUCATION ACT OF 1965 (AS AMENDED)**

#### **Title I—Community Service and Continuing Education Programs**

This title has a twofold purpose: (1) to more actively involve college faculties, administrations, and students, in cooperation with their colleagues and complementary agencies, in addressing target population needs for postsecondary continuing education; and (2) to train actual and potential local leaders to become change agents in the solution of community problems.

For Fiscal 1966, 1967, and 1968, \$10 million was appropriated nationally each year; for Fiscal 1969–72, \$9.5 million yearly; and for Fiscal 1973, \$14.9 million to provide programs otherwise unavailable to adults. The President has signed into law an appropriation of \$15 million for Fiscal 1974. Under the terms of the Appropriation Act, the President is permitted to impound 5 percent of any single program amount. If he exercises this right, the appropriation for Title I will be reduced to \$14.25 million. Of this total amount, it is possible that \$1.5 million may be set aside for the Community Services and Continuing Education Branch, U.S. Office of Education, to award to special projects of a national and/or regional (inter- and intra-state) nature; and \$100,000 for expenses of the President's National Advisory Council on Extension and Continuing Education, leaving \$12.65 million to be distributed to the states.

Eligible higher institutions may apply to their state or territorial agency for grants based on the priorities established by such agencies

and/or to the Community Service and Continuing Education Branch, Division of University Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C. 20202, for awards for projects relating to national and/or regional (inter-and intra-state) problems. In New York State, the Board of Regents is the State Commission for the Higher Education Act, Title I.

State plan amendments are required yearly and are revised in keeping with the outcomes of the previous year.

Federal grants must be matched by a statutory percentage of project costs. In Fiscal 1966 and 1967, the Federal-local ratio was 75-25 percent respectively; in 1968, 50-50; and since then, 66 $\frac{2}{3}$ -33 $\frac{1}{3}$ .

### **New York State Program**

In New York, Title I has served over 50,000 participants in over 100 projects dealing with postsecondary continuing education opportunities for educationally and economically bypassed adults, and with regional (intra-state) approaches to the needs and demands of all adults. The 8-year investment in this program has been over \$4 million. The average cost per individual participant has been about \$70 since the program's inception.

In 1973, in keeping with national and State concerns for long-range regionally oriented planning to reduce costly duplications and to expand the availability of postsecondary education on a lifelong basis, the Board of Regents made major grants to the State University of New York at Albany and Siena College in the Northeast Region, to Cornell University in the Central Region, and to Rochester Institute of Technology in the Genesee Valley Region. These institutions are working, in cooperation with the Regents Regional Advisory Councils for Postsecondary Education and consortia in their regions, to create viable networks for delivery of educational services to all adults.

During Fiscal 1974 and 1975, it is the Regents intention to devote one-half of its program monies to promising previously funded or new projects which could be likely models for satisfying the postsecondary continuing education needs of older bypassed adults (Priority I). The remaining one-half of its program appropriation would be assigned each year to develop, by the end of 1976, a comprehensive, coordinated statewide system of postsecondary continuing educational relationships involving all sites where this education takes place and using a regional (intra-state) approach (Priority II).

## **Recommendations**

Because the enabling legislation expires on June 30, 1975, the recommendations which follow are of two kinds: (1) those dealing with changes needed within the present legislation in FY 1975, and (2) those dealing with new legislation.

— Those dealing with changes in existing legislation —

- The Regulations for administration of the program be revised so that chartered consortia may be made eligible to receive grants by State agencies, just as they are likely to be for national and/or regional (inter- and intra-state) programs.
- That the matching for programs approved by State agencies be made the same as it is to be for national and regional (inter- and intra-state) problems projects: 90 percent Federal, 10 percent local.
- That grants be made to the states and territories solely on population, with no base amount to each state.
- That the requirement for the agency to assign all funds within a given Fiscal Year be replaced by a provision for “carry-over” of funds.
- That earmarking of Federal funds for State agency administration be more flexible, taking into account such factors as mandatory salary and benefit increases, cost-of-living escalation, and the cumulative need for site evaluations.

— Those dealing with new or needed legislation —

- That Title I, H.E.A. 1965 not be continued in FY 1976 and beyond, in its present form.

## **ADULT EDUCATION ACT**

The Adult Education Act of 1970 (Title III of Public Law 91-230), an outgrowth of the Economic Opportunity Act and the original amendments to Elementary and Secondary Education Act, continues to operate in New York State. The State has 1,632,785 adults with less than an eighth grade education and 3,711,608 adults with eight years of education but less than 12 years. Amendments to the Act of 1970 extended the program through the high school level and authorized up to 20 percent of the total funds for adult high school or equivalency programs. With a total of 5,344,000 adults with less than 12 years of education, New York is in the third year at the same level of funding. With this static level of funding the Department

has had to limit efforts to the first two priorities as outlined in the act: namely, illiteracy through fourth grade and the second priority, levels five through eight.

### **New York State Program**

The Adult Basic Education Program is designed to equip out-of-school youth and adults, 16 years of age and older, with basic reading and computational skills to a ninth grade level. Students are also provided with social living skills which encompasses consumer, parent, health, nutrition, drug abuse, and practical government education. In the more than 50 communities where programs are operating, individualization of instruction is provided for each adult enrolled. In addition to classes, 20 learning laboratories through which the adult can chart his own progress and program individualization of instruction is the emphasis. The Department has companion programs under the New York State Welfare Education Program, the Work Incentive Program, and Manpower Development Training Program components.

During the 1973 Fiscal Year the following is reported:

1. The program in the area of staff development operated a Teacher Education Center in New York City which trains 400 plus teachers in the area of English as a Second Language which is an integral part of the overall adult basic education effort.
2. Mobile learning laboratories have taken instruction to adult migrants as well as intercity disadvantaged adults. The mobile learning laboratories have operated in New York City and up-state New York.
3. The New York State Welfare Education Program met with an unfortunate change in Federal regulations which eliminated Federal participation after October 31 of 1973. This program has, over the years, broken the welfare cycle for 25,000 adults. Fortunately, the State Legislature increased the proportion of State funds to carry on 75 percent of the program.
4. In cooperation with the Department of Correctional Services, the State Education Department operated adult basic education programs in 10 different county correctional facilities. These adults, upon completion of their term, have been referred to the adult basic program operating in their own home community in order to allow them to complete or pursue additional educational opportunities.
5. The State Legislature appropriated \$2,000,000 for use in the area of high school equivalency for adults. These programs work in direct relation with the adult basic education effort.

6. A recent study of adult basic education students covering a four-month period indicates:
  - a. a gain of six months in the area of reading and four months in the area of mathematics or computational skills.
  - b. the adults enrolled in the program achieved salary increases as a result of this training. They moved from a mean income of \$336 per month to a mean of \$407 per month or nearly a 20 percent increase in salary.
7. The Department's Statistical Services report on adult basic education enrollments indicates the following:

Adult Education Act	24,548
Locally funded programs	5,896
Welfare Education Programs	8,758
Basic component of MDT	6,540
Basic component of WIN	3,463
Other adult basic	15,745
Statewide Total:	64,950

### Recommendations

- Extension of the Adult Education Act for a five-year period.
- Allowance in the act for an increase in funding to allow the program to expand into sparsely populated rural areas as well as to assist with the increasing costs. The cost of instruction continues to increase nearly 10 percent per year while the program dollars remain static. In addition, provide monies in such areas as transportation, facility remodeling, and child care.
- That discretionary funds presently set aside for special projects by the U.S. Office of Education be transferred to the states for administration.
- Revise the federal regulations covering the amendments to the Social Security Act to authorize reimbursements for educational services provided indigent adults with less than 12 years of schooling or its equivalent.

## LIBRARY SERVICES AND CONSTRUCTION ACT

### Title I — Services

This title provides financial assistance to:

1. establish, extend, and improve public library services for the disadvantaged, areas with no or inadequate public library service, and metropolitan public libraries which serve as national or regional resource centers.

2. establish, extend, and improve State library services for the institutionalized and physically handicapped (previously Titles IV-A and IV-B).
3. strengthen State library administrative agencies.

For Fiscal Year 1974, the authorization level under the original legislation is \$123.5 million nationwide. The level of funding approved by Congress for FY 1973 was \$62 million, of which \$32 million was impounded. For FY 1974 \$46,479,000 has been appropriated, of which 5% may be cut. It appears that all previously withheld funds for both FY 1973 and FY 1974 are to be released, but full information has not yet been received.

### **New York State Program**

Under an approved annual program statement and approved long-range plan, this title is administered by the New York State Education Department through the Division of Library Development. Funds may be used for planning; books, films, and other library materials; library equipment; salaries and other operating expenses and administration of the State plan.

In FY 1972 New York State received \$3,376,997. For FY 1973 \$4,738,809 was appropriated but only \$1,915,172 released. The \$2,823,637 impounded is now expected to be released. For FY 1974 \$207,009 has been released to date, but a total of \$3,146,747 reportedly will be released. This may mean as much as a total of \$5,970,384 is to be available for expenditure in FY 1974 apparently.

In FY 1973 Title I funds were used for the following objectives to:

1. Promote outreach of the public library to the disadvantaged through:
  - (a) special projects of the major metropolitan public libraries of New York City, Buffalo, Syracuse, Rochester, Albany, Yonkers, and Utica for black and Spanish-speaking minorities especially;
  - (b) a program for rural disadvantaged in an area under the Appalachian Regional Development Act and containing a major Indian Reservation; and a program for an area seriously damaged by floods to provide library service to people who lost their homes and were placed in trailer camps.
2. Extend public library service to the isolated without convenient access to a public library by four mail-order catalog projects serving rural areas. One of the rural mail-order projects also serves Attica Correctional Facilities (Attica Prison).

3. Improve the informational and reference services of public library systems by:
  - (a) providing grants for reference specialists in the central libraries of 22 regional systems to improve reference service to individuals throughout the system area.
  - (b) the statewide TWX interlibrary loan network (NYSILL).
4. Assist and promote library service by a cooperative project of a mental health hospital and a public library system to serve patients released from the hospital to outpatient status in "half-way homes."
5. Assist and promote library service for a correctional institution and provide access to public library resources by cooperation with a public library system in providing books through mail service using a mail-order catalog.
6. Expand and improve library service to the blind and physically handicapped by providing funding for additional staff and equipment in the two regional libraries for the blind.
7. Strengthen the State Library's leadership and resources by providing additional staff, materials, and State-level programs to upgrade the regional public library systems and local public libraries.

Because of the low level of funding available for FY 1973, only one disadvantaged project, that for the flood ravaged area, was funded at the requested level. Ten other disadvantaged projects were funded at approximately one-half of the previous year's amount, while 6 funded in FY 1972 could not be renewed. The continuing projects for the blind and physically handicapped and the reference personnel grants were funded at the same level as the previous year. Those for the institutionalized were also funded at the levels expended in the previous year.

For FY 1974 the following program directions will be established:

1. It is expected that the projects serving the disadvantaged, which are at a very low subsistence level at present, will be more fully funded and interrupted ones may be restored.
2. The reference personnel grants have been terminated and are not expected to be reinstated owing to an increase in State Aid for central library development.
3. The institutional program will be increased.
4. Projects for the blind and physically handicapped may be increased.
5. Other projects likely will be funded.

## **Recommendation**

- Increase funding and provide advance funding to enable better planning or definite information on funding before the start of the fiscal year.
- Renew Tydings Amendment to permit orderly and effective expenditure of FY 1974 funds.

## **Title II — Construction**

This title provides matching grants to localities and library systems for construction of new physical facilities or remodeling and/or enlarging of suitable existing buildings for public library purposes.

Under an approved annual program statement and approved long-range plan, this title is administered by the State Education Department through the Division of Library Development. Funds may be used for a complete construction "package." Planning, acquisition of land and existing buildings, furniture and equipment, and minor miscellaneous expenses are eligible for reimbursement on a matching 65 percent local to 35 percent Federal funding ratio within stated limitations.

For FY 1973 \$15 million was appropriated nationwide, but was impounded. It appears this is now to be released to the states. However, because of the existence of the FY 1973 funds, no funds were appropriated for FY 1974, the first year there has been no appropriation for this title. The authorization for FY 1974 is \$88 million.

## **New York State Program**

Since the inception of the program in FY 1965, a total of 90 projects have been funded. Since FY 1970, only 2 projects a year have been funded, one fully and one only in part. Two projects have received supplemental Appalachian Regional Development funds. In FY 1973 no projects were funded as no LSCA funds were available. One project did receive Appalachian Regional Development Act funds under section 214 of the Act: the Corning Public Library, which will include space in the building for the Southern Tier Library System serving 4 counties. The FY 1973 funds impounded are expected to be released shortly in the amount of \$957,643 for New York State.

For FY 1974, 51 projects expressed interest in applying and 36 made preliminary application for a total of \$7,373,065 in LSCA construction grants for projects totaling \$42,512,678. It is expected that 4 to 6 projects will be approved for grants of the approximately 20 expected to make final application.

## **Recommendations**

- Increased level of funding to assist in meeting need.
- Construction aid should be developed on not less than a 2-year lead time to gain maximum value.
- National study of the needs in physical facilities posed by the requirements of modern technology is seriously required. This should be done at the Federal level for nationwide compatibility of various technological requirements.

## **Title III — Interlibrary Cooperation**

This title provides financial assistance for planning and developing interlibrary cooperation and for programs and projects of interlibrary cooperation. The purpose is systematic and effective coordination of the resources of public, school, academic, and special libraries and special information centers.

In Fiscal Year 1973, the funding level was \$2.7 million. Authorization for FY 1974 in the original legislation is \$16.5 million. In FY 1969, 1970, 1971, \$2.28 million was appropriated. In FY 1972 \$2,640,500 was appropriated and in FY 1973 \$7.5 million.

### **New York State Program**

Administered under an approved annual program statement and long-range plan by the State Education Department through the Division of Library Development, this title provides the funds for the development and expansion of networks of library cooperation to produce effective coordination of resources of various types of libraries. In FY 1973 \$93,820 was available, with \$420,884 impounded. For FY 1974 \$81,532 is appropriated and, as the impounded FY 1973 funds are expected to be released, the total available for expenditure should be \$502,416.

Emphasis is placed on the statewide improvement of the interlibrary loan, extending the resources of the State Library to all other libraries in the State, and assisting in the establishment of a Statewide network of referrals in which the State Library serves as the switching center. The field services of the Bureau of Academic and Research Libraries will be promoted and strengthened to coordinate interlibrary planning.

### **Recommendation**

- Increased funding to allow for additional cooperative projects, across type of library.

# VOCATIONAL REHABILITATION

## Rehabilitation Act of 1973

The Rehabilitation Act of 1973 is a measure authorizing for a two-year period \$1.54 billion in grants to states and the voluntary agencies serving the handicapped. After two previous vetoes of the Rehabilitation Act, the authorization figures represent a compromise between Congress and the Administration which was hailed as reasonable and acceptable. The level of appropriation for the current year, however, is below this compromise level and insufficient to match available funds in the States.

The Act includes a provision that the Federal government (Health, Education and Welfare) study the current formula for allocation of funds to the states to ascertain if a more equitable distribution can be provided. The current formula used in the basic support program penalizes the urban, high per capita income states such as New York through the "squaring" of the allotment percentage and, as noted in Part II of this brochure, there is increasing need for formula revision which will provide a fair share of the available Federal funds for our disabled New Yorkers.

The new Rehabilitation Act of 1973 also contains provision for advanced funding to enable efficient planning for program services. With the newly legislated emphasis on services for the severely disabled, including special projects and research, this advanced funding provision assumes great importance for development of efficient service programs and needs to be implemented promptly.

This Federal legislation enables mentally, emotionally, and physically disabled vocationally handicapped adolescents and adults in each State to receive the comprehensive vocational rehabilitation services they require to become remunerative workers in industry, sheltered workshops, or in their own homes. The Rehabilitation Services Administration, Department of Health, Education and Welfare, and the states cooperatively fund this program on a matching basis.

## New York State Program

With the exception of the legally blind, the New York statewide service program for all disabled persons is administered by the Office of Vocational Rehabilitation, State Education Department, through its 13 locally based field offices, its outstations, and its special units throughout the State. The program provides professional vocational rehabilitation counseling to each disabled individual, resulting in a

jointly developed vocational rehabilitation plan of service to achieve a specific vocational objective. Individual job placement and followup insure the effectiveness of the program and other necessary services are purchased or obtained from local public and voluntary rehabilitation facilities and other resources in the community.

In the movement toward a vocational objective, eligible disabled adolescents and adults may receive a wide range of services including medical, psychiatric, psychological, social and vocational evaluation to determine personal needs and vocational potential; surgery or other restorative services to modify the disability or the degree of handicap it imposes; personal-social adjustment to develop, through practice and experience, the psychosocial ability to meet the demands of a work environment; vocational training ranging from the unskilled through the professions to enable the disabled to become workers in actual jobs; job placement to apply the work skills; and job followup to insure that all necessary support services are available to meet the requirements of the new job and its environment.

On January 1, 1974, the Supplemental Security Income (SSI) Program, provided for in P.L. 92-603, Title XVI, became effective. This new program replaces the former public assistance programs of cash payments to persons who are 65 years of age or more, or blind, or disabled. Under this Federal program, disabled (and blind) recipients must be referred to State vocational rehabilitation agencies for consideration of vocational rehabilitation services. The Office of Vocational Rehabilitation expects a sizable number of referrals as the result of this new legislation, because of the extremely large number of SSI recipients in New York State. The overall referral objective is to restore recipients to self-support and reduce dependency on Supplemental Security Income payments.

To insure an increasing statewide capability for providing professional services and employment opportunities for the disabled, two special State programs are functioning under OVR administration. The Rehabilitation Workshop Support Program (RWSP) and its staff-support policy encourages the community rehabilitation facilities throughout the State to employ the helping professions to meet the service needs of the disabled.

The Sheltered Employment Program for the Mentally Retarded (SEPR) provides partial support to community sheltered workshop facilities to enable them to provide long-term sheltered remunerative employment opportunities for the mentally retarded who are not capable of work in industry and require a sheltered environment within which to work.

The Office of Vocational Rehabilitation has had ongoing cooperative relationships, for serving patients, with the State mental hospitals and schools for the retarded for many years. Within the last few years, pursuant to a Department of Mental Hygiene-Department of Education agreement, OVR installations have been established at several institutions, with the joint Office of Vocational Rehabilitation-Mental Hygiene staffs working on a team basis to provide a full range of vocational rehabilitation services to inpatients and outpatients to help achieve two joint goals: (1) early release to and retention in the community and (2) prevention of institutionalization of the community-based patient. This program has expanded significantly.

The Office of Vocational Rehabilitation has stationed additional staff (counselors, supervisors and supportive personnel) in State hospitals, related community mental health centers, and State schools for the mentally retarded and developmental centers.

In cooperation with the Drug Abuse Control Commission, the Office of Vocational Rehabilitation has established four counseling and service units in installations in the New York City-Westchester area.

Since the initiation of a joint program with the Department of Correctional Services to serve the *disabled* public offender at Attica, units have been established in four other facilities. The availability of additional resources will determine further extension of present vocational rehabilitation services for disabled offenders in the areas of probation, parole, and county institutions.

## **Recommendations**

- The current formula for the allocation to the States of Federal funds for the basic vocational rehabilitation program should be revised to remove the "squaring" of the allotment percentage. "Squaring" reduces the share of the allocation to high population states such as New York.
- Adequate advance appropriation funding in accordance with the authority included in new vocational rehabilitation legislation should be provided so that appropriate planning for implementation of that legislation may be carried out.
- Sufficient funds, to at least the level of authorization for the basic program should be appropriated to assure that all State expenditures under the law can be matched at the authorized ratio of 80 percent Federal — 20 percent State funds.

# **ADMINISTRATION**

## **ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965**

### **Title V — Strengthening State and Local Educational Agencies**

This program is for strengthening the leadership resources of the State education departments and local educational agencies. Public Law 91-230 added two complementing parts to this title to improve planning at the local level.

#### **New York State Program**

Title V-A in New York State has been used to carry on a number of special studies and innovative projects leading to improvements in the State Education Department's programs.

In Fiscal Year 1966, New York's allocation was \$784,668. For Fiscal Year 1967, the allocation was increased to \$1,101,390. Shifts from NDEA, Titles III and X in Fiscal Year 1968 resulted in an increase to \$1,450,692. For Fiscal Year 1969, the total allocation increased to \$1,474,815, but 10 percent was reserved for local educational agencies leaving a decrease for the New York State Education Department. The appropriation for 1970 remained the same. For 1971, while the appropriation remained the same, the 10 percent reservation for local educational agencies was eliminated. The 1972 allocation for New York was \$1,660,694, a much needed increase over Fiscal Year 1971. Based on the decision rendered in the class action litigation undertaken by the State of Pennsylvania, it is expected that New York will receive \$2,133,400 for the 1973 Fiscal Year.

The funds have been extremely helpful in permitting the Department to improve its information-gathering capabilities and to conduct special studies in such areas as student financial aid, regional data processing centers, special educational problems of the cities, and measuring the educational performance of schools.

#### **Recommendations**

- Continuation of Title V as part of the reenactment of the Elementary and Secondary Education Act.
- Enactment of amendments and appropriations far enough in advance of the beginning of each fiscal year to permit planning and recruitment of staff.

- Increase in amount of appropriations to permit growth in essential activities, as well as to keep pace with inflation.
- Fund authorizations for strengthening administration of local educational agencies and for improving State departments' planning and evaluation activities.

## **NEW LEGISLATIVE PROPOSALS**

### **Multiagency Funding**

The problems of the ghetto child cannot be solved during the 5 hours which he spends in the classroom each day. The ills of his community and home environment also must be cured.

If concerted attacks can be made on these problems to change the total atmosphere and environment, they can be solved. Several plans and programs are presently under consideration but require the unified effort of several State, city, and Federal agencies. Such agencies as housing, urban development, education, labor, and social welfare need to pool their resources to prevent duplication of services. Enabling legislation is needed which would permit Federal agencies to combine their resources (both financial and personnel) to work on these problems.

It should be possible for a state or a city, through a state, to present a proposal for joint funding to several Federal agencies concurrently without being required to go through the hazardous and slow route of agency-by-agency approval. This proposal does not request specific programs nor amounts of money. It requests enabling legislation which will allow Federal agencies to pool their resources and jointly fund multifaceted proposals.

### **Comprehensive Planning, Programing, Evaluation, and Supportive Data System — Elementary and Secondary Education**

Part C of Title V of the Elementary and Secondary Education Act should be modified in the new ESEA authorizations. The State's role should be strengthened during the next 5 years in order to design the necessary operationalized systems needed to conduct decision-oriented planning and evaluation in local educational institutions. Primary emphasis should be given to funding State-directed research and development work on instructional management systems with an increasing portion of the funds over the 5-year period to be used to conduct controlled pilot tests of components of the system as they are developed.

The components of such a system would provide for the following: setting learning goals and objectives, designing and monitoring instructional programs within and between classrooms, a capacity to make intelligent resource allocation decisions within a school year and between school years, suitable cognitive and noncognitive mastery tests, decision-making oriented evaluations. Development of the necessary computer management data files and systems is also required.

It is recommended that each state be asked to submit a 5-year plan for developing this type of system and indicate how and when local institutions will be used for controlled pilot testing components of the system and for operationalizing the components after testing. During this 5-year period, each state should receive appropriations based on a formula which is calculated by multiplying public and private elementary and secondary enrollments by 50¢ per enrollee.

In the 5-year period, funds should be provided on a per capita basis times the cost of providing the instructional management system.

### **Information Systems — Post-Secondary Education**

There is increasing awareness as evidenced by the Education Amendments of 1972 dealing with post-secondary education that statewide planning for both public and private post-secondary institutions is needed. This task requires that suitable data files on students, faculty, and programs be implemented at the operational level if the necessary planning information is to be available. To operationalize this system, \$1 per enrollee should be provided.