Another Aspect of the Financial Crisis in Education: The Current Problem of Support for the Education of Catholic Elementary and Secondary School Children

New York State Council of Catholic School Superintendents
ANOTHER ASPECT OF THE FINANCIAL CRISIS IN EDUCATION: THE CURRENT PROBLEM OF SUPPORT FOR THE EDUCATION OF CATHOLIC ELEMENTARY AND SECONDARY SCHOOL CHILDREN

NEW YORK STATE COUNCIL OF CATHOLIC SCHOOL SUPERINTENDENTS

Introduction

THIS REPORT CONSISTS of two parts. The first reviews various facets of Catholic education at the elementary and secondary grade levels in New York State. Each in its own way has some bearing on the mounting financial problems of this sector of American education. The second part presents some remedies toward solving, or at least alleviating, this fiscal crisis which has implications for all of education.

Particular note should be taken of the responsibility of government in this situation. It must equitably assure the proper education of all children while preserving a viable exercise of the parental right of freedom of choice. It must also safeguard to the highest extent possible the financial benefit to the taxpayer which the supporters of Catholic education have voluntarily contributed for so many years by maintaining such a significant number of nonpublic schools. Economic foresight urges immediate and effective action by civic and government leaders.
We are releasing this report at this time in order that all concerned with the current financial problems of the public schools in this state may realize that those difficulties cannot be resolved without also responding to the needs of three-quarters of a million Catholic school children beset by the very same crisis.

PART I

Section A: Pupils

1. Enrollments

Presented immediately below is a chart of the total enrollments reported by the eight dioceses for the past five school years and the present one, 1968-1969.

2. Major Conclusions

(a) A trend of declining enrollments is developing.

Given the declining number of religious, rising costs, increasing salaries of both religious and lay personnel, continued reduction of class size by policy, consolidation of schools, no expansion of facilities, and projected school closings, the trend will undoubtedly continue.

(b) Declining enrollments, distributed statewide through more than 1,400 elementary and secondary Catholic schools, do not allow for substantial reduction of costs insofar as total school plants have to continue to operate.

(c) Implications for public schools:

(i) that public schools will be absorbing our transfer pupils with a concomitant increase of costs for public education;

(ii) that nonpublic schools will not be absorbing any proportionate share of increasing school-age population as in the past; public schools will have to enroll these additional children as well;

(iii) that until the 1966-1967 school year the increasing enrollments of other non-public schools in New York State had offset the decline in ours; for the first time in 1967 the net total en-

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| Change           |       |       |       |       |       |       |
| Numerical        | —     | +6,825| —5,072| —9,520| —17,782| —26,150|
| Percentage       | —     | +0.86%| —0.63%| —1.19%| —2.26%| —3.41%|

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enrollments of all nonpublic elementary and secondary schools showed a decline, repeated again this year.

(d) Research will have to be undertaken on the degree to which other factors may be contributing to this decline; e.g., parental attitudes, diversification of apostolates in religious communities, recognition of the role of Catholic schools by Church structures and personnel, etc.

Section B: Teachers

That the vast complex of Catholic schools became the inspiring reality it is must be credited in major measure to the dedication and service of thousands of religious men and women. The religious sister has been and is rightfully an honored symbol of the Catholic school.

Special tribute must also be rendered to religious communities as such; much is owed in the development of Catholic education to their initiative.

Recognition must also be given to the sacrifice of those lay teachers, who for decades have chosen this apostolate over the professional rewards of public school service.

The existence and growth of the Catholic schools has been predicated, therefore, on the low cost of personnel. For example, estimated per pupil costs in Catholic elementary schools for the current year, 1968-1969, would average from $150 to $250. This low per pupil expenditure has been made possible by a high ratio of religious teachers, whose salaries range from $1,200 to $2,500, and by lay teacher salary schedules which are well below the public school scale.

The impossibility of a continued low cost-high return program is more apparent when the following statistics are examined.

1. Decreasing Numbers of Available Religious Teachers

Presented immediately below are statistics for the past five years and the current school year showing the number of full-time religious and clerics staffing elementary and secondary schools in the eight dioceses of this state.

2. Increasing Numbers of Lay Teachers

Correlated with the decreasing number of religious teachers, particularly sisters, is the increased number of lay teachers. The increase has been necessary, despite substantially decreasing enrollments, because pupil losses have until now been spread (requiring the continued operation of classroom and plants) and because programs and courses have increased both in specialization and number.

3. Ratio of Religious and Lay

Relating the two previous trends, we note also that the religious-lay ratio of staffing is also changing at an increasing rate.

4. Conclusions

1. A statewide decrease of some 5.3 percent religious in the current school year against last year's 2.3 percent and the previous year's 2.6 percent indicates that a downward trend is developing in the number of religious staffing the schools.
Clerical & Religious Full-Time Staffs

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This conclusion can also be verified by projected closings of some schools at the end of this school year because of withdrawal of personnel by religious communities and by reported probabilities of those leaving religious life. No evidence to the contrary is currently available which would indicate either increase or stabilization in the number of religious teachers for the foreseeable future.

2. The correlative increase in lay staffing follows conclusively from the prior point as well as from the apparent trend. Between the 1963 and 1968 school years religious staffing declined by 956 teachers, or 6.3 percent (from 15,242 to 14,286); in that same period lay teachers increased by 4,272, or 63.3 percent (from 6,745 to 11,017).

3. At present rates, within one or two
years the majority of staff members will be lay for statewide totals and for several individual dioceses.

4. Since personnel costs are the major item in schools’ operational budgets, costs will increase each year at a drastic rate. This will be caused not simply by the increase of lay teachers replacing religious, but also by increasing salary levels for both religious and lay. This increase is definitely foreseeable for a number of reasons: decline in the numbers of religious has impact on religious community income and substantial salary increases for religious teachers are now being sought; we will have to enter more into the general market of teachers and will, therefore, have to become more competitive in salary schedules; cost of living increases (4.7 percent in 1968 alone) will push
salary needs higher; and the current turmoil in ranks of professional education (salary demands and strikes, collective bargaining, and growth of power of teacher organizations) are already or will soon be affecting Catholic schools.

Instances of attempted school closings in some areas have resulted in parental protests, willingness to increase financial support, and acceptances of total staffing by lay teachers.

Consensus among the dioceses on this point indicates:

(a) Parents, in general, want Catholic schools to continue; their commitment to Catholic schools is still operative.

This conclusion has been verified by the limited research undertaken on parental attitude toward Catholic

### Section C: Parents of Catholic School Pupils, Catholic Laity, and General Public

1. **Parents of Catholic School Pupils**

The major question at the present time relative to parents appears to be their general attitude toward Catholic schools.
schools; e.g., the attitudinal survey undertaken in the Archdiocese of Indianapolis and the Dioceses of Evansville and Louisville by the Catholic Education Research Center at Boston College.

(b) Parents are not significantly aware, in general, of the critically increasing problem of financial and personnel resources.

(c) Until now, parents generally have not been involved in the decision-making process affecting the operation of the schools. Hence, they have not felt responsibility for seeking solutions for the schools’ economic problems.

(d) Reasons for parents withdrawing children are so varied that no common significant pattern of parental attitudes emerges. Major reductions in enrollments appear to be caused by increasing tuition costs, reduction in class sizes and mobility of population. No significant evidence is now available on the degree or extent to which other factors might be operative: attractiveness of public school “extras”; increase of lay teachers; loss of confidence in the future of Catholic schools; need for special services available in public schools; and lack of understanding of the “uniqueness” of Catholic schools.

2. Catholic Laity

The laity continue to contribute to the support of Catholic schools via their parish weekly donations.

This tacit approval in the continuance of a standard practice does not imply a positive attitude. Despite rising costs, contributions have continued at a stable rate; i.e., contributions tend to remain the same or vary only slightly despite significant changes upward in per capita income and downward in purchasing value of the dollar.

In general, this type of giving is relatively detached and unconcerned with the use of the funds.

Attempts to induce greater support from the laity have not significantly raised the level of support. This is understandable in the light of continually rising taxes and costs of living.

3. General Public

Both the consensus of the Council members and a survey of public opinion on Catholic schools conducted in New York State verify that the general attitudes of the public toward Catholic schools may be described as follows:

(a) Non-Catholics do not feel very familiar with Catholic schools. They lack an understanding of Catholic schools as truly educational institutions, seeing them rather as doing a good job of instilling spiritual values, satisfying parents on religious education, and providing effective discipline.

(b) Those who tend toward strong opposition to Catholic schools are a relatively small minority and do so by associating or transferring their feelings toward the Catholic Church to the schools.
The general public is quite vague in its concept of the proportionate size of nonpublic education in New York State. People tend, therefore, to be significantly unaware of the economic importance of nonpublic schools for educational cost savings to the taxpayer.

A vast majority of the public endorses the basic principle of having religiously affiliated schools along with public schools. They recognize the essential need of pluralism and the right of an operable freedom of choice in education.

A significant portion of the general public would be in favor of some type of state aid to nonpublic school pupils. Given better knowledge of these schools, of the extent of their current fiscal crisis and the impact on parents, and of the economic implications in their decline for the costs of public education, the ratio in favor of assistance would increase substantially.

The public image of our schools and the public’s understanding of them and their significance still needs clarification and improvement.

Section D: Church Structures

1. Dioecese

Statements by the Bishops both nationally and within the state have reaffirmed their belief and support of Catholic schools as a legitimate and effective apostolate of the Church in the temporal and spiritual concerns of this era.

In general, therefore, the Bishops of the state

(a) are committed to Catholic schools at the elementary and secondary levels;

(b) endorse the need for research and experimentation in order to make such schools more effective educationally;

(c) endorse the need for coordination of efforts in the total field of religious education;

(d) are studying changes in administrative structures, consonant with their own responsibilities, which would contribute to the resolution of some of the difficulties currently facing the schools and the dioceses.

2. Parishes

General observations on present relationships of schools to the parishes:

(a) The parish elementary schools each year are using up a proportionately greater share of ordinary parish income, which is remaining stable while school costs increase.

(b) There is need for more information on the actual cost of Catholic school operation. Present estimates vary widely on the cost factors considered.

(c) Pastors are finding it more difficult to recruit and retain religious teachers for staffing schools.

(d) Teachers’ salaries are a source of increasing concern.
(c) New parishes are not opening schools or are doing so with reluctance because of the prospect of enormous costs.

General Conclusion:

The relationship of school to parish calls for redefinition, both to strengthen the school's role in contributing to the effective operation of the total parish and to reaffirm the image of the school as an effective instrument in promoting the moral and spiritual welfare of both the civic and parish community.

3. Religious Communities

(a) Teaching sisters, brothers and priests in the majority (estimates run as high as 75 percent) are still committed to the educational apostolate, and to school work in particular.

(b) Their level of professional ability and training is increasing through more selective admission-screening procedures and improved programs of preparation and religious formation.

(c) Desirous of excellence in their school work, some are experiencing frustration and somewhat low morale, since they find the present system not conducive to such attainment. There is often a lack of opportunity to exercise professional responsibilities in accord with their training. Furthermore, financial pressures are curtailing the range of effective programs and services available to them in meeting the needs of individual children.

Section E: Finances

Contrary to some popular impressions, the financial operations of Catholic schools are not centrally controlled. Too often people view the Church as some type of corporate operation similar to a General Motors or a U.S. Steel in its financial management; they then transfer that image to the schools as if they were systematized in the same fashion as those of a public school district.

By way of background to this section, the following details on the financial aspects of Catholic elementary and secondary school operation should be understood.

a. Catholic elementary schools and most secondary schools have traditionally been the financial responsibility of the local unit; i.e., of the parish or of the school itself.

b. With this long-established practice of local financing and management, in past years it was not necessary to develop centralized procedures.

c. The absence of a broad scale collection of cost data made it difficult in recent years to forecast or assess directly the growth of the financial squeeze on school operations. Growing individual instances, however, are now developing cumulative evidence which spells general financial crisis in bold and unequivocal terms.

d. Within the past two years three dioceses have initiated uniform reporting procedures on school operations, and the others are instituting or preparing for such at the present moment.

e. Some dioceses have already initiated studies on the school costs data that are
available to them. One, the Archdiocese of New York, has undertaken this on a major scale as part of its research for its blue-ribbon Committee on Education.

f. Some dioceses sponsor diocesan high schools. Administered as a system, these do allow for coordinated fiscal analysis. Charging tuition, they are financed by additional subsidies of assessments against parish units or by special appeals for additional funds to meet operational deficits. Capital expenditures and debt service are also covered by the latter two methods and by special fund-raising drives. In all these methods, the burden of system costs is shared by all the laity, again at the local level.

In summary, therefore, two points must necessarily be understood: (1) the decentralized system of Catholic education does not make immediately available or easily retrievable complete, broad scale data on our schools' financial operations at the present time; (2) with the custom of local control and local financing, the schools, whether of the parish or of the diocese, are supported totally by the laity on a year-by-year basis through tuitions, weekly donations, special collections for assessments, and fund-raising campaigns. The current fiscal crisis, therefore, is essentially that of the laity and, more so, of the parents of children in Catholic schools.

1. Instances of Cumulative Evidence of Financial Crisis

a. Where there is some degree of centralized fiscal management, as with diocesan secondary schools, reports indicate mounting deficits and net losses despite catapulting tuitions.

(1) Though continually increasing secondary tuition rates from $50 to a current level of $600 (up 600 percent), the Diocese of Brooklyn had a $1,700,000 deficit for 1967-1968 and $2,517,149 for 1968-1969.

(2) For the high schools in the Diocese of Syracuse operating deficits rose from $138,000 in 1964-1965 to $596,000 in 1968-1969, over 400 percent in just five years.

(3) After five straight years of raising tuitions from $90 to $250, the Diocese of Buffalo will increase it again for 1969-1970 to $350 to ward off a predicted net loss (after all tuition and subsidies) of $1,400,000 for its 21 high schools.

(4) The four large diocesan high schools of Rockville Centre had an estimated cash deficit of some $897,000 for 1968-1969. For the coming year tuitions will be increased from $250 to $300; presuming no decline in enrollments the deficit is expected at a minimum of $600,000.

(5) For its 12 high schools with over 14,000 pupils the Archdiocese of New York incurred a 1968-1969 deficit of some $2,160,000.

b. In local parish elementary schools and in private Catholic schools (those operated and financed by religious communities), the picture is the same.

(1) In one parish operating a school for grades K through 12, costs increased from 1961 (828 pupils) to 1968-1969 (595 pupils) by 149.8
percent (from $57,177.18 to $127,946.38). At the same time its total income went up in the same period only some 54.8 percent. The school will not open in September 1969.

(2) In all of the elementary parochial schools of the Diocese of Rochester lay teacher costs jumped 24 percent in one year with only a 7 percent increase in number between 1967-1968 and 1968-1969.

(3) A private high school in a relatively sound economic area experienced two successive years of losses of $30,000 and then $45,000. These were offset each time only by special activities and support by parents and friends. It is now operating on a year-to-year review to remain open or to close; the school enrolls 575 pupils in grades 9-12.

(4) The Committee on Education for the Archdiocese of New York reported that the elementary schools of the Archdiocese will be $30 million in the red by 1972. Cash operating costs per pupil jumped from $55 in 1958 to $156 in 1968 and are projected to be somewhere between $179-$238 by 1970 and between $256-$379 by 1972. These costs exclude contributed services, depreciation, and other non-cash costs. Including the latter, the real per pupil costs for 1968 would be $396.

(5) An accounting firm’s financial analysis of another private high school reveals four straight years of operating losses. Previously covered by cash reserves the school was finally forced to borrow $30,000 to meet its 1967-1968 loss and maintain operations in order to open for 1968-1969. With a tuition increase from $200 to $300 in September of 1968, enrollments declined from 666 to 578. Repayment of loan, increased costs, and drop in projected possible revenues has resulted in another net loss and forced the school to obtain another bank loan, this time higher, to complete its school year. Its officials are now reviewing its continuance of operations, though only 13 years in existence.

2. Conclusions

a. Just as vulnerable to rising costs and inflationary effects on income purchasing power, Catholic schools are experiencing financial difficulties similar to the public schools. Indeed, public school expenditures have a real relation to nonpublic education; the teacher wage spiral in public education has a direct affect on our own wage scales which attempt to maintain a just and reasonable proximity to theirs.

b. Likewise affected by inflation and higher costs, the Catholic parent and laity are more than ever experiencing real difficulty in supporting both public schools through rising taxes and their own schools through tuition and voluntary contributions. Declining enrollments after substantial tuition increases as well as the slowing down of any increase of contributions in recent years point to “the well going dry.”

c. Supported by tuition and voluntary
contributions, the financial crisis of Catholic education is much more serious and far-reaching in its possible effects than the public schools' whose existence and income are legally maintained and reinforced.

d. Continued operation of the schools anywhere near present levels of enrollments and staffing will prove economically impossible for parents and laity within one to two years without government financial aid.

e. Discontinuance of Catholic schools on any major scale will compound public school financial problems by greatly increased costs. For the necessary additional income, taxes will have to be raised drastically.

PART II
Response to the Fiscal Crisis

Of major and immediate importance is the present fiscal crisis of Catholic elementary and secondary education. Its immediacy of need is reinforced by the fact that delay would only aggravate the problem and make any solution that much more difficult and costly.

The present situation warrants, indeed requires, that the total method of financing education for children in Catholic schools be redesigned. Three major approaches should be taken.

1. Internal Procedures

(a) We recommend that our schools and their respective dioceses institute as soon as possible a statewide uniform accounting system toward more effective use of the financial resources already available to the schools. We urge the institution of such procedures in order that a more accurate picture may be obtained of the fiscal state of the schools.

We urge that all schools be required to prepare an annual budget and a three-year projection of costs and income. We suggest centralized purchasing procedures in those dioceses where this practice has not been instituted and, according to circumstances within individual dioceses, centralized financing so that the total available resources for education in a diocese may equitably serve the total needs of all children.

(b) Without projecting ourselves into the much larger field of the total financial concerns of the Church in all its various activities, we feel strongly that we must establish in the minds of our Catholic people and the general public the credibility of two points: the actuality of our financial need in education and the inadequacy of our own financial resources to meet those needs.

The processes we have recommended above will go far in assisting to establish both these points.

We recommend that the principle of financial accountability in school operations be endorsed by parishes and dioceses. We believe that financial accountability will show that the financial needs of our schools are real and that the dioceses and individual parishes have extended themselves for education while carrying on a variety of charitable and social welfare work.

2. Responsibility of the Laity

The history of the Catholic schools in this state stands as an irrefutable testament
to the generosity and sacrifice of the Catholic people. Adults of this era attest time and again to the sacrifices made by their parents in days of less affluence to send their children to Catholic schools. We are certain that, were Catholic schools in America to cease tomorrow, the record of their phenomenal growth would have to be recorded as one of the most outstanding accomplishments in the history of education, be it of this state or of the nation.

But as our parents and their parents and the total laity responded to the needs of the schools and the Church in their time, the challenge, or rather the appeal, must now be presented to all the people of God in this day to respond to the needs of today.

Given the need for the continuation of our schools, two responsibilities must be assumed by the laity:

(a) All of the laity must recognize that Catholic education in all its variant forms, including the elementary and secondary schools, requires their support. In unequivocal terms we now call upon them in this era not only to continue, but even to increase their financial support of Catholic education. And we say this with full knowledge of all the economic demands of our age. The Church and its schools are now in need of support and assistance; we turn to our laity, confident that they will respond if they are aware of the need.

(b) Parents of children in our schools have a special obligation. They bear a responsibility for the education of their children; indeed they have the primary responsibility to see to it that their children receive an education which will equip them to develop their full potential for this world and the next.

In accord with this obligation we recommend that in each diocese a stated policy on tuition be instituted. We recognize that for many years the Church has felt that support of the school was the responsibility of all Catholics, whether parents of school-age children or not. We do not deny the continued applicability of such a principle, but we urge that parents who may reasonably afford it participate more concretely in the fulfillment of their responsibility for the proper education of their children by paying tuition according to their means.

3. Governmental Support

With the knowledge of the extent to which the Catholic laity have extended themselves in support of both Catholic schools and public education and with the knowledge that even increased support from them will not adequately meet the needs of the schools, we believe that parents must now turn to the state and federal governments for assistance. They can do so without hesitation and with full understanding of the limitations imposed by our principle of separation of church and state. For they recognize, and would now urge others to recognize, the contributions which our schools render to the social, economic, moral, and democratic life of our country.

Despite opinions to the contrary, re-
search has established that Catholic education, rather than being divisive, contributes no less to the social well-being of communities than the public schools.

The significance of Catholic education to the economic well-being of New York State can be simply stated. Three-quarters of a million children in Catholic schools saved this state and its taxpayers approximately $750 million in operational expenditures this year alone. If we were to add a capital investment in additional facilities, school district indebtedness would have to be increased by substantially more than two billion dollars. If the present trend of declining enrollments in Catholic schools were hastened by a policy of closing schools, there would be disastrous consequences for hundreds of school districts.

Public school authorities are deeply concerned about the effectiveness of their institutions in the teaching of moral and spiritual values. This is not intended to demean the efforts of public school educators, for whom we have the highest respect for their dedication to the children of this state. Nor is it meant to imply that some public institutions are not extending themselves to educate their pupils to the moral obligations which the preservation of the blessings of this country requires of them. We do state that, given the current sense of values of society in general, given the wide range of problems facing public education in the moral sphere of rightful authority, reasonable freedom, personal and community health and safety, and social responsibilities, the need of present-day society for men and women educated theocentrically, committed to moral and spiritual values based upon a religiously-supported philosophy of life, is without parallel in our history.

The absence of our schools from the American education scene would leave us with a monolith where "freedom of choice" in a democratic society would be destroyed because the opportunity to exercise that right would be nonexistent. Recognition should be given to the contribution of sound and effective nonpublic schools to principles long recognized as essential to our democratic way of life: pluralism, competition, and, above all, the freedom and rights of the individual.

We firmly believe that the preservation of good nonpublic schools, sectarian and secular, is in the best interests of our American way of life. Fully aware of the legal questions and of the solutions possible through the interpretations of the courts of both our state and our nation, we call upon our state government in both its executive and legislative branches to effect the following proposals:

(a) To recognize that Catholic education, even if supported to a yet greater degree by laity and parents of children in the schools, cannot continue for much longer without governmental assistance in a significant manner.

(b) To accept our sincerity when we say that

(1) no funds are sought for religious purposes, since we fully accept the first amendment of the Federal Constitution. Therefore, all safeguards must
be used to prohibit the use of public funds for specifically religious purposes or for any program of religious instruction in the tenets or doctrine of our faith or any other.

(2) we support, and indeed demand, not only the preservation of sound public schools, but the development of methods whereby assistance to nonpublic schools will not diminish state assistance to public schools, but rather reinforce it. We cannot accept arguments that assistance to the education of children in nonpublic schools will harm public schools; rather, in the present fiscal crisis of public education, we see viable, nonpublic schools as a remedy for the increasing costs of public schools. If the Catholic schools in one of the 12 largest urban areas of the state were to close, public education would suffer disastrous effects. Why then is not the converse also true? Public school costs are rising not simply because of increased costs of living and legally mandated increments; but because nonpublic schools are no longer absorbing even a proportionate share of the increasing school-age population.

Between June and September of 1968, Catholic elementary and secondary school enrollments in New York State declined by over 26,000; in terms of per pupil costs (at $1,140), this decline added some $29.5 million to public school budgets. And this occurred when all school enrollments were projected to increase by some 75,000 pupils. If the nonpublic schools had absorbed even 10 percent of that increase, the cost to public schools due to enrollment growth would have been about $77 million. Instead, including the decline of Catholic school enrollments adding $29.5 million (transfer pupils are unlikely to go to other private schools), public schools had to assume their own share of increase in enrollments ($77 million) plus the share of nonpublic schools ($8.5 million) for a total of some $115 million! This represents a $38 million tax problem for New Yorkers this year!

And what about next year or the year after if current Catholic school enrollment trends continue, or if a policy of cutback is instituted in any diocese?

(c) To institute a program of financial assistance for pupils in elementary and secondary nonpublic schools in those fields wherein the schools meet the legal requirements of instruction and services.

(1) We urge that this assistance be
rendered toward those elements of a child’s education which are recognizably secular and contributive to the common good.

(2) We recognize the legitimate right and responsibility of the state to insure that such assistance shall be rendered only where specified standards of quality education are met and where the institution must render full accountability that the funds were expended solely for the purposes specified.

While we acknowledge the benefits to our pupils of the supplementary services already provided by the state in the form of transportation, textbooks, and limited health services, we must also indicate that these are not serving the critical needs of the educational process of these children. Indeed our assistance to local public school agencies in providing for the administration of these programs, especially the Textbook Act, has actually been a cost to Catholic education in both financial and personnel resources.

(d) To consider seriously the following forms of financial assistance to nonpublic school pupils and to institute them without delay.

(1) Some type of nonpublic educational legislation which would

—guarantee to parents a freedom of choice consonant with the state’s responsibility in education.

—provide fiscal relief for parents and pupils in nonpublic elementary and secondary schools, adequate to meet their mounting financial problems, in the provision of secular education.

—take effect for the 1970-1971 school year.

—permit the use of such funds toward any legally required instructional programs and services.

—provide for state supervision and school accountability within the recognized rights and responsibilities of both.

—be designed so as to take into consideration the economic needs and status of the community and families of the children served by the schools.

—assure equality of education for all.

(2) Immediate enactment of legislation which would permit the State Education Department to include the participation of nonpublic school pupils in the services and benefits of the Urban Education Program.

(a) Since Catholic education is more committed proportionately to urban
schools than is public education (55 percent of our enrollments are in the major urban centers versus 47 percent of public schools), it is unreasonable and discriminatory on the part of the state to restrict children who meet the qualifications for state assistance from participation by reason of the school they attend.

(b) Furthermore, in view of the precedent established by the federal government in the provisions of the Elementary and Secondary Education Act of 1965 and its subsequent amendments, we challenge as prejudicial and unjust the state’s rigid interpretation of article XI, section 3. The New York Court of Appeals by reversing the Judd decision in its majority opinion for the Textbook Case has provided ample grounds for validating the inclusion of nonpublic school children in the services of the Urban Education Program.

(3) The establishment of a permanent Commission for Nonpublic Education which would

(a) evaluate the needs of the nonpublic education of children for financial assistance from the state;
(b) supervise the provision of such financial assistance to qualified institutions;
(c) supervise the expenditure of such funds;
(d) in general, oversee the rights of nonpublic education in relation to the state and the rights of the state in relation to the private institution.

It should be noted that such a Commission would not replace the educational authority of the Board of Regents or the State Education Department. Its responsibilities would be limited to determination of legitimate financial needs and to proper fulfillment of legal requirements in the expenditure of state funds.

It is recommended that this Commission function under the authority of the Board of Regents, but not within the present structure of the State Education Department. The State Education Department has primary responsibility toward the financial welfare of public education in the use of state funds. It would be am-
bivalent to require the State Education Department to assess the needs of both segments of education in this state for presentation of budget requirements to the legislature. Such a presentation would expose itself to assisting one segment at the expense of the other. Both should be considered independently, and neither should fear that the provision of services might have to suffer were the needs of others to be included.