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ABSTRACT

The crises in education today are nowhere more critical than those in Catholic schools and are nowhere more dependent for resolution than on lay teacher militancy, labor support, and Federal Government involvement. Historically, lay teachers made up the majority of Catholic school staffs from the 18th through the mid-19th century; they seem certain to reassert this strength today. Governmental authoritarianism in public education has often been paralleled by religious authoritarianism which denies lay participation on any but superficial levels. If it survives as a viable alternative to public schools, the Catholic system will have been revolutionized by growing unionization, far-reaching court decisions, and stringent NLRB intervention. (Author)

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Militancy Among Catholic Lay Teachers

by

Bonnie J. Huffman

Paper presented at AERA Annual Meeting, April 1974, Chicago, Illinois.

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The crises in education today are nowhere more critical than in Catholic schools and nowhere more dependent for resolution than on lay teacher militancy, house of labor support, and federal government involvement. Historically, lay teachers made up the majority of school staffs from the eighteenth through the mid-nineteenth century; they are reasserting this today. The interim period, however, has been dominated by religious - both numerically and ideologically. Governmental authoritarianism in public education has often been paralleled by religious authoritarianism which denies lay participation on any but superficial levels. If it survives as a viable alternative to public schools, the Catholic system will have been revolutionized by growing unionization, far-reaching court decisions, and stringent National Labor Relations Board intervention.

In a recent letter to an officer of a lay teachers' local embroiled in a law suit and NLRB action, a canon lawyer wrote, *Your keeping me informed about the progress you are making toward the settlement of difficulties between the teacher's union, the Diocesan School Board, and other interested parties is much appreciated by me. I do hope that the thirst for justice you refer to will be quenched so that all who are interested in the great task of the Christian Education of Youth in your area may soon be able to dedicate all their talents and energies to this great apostolate. The difficulties to which the writer refers are typical of the confrontations between organized groups of teachers and diocesan school authorities from New York to California.*

In this particular instance, CELTA (Catholic Elementary Lay Teachers Association) had filed suit for two million dollars against the Cleveland Diocese. The union alleged that the school system had failed to pay wages agreed to in a mandatory salary scale, refused to bargain with their organization since it had affiliated with the American Federation of Teachers, AFL-CIO and was unwilling to implement a grievance procedure provided for in agreements with the diocese for several years. Additionally, the union claimed that diocesan school officials had actively engaged in a program of intimidation specifically designed to break the union. In other cities Catholic lay teacher locals have made use of the strike to secure their demands. Militancy of this type long used in the arsenal of organized labor, has only recently become commonplace for many teachers in modern parochial education particularly at the large city level - New York, Philadelphia, Cleveland, Chicago, and San Francisco. Historically, confrontations of this magnitude have not been characteristic of lay teachers in Catholic educational institutions; in 1974 they have become so.

Limitations of time and space prevent the detailing here of all the implications of this modern phenomenon. An examination of the following components will, however, lend substantial credence to assertions that may be initially regarded as indefensible.

First, a brief profile of lay teacher involvement in Catholic school education; then an overview of current crisis issues involving educators in what are often regarded as militant organizations and finally conclusions relating to the future of Catholic education in the United States.

Lay Teachers in Catholic Education

Vatican II's decree on the apostolate of the laity and its declaration on Christian education encouraged lay persons and religious to involve themselves in *joint deliberation and efforts in the apostolate*.¹ A study published by the National Catholic Education Association asserts that Catholic schools staffed exclusively by lay people can constitute a promising alternative in parochial education.² At the same time a lecture by a parish priest supported the premise that only Catholic schools taught solely by religious are necessary for the survival of the total system. Contrary to popular impression, lay people have been involved as teachers in Catholic education since its eighteenth century beginnings in the United States.

In these early years of Catholic schooling most institutions were, in fact, taught primarily if not exclusively by lay persons. The missionary nature of the early Church limited clerical involvement in schools to periodic visits after initial establishment had been accomplished.³

The transition from majority to minority status for lay teachers became definite as communities of religious initiated American houses. This did not occur, however, before the nineteenth century was well underway.⁴ The diminishing number of lay staff cannot be solely attributed to an increase in the number of teaching Brothers and Sisters available and the belief that this would bring a subsequent reduction in cost. In addition, there has long been a kind of mystique associated with the religious life in the Church; clergy and religious have been held in such high esteem by so many that in most instances even their teaching abilities have been thought to be superior to those of lay people.

In a similar vein the desire for a *moral-religious training* supposedly given most effectively by consecrated religious was a contributing factor. As the Church in the United States saw itself as a kind of embattled bastion of Catholicism the tendency toward inwardness increased. One of its most obvious manifestations was the development of a sizeable number of schools whose religious staffs reflected a *defense of the faith* attitude. The number of these increased yearly⁵ and the goal of a *religious teacher for every youth* projected by a conference of bishops motivated an increasing turnover in faculty.⁶

The mid-twentieth century and its attending school expansion once again increased the employment of lay teachers. In overall statistics today's lay teachers once again outnumber religious.⁷ According to National Catholic Education Association statistics the number of teaching Sisters in elementary schools alone has declined from 64,320 in 1967 to 44,020 in 1973.⁸ Advertising in a Catholic teacher magazine asserts that seven of the country's fifteen largest school systems in student enrollment are Catholic.⁹ (4,889,618 students; 245,701 teachers; 14,201 schools) What it fails to note is that enrollment has declined nationally by 17% since 1961-'62.¹⁰ It is true that between 77% and 83% of the total number of nonpublic schools is Catholic.¹¹ It is also true that nonpublic non-Catholic school enrollment increased by 66% during the past ten years.¹²

In the era of Vatican II's "Decree on the Apostolate of the Laity," Catholic school administration is still essentially *non-lay*-more than 90% of the superintendents are clergy or religious.¹³

Specifically the decree states, *Bishops and priests, whether secular or religious, should keep in mind that all Christians, clergy and laity alike, have the right and the duty to work in the apostolate. They should also remember that the laity have their own proper role in building up the Church.* In view of a study funded by U.S. bishops in 1970 such apparent contradictions are not surprising. This survey revealed that less than a third of the bishops and clergy over forty-five years of age demonstrated support for increased influence of the laity in the Church.¹⁴

Taking these facts into account it is difficult to view the appointment of a layman as Director of Catholic Elementary and Secondary Education as anything but a token positioning. Moreover, the mounting number of school closings - particularly of Catholic inner-city institutions - prompts more than ordinary wonder at Director D'Alessio's statement regarding *co-ordinated planning and action* which he claims is resulting in *more effective education for a broader spectrum of the People of God.*¹⁵ How is such a philosophy consistent with, for example, diocesan decisions which closed an inner-city Black school for *lack of funds* shortly after announcing its intention to buy a suburban white school.¹⁶ Minimal comment is necessary when facts such as these are juxtaposed with an earlier statement by American bishops declaring that Catholic schools are an *indispensable component of the Church's total commitment to education in the United States* and concluding that they will therefore *do (their) part to continue, improve, and strengthen these schools.*¹⁷ It was this sort of climate that encouraged lay teacher militancy never before witnessed in the Church schools.

Organized Militancy

Recently in accounting for declining school enrollment the superintendent of a large Catholic school system placed *pay squabbles of teacher groups which compared themselves to public schools* first on a list of issues which turned off parents. This was listed before: *use of controversial religious education programs, a declining number of religious orders in schools, and higher tuition costs.*¹⁸ A short time before, Kraushaar's study focusing on the development of Catholic schools asserted that *although financial stringency is the widely publicized reason for the present-day decline of Catholic schools, there are others not so well aired. Catholics have not only become Americanized in the twentieth century, they have risen rapidly into the middle and upper classes of American society with predictable changes in their attitudes toward Catholicism itself and the place of separate Catholic schools!* This supports the motivational analysis of Krug who characterizes Catholics in the society as people who sought feverishly to identify themselves with the establishment.²⁰

Arguments such as these notwithstanding this superintendent's concentration on *teacher groups* and their salary interests (*pay squabbles*) have been concerns - if not obsessions - of many clerics nationwide in recent years. Some of these teacher groups are rather loose associations without recognition and subsequent bargaining rights; others are stronger individual diocesan organizations²¹ or union groups affiliated with the American Federation of Teachers, AFL-CIO.²² Though Catholic school salary levels vary throughout the country, in most areas they are substantially below the public school pay scale. Perhaps the extreme but none-the-less real situation existed in Philadelphia in 1972; before a union contract was negotiated salaries began \$3,600 per year.²³

With low pay scales in mind many teachers accuse diocesan officials of *blaming the victim* in the style of psychologist William Ryan.²⁴

Catholic lay teacher militancy is part of the national growth of lay teacher militancy. In order to *survive* many Catholic lay teachers believe they must either *obey meekly* or *organize militantly*. Neither approach contains a guarantee of continuance in an era of *surplus teaching personnel* but organized militancy has often produced significant gains in the following areas of teacher concern:

- 1. adequate salaries
- 2. increased security
- 3. improved teaching conditions
- 4. greater due process protection
- 5. participatory voice in developing and implementing school policies
- 6. viable grievance procedures
- 7. hospitalization
- 8. retirement benefits

Collective bargaining has been the chief means of making inroads in these areas since reliance on the *innate goodness* of an employer - religious or secular - has produced few concessions in the realm of employee benefits.

In order to gain the recognition which is requisite to a position at the bargaining table, lay teacher organizations have been involved in: traditional membership drives, agency card distributions, Court of Appeals law suits, and petitionings of the NLRB. Arbitration has settled a number of grievances which had passed through lower grievance steps without resolution.

When the bargaining process reached what these organizations regarded as an impasse some of them withheld their services by conducting strikes or professional study days.

For the unaffiliated organizations the expense of such undertakings has been borne largely by the group membership itself. For AFT locals such costs are usually shared by some formula or grant involving the state federation where one exists and/or the national AFT. Increased membership costs (an average of \$60 per year) make such arrangements feasible since both state and national organizations collect per capita levies from the individual locals. State and local per capita payments are likewise made to the 13 million member union of unions AFL-CIO - 115 national and international labor organizations in the United States.²⁵ Theoretically these affiliations with the AFT and AFL-CIO are intended to provide additional power since, as AFT President Seldon correctly maintains, *Teachers rarely have the force to go it alone against the power structure.*²⁶ If this is likely to be the case with teachers in public schools it is almost assuredly so with teachers in Catholic schools. To date, of course, most states have inadequate if not detrimental legislation regarding public employees. The purportedly private and religious nature of the Catholic schools has often left lay teachers with virtually no recourse. To date no one has taken such a case to the federal courts under the equal protection declaration of the fourteenth amendment. Even the most radical civil libertarian lawyers have considered pursuance of such a premise only under the theory that acceptance of federal funding (e.g., Elementary and Secondary Education Act or National Defense Education Act) the only levers by which conduct of such institutions might be juridically monitored.

Parents and students alike have suffered similar discrimination whereby constitutional guarantees such as the right of due process are arbitrarily thwarted by Church authorities and left largely unchallenged by the courts. It has become obvious, to some at least, that a governmental constitution by its very nature applies to all citizens and that the Bill of Rights as an inherent part of this constitution asserts prior right on behalf of all citizens - exceptions of necessity being rare and arduous to come by.

The AFT, the state federations, and the AFL-CIO often do make the difference between survival and extinction for both public and nonpublic school locals. Assistance frequently comes in the form of financial aid, professional advice, and staff assistance, as well as the exertion of pressure on employers and legislators. Thus, theory and reality can become sequential aspects of growing unionization. Unfortunately, however, current leadership in the AFT, its state affiliates, and the AFL-CIO have in many instances lost touch with the humanizing spirit of the original union movement.²⁷ Furthermore, personal political ambitions within and even outside the union have often limited and even distorted the service afforded to individual union members and locals alike. Apathy among union people is prevalent in such proportions as to allow those with limited intelligence, insight, and leadership to advance to positions as union officers. Additionally, the lay teacher in the Catholic school local faces union leaders the majority of whom were trained in Catholic institutions and whose children may still attend Catholic schools. In examining American culture and Catholic schools McLoughlin maintains a strong view in this regard.

The historic Catholic tie-in with organized labor is undoubtedly due to the fact that most Catholic immigrants were unskilled laborers and perforce relied on the unions . . . The smartest among them saw the opportunities of less work and more money by becoming officials of the unions. The rest of the movement is history.²⁸

Motivational allegations aside, the number of Roman Catholics occupying positions of labor leadership remains sizeable. Some of these union officials are reluctant to confront the Church as employer having known it for so long as *Mother and Teacher*. Politically, there remains the fear that Catholic voting strength could elect or defeat and that it could be influenced by the hierarchy. To deny the existence of such pressures as these and additional consequences of this real or imagined Church power is to reject reality²⁹ - a reality commonly encountered by individual lay teachers, their organizations, and their attorneys as they bring their cases before judges, arbitrators, and NLRB personnel.

The power of the Church vs. the organized militancy of its lay teachers is evidence of yet another loss of a sense of history - in document and in practice. Traditionally the Church has demonstrated its concern and support for the rights of working people and has dramatically written of it in famous encyclicals such as *Rerum Novarum*,³⁰ *Quadragesimo Anno*,³¹ and *Mater et Magistra*.³² Moreover, during the Great Depression of the 1930's the Church in the United States sponsored scores of labor schools specifically intended to strengthen the principles set forth in these encyclicals and to promote a *Catholic influence* in the labor movement itself. The United Farm Workers are being supported by the Church throughout the country; similarly, the rights of Farah strikers were upheld contributing to the eventual settlement.

This is not surprising since the Association of Catholic Trade Unionists and the Catholic Worker Movement begun in the 1930's were directly associated with the Church's backing for organized labor.³³ However, the principles of the social justice encyclicals and the labor schools are seldom applied where the Church is employer and lay teachers are employees. Charges of unfair labor practice have been filed with labor relations boards by lay teacher organizations in at least six major cities. These charges include allegations of: discouraging lay teachers from any association with unions, threatening loss of teaching rights as a direct result of union membership,³⁴ changing wages and other terms of the previously negotiated contract, refusing to recognize and bargain with the union as the exclusive elected bargaining agent,³⁵ sending distorted and unfair campaign literature, asserting that a vote for the union in a collective bargaining election would be tantamount to a vote for a state take-over of the schools,³⁶ and a variety of similar accusations. Of these allegations four of the six have been accepted as accurate and directives (or judgments) issued accordingly by the respective labor relations board. The remaining two await an investigation subsequent to a jurisdictional assumption by the NLRB's Washington office.

The question of jurisdiction itself has revealed great inconsistency on the part of diocesan leadership. NLRB jurisdiction was refused in Connecticut when the Hartford Diocese presented evidence of *religious intent* for its schools. A few years earlier in Ohio bussing of Catholic school students was supported by each diocese because of the *secular nature of the Catholic school curriculum*.



Some diocesan/teacher organization relationships are, of course, at the opposite end of the spectrum - the Diocese of Buffalo and the Secondary Lay Teachers Association, for example. Research has shown, however, that these are the exceptions. Tolerance for and cooperation with a strong active teacher organization comes largely from individual priests and nuns, not from superintendents, appointed school boards, or bishops themselves.

The Future

Tocqueville, himself a practicing Catholic, asserted that *there is not a single religious doctrine in the United States hostile to democratic and republican institutions.*³⁷ Presumably this is true, but it is not religious doctrine that is in question here; it is rather the actions of those in positions of authority in Catholic schools - their attitudes and their actions toward the lay faculty. Additionally, the attitudes and actions of labor movement people, the courts, the government, the community and lay teachers themselves are vital if a viable alternative to public school education is to survive.

Encyclicals on social justice must be made applicable where teachers want to organize. Union leaders need to support a labor solidarity that would close the schools through boycott of classes and boycott of collection baskets unless and until recognition of voluntary labor affiliation is forthcoming. Merger between AFT and NEA must include equitable representation for Catholic school locals regardless of the association's current *no charters for Catholic schools* mandate. Union democracy demands an uncensored union press wherein all views can be represented - officers and members alike. Current AFT executive committee censorship is an affront to the spirit of a free press.³⁸

The judicial process and governmental authority need to function mindful of a constitution which must apply with equity to every sector of the society - no distorted *right of sanctuary* for religious authorities arbitrarily seeking first amendment immunity. Communities of Catholics and non-Catholics must regard Catholic schools, not as a racial or economic escape from the public schools but as an alternative whose competition will upgrade education generally, making the concept of a pluralistic society a reality, not a continuing myth. Finally, lay teachers themselves - more than any other group - need to understand that at their best teacher organizations protect educators in order to protect the young people whom they teach.³⁹ Union action based on this conviction is likely to be both humane and *unbreakable*.

Wilfred Sheed in a recent article on the American Catholic Church declared the institution to be both *scattered and confused*, but since *religion is simply a society in one of its aspects* no worse off than the rest of America.⁴⁰ If this is true, then it is time for American society as a whole and the Catholic Church as part of this society, to actively implement the documents of social justice long associated with each of them - the U.S. Constitution and the Catholic Church's rights of labor encyclicals.

End Notes

- ¹ *Decree on the Apostolate of the Laity*, Vatican Council II, 1962- '64.
- ² George Elford and Emmet Harrington, *All-Lay Catholic Schools: A Promising Alternative*, National Catholic Education Association (February, 1974), 1.
- ³ Theodore Maynard, *American Catholicism*, (New York, 1941), p. 461.
- ⁴ Harold O'Donnell, *The Lay Teacher in Catholic Education*, *The Notre Dame Journal of Education*, II (Spring, 1971), 87 - 89.
- ⁵ Robert Cross, *The Changing Image of Catholicism in America*, *Yale Review* XLVIII (June, 1959), 575.
- ⁶ James Walsh, *Lay Teachers in Catholic Secondary Schools*, *Catholic School Journal* (January, 1931), 78.
- ⁷ *Statistical Abstract of the United States - 1973*, United States Department of Commerce.
- ⁸ Elford and Harrington, p. 1.
- ⁹ *Bulletin, Today's Catholic Teacher*, New York, 1972.
- ¹⁰ *Bulletin, Advance Statistics for Management*, United States Department of Health, Education, and Welfare/Office of Education, XII (June 7, 1972), 1.
- ¹¹ About 77% according to Otto Krausharr, *American Nonpublic Schools: Patterns of Diversity* (Baltimore, 1972), pp. 23 - 29. About 83% according to John Murray, *AFT's Private Line*, II (June, 1972), 4.
- ¹² *Bulletin, HEW*, p.1.
- ¹³ *Patterson's American Education*, ed. Norman Elliott (Mount Prospect, Illinois, 1973), pp. 527 - 531.
- ¹⁴ Andrew Greeley, U.S. Catholic Conference - 1972, *The Catholic Priest in the United States: Sociological Investigations* (Chicago, 1972), p. 136.
- ¹⁵ Edward D'Alessio, *Dedication, Catholic Educational Institutions and Religious Communities in the United States* (Rockville Centre, L.I., N.Y., 1972).
- ¹⁶ Diocese of Cleveland, 1973 - St. Agnes Grade School was closed for lack of substantial finance and Chanel High School purchased with no word regarding finance.
- ¹⁷ *The American Bishops' Statement on Catholic Education*, *The Catholic School Journal*, LXVIII (January, 1968).

¹⁸Msgr. William Novicky as interviewed by Peter Almond, *Catholic Schools Show they are Still Kioking*, Cleveland Press (March 4, 1974), C-5.

¹⁹Kraushaar, p. 28.

²⁰Edward Krug, *The Shaping of the American High School 1920-1941, II*, (Madison, 1972), p. 183.

²¹The National Catholic Educational Association maintains no record of lay teacher organizations as such. It is therefore difficult, if not impossible to estimate the overall number of members. The groups possessing bargaining rights, e.g., Buffalo's Secondary Lay Teachers Association and Cleveland's High School and Academy Lay Teachers Association are visible entities - the former a viable sophisticated force; the latter a weak stereotype of the proverbial *company union*.

²²More than 3,000 lay teachers in Catholic schools belong to the AFT-AFL-CIO - most of them in chartered locals with bargaining rights. The NEA charters no nonpublic school organizations on the elementary/secondary level though membership by individuals is permitted. (membership: AFT 400,000, NEA 1,300,000)

²³AFT's *Private Line*, II (June, 1972), 2.

²⁴William Ryan, *Blaming the Victim*, Brattleboro, Vermont, 1971, p. xv. *I have now come to believe that the ideology of Blaming the Victim so distorts and disorients the thinking of the average concerned citizen that it becomes a primary barrier to effective social change. And, further, I believe that the injustices and inequalities in American life can never be understood (and therefore, can never be eliminated) until that ideology is exposed and destroyed.*

²⁵Jerold Auerbach, *American Labor - The Twentieth Century* (New York, 1969), p. 346.

²⁶David Seldon, *Why the AFT Maintains its AFL-CIO Affiliation*, *Phi Delta Kappan*, XLVII (February, 1966), 298.

²⁷Sol Barkin, former Director of Research of the United Textile Workers Union analyzes this in his essay, *The Decline of the Labor Movement*, *American Labor - The Twentieth Century*, (New York, 1969), pp. 411 - 426.

²⁸Emmett McLaughlin, *American Culture and Catholic Schools* (New York, 1960), p. 251.

²⁹Joel Barlow in *Creation of the American Republic* by Gordon Woods is quoted as supporting a *habit of thinking* which in effect makes it so. In this instance he supports the concept of freedom as interpreted by the early revolutionists in the United States. (Chapel Hill, 1969), pp. vii - x.

- 30 Pope Leo XIII, *The Condition of Labor*, 1891.
- 31 Pope Pius XI, *Reconstructing the Social Order*, 1931.
- 32 Pope John XXIII, *Christianity and Social Progress*, 1961.
- 33 John Cogley, *American Catholicism* (New York, 1973), 98 ff.
- 34 Charge filed by the Catholic Elementary Lay Teachers Association, Local 2300, AFT-AFL-CIO, against Catholic Diocese of Cleveland, 1973.
- 35 Charge filed by the Lay Faculty Association, Local 1261, AFT-AFL-CIO, against Henry M. Hald High School Association and the Sisters of St. Joseph, Brooklyn, N.Y., 1973.
- 36 Charge filed by the Philadelphia Association of Teachers, Local 1776, AFT-AFL-CIO, against the Archdiocese of Philadelphia Elementary School System, 1973. Charges accepted as accurate in Brooklyn and Philadelphia; Cleveland union still awaits declaration of jurisdiction.
- 37 Alexis de Tocqueville, *Democracy in America* (Garden City, 1969), p. 289.
- 38 *Union Publications, American Teacher*, LVIII (February, 1974), p.3.
- 39 John Dewey said, *There is need for a working, aggressive organization that represents all of the interests that teachers have in common, and which, in representing them, represents also the protection of the children and the youth in the schools against all of the outside interests, economic and political and others, that would exploit the schools for their own ends, and in so doing so reduce the teaching body to a condition of intellectual vassalage.* (Dewey held card no. 1, AFT-AFL-CIO until his death.)
- 40 Wilfred Sheed, *Crumbling American Catholicism*, *The New York Review of Books*, XXI (march 7, 1974), 21.

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