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ABSTRACT

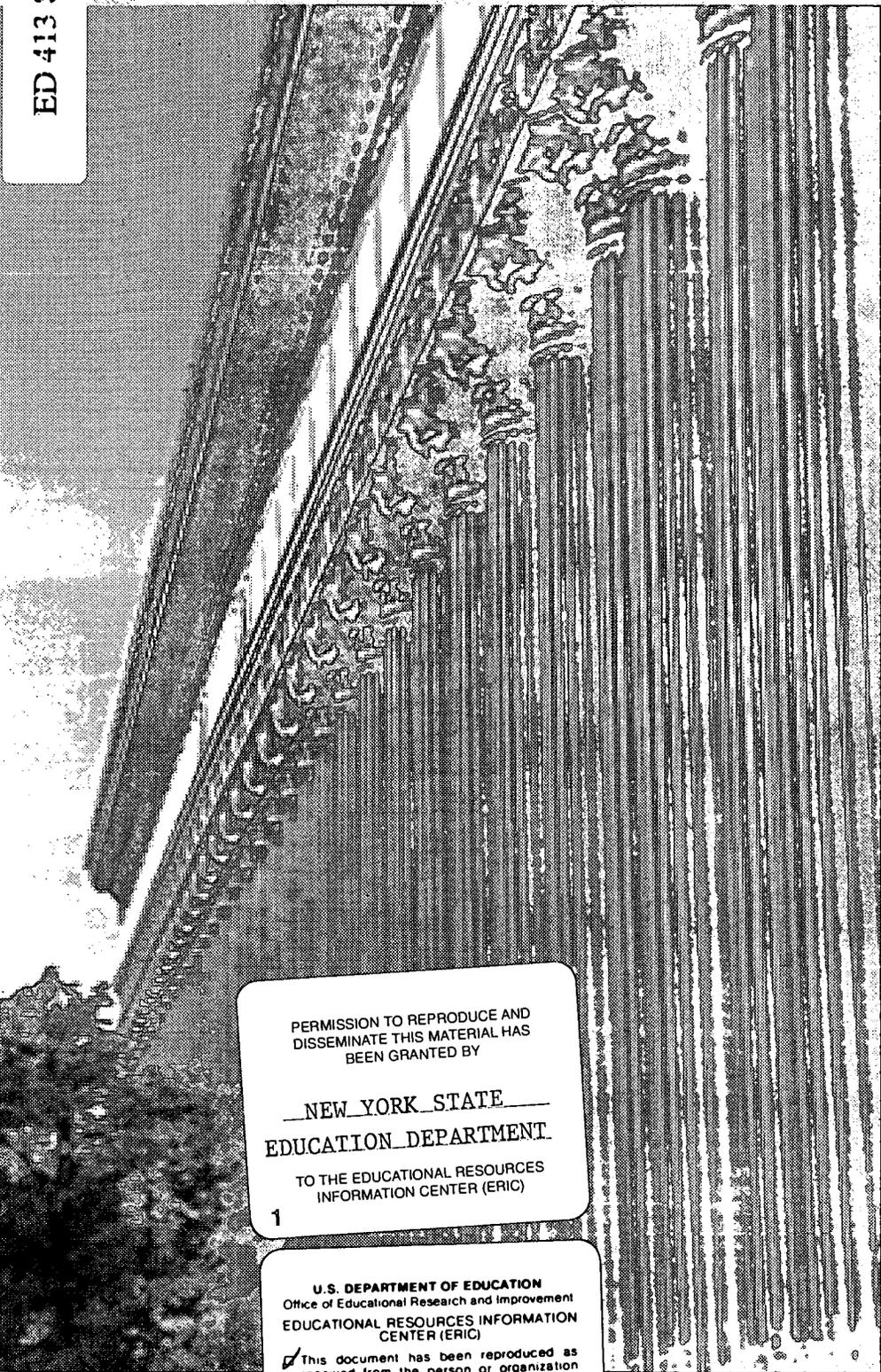
This monograph presents a history of educational services in New York State. Chapter 1 summarizes the history of the University of the State of New York, its Board of Regents, early development, and unification of the university and the Department of Public Instruction. Chapter 2 reviews the State Education Department's history and legal foundations; department organization, management, and planning; and patriotic and moral education requirements. Chapter 3, reviews school district organization and state aid, the free common school system, origins of high schools, the school aid quota system, rural school centralization, Boards of Cooperative Educational Services, urban school districts, and state aid since the 1960s. Chapter 4 focuses on elementary, middle, secondary, and continuing education, including general supervision, universal school attendance, Regents examinations and curricula, urban education, statewide standards, vocational and adult education, physical/health education, and education for non-English speakers. Chapter 5 summarizes vocational and educational services for individuals with disabilities. Chapter 6 reviews higher and professional education, including teacher training, oversight and planning, proprietary school supervision, and scholarships. Chapter 7, on cultural education, covers state libraries, museums, and educational television. Chapter 8 briefly reviews professional regulation. Appendices list administrators since 1784 and numbers of school districts since 1905. (Contains 100 references.) (DB)

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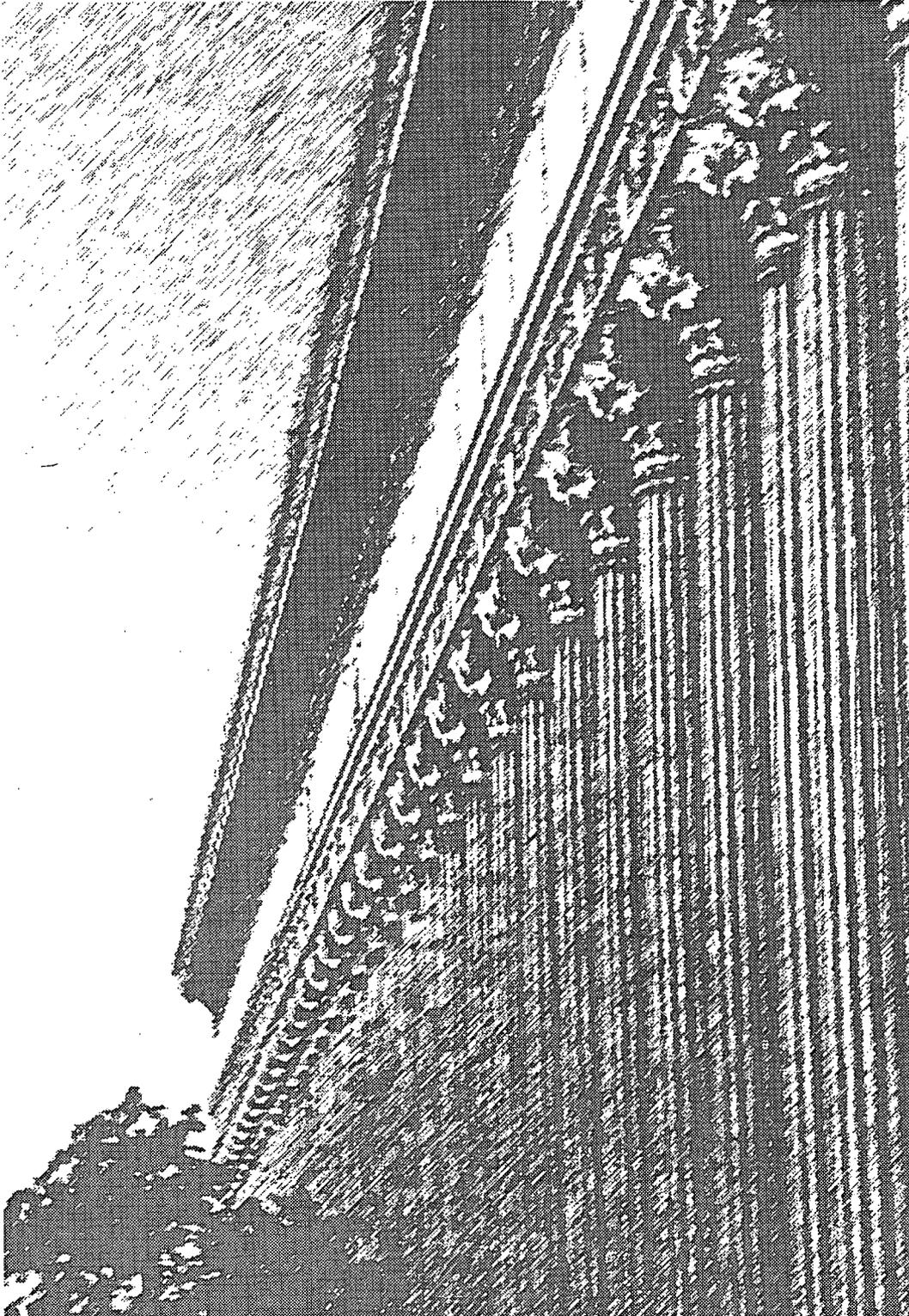
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The University of the State of New York
The State Education Department



**History of the University of the State of New York and the
State Education Department 1784-1996**



THE UNIVERSITY OF THE STATE OF NEW YORK

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UNIVERSITY OF THE STATE OF NEW YORK

Board of Regents and the Development of the University.

The Regents of the University of the State of New York were created by statute May 1, 1784. The Regents were a corporation empowered to act as trustees of Columbia College (originally chartered as King's College in 1754 and closed during the Revolutionary War) and of every other college and academy incorporated in the state thereafter. The Regents originally consisted of the governor, other state officers, and the mayors of New York and Albany, *ex officio*, plus twenty-four persons appointed for life. This unwieldy body soon got involved in the day-to-day administration of Columbia. In 1786 a Regents' committee recommended that colleges and academies have their own trustees, and that the Regents be given broader responsibilities for overseeing education in New York. Legislative bills to that end were introduced in the Assembly by Regent Alexander Hamilton, and in the Senate by Regent Ezra L'Hommedieu, in 1787. A compromise bill became law. The act empowered the Regents to "visit and inspect all the colleges, academies, and schools" in the state, award higher academic degrees, hold and distribute funds, and exercise other powers of a corporation. Until the board was reorganized under the unification act of 1904, nineteen Regents were elected for life terms by joint ballot of the Legislature; in addition, the governor and lieutenant governor served as Regents. Since 1894 the University of the State of New York has been continued by the Constitution, which states that its corporate powers "may be increased, modified, or diminished" by the Legislature.

The Regents' protean power to "visit and inspect" member institutions of the University has taken various

forms. During the nineteenth century the Regents exercised oversight by reviewing statistical reports from academies and colleges; only occasionally did Regents actually visit an institution. The Regents adopted standards for incorporating private academies (1801) and colleges (1811), and required academies to offer acceptable programs in order to receive aid from the Literature Fund, established in 1801. The Legislature made the Regents trustees of the State Library and the collections of the State Museum in 1844 and 1845, respectively. During the later nineteenth century the Regents developed educational standards for academies and high schools statewide, through use of the Regents examinations and syllabi. These innovations were discussed and promoted by the University convocations, meetings of educators held annually starting 1863. The scope of the University expanded significantly in 1889 and 1892, when the Regents obtained legislation giving them the right to incorporate and supervise libraries, museums, correspondence schools, and other educational institutions. The Secretary to the Board of Regents had long administered the affairs of the University. Starting in 1890 the Secretary (then the redoubtable Melvil Dewey, also head of the State Library) supervised full-time inspectors of secondary schools, libraries, colleges, and other institutions reporting to the Regents.

Unification of the University and Department of Public Instruction. New York State also developed a statewide system of public schools, under the common school law of 1812. Gideon Hawley, the first Superintendent of Common Schools, organized the system, distributed school aid from the Common School Fund, and prod-

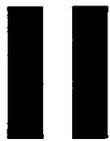
ded local officials to set up school districts and submit reports. Hawley was dismissed in 1821 for political reasons, and thereafter the Secretary of State served as the Superintendent of Common Schools. In 1854 the Legislature created a Department of Public Instruction, headed by a Superintendent elected jointly by the Senate and Assembly for a three-year renewable term. The new Department had a small staff which carried on the work of advising local school authorities, allocating state aid, and preparing reports to the Legislature.

The responsibilities of the Regents and the state officials in charge of the common schools overlapped. The Regents had a vague statutory authority to oversee all education in the state. After 1842 the Superintendent of Common Schools was a member of the Board of Regents, as was the Superintendent of Public Instruction after 1854. The latter official shared with the Regents the responsibility to inspect and report on academies. The rapid development of public high schools after the 1850s caused administrative confusion. The high schools were operated by union free or city school districts, which the law made subject to visitation and inspection by the Superintendent of Public Instruction. However, the academic programs of all secondary schools were under general supervision of the Regents. Unification of elementary, secondary, and higher education under one administration was considered and rejected by the constitutional conventions of 1867 and 1894, and proposed in legislative bills from time to time. Outright competition between the Regents and the Department of Public Instruction became intense and public during the 1890s, when the Superintendents of Public Instruction lobbied to have all secondary education placed under their control. But during the same decade the University's activist program under Secretary Melvil Dewey won the Regents many new supporters.

In 1899 the annual University convocation requested Governor Theodore Roosevelt to name a special commission to study unification. The commission's report proposed that a new department of education succeed the Department of Public Instruction and include the University, and that the Regents be appointed for fixed terms by the Governor with consent of the Senate. A joint legislative committee in 1904

recommended that elementary and secondary education be entrusted to a three-member commission, consisting of one Regent and two other members appointed by each of the two major parties in the Legislature. Governor Benjamin Odell and a Republican legislative caucus drew up their own, very different unification bill. This bill became law, establishing an Education Department, effective April 1, 1904. The new Department was headed by a Commissioner of Education, appointed by and responsible to the Regents. Andrew S. Draper, who had previously served two terms as Superintendent of Public Instruction, was named the first Commissioner of Education. Regents were to be elected by joint ballot of the Legislature to serve fixed terms, initially eleven years; some of the sitting Regents were continued in office. The board consisted of one Regent from each Supreme Court judicial district. Later on members-at-large were added (three after 1909, four after 1965). Regents' terms were set to equal in years the total number of Regents, resulting in one vacancy annually (the term reached fifteen years in 1969, when the twelfth judicial district was established). The Legislature reduced the (renewable) terms of office to seven years in 1974, and to five years in 1994, citing a need for increased accountability of the Regents.

Today the University of the State of New York embraces all the elementary, secondary, and higher education institutions in the state, the latter including libraries, museums, and other institutions of learning. The Board of Regents is the only state board of education having authority over all educational activity at all levels, including private and public, non-profit and for-profit institutions. The board does much of its work through its standing committees, five of which correspond to the major offices of the Department, plus committees on administration, law, and legislation; and ethics. The full Board of Regents meets monthly (except August) and since 1994 has held some meetings outside of Albany. The board has slowly become more diverse in its composition. The first woman Regent was appointed in 1927, the first Italian-American in 1948, the first African-American in 1966, the first Puerto Rican-American in 1975.



STATE EDUCATION DEPARTMENT

Legal Foundations of the Department and the University. The unification act of 1904 made the Commissioner the “executive officer” of the Regents. He was given the power to organize the Department and appoint deputies as needed, and to supervise elementary and secondary education (a 1910 law extended this responsibility to higher education as well). The Regents retained their existing authority, including the legislative power to adopt rules and regulations to implement the laws relating to the University. Commissioner Draper believed that “bodies legislate, individuals execute,” and under his strong leadership the University, in effect, became part of the Department. After Draper’s death in 1913, a rewriting of the Regents rules by Regent Pliny T. Sexton tended to make the University the primary administrative unit. However, the constitutional and statutory reorganization of state agencies in 1925-27 reestablished the Education Department as the administrative embodiment of the University of the State of New York. The Commissioner of Education is “president” of the University, that is, chief executive officer of the state’s education system. However, the Constitution and the Education Law make the Regents the “head” of the Department. The Board of Regents elects a chancellor, who presides over its meetings and appoints its committees. The Regents appoint the Commissioner, who is “chief administrative officer” of the Department. They also appoint an executive deputy commissioner and approve the Commissioner’s appointments of deputy, associate, and assistant commissioners; they may divide the department into divisions and bureaus, as recommended by the Commissioner.

The legal framework for education in New York is

established by the state Constitution and by statutes passed by the Legislature. However, state law vests in the Regents and the Commissioner important legal functions. The Regents act as a quasi-legislative body to implement state law and policy relating to education. Their early “instructions” to academies and colleges began to be printed for distribution in 1830 and were compiled periodically as the “University Manual.” Statutes relating to the Regents and institutions overseen by them were codified as the “University Law” in 1889. In a revision of the Regents rules in 1928, a clear distinction was made, for the first time, between those (general) rules and Commissioner’s regulations, which are administrative rules for executing and enforcing the Regents rules and the statutes relating to education. Since 1942 the Commissioner’s regulations have been published in book or loose-leaf format. The laws relating to education have been recodified only three times in the past century (1892-94, 1909-10, 1947), but the Education Law has been amended more often than any other title in the Consolidated Laws.

The sovereign authority to grant a charter of incorporation is ultimately vested in the Legislature. In 1784 the Legislature empowered the Regents to incorporate academies and colleges. This statutory authority was strengthened in 1853 and 1882, and extended in 1889 to libraries, museums, and other non-academic institutions of higher education. Since 1926 the Regents have also approved the incorporation, under general laws, of entities having an educational purpose. The Regents exercise a quasi-judicial function when they issue decisions and orders in professional discipline cases heard by the various professional boards.

The Commissioner of Education has the extraordinary power, not often employed, to issue an order withholding state aid or removing a school district officer or board, when there has been a wilful neglect of duty or violation of the law. The Commissioner regularly acts in a judicial capacity when he hears and decides appeals arising from official acts or decisions of school district meetings, boards, or officers. The Legislature first conferred this authority on the Superintendent of Common Schools in 1822, and the current statute dates essentially from 1864. The intent of the law is to provide a relatively simple administrative method of resolving disputes over fine points of school law, and relieve the courts of this business. During the nineteenth century appeals to the Superintendent often concerned issues such as school district boundaries, conduct of district meetings, and teacher contracts. Appeals could also involve civil rights. For example, in a number of cases the Superintendents of Common Schools, starting in 1837, barred sectarian religious exercises in public schools. Commissioner Draper in 1913 upheld the right of a woman to return to her teaching job after giving birth (the New York City Board of Education had charged her with "gross negligence by being absent to have a baby"). During recent years appeals to the Commissioner have typically concerned placement orders for children with disabilities, disciplinary proceedings against teachers or students, and irregular actions of school boards and district meetings.

The statute governing appeals originally declared that the decision was final and conclusive. However, the courts repeatedly held that this remarkable power was not unlimited, and that an appeal to the courts was possible if the decision was arbitrary or contrary to law. In 1976 the Legislature, displeased with several school integration decisions by Commissioner Nyquist, amended the law to explicitly permit appeals to the Appellate Division of the Supreme Court from Commissioner's decisions, under Article 78 of the Civil Practice Law and Rules. Decisions of the Commissioner have been published since 1913. The separate volumes of *Education Department Reports* commenced in 1962.

During the mid-nineteenth century the Deputy Superintendent of Public Instruction served as legal counsel. There was a staff attorney ("law clerk") after the 1880s. A law division was set up in the Education

Department in 1904. During the 1920s and '30s the Counsel generally served as Deputy Commissioner. The Counsel's office provides legal advice and services regarding Commissioner's regulations, orders, and appeals; Regents' actions and rules; and pending legislation, contracts, court proceedings, and Department operations.

Department Organization, Management, and Planning. The great monument to Commissioner Andrew S. Draper is the Education Building, completed in 1912, whose funding he secured. Draper organized the Department in ways that had a lasting impact. As established in 1904, the Department had three assistant commissioners, for elementary, secondary, and higher education. There were seven divisions—accounts, compulsory attendance, examinations, inspections, law, records, and statistics. (The Library and Museum and the professional boards reported to the assistant commissioner for higher education.) Despite its new organization and new building, the Department continued old practices developed during the later nineteenth century. Inspections and examinations were the means by which the Regents had strengthened their authority over secondary schools and higher education. The examinations division (established 1889) and the inspections division (1890) continued their work with little change. The Department became known for an authoritarian attitude toward the "field." Statistical reports and Regents examination papers received minute scrutiny in Albany. Department inspectors regularly visited high schools, libraries, colleges, and "special schools" serving Indians, juvenile delinquents, the retarded, and the insane. In 1911 the school inspectors were designated as specialists in academic subject areas, though they continued to visit and inspect high schools in assigned regions of the state. In 1915 most of the inspections division was merged into the examinations division, increasing further the already strong emphasis on high school programs. The Department had few experts on elementary education until the later 1930s, and the imbalance in favor of secondary education persisted into the 1950s.

The administration of Commissioner Frank P. Graves (1921-1940) may be termed the "golden age" of the State Education Department. It was an era of remarkable change in elementary and secondary education: state aid to rural and city school districts more

than doubled; thousands of rural school districts were consolidated and their one-room schools closed; standards for teacher education and certification were elevated; vocational education rapidly expanded; programs for special education and vocational rehabilitation for the handicapped initiated; and secondary education extended to the point where nearly half of students graduated from high school. However, the Department itself did not change as fast as the programs it oversaw. During the 1930s and '40s two major management studies of the Department pointed out systemic problems in its organization and operations. Some of the problems were resolved, others were not.

The Regents' Inquiry into the Character and Cost of Public Education (1935-38) was funded by a major grant from the General Education Board and chaired by Regent Owen D. Young, chief executive officer of General Electric. Numerous consultants collected data on public education programs outside New York City and also on Department operations. The Inquiry's major contributions were to endorse and promote the movement toward comprehensive education, and to effect a reorganization of the Department's management. In 1937 the Regents approved a new layer of managers—associate commissioners in charge of public instruction (administratively linking elementary and secondary education), higher and professional education, and finance and administration. Over the next few years services to schools were improved by establishing new divisions of elementary and secondary education, each with its own bureau of curriculum development; a separate examinations division; a single bureau for education of mentally and physically handicapped children; and bureaus for school district centralization, school business management, and pupil guidance. The Inquiry's consultants urged the Department to "reduce service and regulatory activities to a minimum, and eliminate dictatorial administrative policies completely, particularly in dealing with local educational problems." (In 1946 a review of the Regents' Inquiry's recommendations noted that the Department had "sincerely tried during the past ten or more years to break down its authoritarian attitudes and to approach the schools with helpful consultative services.") The Regents' Inquiry declared that "leadership based on research" should be the Department's aim. Accordingly the Department's research division

(established in 1928) was expanded. This research unit designed some important new programs, such as the BOCES in the late 1940s, and the regional library systems in the '50s. Until it was discontinued in the mid-1960s, the division also conducted general research on pupil performance and school administration.

Between 1947 and 1951 a Temporary Commission on Coordination of State Activities (Wicks Commission) made an exhaustive survey of the Department. The commission found some of the same serious operational inefficiencies identified by the Regents' Inquiry (for example, in the examinations division, the State Library's cataloging unit, and the Regents' then-numerous committees). These problems were eventually corrected, but the Department did not reduce the number of its major program areas from eleven to four, as the Wicks Commission urged. During the 1950s the Department's administration focused its attention on the challenges of growth—building schools and recruiting and paying teachers in an era of rapidly-rising enrollments.

The 1960s brought new organizational problems as a result of the Department's rapid expansion. A steady increase in federal aid, particularly under the National Defense Education Act of 1958, the Manpower Training Act of 1962, and the Elementary and Secondary Education Act of 1965, brought a near doubling of the Department's staff (1,989 in 1960, 3,847 in 1970). A ten-story annex to the Education Building was completed in 1960. The Department acquired additional space in the One Commerce Plaza ("Twin Towers") office building in 1970. (These facilities brought together Department staff formerly scattered in several locations around downtown Albany.) After a major reorganization in 1963, four new assistant commissioners reported to the associate commissioner for elementary, secondary, and continuing education. New associate commissioners were appointed for cultural education (1958), research and special studies (1961), and finance and management services (1964). Deputy commissioners began to be added to the administrative hierarchy in the late 1960s, eventually replacing the associate commissioners.

The first sign of fiscal stringency appeared in 1969, when the Governor's budget proposal recommended a five per cent cut for all agencies. The state's fiscal crisis

burgeoned in the mid-1970s; between 1975 and 1980 the Department's work force dropped by over one thousand positions, about 30 per cent. Since the early 1980s the Department has had between three and four thousand employees. The smaller Department has a simpler organizational structure, resembling that of the 1950s. With the growth in state appropriations slowing, more and more Department staff have been shifted to federal funding, which itself was jeopardized by the mid-1990s. During the period 1985-90 several significant Department programs—professional licensure and discipline, teacher certification, proprietary school supervision, tuition and maintenance for handicapped children in the Rome and Batavia state schools and state-supported private schools, records management services, and certain State Museum activities—began to be funded from special revenue accounts.

The Department's administrative and support functions such as personnel, payroll, accounting, auditing, public relations, printing, building and grounds were originally located in a division of accounts. It was renamed the division of administration in 1907, relieved of its fiscal responsibilities in 1921, and headed by an assistant commissioner after 1932. A separate public relations office was set up in 1948. Most Department employees were (and are) civil servants, tested and appointed under rules of the Civil Service Commission (established 1883). The Education Department, like other agencies, was responsible for setting its own rules on employee conduct, attendance, and leave. (The rules varied from agency to agency, causing much confusion.) The Legislature passed appropriation bills for salaries and other expenses. The state had no budgeting process until 1928, when the governor first presented an annual budget proposal to the Legislature. Department officials complained that salaries for many of its job titles were set lower than for the same titles in other agencies, or for jobs in urban schools and libraries. This situation was improved in 1937, when the Legislature enacted a revised, standardized title, grade, and salary structure for all state agencies.

The Depression years of the 1930s brought pay cuts for employees in higher salary grades, but no layoffs. The war years of the early 1940s saw many Department employees leave for military service. The later 1940s, and '50s were an era of slow but steady growth in most

areas of the Department. During the mid-1960s the Department of Civil Service delegated to the Department's Office of Business Management and Personnel, as it did to other agencies, new responsibilities for recruiting employees and developing examinations. During the 1960s it was difficult to fill all of the Department's many new professional positions; in some fiscal years the Department did not expend all of its personal service funds (much of which now came from federal aid). In 1967 the Public Employees' Fair Employment Act (Taylor Law) authorized public employees to organize unions to negotiate the terms and conditions of employment. The Civil Service Employees Association was formed to represent state workers. In 1979 the Public Employees Federation became the collective bargaining agent for professional, scientific, and technical employees formerly represented by CSEA.

Starting in 1904 a division (later bureau) of statistics manually collected and tabulated data on school district enrollments and finances, and used the data to calculate state aid. A bureau of apportionment processed claims for state aid (including, after 1925, transportation and building aid) and certified them to the Comptroller for payment from monies appropriated by the Legislature. The later 1920s brought massive increases in state aid to school districts, and a complex new system of equalizing and allocating that aid. The Department's fiscal and state aid operations were accordingly reorganized. A division of finance, including the accounting and auditing functions, had been set up in 1921. As a result of an outside audit done in 1928, a reorganized finance division was headed by a new assistant commissioner and included the bureaus of apportionment and statistics. The Division was also made responsible for preparing Department budget requests. The fiscal units remained stable for decades (the Wicks Commission report of 1951 found the apportionment bureau to be "efficient and well-administered").

The increasing complexity of education finance during and after the 1960s required major changes in state aid, budgeting, accounting, and auditing. Separate state and federal aid units were set up in 1965, with the influx of federal aid under the Elementary and Secondary Education Act. In 1966 the Department instituted a new accounting system (promoted by the governor and developed by an inter-agency group) for

budgeting, appropriating, and accounting of funds on the basis of programs as well as objects of expenditures. Heads of major program areas became responsible for managing their expenditures. A budget coordination unit was established in 1970. A cost-accounting system was developed by the end of the decade in order to charge federal funds for overhead services. After 1983 a centralized administrative audit unit for external programs was set up, including the audit function from the Office of Vocational Rehabilitation. In 1990 an internal audit section was created.

The Department has adopted management planning only in recent years. In 1966 Commissioner James E. Allen, Jr., initiated an agency-wide planning process, made urgent by the influx of new federal funds. A consultant analyzed customer and staff views, and the assistant commissioners compiled briefing books on their programs. No plan appeared, probably because of the New York City school decentralization crisis. During the 1980s the Department was required to report quarterly to the Budget Division key statistical indicators of agency activities (what use was made of the data is unclear). Major program planning started in 1984 in the Office of Cultural Education, using various processes and formats. VESID adopted an overall operational plan in 1990; significant planning and operational improvements have occurred in some other areas. Following a critical review by the Rockefeller Institute in 1995, newly-selected Commissioner Richard P. Mills committed the Department to developing an overall strategic plan to clarify the agency's mission and improve services to its many customers.

Automated office equipment—first mechanical, later electronic—has transformed the Department's work, both in support and program functions. A central stenographic and typing pool using mechanical equipment functioned from 1925 to about 1968. The Department's first central mail room, complete with postage meter, was opened in 1935. Dial telephones were installed in 1938. That same year the Department acquired IBM punch card and tabulating machines to produce school district statistical reports. Several other functions were automated during the 1940s and '50s. A division of electronic data processing was established in 1962, and two years later the Department acquired a General Electric 225 mainframe computer with 8 kilobytes of system memory (the present Unisys A16 has

201 megabytes). By 1972 electronic data processing was in use in the areas of state aid, school statistics, vocational rehabilitation, professional licensing, Regents scholarship exams, and the State Library. Personal computers arrived in the early 1980s. The State Education Department Network (SEDNET) now includes mainframe, mini- and micro-computers, file servers, terminals, and other devices connected by routers on a "backbone" of fiber-optic cable. By 1995 the Department offered several "homepage" access points on the Internet.

Paper forms and files remain voluminous. The Department has had its own printing facilities since 1921. The plant in the basement of the Education Building received modern offset equipment in the mid-1960s. Today the central printing plant in the Cultural Education Center produces Regents and other examinations and Department forms and publications, altogether several million items each year. Publications services and forms design are provided by Department staff.

Patriotic and Moral Education. At various times the Legislature has passed laws committing the Regents and the Department to programs in support of patriotism, morality, and/or religion. Quite noncontroversial are the laws requiring schools to display the American flag (1898), hold patriotic exercises (1918), and use a pledge of allegiance to the flag (1956). Other laws were or became very controversial. A 1917 statute required the dismissal of a public school employee committing treason or sedition. Another law passed during World War I directed the Commissioner to ban textbooks containing matter "disloyal" to the United States. A law briefly in force during the post-war "Red Scare" required that teacher certificates be issued only to those who could show they were "loyal and obedient" to the state and federal governments (the Regents unanimously opposed this legislation). A more lasting legacy of the Red Scare was state censorship of motion pictures, which began in 1921. The Regents were given this responsibility in 1926. The Department's motion picture division licensed all commercial films shown in the state and edited or rejected films found to be "indecent, inhuman, tending to incite to crime, immoral or tending to corrupt morals, or sacrilegious." This program ended in 1965, after the U.S. Supreme Court declared New York's film censorship violated the

constitutional guarantee of free speech and expression.

The 1930s, '40s, and early '50s, an era of competing political ideologies worldwide, brought recurring efforts to safeguard public education from perceived political threats from the left or right. After 1934 school teachers and administrators were required to take a loyalty oath. A 1939 law mandated the dismissal of any educator in a public school or college who advocated the violent overthrow of lawful government. This act was aimed at the New York City school system, where a communist faction had taken control of the small teachers' union in 1935. (The rival Teachers' Guild later became the United Federation of Teachers.) The Feinberg Law of 1949 declared that "subversives" had "infiltrated" the public schools; it required the Regents to list subversive organizations and adopt rules to enforce the 1917 and 1939 acts. The Regents established a procedure for reporting disloyal school employees and provided a modicum of due process for the accused persons. The Feinberg Law was upheld by the U.S. Supreme Court in 1952. Over the next few years several hundred New York City teachers who were former communists resigned or were dismissed, after they refused to implicate others. In 1956 Commissioner Allen issued an order in an appeal case, in effect permitting former (but not current) members of subversive organizations to hold professional jobs in the

public schools. During the 1960s New York's teacher loyalty acts of 1917 and 1939 were declared unconstitutional by the U.S. Supreme Court.

The "Blaine Amendment" to the state Constitution (1894) forbids use of public monies to support religious schools, except for the expenses of state "visitation and inspection." However, an amendment adopted in 1938 permits public support for transportation costs for pupils attending non-public schools. That same year the Board of Regents split its vote on the issue of "released time" for public school children to attend religious instruction and observance. During the 1950s the Regents countenanced the practice, and even approved a brief "non-denominational" prayer to be used in schools. The Constitutional Convention of 1967 proposed the repeal of the Blaine amendment, a proposal endorsed by the Board of Regents. (Largely because of this provision, the proposed Constitution was rejected by the voters.) In 1970 the Legislature authorized spending public monies for non-public (mostly religious) schools, for testing, reporting, pupil services, building maintenance, and some tuition costs for poor children. These provisions were declared to violate the constitutional separation of church and state, but the courts upheld a more limited act which authorized reimbursement of the actual cost of tests and reports required by the state.



SCHOOL DISTRICT ORGANIZATION AND STATE AID

The Free Common School System. Almost yearly after 1784, the Regents and the Governor urged the Legislature to establish and endow a system of common schools. The response was a 1795 law which authorized spending 20,000 pounds annually for five years to support schools; the state aid was augmented by a local tax. About 1500 existing neighborhood schools received money from the state. The Legislature ended the program in 1800 and designated the proceeds of a statewide lottery to assist the common schools. (Lotteries were made illegal in 1822 and were made legal in 1966; again the proceeds were designated for support of education!)

In 1805 the Legislature set up a fund for the support of the common schools, allocating to the fund the proceeds from state land sales and other assets. In 1812 a landmark law established a statewide system of common school districts and authorized distribution of interest from the Common School Fund. Town and city officials were directed to lay out the districts; the voters in each district elected trustees to operate the school. State aid was distributed to those districts holding school at least three months a year, according to population aged 5-15. Revenue from the town/county property tax was used to match the state school aid. While the 1812 act authorized local authorities to establish common school districts, an 1814 amendment required them to do so. After 1814, if the cost of instruction exceeded the total of state aid plus local tax, as it generally did, the difference was made up by charging tuition, or "rates," itemized on "rate bills." By mid-century New York had over ten thousand common school districts. The typical district had a one- or two-

room schoolhouse where children learned reading, writing, spelling, arithmetic, and geography. The 1812 common school act shaped the future of public education in New York by establishing that 1) common schools are a state function under state control; 2) funding of public schools is a joint state-local responsibility; 3) the school district—not the county or the town—is the primary administrative unit for public education.

Rate bills kept many poor children out of school, and for years concerned teachers and parents lobbied for free common schools. An 1849 statute provided for a combination of state and local funding for tuition-free common schools, if the voters approved; and voters endorsed the free school law in two successive statewide referenda. The Court of Appeals then declared the extraordinary referenda to be illegal. In 1851 the Legislature repealed the free school law, but instituted a statewide property tax for schools to augment revenues from rate bills, the Common School Fund, and local property tax levies. (The 1849 law had given school districts the power to levy property taxes for instructional expenses, not just for school construction; this authority was continued.) Superintendent of Public Instruction Victor M. Rice now led the battle for free schools, and victory was finally achieved in 1867. The guarantee of a free primary and secondary education was embodied in the state Constitution in 1894: "The Legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this State may be educated."

Origins of the High Schools. Beyond the "3 R's" (readin', 'ritin', 'rithmetic) offered by the common

schools, more advanced instruction was available in private high schools known as “academies” or “seminaries.” The Regents monitored these schools and provided them modest amounts of aid from the Literature Fund. After 1827 aid was designated for students in all academic courses, not just Latin and Greek, thereby encouraging academies to broaden their programs beyond that of the classical grammar school. By the 1850s about 165 academies around the state provided secondary education (very few youths went on to college). However, the modern high school developed not from the academies, but from free public high schools in consolidated school districts. By the 1840s the small common school districts were obviously inadequate for growing urban areas. Ward or district schools within cities were unified by special statutes into city-wide districts. Several of the larger villages were empowered to set up “union” school districts.

In 1853 a general law authorized one or more common districts to form a union free school district. This law and the special laws for city school systems permitted the new districts to establish “academic departments,” or high schools, which were to be overseen by both the Regents and the Superintendent of Public Instruction. Boards of education managed the property and finances of the city and union free districts, and hired superintendents to administer systems with several schools. Budgets were approved by the municipal board in a city or village; elsewhere, by the district voters. The Legislature abolished rate bills in union free districts in 1864. The private academies could not compete with free high schools, and most soon merged with the union districts or simply closed down. The Regents at first doubted the need for public high schools, but later they promoted them by providing aid from the Literature Fund. In 1890 they hired full-time inspectors to visit and inspect high schools throughout the state. During that decade the Secretary to the Regents, Melvil Dewey, coordinated a successful drive to organize more high schools in rural areas, with the inducement of additional state aid. (Most of the union free districts later became the nuclei of central school districts.) High school enrollments would expand greatly during the 1920s and ‘30s, leading the Department to promote the comprehensive high school.

School Aid Quota System. Between 1812 and 1851 state aid to schools came from two dedicated revenue

sources, the Common School Fund (for common schools) and the Literature Fund (for academies). The funds’ return did not keep pace with the needs of the schools, and between 1851 and 1901 a modest statewide real property tax provided additional revenue for school aid. After 1901 almost all state aid to school districts came from the state’s general fund, until the lottery fund was set up in 1966. Starting in the 1860s more and more state aid was allocated by an increasingly complex system of “quotas,” fixed amounts of money regardless of district size or wealth. There were quotas for teachers (1864), city superintendents (1864), high schools (1887, 1895), village superintendents (1889), non-resident high school pupils (1903), vocational teachers (1908), agriculture teachers (1917), etc. By 1929 there were forty different quotas, including those for the new central school districts. After quotas were figured, the rest of a district’s aid was calculated according to its school-age population and average daily attendance (the sole factor after 1894). ADA was abandoned as an aid factor in 1902 (it was reintroduced in 1925), and for the first time an equalizing formula was adopted—a district quota on a sliding scale of \$125-\$200, depending on assessed valuation.

The general expansion of city and village school facilities and programs in the later nineteenth and early twentieth centuries was financed mainly by local taxes. Between 1870 and 1900 total state aid increased about 50 per cent, while local school taxes increased by 240 per cent, in an era of gradual currency deflation and rapid growth in urban population and wealth. The increasing power and prestige of the state’s public education system was achieved *not* by increasing state aid, but by raising and enforcing educational standards, most notably through the famed Regents examinations.

Fiscal Crisis of the 1920s; Rural School Centralization. One large segment of the public school system was in deep trouble. Most of the rural schools had declining enrollments and tax bases. For decades state school officials had called for consolidation of small country districts. In 1917 the Legislature abolished all the thousands of common school districts and formed them into “township units.” Because there was no equalizing formula, school taxes shot up, taxpayers protested, and a year later the township system was abandoned. How-

ever, wartime inflation and the post-war agricultural depression caused a crisis in school finance. The quota system of state aid could not respond to rapid inflation and deflation, and it did little to help poor districts. The rich city districts were constrained by the constitutional limit on municipal indebtedness. During the 1920s several major studies of school finance (by the Friedsam Commission and other groups) concluded that state aid must be increased, and must be equalized to relieve poor districts and provide equal educational opportunity.

The Governor and the Legislature resolved the crisis. During the 1920s state aid to public schools increased dramatically, from under 10 per cent to about 27 per cent of total costs. (In the 1990s it is about 38 per cent.) The old quota system was mostly abandoned in 1930. The Cole-Rice Law of 1925 established equalization aid to bring per pupil expenditures up to minimum statewide standards (initially \$44 for an elementary pupil, \$73 for secondary). As recommended by the Friedsam Commission, legislation in the later 1920s provided even more state aid for both urban and rural districts. While the new aid formula still favored rich districts willing to pay for better schools, it governed the allocation of state aid until 1962, when a revised formula took effect. After 1945 secondary school aid was given for pupils in grades 7-8, encouraging the organization of junior high schools (promoted by the Department since the 1920s and registered starting 1925).

The Cole-Rice Law also provided financial incentives for the formation of "central rural school districts," first authorized by a 1914 statute. The generous 50 per cent transportation aid and 25 per cent building aid prompted a steady growth in the number of centralizations, especially during the economic depression of the 1930s. The Department's bureau of rural education worked with the District Superintendents to promote centralization of rural schools. The Regents' Inquiry into the Character and Cost of Public Education (1935-38) criticized the Department's piecemeal approach and the small size of many central schools. In response, centralization procedures were improved, and a Temporary State Commission on the State Education System (Rapp-Coudert Commission, 1941-47) developed a "master plan" for school consolidation (1947, updated 1958). Statutes passed in the 1950s permitted consoli-

dation of common school districts with smaller city districts, and by the 1960s centralization was essentially complete. (A number of union free districts in suburban areas continue to operate schools.)

Boards of Cooperative Educational Services (BOCES). During the 1930s educators envisioned a comprehensive high school that would educate all children for work and life in a democracy. However, most central schools were not big enough to offer a full array of academic and vocational courses. In 1944 a Council on Rural Education, funded by farm organizations, recommended a "new type of rural supervisory district," responsible to school districts and responsive to needs of rural people. The result was the intermediate district law of 1948. No such districts were ever formed. The act provided for temporary boards of cooperative educational services (now called BOCES), which the Department hoped would "get people working together across district lines" and provide shared educational services in rural areas.

Nearly half a century later, the thirty-eight BOCES are major educational enterprises in their own right. A BOCES is formed by the Commissioner at the request of the school boards in one or more supervisory districts. The BOCES is headed by the district superintendent; school board representatives collectively elect BOCES members and approve the BOCES budget; and the Education Department approves BOCES service contracts. Concern that this structure insulates a BOCES from public scrutiny prompted legislation requiring the Commissioner, starting 1996, to submit an annual report to the Governor and the Legislature on BOCES finances and pupil performance. In the early years the typical BOCES service was travelling teachers for specialized subjects. After 1967 BOCES were authorized to own and operate their own facilities, and BOCES now offer vocational and special education programs as well as many administrative services for member districts.

New York City and Other City School Districts. The New York City public school system began to take shape under private control. In 1805 a group of Quakers and civic leaders organized and endowed the Free School Society to educate children not served by private academies or charity schools. After 1825 the renamed Public School Society received all the city's state school aid.

It built up a system of "monitorial" schools which employed the regimented methods of instruction devised by Joseph Lancaster in England. Catholics protested the Society's Protestant leanings, and in 1842 the Legislature established a parallel system of publicly-operated schools for New York City, to be governed by ward trustees and overseen by a city board of education. The city system absorbed the Public School Society facilities in 1853. A large Catholic school system developed in the later nineteenth century. By the 1920s about ten per cent of the state's school-age population attended private academies, most of them urban Catholic schools.

After consolidation of the City of Greater New York (1898), the city rapidly established a public high school system throughout the five boroughs. For a few years each borough had its own appointive school board, and there was also a city-wide board of education. The revised city charter of 1902 established a single school board appointed by the mayor. The powers of the New York City superintendent of schools were considerably increased by the general city school law passed in 1917. However, the Board of Estimate and the City Council retained many fiscal controls over the schools. About thirty assistant or field superintendents oversaw operations of the city schools, and there were advisory local school boards. Studies of the New York City school system by the State Education Department (1933) and the Rapp-Coudert Commission (1944) found massive administrative inefficiencies, and no great improvement occurred in following decades. After the New York City school decentralization crisis of 1967-68, the Legislature established some new players: in place of the superintendent, a strong chancellor of the city school system; new community school districts, now thirty-three in number, whose elected boards and appointed superintendents have substantial authority over their public schools (except for the high schools); and an interim city school board, later made permanent. Since 1969 New York City school board members have been appointed by the Mayor and the borough presidents.

The 1917 city school law repealed hundreds of obsolete statutes relating to city school districts and established a uniform system of school administration in city districts statewide. As permitted by a 1949 constitutional amendment, statutes passed in 1950 and 1952 gave

smaller city school districts (under 125 thousand population) fiscal and political autonomy from municipal government. The smaller city districts became fiscally "independent," having their own taxing power, like the central and union free districts. However, the five largest cities (over 125 thousand population, i.e., New York, Yonkers, Syracuse, Rochester, Buffalo) continue to be "dependent" school districts; their budgets are part of the regular city budgets, and city and school taxes are levied together. School budgets in city districts have been adopted without voter approval, though public budget hearings are held. Legislation passed in 1996 authorizes smaller city districts to hold votes on school budgets.

State Aid Since the 1960s. The national movement for school finance reform has touched, but not yet transformed, the state school aid system in New York. As recommended by the Diefendorf Commission, a new state aid formula was enacted in 1962, providing relatively more aid for less wealthy school districts, with a roughly even split between state and local financing for schools statewide. Aid was to be given in four main expenditure categories: operations, buildings, transportation, and size correction. The equalizing effect of the Diefendorf formula was diminished by new special aids for disadvantaged and disabled students, and by minimum aid levels for all districts, including "save-harmless" provisions guaranteeing stable aid in case of declining enrollments or increasing property values.

The Fleischmann Commission of 1969-72 criticized New York's inequitable school finance system and called for a complete state takeover of financing of public schools, to be supported by a statewide real property tax. A revised, interim state aid formula was enacted in 1974; it added a second tier of compensatory aid for under-performing and handicapped students. In 1978 the Supreme Court declared, in the *Levittown v. Nyquist* case, that New York's entire school finance system was unconstitutional because it did not afford pupils equal protection under the law. The Court of Appeals reversed this decision in 1982, deferring to the Legislature's responsibility to finance public education. The highly complex state aid system has continued basically the same since, despite several studies and numerous technical changes. General aid to school districts is calculated using "resident weighted average daily attendance" (RWADA), an equalizing aid

ratio, and a district growth index. There is also state aid for pupil transportation and for capital construction and debt service; generous incentive aid for school district consolidation; excess cost aid for pupils with handicapping conditions (1976, 1980); supplemental school aid to districts having low personal income (1980); aid for pupils with compensatory needs (1974) or limited English proficiency (1982); and various other aids for specific programs.

Administering general and special state aid to schools (currently about \$10 billion a year) is a critical Department function. Separate teams administer general state aid and categorical aid to schools. Automation has transformed the complex tasks of maintaining

school statistics and calculating aid. The Basic Educational Data System (BEDS), developed during the mid-1960s, produces fiscal, enrollment, program, and personnel reports for both public and private elementary and secondary schools. The System to Account for Children (STAC), developed in 1983-85, is used to allocate special aid to school districts, state agencies, and counties for educating children who are disabled, in an institution, or homeless. Since 1989 the Regents have been required by law to submit to the Legislature an annual statistical report on the condition of the state's education system—including a statewide profile and statistics on individual school districts, using data from BEDS and other sources.

IV ELEMENTARY, MIDDLE, SECONDARY, AND CONTINUING EDUCATION

General Supervision of Schools. State law has always provided for oversight of public schools. Between 1795 and 1856 elected town commissioners or superintendents of schools licensed teachers, distributed state aid, and compiled statistical reports. Locally-appointed County Superintendents of Schools oversaw the common school districts from 1841 to 1847. Their reports to Albany deplored the poor condition of the country schools. (A survey in 1842 found that most of them lacked outhouses and playgrounds.) An 1856 law abolished town-level supervision of common schools and established the elective office of Commissioner of Schools (one in each Assembly district, later one or more in each county). These School Commissioners had general authority over public education outside of cities and larger villages. They visited schools, examined and certified teachers, organized teachers' institutes, and established or altered school district boundaries. The School Commissioners were the local agents of and reported to the Superintendent of Public Instruction. An 1880 law permitted women to serve as School Commissioner, and a few did. While some of the School Commissioners were political hacks, many had teaching experience and worked hard at their jobs.

At the urging of farm groups, the office of School Commissioner was replaced in 1912 with the District Superintendent of Schools, appointed locally but paid by and responsible to the Commissioner of Education. Before 1942 the District Superintendents served five-year, renewable terms; since then their terms have been indefinite. There were originally 207 District Superintendencies statewide; today there are 38. The duty of the District Superintendents, as Commissioner

Draper wrote in 1912, was not "visitation" of the rural schools but rather "intelligent supervision." Between the 1920s and the 1950s the Superintendents were the Department's local agents in the intensive campaign to centralize rural schools. The Department continues to supervise occasional consolidations (and also, since 1945, annexations) of smaller central school districts; the Commissioner issues the order laying out the new district, prior to the final vote. In recent decades the District Superintendents have served as administrators of Boards of Cooperative Educational Services (BOCES), and have also continued to represent the Commissioner.

School districts in cities and the larger villages have had their own superintendents since the mid-nineteenth century and were never under the jurisdiction of the School Commissioners or District Superintendents. Schools under city and village superintendents had considerable autonomy. In 1921-22 the Board of Regents made Regents exams optional in those schools, providing that they used tests of the College Entrance Examination Board or local exams approved by the Department. In later years many urban high schools prided themselves on giving exams that were more challenging than the Regents exams. City school superintendents, principals, and teachers were active in the Department's curriculum planning. However, Department inspectors spent almost all their time in the field visiting the smaller high schools or, by the 1920s, speaking at conferences of administrators and teachers. The Department's "hands-off" policy toward the city schools would change dramatically during the 1960s.

The Department's school "inspectors" were retitled "supervisors" in 1926, and by the 1930s consultative services to schools were being emphasized. Starting 1931 the finance division provided advice on accounting, auditing, and budgeting to newly-organized central rural school districts. By the end of the decade this service was offered to all districts, and new uniform accounting forms were adopted. The Department continues to provide various business services (including management studies) to school districts and the BOCES. The Department also reviews and approves plans for school construction so that they meet all local, state, and federal code requirements. The School Commissioners began approving school building projects in union free districts in 1864. This responsibility was given to the Commissioner in 1904. The function was first carried out in the Department's old inspections division, in a separate division after 1915. School construction reached new peaks during the mid- and later 1930s, because of district centralization and federal Depression aid, and again during the 1950s and early '60s, because of the post-war "baby boom." School building standards were completely revised in the early 1950s, giving schools the "long, low" look they now display. The Department's school facilities unit also has general responsibility for the health, safety, and accessibility of schools statewide.

Transporting rural children to school became possible with the coming of automobiles, paved roads, and snow plows. Transportation of students in union free and central districts was required by a 1925 statute. A much disliked, often challenged 1930 law mandated common districts to pay half the cost of transporting their high school pupils. After 1929 District Superintendents approved the terms of transportation contracts, and the Department checked and filed them. Since 1942 the Department has formally approved bids for transportation contracts, reviewed school bus routes, and established standards for drivers and vehicles. Today, in all but the largest cities, school districts provide or contract for transportation of pupils if they live at a distance from their school.

Since the 1920s the state, not the federal government, has been legally responsible for education of Indians in New York. State support began in 1846, when the Legislature appropriated money to help build reservation schools. After 1864 these schools got

regular state aid. Since 1954 adjoining central school districts have taught reservation students on contract with the Department. In the late 1930s the Department began encouraging (rather than discouraging) the teaching of aboriginal languages and culture. A Native American education unit was set up in 1972.

Universal School Attendance. Attendance figures were used to calculate all or part of Regents' aid to private academies starting in 1847. The advent of free public education in the 1860s provided the opportunity to promote, or to compel, regular attendance in the public schools. Decades passed before success was achieved. Average daily attendance was used to compute part of general school aid starting 1866, in the hope of encouraging attendance. An 1874 law required most children to attend school at least 70 days a year, but there was little means of enforcing this law. Growing public concern about child labor in factories and sweatshops helped persuade the Legislature to pass a strong compulsory attendance law in 1894. The law required children aged 8-12 to attend the full school year of 130 days; employed children aged 13-14 had to attend at least 80 days. The school year was increased to 160 days in 1896, 180 days in 1913, and has not changed since. The official school-leaving age was increased to 15 in 1916, 16 in 1936, and the end of the school year in which a person turns 16, in 1994. The 1894 attendance law required city and village districts to appoint truant officers, who could and did arrest truant pupils (over 25,000 arrests in 1903-04). To assist the truant officers, a biennial school census in the larger cities and villages was mandated in 1895; an annual census was required in all other districts with more than eight teachers starting in 1909. The Department's compulsory attendance division received monthly attendance data from every district (except cities) and could withhold state aid from districts with poor records. By the 1920s the Department stopped trying to coerce regular attendance. It now emphasized the child's right to an education and urged schools to cooperate with social workers and the courts. The old attendance and child accounting division was dismantled in 1937, and attendance and census functions were grouped with other school administrative services.

Since the 1920s the Department has promoted early childhood education. A five-year project funded by the

Laura Spelman Rockefeller Foundation reported in 1933 that “the time has come for the integration of the primary school, kindergarten and nursery school into one comprehensive program for young children.” A new bureau of child development and parent education organized modest-sized programs of care for pre-school children of poor families during the Depression and World War II. The emergency Federal aid for these programs was not continued. Kindergartens dated from the 1880s and were common in city school systems by the 1920s, but state aid for them was not authorized until 1942. The vision of widened services to young children persisted. In 1966 new legislative funding permitted some districts to begin pre-kindergarten programs for children from poor households. This state-funded program (separate from federally-supported day child care) continues successfully to the present.

Regents Examinations and Curricula. From the beginning the Regents tried to maintain high standards in secondary schools. Grants from the Literature Fund were intended to support academic instruction. In 1817 and again in 1828 the Regents specified the texts or subjects that academies must teach to qualify for aid. Aid was restricted to those students who had passed local entrance examinations in the “common branch” subjects of reading, writing, grammar, arithmetic, and geography. Unfortunately, many academies lowered their standards in order to attract students and get state aid. Free high schools in the large cities experimented with uniform examinations. In 1864 the Regents, encouraged by Chancellor John V. S. L. Pruyn, decided to require public examinations of all students who sought admission to academies and high schools. A year later the Regents distributed the first “preliminary” examinations.

Colleges were calling for higher standards in secondary schools, and an 1877 statute authorized the Regents to give “academic” examinations as a standard for high school graduation and college admission. The Regents exams were quickly adopted because they embodied high scholastic standards, and because academies and high schools had to use them to qualify for aid from the Literature Fund. Strict security measures—including the famous sealed envelopes and locked boxes—were in place by 1890. At their high point, in 1925, Regents high school exams were given

in 68 different subjects. For many decades all higher-level Regents exams were rated, and diplomas issued, in Albany.

The Regents exams were (and are) unique in the nation. The Department was proud of studies done in the 1920s and ‘30s which indicated that high scores on the exams were good predictors of success in college. However, steps were taken to reduce the complexity and expense of the exam system. After 1906 Regents exams were not offered in first- and second-year language courses. In 1927 one third of the high school exams were discontinued. The Department even proposed eliminating the preliminary exams, given in the seventh and eighth grades. Many school administrators objected to the proposal, and the preliminary exams continued to be offered until 1959. The Regents in 1937 approved the proposal of the State Examinations Board and the Department for comprehensive Regents examinations. The first of these were given in foreign languages, followed by English (1951). Consolidation of Regents exams approached its practical limit by the end of the 1960s. The Board of Regents in 1972 accepted, with some dissents, the Commissioner’s recommendation to continue the Regents high school exams and the Regents diploma, pending the development of alternative student assessment programs. In 1996 the Regents designated the exams as the general testing standard for high school graduation, and the less demanding high school competency exams (given since 1978) were scheduled to be discontinued.

The Regents exams were accompanied by curricula, outlined in published syllabi and teacher’s guides. The first Regents high school syllabus was issued in 1880. After a decade of experimentation, the program of Regents exams, certificates, and diplomas was stabilized in 1890. Semi-official course outlines for elementary schools were first prepared by School Commissioners during the 1880s; the Department of Public Instruction issued an official version in 1896. Revised, expanded syllabi for elementary and secondary education followed every few years, with a trend toward integrated course sequences in particular subject areas. After 1910 separate syllabi were issued for each subject. The early curricula emphasized learning and reciting of facts, lots of them, with the aim of instilling “mental discipline” (if nothing else). A significant acknowledgment of the value of learning from experience was the insti-

tution in 1905 of formal laboratory work in high school science courses.

Recommended curricula and teaching methods changed dramatically after the 1920s, as part of the nationwide movement to fit education to the child's social and intellectual development. The new approach was proposed by the assistant commissioner for elementary education and the association of school superintendents in 1927, and outlined in the Department's "Cardinal Objectives of Elementary Education," issued in 1929. The unit-organized, activity-centered teaching methods recommended by the "Cardinal Objectives" were widely adopted by schools during the 1930s. A new manual for rural school teachers (1933) was the Department's first major guide to what was termed "progressive education." In 1940-41 the Department reviewed and applauded the results of a six-year experimental "child-centered" curriculum in selected New York City elementary schools. The "social studies"—an amalgam of history, geography, civics, and economics—were given a central place in a new secondary school curriculum approved by the Regents in 1934. Unified syllabi for the social studies were completed by the mid-1940s. An outline for secondary school social studies praised the "democratic way of life" and aimed to prepare young people for harmonious participation in the society and economy in which they found themselves.

After World War II the Department's curriculum and teaching experts emphasized conceptual understanding and the tools and skills of learning. However, political and intellectual trends also renewed educators' interest in curriculum subject matter. Social studies tended to stress citizenship education in the 1940s and '50s, international affairs in the 1960s and '70s, and multiple cultural perspectives in the 1980s and '90s. During the 1960s the Department ran a center for international programs to help educators understand non-western cultures. The secondary school science curriculum was revised in the late 1940s, after a generation of relative neglect. The first science syllabus for the elementary grades had been issued in 1931, and teaching of science on that level was finally mandated in 1958, because of public concern over Soviet successes in space technology. Revised biology syllabi incorporated new knowledge in genetics and ecology; physics syllabi took account of discoveries in the sub-atomic

realm. By the 1950s algebra, geometry, and trigonometry were being merged into integrated mathematics courses. In the 1960s "new math" came and went. Around 1970 some special projects attempted "the humanization of the curriculum and the school as a whole," stressing social and environmental problems. Summer schools for the arts, established in 1976, gave instruction to students with special talents in music, drama, dance, and art.

Today the Department issues a catalog listing nearly three hundred curriculum publications, almost all of them produced or revised since the Regents Action Plan to Improve Elementary and Secondary Education was adopted in 1984. The State Examinations Board (first organized in 1906) appoints committees of teachers to prepare questions for Regents exams and to advise on development of syllabi. Curriculum development is a multi-step process involving needs assessment, project planning, research and drafting, and field review and testing. Curricula are implemented with the help of a network of advisers, set up in 1985.

Challenges of Urban Education. Huge numbers of newcomers from the countryside and from abroad crowded into New York's cities between the 1820s and the 1920s. During that century, economic and social conditions increasingly favored the cause of mass elementary education—basic literacy and numeracy. Though the gap between rich and poor was increasing, cities over the long term grew in size and overall wealth. They could and did tax themselves to build and staff public schools, even though those schools were often overcrowded. Family ties were strong, though many families were broken up—by death, seldom by divorce. Schools, churches, synagogues, fraternal lodges, union halls, and neighborhoods offered family-like social bonds that promoted, rather successfully, positive codes of behavior. The crime rate steadily declined (from the 1860s through the 1940s), increasing safety and security for the young.

Since the 1940s urban education has faced increasingly serious obstacles. The cities have lost population and wealth, relative to the inner and outer suburbs. The general increase in personal wealth has stalled since the 1970s, and New York is losing its economic preeminence in the United States. Urban crime rates climbed sharply from the 1950s through the '80s,

endangering public safety. Family ties and private social networks appeared to be somewhat weaker everywhere, not just in the inner cities. Yet the schools and colleges are expected to teach the young much more, for more years, than ever before, to supply skilled workers for a highly competitive labor market. And the cities and schools of New York have received a large influx of new immigrants from the American South, from Puerto Rico, and from many other countries. The children of those newcomers need to be educated to become productive, responsible citizens—a task for both the school and the community.

Racial separation had long been present in New York's public school system. Schools for African-Americans had existed in a few places since the eighteenth century, and such schools were specifically authorized by statutes passed in 1841 and 1864. A couple dozen communities operated "colored" schools during the middle decades of the nineteenth century. Laws of 1873 and 1900 (passed at the urging of blacks) forbade discrimination in access to schools on account of race. However, state courts held in 1883 and 1900 that the separate schools for "colored children" were constitutional if they provided facilities equal to those for whites. The statute permitting separate schools for blacks was repealed in 1938. In 1944 Commissioner George D. Stoddard ordered the closing of the state's last all-black school, in Rockland County.

From a small presence in the later nineteenth century, New York's City's African-American population increased steadily during and after the two World Wars. The black population also grew in Rochester, Buffalo, and other larger cities. The 1954 Supreme Court decision in *Brown v. Board of Education* established a constitutional principle that racially segregated schools are inherently unequal. Commissioners James E. Allen, Jr., and Ewald B. Nyquist led the Regents and the Department in a twenty-year long campaign to desegregate and integrate New York's urban school systems. In 1957 the Department set up a division of intercultural relations to administer New York's anti-discrimination legislation (the Educational Practices Act of 1948) and to help school districts achieve "racial balance." A Regents' policy statement of 1960 condemned racial segregation in the public schools and praised "equal educational opportunity." A statewide survey counted 307 elementary schools in New York City (59 outside

the city) in which the enrollment was over half Negroes. A Commissioner's advisory committee recommended integrating schools across entire districts, without regard to neighborhood boundaries.

In June 1963 Commissioner Allen directed every school district to report its policy and plan for eliminating racial imbalance. When progress was unsatisfactory in several New York City suburban districts and the Buffalo district, the Commissioner ordered them to implement plans for school desegregation; the courts upheld his authority to issue these orders. By 1968 twenty-two districts had programs to achieve racial balance. However, in 1969 the increasingly skeptical Legislature barred the assignment of pupils to particular schools "for the purpose of achieving equality in attendance . . . of persons of one or more particular races," without the approval of the local board of education. During the early 1970s Commissioner Nyquist ordered several more urban districts to desegregate their schools. The Department reviewed applications for federal grants to overcome "minority group isolation." Staff also assisted Buffalo in desegregating its schools, under a federal court order issued in 1976. However, after more than a decade of effort and controversy, school desegregation had not produced any definite overall improvements in pupil performance in inner-city schools.

In 1968-69 public and Department attention largely focused on the demands for "community control" of New York City schools. In 1964 Commissioner Allen had recommended a "4-4-4" plan for New York City's public schools, with integrated middle schools and new comprehensive high schools in campus-like settings. The city was very slow to implement this plan. In 1967, three experimental community school districts were set up in New York City, with support from the Ford Foundation. In the Ocean Hill-Brownsville district an extralegal local board of education became engaged in a bitter controversy with the United Federation of Teachers regarding teacher transfers. Three city-wide teachers' strikes occurred in the fall of 1967, and Commissioner Allen worked with the city authorities to bring the union to an agreement that protected teachers' rights and temporarily turned the Brownsville district over to a state-appointed trustee. In 1968 the Legislature passed a compromise New York City school decentralization law which abolished the temporary districts;

provided for permanent community school districts to run elementary and middle schools; replaced the city school superintendent with a chancellor having increased powers; and continued a city-wide board of education.

Commissioner Ewald B. Nyquist shared Allen's commitment to mandatory school desegregation. At first a majority of the Regents were willing to support him, though they much preferred voluntary integration. However, by the early 1970s the political climate for education was definitely changing. The Taylor Law (1967) permitted both school teachers and state workers to unionize. The New York State Teachers Association merged with the United Federation of Teachers to form the powerful New York State United Teachers (1972). Legislative redistricting enabled the Democrats to take control of the Assembly in 1975, and for the first time in generations that party had the deciding vote in the election of new Regents. (The Board had been strongly Republican.) Legislative and Budget staff became increasingly involved in negotiating state aid for schools, and the Governor and the leaders of the Senate and Assembly made the crucial budget decisions. The old Education Conference Board, consisting of the School Boards Association, Council of School Administrators, New York State Teachers Association, and other groups, lost the influence it had wielded since the 1930s.

By the mid-1970s the Regents and the Department were under intense political and fiscal scrutiny. In 1973 the Governor made a controversial proposal for an independent "inspector general" to oversee the public education system. He did establish an Office of Education Performance Review (abolished by a new administration in 1975). A majority of the Legislature disliked mandatory busing of children to accomplish school integration. In 1974 the Legislature reduced Regents' terms of office, with the avowed aim of replacing pro-busing incumbents. The internal balance of the Regents changed, and in 1976 a majority of the board voted to dismiss the Commissioner, the first time this had ever occurred. However, new state and federal programs to assist disadvantaged children were by now well established; the emphasis of education policy had shifted from "equal opportunity" to "equal outcome."

Experimental state programs for urban education in

the early 1960s included Project ABLE, helping school staffs to identify and assist talented minority students; and the School to Employment Program (STEP), combining work and school for potential high school dropouts. The Department's concern for the cities was emphasized in the Regents' policy and plan for urban education, adopted in 1967. A center on innovation in education, supported by federal money, promoted educational programs to achieve integration and educational opportunity regardless of race or class. An ambitious Urban Aid program was authorized by the Legislature in 1968 to "revitalize" city school systems, through programs of special instruction and community involvement. Urban aid for special projects was based on numbers of pupils with low reading scores or from poor families. This aid supplemented the fast-growing federal aid for educationally disadvantaged pupils, under the Elementary and Secondary Education Act of 1965. Urban Aid was replaced in 1974 by aid for pupils with special educational needs (PSEN). PSEN aid was based on the number of students with low scores on reading and math tests, and was available to any district, urban, suburban, or rural. The Department was required to report to the Legislature on the impact of compensatory education programs. Auditors severely criticized some aspects of state and local administration of PSEN aid, but PSEN aid did target and reach schools with under-performing students. PSEN aid was later administered jointly with Federal aid under ESEA Title I, and eventually was replaced by aid for pupils with compensatory educational needs (PCEN).

Statewide Standards for Students and Schools. For decades the Regents syllabi and examinations were the means by which the Department set standards for secondary schools and assessed pupil achievement. However, a parallel, non-Regents secondary school program emerged. Starting 1906 high schools were authorized to issue a local diploma to students who had not taken and passed Regents exams. After 1922 high schools in city and village superintendencies could substitute other tests for the Regents exams. The first Regents rules setting basic and elective courses of study in secondary schools (grades 7-12) were adopted in 1934. (English, social studies, health, and physical education were the only courses required of all students.) Minimum course requirements for the local high school

diploma were somewhat strengthened in 1947. During the 1950s and '60s integrated course sequences for grades K-12, the first ever, were developed.

Interest in new statewide pupil assessment tools grew during the 1920s and '30s, and in 1940 the Department began to issue standardized reading and math progress tests for general use in the middle and upper grades. Schools also employed national standardized tests. Falling student test scores became a statewide concern by the later 1960s and '70s. New state tests measured the extent of the problem and helped set minimum standards. Federal aid (ESEA Title I) enabled the Department to develop Pupil Evaluation Program (PEP) tests to measure reading, writing, and math skills in grades 3, 6, and 9, starting in 1965-66. After 1978 new basic competency tests in reading, writing, and math were given to all high school students, and passage of the tests became the minimum standard for the local high school diploma in 1979-81. (Critics asserted that the tests were either too hard, or too easy.)

The Department also increased its oversight of schools. Since 1955 there had been a program to review and re-register new secondary schools after their initial registration. In 1975 this process was extended to older, permanently-registered high schools, and all high schools were to be visited twice every ten years. In 1961 the Department started a cooperative, voluntary review service to assess a district's educational program and remedy deficiencies (New York City was the first district to be reviewed). The Department had an increased presence in New York City's new community school districts, established in 1968. Urban aid programs of the early 1970s were coordinated by an office of urban school services. In 1970 the Department established a unit to visit and assist private and parochial schools, which now received some state aid for state-required tests and reports.

Beyond improved assessment and increased oversight came initiatives to reform schools. In the later 1960s the short-lived center on innovation in education sought to develop the "capabilities of school administrators and teachers for inducing change." Commissioner Nyquist's "Redesign in Education" program of 1968-72 gave a few pilot districts some extra resources and relief from regulation, in order to encourage the

school and community to find ways to improve student achievement. After 1978 the Department's Resource Allocation Plan coordinated the delivery of federal, state, and local resources to selected school buildings where pupils performed poorly in the new Regents competency tests. Department staff cooperated with school building administrators and teachers in a common effort to raise pupil achievement by identifying problems and developing solutions to them.

Commissioner Gordon Ambach brought the three streams of tests, standards, and school review and improvement into the Regents Action Plan to Improve Elementary and Secondary Education, approved in 1984. The stated purpose of the Action Plan was to provide all students with the opportunity to acquire the skills and knowledge they would need for "their 21st century lifetime." The Action Plan increased academic course loads and required high school graduates to demonstrate competency in English, mathematics, science, global studies, and U.S. history and government. Students who failed in these subjects received remedial instruction. School districts were required to prepare and make available to the press and the public a yearly comprehensive assessment report (CAR) for each school building, giving data on enrollment, attendance and dropout rates, and student performance in state tests. After 1987 a new system of school registration review targeted schools having unfavorable assessment reports or other signs of failure. Schools placed under registration review (SURR), virtually all of them in New York City, prepared comprehensive school improvement plans, with help from teachers and parents. Schools failing to improve were warned that they could have their registration revoked, although none were. In sum, the Regents Action Plan and the ensuing regulations and programs were the most comprehensive articulation of the Regents' power to establish standards for elementary and secondary education, since the original high school registration and examination system had matured in the 1890s.

The New Compact for Learning, developed by Commissioner Thomas Sobol and adopted by the Regents in 1991, built on the Action Plan of 1984. The New Compact was the Regents' broadest statement of educational philosophy since the Regents' Inquiry reports of the late 1930s. It embraced a number of themes, all of them aimed at raising school standards and perfor-

mance: statewide goals for schools; a challenging program for all students; mutual responsibility of local school administrators, teachers, parents, and the community for school and pupil performance; Department support for school initiatives, and intervention when schools were in danger of failing. A Commissioner's regulation requiring "participation of parents and teachers in school-based planning and shared decision-making" embodied a key principle of the Compact, and was implemented in 1994.

The Office of Elementary, Middle, Secondary, and Continuing Education has been reorganized to provide increased, direct services to schools. In 1988 a new, short-lived Office of School Improvement and Support was set up to administer special aid and advisory programs for under-performing schools and students, with an emphasis on family and community relations. In 1991-92 the requirements of the New Compact brought a more drastic reorganization: the divisions and bureaus were abolished, and new staff "teams" for policy, central services, and regional services were assembled. Many employees believed that staff specialties were ignored and team responsibilities uncertain; schools found the new organization confusing. Another, partial, reorganization in 1995 has retained the regional services teams but restored three program clusters: 1) curriculum, instruction, assessment, and innovation; 2) finance, management, and information services; and 3) work force preparation and continuing education. These three groupings continued older functional groupings dating back to the 1950s. The New York City and regional services teams are responsible for the current programs of direct support and technical assistance for local educational programs: conducting school quality reviews, assisting schools under registration review, implementing shared decision-making, coordinating health and family programs, and general monitoring and technical assistance.

Vocational and Adult Education. Academic subjects dominated the secondary school curriculum during the nineteenth century, although some rural academies had courses in surveying and bookkeeping. Vocational education developed first in the big city school systems. An 1848 law required the New York City board of education to offer free evening schools for apprentices and others who could not attend day school. By the 1860s "night schools" were well established. During

the 1870s and '80s many city high schools added courses in drawing and "manual arts." Introductory "industrial arts" and vocational "industrial training" courses were authorized by an 1888 statute. During the 1890s "home science" and "commercial" subjects were added to the high school curriculum. Starting 1898 Regents exams were offered for commercial, "manual training," and "domestic science" courses.

Business and farm interests and labor unions all lobbied for more vocational education. Statutes passed in 1908-09 provided state aid for vocational teachers and authorized city and union free districts to set up "general industrial schools" and more specialized "trade schools," with advisory boards. Evening schools in many cities offered free elementary and/or secondary instruction in vocational subjects (including homemaking for girls) for pupils over age sixteen. After 1918 technical high schools, offering a more academic curriculum, were established in the largest cities. The Wilmot Law of 1913 required youths aged 14-16 who quit school to go to work to attend part-time "continuation schools"; all the big cities had these schools during the 1920s and '30s. The federal Vocational Education Act (Smith-Hughes Act) of 1917 made monies available to state boards of vocational education (in New York, the Board of Regents) to train young men to work in war factories. The federal support for vocational education has continued and increased to the present.

Before 1920 enrollments in vocational schools and courses were small, because the system was developing and because school administrators had a strong preference for college entrance programs. During the 1920s, '30s, and '40s enrollments in industrial arts and business courses, part-time continuation schools, two-year trade schools, and industrial and technical high schools increased greatly. The Department's efforts were led by Lewis A. Wilson, long-time assistant commissioner for vocational and extension education and later Commissioner. The first four-year syllabus for business subjects appeared in 1925, and distributive education was introduced with federal funding in 1937. Every central rural school district was required to offer home economics; many also offered courses in agriculture. High school industrial arts courses were broadened to include materials and technologies beyond woodworking. A 1935 statute made all the industrial and technical schools full high schools, and

increased industry presence on advisory boards. The larger cities had many adult occupational extension classes. Apprentice training programs were particularly active in New York, Rochester, and Buffalo.

The Department developed new types of adult education. In the 1920s it began helping businesses and industries across the state to develop their own employee training programs. Around 1940 the Department organized extensive training programs for state and local government employees. During the Depression years the bureau of adult education cooperated with state and federal relief agencies to offer emergency adult education courses statewide. During World War II the same Department staff worked with the State War Council to organize job training for 750,000 men and women working in war factories. General high school education for young adults was first provided in evening high schools established in New York City before World War I, and in Rochester, and Buffalo during the late 1920s. High school equivalency (GED) exams began to be offered in 1947, initially to help World War II veterans obtain their diplomas. Between 1945 and 1962 special state aid was provided for adult secondary education programs.

After 1945 growth in the vocational education programs in the cities resumed, but statewide needs became more apparent. Federal and state aid did not keep pace with costs. Attempts to extend adult industrial education to smaller communities did not succeed very well. Decreases in state aid caused a rapid decline in the adult industrial education programs in the later 1950s. Rural high schools generally offered only basic shop and office courses. Just a few counties had established vocational education and extension boards (VEEBs, authorized under a 1926 law) to teach occupational courses. The boards of cooperative educational services (BOCES), authorized by a 1948 law, were intended to help fill this gap by offering vocational and other instruction that smaller districts alone could not provide. After 1967 the BOCES constructed and operated occupational education centers. The rise of community colleges and the expansion of the SUNY agricultural and technical institutes during the 1950s and '60s provided, for the first time, a wide range of post-secondary vocational education opportunities outside the large cities.

Major federal support for student and adult programs now comes through the Vocational Education Act of 1963 and the Adult Education Act of 1966. During the 1970s the Department oversaw programs under the Manpower Development and Training Act and the Comprehensive Employment and Training Act (CETA). After 1968 the federal aid for vocational education programs included special allotments for disadvantaged and handicapped students. The state plan for vocational education was revised, and the advisory council was reorganized to better serve groups with special needs. During the 1980s the Department developed new occupational education proficiency exams and completely rewrote syllabi to reflect economic and technological change in business, industry, and health care. State funds support the General Education Development (GED) testing program and the related Employment Preparation Education (EPE) program for persons over twenty-one seeking a high school diploma. Adult Centers for Education and Support Services (ACCESS) combine education and job training for adults. Special aid for adult literacy programs was authorized in 1962 and augmented by federal funds after 1966. State-funded work place literacy programs have been functioning since 1987. The Education, Social Services, and Labor Departments cooperate in job training and development for welfare recipients, through the Education for Gainful Employment (EDGE) program. The federal Job Training Partnership Act of 1982 provides funds for training unskilled, needy youths and adults, while Even Start is a unified family literacy program for children and adults. The federal School-to-Work Opportunities Act of 1994 links state agencies, local schools, colleges, businesses, organizations, and unions in a major effort to achieve a "universal, high-quality school-to-work transition system."

Physical and Health Education; Nutrition Programs. After 1884 schools were required to teach human physiology and hygiene, and the Department became responsible for annual medical inspections of pupils in 1913. A 1916 statute required that all students receive physical training (including "elementary marching") as recommended by the State Military Training Commission. Permanent pupil medical inspection and (civilian) physical education programs were set up in the 1920s. After 1950 health services were grouped with

other pupil services such as guidance. Recent decades have seen increasing illegal drug use and sexually-transmitted diseases among school pupils. New York has obtained federal monies for drug abuse control programs in schools since 1973. A statewide HIV-AIDS awareness program began in 1987, in cooperation with the Department of Health. A consultant panel advises the Commissioner on medical, health, physical fitness, and nutrition needs of school pupils.

The first statewide school nutrition program was the distribution of surplus foods from the U.S. Department of Agriculture, during the early 1940s. The National School Lunch Act of 1946 provided for federal-state-local funding of a general school lunch program. Federally-funded breakfast programs for poor children began in 1969 and were expanded in 1976. The Department oversees school cafeteria business operations and nutrition planning, and approves and audits payments to schools. Major federal funding for these programs comes to New York under the School Lunch, School Milk, and Child Nutrition Act.

Education for Non-English Speakers. New York City schools began offering English language classes for immigrants in the 1880s. By the turn of the century these classes enrolled tens of thousands of men and women. A 1910 law authorized city and village districts to offer free evening English language classes for adults. Moved by the widespread anti-foreigner hysteria

during and after World War I, the Legislature required city and larger village districts to offer night school classes for immigrants and illiterates and to compel eligible youths aged 16-21 to attend. The Department took direct control of this program in 1919. These "Americanization" classes were returned to local control in 1921, and some state aid was provided for them. Starting in 1923 the Department administered Regents literacy exams and each year issued thousands of literacy certificates to naturalized citizens, qualifying them to vote. These literacy and citizenship programs now became part of general adult education.

The first modern state aid for educating children who did not speak English was authorized in 1955. The Bilingual Education Act (1968) provided federal grants for bilingual and English as a second language (ESL) instruction. New York statutes of 1968 and 1970 authorized instruction in a native language other than English, declared state policy of insuring "the mastery of English by all students in schools," and specifically authorized bilingual instruction, for up to three years, for pupils with limited English proficiency. Department policy on bilingual education was established by a Regents' position paper in 1972. The Department developed new LEP regulations and curriculum in 1982. A bilingual education unit, established in 1969, coordinates programs for the two hundred thousand school children in New York who have limited proficiency in English.

V

VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES

Vocational Rehabilitation. Nationwide concern about the employment of handicapped World War veterans led to passage of the Vocational Rehabilitation Act (Smith-Fess Act) of 1920. Under the act the federal government reimbursed 50 per cent of the direct cost of vocational rehabilitation services (guidance, training, medical exams, prosthetics) provided by a state to physically handicapped individuals. New York added funding for a living allowance. A Bureau of Rehabilitation, headed by Dr. Riley M. Little, a national leader in the field, was set up in the Education Department in 1921. Through the 1930s caseloads numbered a few thousand. Amendments to the federal act of 1943 made mentally retarded and emotionally disturbed individuals eligible for rehabilitation and provided one hundred per cent of a state program's administrative costs. By the early 1950s New York's rehabilitation caseload totalled 20,000 individuals; most of the disabilities resulted from accidents, polio, tuberculosis, and "mental" conditions. Most of these individuals were referred for rehabilitation by the Department of Health or the Workman's Compensation Board. After 1944 vocational rehabilitation was headed by a division director, and after 1956, by an assistant commissioner—signs of the growing size and scope of the program.

Federal support for rehabilitation services has increased greatly since the 1950s. Federally-aided grants to community agencies to develop rehabilitation facilities began in 1955. A new Vocational Rehabilitation Act of 1965 increased the federal share of rehabilitation costs to 75 per cent (80 per cent after 1968 and 78.3 per cent after 1993, though New York generally paid more than its legally-required share). In 1968 con-

troversial amendments to the federal law declared that a socially or culturally "disadvantaged" individual might be eligible for rehabilitation; in OVR there was much sympathy for this approach. Federal acts passed in 1973 shifted the national program focus to severely disabled persons (that population had been the main focus of New York's rehabilitation program for many years). An "individualized written rehabilitation program" became standard for OVR clients. Federal law protected persons with disabilities against discrimination in the work place.

New York has started some innovative rehabilitation programs. Professional rehabilitation services in sheltered workshops, the first in the nation, were funded in 1963. Inter-agency cooperation grew during the 1950s and '60s. The Office of Vocational Rehabilitation (OVR) and the Department of Mental Hygiene agreed in 1968 to offer cooperative rehabilitation services at facilities for mentally ill and retarded persons. (The program expanded greatly after the Willowbrook consent decree of 1975, when "deinstitutionalization" became state policy.) A 1969 statute established a program of long-term sheltered employment for mentally retarded persons who had been OVR clients (the program was transferred to the Office of Mental Retardation and Developmental Disabilities in 1989). Starting in 1971 OVR worked closely with the Department of Social Services to rehabilitate persons with disabilities receiving social services. Vocational rehabilitation programs were also extended to eligible persons in prisons and substance abuse programs. In 1978-80 OVR used federal funds to establish a statewide network of Independent Living Centers (ILCs), community-based

organizations run by individuals with disabilities to help their peers lead independent lives.

The rapid growth in OVR's caseload (40,000 in the early 1970s, over 100,000 by mid-decade) brought serious administrative problems, fostered by the decentralized case-counsellor method of service. In 1977 the State Commission of Investigation reported instances of waste, neglect, abuse, fraud, and laxity in OVR operations. A Division of the Budget study found deficiencies in organization, communications, and operations; OVR needed better internal and external auditing, service monitoring, and program planning—in short, an improved administrative superstructure. Vocational rehabilitation services were reorganized by 1982, and audit functions were assumed by the Department's main audit unit. However, OVR remained under scrutiny. Groups of service recipients and service contractors complained about poor coordination and communication in OVR. For other reasons, each year the Governor's office proposed setting up an independent office of rehabilitation services in the Executive Department.

After more studies of OVR, the Commissioner and the Regents decided in 1989 to give the program new leadership, a new organization, even a new name—the Office of Vocational and Educational Services to Individuals with Disabilities (VESID). Changes followed quickly. The old divisions and bureaus disappeared, replaced by new functional units. The Education Department was designated, in 1992, as the lead state agency in providing regular, rather than sheltered, employment opportunities to individuals with severe disabilities. Reform efforts led to formation of counselling teams which improved productivity in the district offices. "Quality management" principles and processes have been applied to help VESID serve the 57,000 adults who currently receive rehabilitation services.

Special Education. The 1894 compulsory attendance law brought many handicapped children into the classroom for the first time. Around 1900 Buffalo and New York City established the first special classes for retarded or crippled children. Statutes passed in 1917 required city and union free school districts to identify children with "physical defects" or "retarded mental development" and to provide special classes for groups of ten or more; in 1923-24 state aid was authorized for

such classes. Districts with smaller numbers of handicapped pupils were authorized to contract with other districts or with private schools, or to provide "home teaching or transportation to school." After about 1915 some New York educators used newly-developed standardized tests to identify pupils needing special help. At the request of schools, a bureau of "educational measurements" was set up in 1923 to promote educational and psychological testing, conduct studies of educational methods and needs, and assist teachers of the mentally handicapped. By the mid-1930s there were over one thousand special classes for the "mentally subnormal" across the state, mostly in cities. After a legislative commission in the mid-1920s investigated the plight of young victims of polio and other diseases, the Regents established a bureau for physically handicapped children (1926). The Commissioner chaired a new inter-agency advisory commission for the physically disabled. By 1930 there were over six hundred classes for physically handicapped children. After 1941 education of both mentally and physically handicapped children was directed from one bureau (a division after 1962, an office after 1976).

Policies were clarified and redirected, emphasizing New York's national leadership in special education programs. A 1944 law declared that the Education Department should "stimulate all private and public efforts designed to relieve, care for, cure or educate physically handicapped children," and coordinate its efforts with other governmental programs. This policy statement was extended in 1957 to include mentally retarded children as well. Ten years later the "handicapped child" was legally, and more flexibly, redefined as an individual who "because of mental, physical or emotional reasons, cannot be educated in regular classes but can benefit by special services and programs." This definition summarized state policy, which since the early years of the century had favored removing handicapped children from regular classrooms and schools, and placing them in "special classes," home teaching, or private schools.

In the 1950s and '60s this policy slowly began to shift toward "inclusion." Public schools were authorized to hold special classes for severely mentally handicapped children starting 1955, and required to do so after 1961. During the 1960s the Department encouraged efforts to place multi-handicapped or brain-injured

children in public schools. Some BOCES started offering instruction to the handicapped in the later 1950s, and BOCES centers offered full special education programs after 1967. Special aid to schools for education of handicapped children, abolished in 1962, was restored by legislative acts in 1974 and 1976. A broad-ranging Regents policy statement on "Education of Children with Handicapping Conditions" (1973) recommended placing them in regular classrooms when possible ("mainstreaming"). School committees on the handicapped were required by a Commissioner's regulation. (These policy and program changes anticipated the major federal standards for special education during the later 1970s.) In 1973 and again in 1977 the Commissioner ordered the New York City school system to improve its special education programs, which had long waiting lists and many unserved children.

The Department monitors and regulates placement of handicapped children in special schools. A 1925 statute required the keeping of a statewide register of physically handicapped children. (This register was later expanded to include mentally handicapped and emotionally disturbed children; the register is now maintained in the automated STAC system.) Starting 1925 the Children's Court (after 1962 the Family Court) was authorized to order medical and educational services for physically handicapped children (costs were shared by the county and the state); the Department reviewed and approved orders for educational services. For decades the court had primary responsibility for placing children with severe physical disabilities—often in state-supported or private schools. A 1957 statute authorized the Education Department, rather than local districts, to contract with out-of-state private institutions to educate physically handicapped children having unusual or multiple handicaps if no public school or in-state private facility could accommodate them. In 1966-67 this program was extended to in-state institutions and broadened to include mentally retarded and emotionally disturbed children. Attempts were made to control the rapidly rising costs of these programs.

Federal aid for new programs to educate children with handicapping conditions was authorized under the ESEA Title VI-A in 1967. Congress passed the Education of All Handicapped Children Act in 1975 (revised in 1990 as the Individuals with Disabilities Edu-

cation Act, IDEA). This act required the states (starting 1977) to provide all children with disabilities with a "free, appropriate education in the least restrictive environment," and to protect the rights of the children and their parents. Minimal federal aid came with this big mandate. New York modified its special education system to comply with the federal act. A 1976 state law required the school committees on special education to develop an individualized educational program in the "least restrictive environment," for each child identified as having a disability. (If at all possible, the child was supposed to be placed in a local school, in a regular classroom, rather than in a private school.) Procedural safeguards were adopted. After 1980 schools were required to screen all new pupils for handicapping conditions, as well as for "giftedness" and low skills in reading and math.

After the mid-1970s school districts were responsible for recommending and providing services for all children of school age who were identified as having disabilities. For the first time districts paid the basic cost of education for children placed in approved private schools, state-supported schools for children with handicaps, and the state-run schools for the blind and the deaf. Districts again contracted with in-state institutions for the handicapped (also with out-of-state special schools after 1989). Contract terms and rates were subject to Department approval and audit. The Family Court's jurisdiction over children with disabilities was limited to those under age five or attending summer programs. A 1989 amendment required districts to provide a free appropriate education for three- and four-year old children with disabilities, as required by federal law (effective 1991), ending the Family Court's routine involvement in special education.

In 1994 the Regents approved a policy strengthening the state's commitment to educating children with disabilities in the "least restrictive" setting, as required by state and federal law. New procedures required school committees on special education to consider placing children in general education programs, before recommending placement in special classes or schools. Between 1991-92 and 1994-95 the percentage of pupils with disabilities educated in general education classes increased from eight to nearly forty per cent—near the national level. (In the fifteen years after 1979-80 the percentage of students with disabilities in

New York's public schools nearly doubled, to 12.1 per cent—330,000 individuals—the result of new legislation, court decisions, and changing education policy.)

Since the 1980s the Department has increasingly coordinated educational plans and services for children and adults having disabilities. Starting 1983, a cooperative team approach was used to provide special and occupational education and vocational rehabilitation services to youths still in school. New state laws facilitated the progression of students with disabilities to adult programs, and OVR staff established contacts with the schools. Reflecting New York's successes, transition services for students with disabilities were covered by the federal Rehabilitation Act after 1992. Culminating a trend, in 1995 the Department's special education program was moved to the Office of Vocational and Educational Services for Individuals with Disabilities, in order to coordinate services to disabled individuals throughout their lives. The Department prepares state plans for educating children with disabilities, coordinates services with other state agencies, and develops policies and programs with the help of an

advisory panel. It also coordinates a network of special education training specialists in BOCES and the big city districts, as well as information centers for parents of pre-school children with disabilities.

Schools for the Blind and Deaf. State support for deaf or blind children in private institutions began in the early nineteenth century. After 1864 the Superintendent of Public Instruction approved appointments to these state-supported schools. The New York State School for the Blind opened at Batavia in 1868, and has been operated by the Education Department since 1919. Another residential facility, the School for the Deaf at Rome, formerly privately-run, was acquired by the state in 1963. Both institutions now serve primarily children with multiple handicaps. The Commissioner of Education appoints pupils to the two state schools and to certain private schools for the deaf and blind. Blind and deaf children in state or private facilities were supported entirely by state appropriations and county funds prior to 1977, after that with partial reimbursement from their home school districts.

VI

HIGHER AND PROFESSIONAL EDUCATION

Teacher Training and Certification. State support for teacher education began with legislative acts of 1827 and 1834, which authorized the Regents to distribute monies from the Literature Fund to certain academies designated to train teachers for the common schools. Many observers were dissatisfied with the academy teacher training programs, and the Legislature in 1844 established a model normal school at Albany to educate secondary school teachers. Eleven other state normal schools were established between 1862 and 1893 to train primary school teachers. A few cities established training schools for elementary teachers in the 1880s, and by 1915 a dozen two-year city programs were operating. State-funded, tuition-free, one-year training classes for rural school teachers were offered in selected rural high schools starting in 1889. In-service training was provided in annual day-long “teachers’ institutes” held in each county. The institutes began to get state aid in 1847, proved popular, and continued until 1912.

Teacher certification was at first local and informal. Between 1814 and 1856 town school officials had the authority to examine and license teachers; the law prescribed no qualifications except good moral character and ability to teach. Still, no one could teach in a public school without a certificate. State school authorities and sympathetic legislators and teachers have worked continually to improve the procedures and standards for teacher certification; the greatest progress occurred in the 1880s and ‘90s, and the 1920s and ‘30s. Allies in the cause were the normal schools and colleges, and the New York State Teachers Association, founded in 1845. Normal school graduates were automatically cer-

tified to teach, but the supply was far smaller than the demand. The state continued to employ other types of certificates. Between 1856 and 1912 the School Commissioners issued most teacher certificates outside of cities. The 1864 school law required them to offer examinations instead of relying on personal recommendations. In 1887 the Governor vetoed a bill requiring uniform statewide certification exams for public school teachers outside of cities. Superintendent Andrew S. Draper determined that he already had the legal authority to give the exams, and did so. Educators, the press, and the Regents applauded this bold move. The revised Education Law of 1910 positively required all teachers to be certified. Examining and licensing of teachers in cities continued to be governed by city charters or special laws. The state minimum legal standards for teacher training and certification applied to city school districts starting 1897, and most smaller cities used the state teacher examinations. New York City continued to examine and license teachers until 1990.

Before 1924 it was possible to teach in a rural school with just a high school diploma and a temporary license; by 1936 a four-year degree program was required for all new teachers. Assistant Commissioners J. Cayce Morrison (elementary education) and Hermann Cooper (teacher education and certification) led the Department’s successful effort to raise the standards for teaching during the 1920s and ‘30s. Economic factors made the great leap possible. World War I brought a serious shortage of qualified teachers because inflation outstripped salaries. A statewide mini-

mum teacher salary scale (1919-20) and massive increases in state aid (1920s) helped schools attract better talent. In 1921 the Department and the Regents determined to end teacher certification by examination and to require professional education for all new teachers. The normal school program was extended from two to three years starting 1922. Certification examinations were discontinued in 1924-26 and the teacher training classes in 1933. After 1930 liberal arts graduates entering teaching were required to have taken professional courses. All these changes resulted in uniform educational qualifications for all teachers, urban and rural. Because of the surplus of teachers during the Depression, a four-year program leading to a bachelor's degree and continuing in-service training could now be required for permanent certification (1936-38). The State Teachers Association agreed to these regulations after lengthy discussions with the Department. Soon a fifth year of study was added for high school teachers (1943); and much later, for elementary teachers (1966). During the years between the two world wars certification programs were initiated for school principals, librarians, psychologists, and vocational teachers. Uniform statewide standards for school superintendents went into effect in 1937.

The "baby boom" generation after World War II was an era of teacher shortages, as school enrollments expanded everywhere in the state, but especially in the suburbs. In 1949 the Regents approved reciprocal agreements with New Jersey and several New England states, by which New York provisionally accepted teaching credentials issued by them. (New York enacted the uniform inter-state reciprocity statute in 1968.) In 1951 a new, more formal process was set up for certification on recommendation of approved teacher education programs, but nearly half of all certificates issued were still based on assessment of individual preparation. To facilitate this process, the Regents and the Department obtained help from the Ford Foundation in 1962 to initiate a new program of teacher certification proficiency examinations. After 1968 primary responsibility for teacher training curricula was devolved to educational institutions, and in 1972 the Regents began promoting competency-based teacher preparation. The New York State Teacher Certification Examinations were developed for the Department by a testing service and include several quite rigorous tests: a Liberal Arts and Sciences Test and a written assessment of Teaching

Skills, for provisional certification; and a Content Specialty Test and a video-taped Assessment of Teaching Skills, for permanent certification. In recent years regional certification offices have been opened in BOCES centers, where credentials are evaluated and certification is recommended. More than 200,000 teachers, administrators, and counselors are currently certified in New York. A state examining board for teaching certification was set up in 1894. The present Regents Teacher Education, Certification and Practice Board was established in 1963.

Much effort has gone into improving continuing education for teachers, starting in the late 1950s with federal aid for programs in science, mathematics, and languages. The Department's curriculum and assessment unit has many advisory and training services for teachers (including summer teachers' institutes). Special initiatives in science education are funded by the National Science Foundation. After 1984 teacher-directed Teacher Resource and Computer Training Centers trained teachers in new technologies and teaching methods. Training has been strengthened by the major review of doctoral programs in education during the 1980s and the ongoing review of entry-level teacher education programs. In the 1950s and since the 1970s the Regents and the Department have recommended that teaching be made a legally-recognized, licensed profession. A Regents plan for "Public School Teaching as a Profession" (1989) has guided improvements in teacher preparation and certification, with an emphasis on recruiting more teachers from minority groups.

Public school teachers were afforded some statutory protection against arbitrary dismissal in 1889; the protection was strengthened in 1909. The charters of New York City (1898) and of a few other cities provided for granting of tenure to teachers. The Legislature enacted a system of teacher probation and tenure for all city school districts in 1917; this system was extended to the larger village districts in 1937, and to the smaller multi-teacher districts ten years later. Since 1970, the Department has administered an arbitration process for disciplinary charges against tenured teachers by boards of education.

Higher Education Oversight and Planning. Since 1784 the Regents have had the authority to charter, visit, and inspect institutions of higher learning. This mandate

embodies great potential for developing and overseeing an integrated system of advanced education in New York. From the start the Regents incorporated academies and colleges. For several decades the Legislature also granted charters (usually to institutions that could not meet the Regents' higher standards for endowment, facilities, and program). All chartered institutions of learning were required to submit annual statistical reports to the Regents. A general law of 1853 standardized Regents chartering of academies, colleges, and universities. From the 1860s on the Regents held annual convocations of representatives from institutions making up the University of the State of New York. These events were the first regular, working meetings of educators from around the state; they fostered a sense of common mission.

The "University Law" of 1892 and an 1897 revision (both drafted by Secretary Melvil Dewey) expanded the Regents' oversight of higher education. The new rules established stricter standards for incorporation and authorized regular registration and inspection of colleges and universities. (Registration helped establish and enforce the education requirements for the growing number of professions licensed by the Regents.) The Regents began formally registering courses of study in colleges, universities, and professional schools, in- and out-of-state, in 1897. A report by the Carnegie Foundation for the Advancement of Teaching declared a few years later that the Board of Regents was the only state body with real authority "to supervise or even to criticize" higher education; in New York "the term *college* has a definite meaning." Regents rules of 1908 and subsequent years contained increasingly more detailed requirements for registration of professional and pre-professional degree programs. The Department's oversight responsibilities were increased by the "Korean GI Bill of Rights" of 1952, which required each state to review and approve proposals for curricula eligible for veterans' benefits. The Board of Regents was recognized by the federal government as an accrediting body for post-secondary institutions—the only state board of education ever to achieve that status. In reviewing and registering programs, the Department has for decades cooperated closely with the Middle States Association of Schools and Colleges and other private accrediting associations.

Registration continued to be voluntary, and some degree programs were never registered. In 1972 the

Regents directed the Commissioner to register all programs of study in colleges and other degree-granting schools in New York, and required that programs show evidence of "careful planning." The official Inventory of Registered Programs (IRP) was automated in 1978 and now contains data on 18,500 degree and certificate programs. Registration of institutions and programs is the basis for determining program eligibility for state student aid programs and for professional licensure or teacher certification. The fiscal and program data on higher education in New York is provided to state and federal oversight agencies and to the general public. In 1992 the governor designated the Department to assist the U.S. Department of Education in determining institutional eligibility for federal student assistance programs. The Department's Office of Higher Education also conducts ongoing research on policy and management issues facing post-secondary institutions and helps coordinate statewide telecommunications development for higher education.

The authority of the Regents over higher education was augmented in 1927 when the state teachers' colleges and normal schools, the specialized "contract" colleges, and the six schools of agriculture were placed under direct supervision of the Education Department. (Previously these institutions had their own boards of managers which had considerable autonomy.) During the Depression of the 1930s the Regents and the Department focused their attention on elementary and secondary education. Planning for higher education projected improvements to the existing system. The final report of the Regents' Inquiry into the Character and Cost of Public Education (1935-38) and Department studies during World War II declared that New York should rely on its system of private higher education, recommended a large increase in the number of Regents college scholarships, and concluded that New York should *not* establish a state university or a system of junior colleges. (The Department did hope to increase greatly the number of state-run two-year technical institutes.)

Over one hundred thousand returning New York veterans expressed interest in higher education under the "GI Bill of Rights." This unprecedented demand moved Governor Thomas E. Dewey to establish a Temporary Commission on the Need for a State University. Former Regent Owen D. Young chaired the Commis-

sion, on which the Commissioner and the Chancellor served. In early 1948 the Commission recommended formation of a state university, which would include all the state-run colleges and institutes as well as a new system of community colleges and two new medical centers (at Syracuse and Brooklyn). However, the Regents opposed, unsuccessfully, the ensuing Governor's program bills—which left the proposed community colleges under local instead of state control, and left ambiguous the role of the Regents and the Department in overseeing the State University. The State University of New York (SUNY) was established July 1, 1948; the law stated that it was “created in” the Education Department, and that the Regents were to have “general supervision and approval” of SUNY's budget, planning, and administration. (For a decade Department research staff “on loan” helped design and implement the SUNY system.) After disagreements with the SUNY trustees, the Regents attempted in 1949, unsuccessfully, to obtain passage of the Condon-Barrett bill, which would have placed SUNY fully under its control. In 1961 the State University system was made independent of the Regents, except as a part of the larger University of the State of New York.

The great expansion of colleges and universities during the 1960s brought new demands, and new opportunities, for monitoring and coordinating higher education in New York. The Committee to Review Higher Education Needs and Facilities (Heald Commission) recommended to Governor Rockefeller and the Regents in 1960 that the Department prepare a quadrennial master plan for higher education. Mandated by statute and first delivered to the Governor and the Legislature in 1964, the master plans establish Regents' policies and guide legislative initiatives in the field of higher education. The plans are also a convenient source of summary data about higher education in New York—SUNY, CUNY, and private institutions. The statistical data on higher education are now generated from the Higher Education Data System, or HEDS. The system began to be developed in 1973 and in recent years has been based in networked micro-computers. The Department also reviews and approves institutional master plans and amendments. Regents-sponsored studies of doctoral education in 1970 and 1973 pointed out the need for stricter standards. Since 1973 the Department's doctoral program reviews have resulted in many closures and consolidations of these

expensive, sometimes duplicative programs. The Regents also can order entire institutions to close (since 1971 about fifty degree-granting institutions have closed or merged, either voluntarily or by Commissioner's order).

The Regents and the Department have established innovative programs for adults wishing to earn college credits and degrees. The Regents approved giving school and college credit to World War II veterans for military education and experience. College Proficiency Examinations were introduced in 1963, initially to help teachers and nurses complete educational requirements. This popular program (now called Regents College Examinations) continues to give degree credits for non-college learning. With strong leadership from Commissioner Nyquist and grants from the Ford and Carnegie Foundations, the University of the State of New York established the Regents External Degrees program. The first degrees were conferred in 1972, based on college credits earned through college proficiency exams and classroom and correspondence courses. The Regents College Degrees and Programs became fully independent of the Education Department in 1991 but continues to be governed by the Board of Regents.

Proprietary School Supervision. The Department has monitored and regulated private for-profit schools since the early twentieth century. Starting in 1910 private trade schools were required to be licensed and inspected. In 1923 the licensing requirement was extended to correspondence schools operating in the state. Private business schools began to be registered voluntarily in 1936, and two years later trade and correspondence schools were required to renew their licenses or certificates annually. Financial and educational standards for proprietary institutions were strengthened by a 1945 law. That same year the Department started inspecting and approving for-profit schools eligible to educate veterans receiving aid under the “GI Bill of Rights.”

The advent of general post-secondary student aid programs (state and federal) during the 1960s and '70s increased the demand for non-degree trade and business education, and also increased the need for quality controls over finances and programs of proprietary schools. A 1972 statute nearly doubled the number of vocational schools requiring a Department evaluation

and license. The Commissioner's regulations for proprietary schools were strengthened in the late 1970s. A major new statute in 1990 required proprietary schools to disclose and report their finances and programs, and contribute to a tuition reimbursement fund. The Department also registers associate degree programs in private, for-profit colleges, mostly in the field of business. Currently the Department oversees about 250 non-degree granting proprietary schools—about the same as the number of degree-granting institutions in New York.

Scholarship and Opportunity Programs. Extensive financial aid programs for talented and disadvantaged college students have been one of New York's proudest accomplishments. In 1886 the Legislature approved a limited number of scholarships for students attending Cornell University. Commissioner Draper in 1913 obtained legislative funding for Regents college scholarships, awarded competitively on the basis of scores on Regents high school exams. After 1944 the Regents scholarship examination came into use. The Legislature established new scholarships for children of deceased or disabled veterans, and for students of medicine, dentistry, nursing, and engineering. In 1961 legislation doubled the number of Regents college scholarships (to about ten per cent of high school graduates) and established non-competitive scholar incentive awards for undergraduate or graduate study. Besides indirect aid through state-funded scholarships and awards, the Legislature in 1968 approved direct annual aid to private colleges and universities (called "Bundy Aid" from the chairman of the panel that recommended it). Bundy Aid is based on the number of earned degrees granted. It offsets somewhat a student recruitment advantage held by the publicly-funded SUNY and CUNY.

The State's fiscal crisis of the early 1970s brought major changes in student assistance programs. The

generous Regents graduate fellowships were abolished. In 1974 the Legislature established new "Tuition Assistance Program" (TAP) awards which varied according to income but provided more student aid overall—as the Regents had been recommending. The Department's student assistance program and staff were transferred to a new Higher Education Services Corporation in 1975. Regents college scholarships were first reduced to a flat \$250 in 1974, and finally discontinued in 1991.

The Education Department continues to administer programs to promote "equity and access" in higher education. The Higher Education Opportunity Program (HEOP) was established in 1969 to help "economically and educationally disadvantaged" college students. Under HEOP the Commissioner contracts with private colleges and universities to provide financial and educational assistance to high school graduates who could not have continued their education otherwise. With the state's increasing financial problems, HEOP (like the Bundy Aid) in recent years has not been funded at full statutory levels. HEOP was joined in the later 1980s by other special state-funded programs (recommended by the Regents master plan for higher education): the Science and Technology Entry Programs (STEP and C-STEP), helping minority or poor students in high school and college to embark on careers in scientific, technical, or health-related fields; and the Liberty Partnerships, giving educational and personal support to promising poor and minority youths who might drop out of high school. The Department administers several other state or federal scholarship programs. It also encourages tutoring, mentoring, and other cooperative programs by colleges for high school students across the state—complementing the new "school-to-work" programs.

VII CULTURAL EDUCATION

New York State Library. The New York State Library was established in 1818 as “a public library for the use of the government and people of this state.” Housed in the old Capitol, the State Library was at first a law and reference library for the use of legislators, judges, and state employees. In 1844 the Regents were made trustees of the State Library. At their direction, the library expanded rapidly, moving into its own building (1854) and then into the new Capitol (1883). Under Director Melvil Dewey (creator of the Dewey Decimal System for cataloging books), the State Library acquired a library school (1889) and established specialized libraries in medicine, education, and legislative reference (1891).

The visionary Dewey persuaded the Regents to begin building a statewide system of free library services; he declared that libraries are “the university of the people.” An 1889 statute made the State Library and local public libraries part of the University, and an 1892 act liberalized the use of tax revenues to support local public libraries, as authorized under laws of 1872 and 1887. During the 1890s nearly five hundred free circulating libraries were chartered. Starting 1892 the Legislature designated funds to help public and free association libraries buy books. It also appropriated monies for “travelling libraries” (crates of books loaned to rural schools and community organizations) and for a lending library for the blind (1896). (A century later the Talking Book and Braille Library holds 600,000 books and serves 35,000 persons.) All these “library extension” activities were linked with various adult education units in the Department until the 1940s. The

Regents, with advice from the New York Library Association, established the first basic service standards for public libraries in 1931. Larger public libraries had to hire certified librarians, and all libraries were to be open a minimum number of hours per week, according to the size of the community.

On March 29, 1911, weeks before they were to be moved from the Capitol to the new Education Building, the State Library’s collections were almost entirely destroyed in a catastrophic fire. Generous legislative appropriations enabled the Library to rebuild its collections, and by the 1930s it was again a major research library, strong in law, medicine, government, American and New York history, genealogy, rare books, maps, and manuscripts, and open for use 8:30 a.m. - 10:00 p.m. every weekday. After the 1940s the book stacks were badly crowded. More adequate space became available in 1978, when the Library moved into the new Cultural Education Center. At that time the collections and staffs of the specialized libraries were merged into the general reference library. Staff shortages during the 1930s and ‘40s resulted in chronic backlogs in cataloging. The backlogs were much reduced after the State Library developed in-house computer systems for tracking periodicals (starting 1967) and for the general catalog (the two thousand-drawer card catalog was closed in 1978). In the 1990s the State Library holds over two million volumes, five million microforms, and uncounted maps, manuscripts, and other research materials. These collections support libraries and library systems statewide through inter-library loan and document delivery services.

Statewide Library Development. In the late 1920s the first county library systems were established (Chemung, Monroe, Tompkins), and the New York Library Association called for state aid to such systems. After World War II the State Library and the Regents successfully promoted regionalization of library services and obtained greatly increased state aid for libraries. (New York led the nation in these programs; crucial momentum for them came from Governor's and Commissioner's conferences on libraries.) A pilot regional system began in Watertown in 1948, furnishing member libraries with book purchasing, cataloging, and delivery services. Twenty-two library systems (with over seven hundred member libraries) covered the whole state by 1961, providing libraries with management and technical services. Designated regional research and reference (3Rs) libraries were formed into nine regional systems beginning 1966, to serve the academic and business communities. School libraries were organized into systems based on BOCES and big city districts after 1984. A major new state aid program for county and multi-county library systems was started in 1950, and has been enhanced and reformulated several times since. Federal aid has been provided under the Library Services Act (1957) and the Library Services and Construction Act (1964).

The State Library began loaning books to local libraries in 1892, and for many decades the inter-library loan service operated on a top-down model. The New York State inter-library loan network was established in essentially its present form as a multi-level, cooperative system in 1966. Automation has facilitated the State Library's administration of the inter-library loan network: teletype (1974), mainframe terminals (1978), networked micro-computers (1985). A decade after the Regents' statewide library automation proposal of 1986, one in five public libraries now qualifies as an "Electronic Doorway Library."

New York State Archives. The New York State Archives and Records Administration was a long time coming. Starting in 1847 the State Library acquired many ancient records from the offices of the Secretary of State and the Comptroller. Statutes of 1859 and 1881 empowered the Regents to assume custody of historical records of the legislative and executive branches. Those records suffered grievously in the 1911 Capitol fire; State Library staff repaired charred documents

that survived. The fire prompted passage of laws empowering the Commissioner of Education to consent to the disposition of local government and state agency records. Advice on management of local government and state agency records was provided by the State Historian's office. In 1946-47 a survey found agency records to be in a "chaotic" condition, and several studies recommended a full records management and archives program with its own building. However, a State Archives law was not passed until 1971. The Archives assumed custody of archival records held by the Library and began operations in the new Cultural Education Center in 1978.

During the 1980s the State Archives program expanded and matured. Responsibility for overseeing management and disposition of state agency records was acquired from the Office of General Services in 1987. (Also transferred from OGS was the large inactive records storage center on the State Campus.) A new local government records law required the appointment of records management officers in every county, city, town, village, and school and special district. Since 1989 regional advisory staff and grants for managing local government and historical repository records have been funded by small fees on filings in county and court clerks' offices. The State Archives itself documents New York's history by appraising, acquiring, and preserving for use the archival records of state government—the governors, executive agencies, special commissions, appellate courts, and the Legislature. The Archives holds paper, parchment, photographic, and electronic records, now totalling over 60,000 cubic feet. The Archives and the Library share a powerful automated catalog (1995) and an on-line government information locator service.

New York State Museum. The New York State Museum began in 1836 with a statewide survey of New York's rocks and minerals, flora and fauna, led by James Hall (who was State Geologist for sixty-two years). Specimens collected by the survey were placed in a "State Cabinet of Natural History," established in 1843 and entrusted to the Regents in 1845. Known after 1870 as the "State Museum of Natural History," the institution occupied its own building called "Geological Hall." The Museum opened new exhibit halls in the Education Building in 1915. While the Museum's exhibits focused on New York's geology, paleontology, botany,

zoology, and anthropology, staff began collecting historical artifacts by the 1920s. In 1944 the Regents approved a threefold functional organization for the Museum, with scientific, curatorial, and educational programs and staff. After 1945 the Museum's scientific staff was organized as the State Science Service, to conduct research and provide expert knowledge and advice to state agencies and the general public. Curators were hired to care for the Museum's extensive collections. The Museum's geology exhibits were modernized by the 1960s, but other exhibits were dated and crowded. The first State Museum exhibits in the new Cultural Education Center were opened in 1976; they aimed to describe "Man and His Environment in New York State." Museum curators, designers, illustrators, and fabricators developed exhibit halls depicting the "Adirondack Wilderness" and the "New York Metropolis," and projected an "Upstate Hall." The Museum offers dioramas of a Pleistocene mastodont and a Mohawk long house, an exhibit of antique fire-fighting vehicles, and temporary and travelling exhibits. The State Museum's first special education program was a summer school of natural history, opened in the Allegheny State Park in the 1920s. Since 1947 full-time educators have interpreted State Museum exhibits, collections, and research for school and adult groups.

Ongoing research and permanent collections are the foundation of the State Museum. Now organized into "surveys" (geology, biology, anthropology, history), Museum staff have provided expert assistance on problems ranging from radioactive waste and a collapsed salt mine in western New York, to black flies and acid rain in the Adirondacks, to endangered aquifers on Long Island. Museum scientists study New York's rare plants and animals, the evolution of exoskeletal animals in the Cambrian period, and the mechanics of glaciation in the Pleistocene. Since 1906 Museum archaeologists have investigated the prehistoric cultures of New York's native peoples. Since 1966, the Museum's cultural resources survey program has researched and excavated sites threatened by federally-funded construction projects. Over the past century and a half hundreds of Museum publications, including splendid maps and charts, have documented New York's natural history and environment. Behind the scenes are the State Museum's world-class collections, most of them stored in the Cultural Education Center. Some four million scientific specimens include Paleo-

zoic fossils, gems and minerals, rock drilling cores, vascular plants and fungi, insects and insect galls, birds eggs, and mammal skins. Artifacts number over one million; among them are collections of prehistoric tools and pottery, New York furniture, Shaker objects, Iroquois crafts, farm implements and tools, and complete stores that once served Chinatown and the Erie Canal.

State-sponsored historical research began in 1839, when an agent transcribed documents in European archives, which were later translated and edited by Edmund B. O'Callaghan. A State Historian was first appointed in 1895; the office was placed in the Education Department in 1911. During the 1920s and '30s historical markers and pageants engaged public interest; publication of a multi-volume history of the state and the papers of Sir William Johnson served scholarly needs. Between 1943 and 1966 the Department administered the state's historic sites and monuments, now operated by the Office of Parks, Recreation and Historic Preservation. Current history activities include advisory services to museums and to local government historians (first appointed 1919) and on-going research on the people of colonial Albany. A project to edit and translate Dutch-language colonial records is located in the State Library.

Educational Television. Starting in 1886 the Department of Public Instruction loaned glass lantern slides to teacher training institutions, school districts, and adult learning groups. This popular service supported instruction in geography, history, and science, and continued until 1939. Thereafter a small unit promoted school use of audio-visual aids, including the new media of film, radio, and television. The Education Department fostered the development of educational and public television services in New York. In 1953 the Regents obtained seven FCC permits for UHF channels; under a law passed the next year the Regents chartered educational television (ETV) councils to operate the stations. After successful closed-circuit and broadcast ETV experiments, state aid authorized in 1961 helped over a thousand schools purchase and use ETV equipment during the decade. The Department acquired or produced educational video programs (such as the popular "Vegetable Soup" series on inter-racial relations) and distributed them to schools. In recent years the ETV program has promoted interac-

tive video-computer networks and remote learning systems. Statutes passed in 1961 and 1978 authorized a continuing program of state aid for New York's non-

commercial public television (and also radio) stations, which provide educational programming to schools, institutions, and the general public.

VIII THE PROFESSIONS

The Regents first became involved in regulating the professions in 1872, when a statute authorized them to appoint examining and licensing boards in the state's medical schools. Regents qualifying certificates for persons wishing to study for a profession were issued for students of law (1882), medicine (1889), dentistry (1894), pharmacy (1904), etc. These certificates set much-needed standards for entry into professional schools, until the schools began to require entering students to hold the bachelor's degree. Justified public concern about the propriety of medical faculties licensing their own students caused the Legislature to vest in the Regents the exclusive power to license physicians (1890). Boards of medical examiners were established to prepare and administer examinations. The Regents acquired jurisdiction over three other professions which previously had independent examining and licensing boards: dentistry (1895), pharmacy (1910), and podiatry (1912). Registered nursing was established as a profession under the Regents in 1903. Raising standards for the health professions took decades to achieve. Starting in 1906 the Regents registered medical schools nationwide, providing crucial support to the American Medical Association's campaign to improve medical education. Registration of physicians was mandated in 1926, forcing many unqualified "doctors" out of business. Regents standards for dental education became the national model. In 1940 New York became the first state to require working nurses to be registered nurses or licensed practical nurses.

Under the leadership of Assistant Commissioner Augustus S. Downing, seven other professions came

under the authority of the Regents between 1908 and 1926. Though details varied, each profession typically had its own statutory authority, state board, examinations, licenses, registers, and (in some cases) formal disciplinary process. The professional boards advised the Regents on professional issues and investigated charges of misconduct. During the mid-1920s the functions of administering professional examinations and maintaining registers of licensed professionals were consolidated under the assistant commissioner for higher education. A separate assistant commissioner for the professions was appointed in 1941. Since World War II the number of professions regulated by the Regents has increased to the present thirty-eight, overseen by twenty-five state boards.

During the 1930s the effectiveness of the process for monitoring and disciplining physicians was questioned, because of the rise of an extensive "abortion racket" in Brooklyn. In 1939 the Regents established a new post of Executive Secretary of Professional Conduct to cooperate with an attorney general's investigation of abortionists. Two years later the medical and dental boards were formally relieved of their responsibility to investigate professional misconduct. In 1942 a separate division took over all investigations. The state boards continued to have grievance committees (now called professional conduct committees) which conducted initial hearings after charges were filed. The growing number of disciplinary cases prompted the Regents in 1945 to establish the present multi-step process: first, three-member review committees hold second-stage hearings; cases then proceed to the Regents committee on discipline, and finally to the full board.

Since the 1960s the various professional boards have increasingly employed national standardized professional examinations. The myriad statutory provisions relating to the professions and professional discipline were revised and simplified in 1971. New Regents uniform rules on unprofessional conduct, issued in 1977-78, were accompanied by improved processing of complaints and a successful publicity program. The Department's disciplinary powers were strengthened in 1981; its own attorneys now became responsible for preparing and prosecuting charges. The Legislature transferred the disciplinary function of the state board of medicine to the Department of Health in 1975, as part of an omnibus act to deal with a medical malpractice insurance crisis (no connection between rising insurance claims and professional malpractice was shown).

The Regents' authority to make final decisions in medical discipline cases was given to DOH in 1991. The Office of the Professions, acting for the Regents, examines (or otherwise reviews qualifications), licenses, and registers nearly 600,000 members of the thirty-eight legally-recognized professions (except for law)—a six-fold increase in licensed professionals in half a century. The Office also investigates and prosecutes alleged instances of professional misconduct, maintaining an office and hearing rooms in New York City. A huge volume of records results. Use of punch cards for processing professional registration records began in 1941; automated filing equipment was acquired in 1967. Computerization of professional licensing and registration functions began in 1975.

APPENDIX A

Chancellors of the Board of Regents

George Clinton, 1784-85, 1787-95
John Jay, 1796-1801
George Clinton, 1801-04
Morgan Lewis, 1805-07
Daniel D. Tompkins, 1808-17
John Tayler, 1817-29
Simeon De Witt, 1829-34
Stephen Van Rensselaer, 1835-39
James King, 1839-41
Peter Wendell, 1842-49
Gerrit Y. Lansing, 1849-62
John V. S. L. Pruyn, 1862-77
Erastus C. Benedict, 1878-80
Henry R. Pierson, 1881-90
George W. Curtis, 1890-92
Anson J. Upson, 1892-1902
William C. Doane, 1902-04
Whitelaw Reid, 1904-12

St. Clair McKelway, 1913-15
Pliny T. Sexton, 1915-21
Albert V. Veer, 1921
Chester S. Lord, 1921-33
James Byrne, 1933-37
Thomas J. Mangan, 1937-45
William J. Wallin, 1945-50
John P. Myers, 1951-57
Roger W. Straus, 1957
John F. Brosnan, 1957-61
Edgar W. Couper, 1961-68
Joseph W. McGovern, 1968-75
Theodore M. Black, 1975-80
Willard A. Genrich, 1980-85
Martin C. Barell, 1985-91
R. Carlos Carballada, 1991-95
Carl T. Hayden, 1995-

*Superintendents of Common Schools**

Gideon Hawley, 1812-21
Welcome Esleeck, 1821
John V. N. Yates, 1821-26
Azariah C. Flagg, 1826-33
John A. Dix, 1833-39
John C. Spencer, 1839-42

Samuel Young, 1842-45
Nathaniel S. Benton, 1845-47
Christopher Morgan, 1848-51
Henry S. Randall, 1852-53
Elias W. Leavenworth, 1854

*The Secretary of State held this position *ex officio* between 1821 and 1854. After 1841 a Deputy Superintendent performed most of its duties.

Deputy Superintendent of Common Schools

Samuel S. Randall, 1841-46
Samuel L. Holmes, 1846-48
Alexander G. Johnson, 1848-49

Samuel S. Randall, 1849-51
Henry W. Johnson, 1852-53
Samuel S. Randall, 1854

Superintendents of Public Instruction

Victor M. Rice, 1854-57
Henry H. Van Dyck, 1857-61
Victor M. Rice, 1862-68
Neil Gilmour, 1874-83

William B. Ruggles, 1883-85
Andrew S. Draper, 1886-1892
James F. Crooker, 1892-95
Charles R. Skinner, 1895-1904

Commissioners of Education

Andrew S. Draper, 1904-13
John H. Finley, 1913-21
Frank P. Graves, 1921-40
Ernest E. Cole, 1940-42
George D. Stoddard, 1942-45
Francis T. Spaulding, 1946-50
Lewis A. Wilson, 1950-55

James E. Allen, Jr., 1955-69
Ewald Nyquist, 1969-76
Gordon M. Ambach, 1977-87
Thomas Sobol, 1987-95
Richard P. Mills, 1995-

APPENDIX B

Operating School Districts in New York State, 1905, 1935, 1965, 1995

	1905/06	1935/36	1965/66	1995/96
Independent superintendencies				
City school districts*	45	59	62	62
Union free school districts**	31	94	100	86
Central school districts**	-	2	73	192
Dependent districts***				
Common school districts****	9935	6626	56	11
Union free school districts	614	629	103	81
Central school districts	-	158	394	274
Central high school districts	-	5	4	3
TOTAL SCHOOL DISTRICTS	10,625	7573	792	709
School commissioner districts	113	-	-	-
Supervisory districts (BOCES)	-	203	71	38

* Figures for 1965, 1995 are the total number of city school districts (population 125 thousand or more), enlarged city school districts (population 10 to 125 thousand), and city central school districts (population under 10 thousand). All city districts operate under an appointed superintendent (or chancellor in New York City).

** Figures for 1905, 1935 include independent village districts (whose population was over 4500 in 1905, or 5000 in 1935). Figures for 1965, 1995 include all independent non-city districts (over 4500 population). Sometimes still termed "village superintendencies," these supervisory units today do not necessarily have an incorporated village within their boundaries. An independent non-city superintendency is established by order of the Commissioner, on application by the district's board of education.

*** Dependent districts operate under general supervision of a district superintendent (before 1912, an elected district commissioner of schools).

**** Figure for 1905 includes an unknown but very small number of non-operating districts, which either had no children of school age or contracted with a neighboring district.

SOURCES: Education Department *Annual Report*, 1905 (school year 1903/04); same, 1907 (school year 1905/06); same, 1937 (1935/36); Education Department *Annual Education Summary*, 1966 (1965/66); SED Information Center on Education, unpublished data (1995/96). *State Education Department Glossary of Terms* (Albany: 1961).

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