STATEMENT OF ALBERT SHANKER, PRESIDENT,
american federation of teachers

Mr. Shanker. Thank you. I certainly appreciate you putting me on early and I'm sorry that I have had this very longstanding commitment; when I give my word, I do not like to break it. So thank you for helping me keep it.

Our written testimony will be modified. I have been out of the country for almost a month and got to see it yesterday. It needs some additions to it, so we will, within a few days, have an amended statement.

[Material referred to follows: ]
Mr. Shanker. I would like to just spend a few minutes on this very serious issue.

First, I would like to say that it is a very serious issue. It has come up as number one in the Gallup Polls now for about 14 years. We do considerable polling of our teachers throughout the country and we find that it comes out number one in practically all the polls. And we are about to face a serious nationwide teacher shortage, especially if we demand any minimum level of quality in terms of testing in expertise of subject matter.

And I can tell you that there is one thing that will either keep teachers out or drive them out right away and that is that if they know their Shakespeare and their Dickens and their algebra and they walk into a classroom and find that their main problem is to be police men and women dealing with either problems of violence or serious disruption, we are not going to keep them very long.

Now, I was shocked this morning to see that there was some testimony yesterday including one bit of testimony by another teacher organization saying that things are getting better.

I do not believe that they are getting better. I think they are staying about the same. And the first point I would like to make is that statistics in this area are
very unreliable. There is no systematic nationwide method of requiring reporting. And, as a matter of fact, there is a good deal of pressure placed on school personnel not to report incidents of violence. After all, the reputation of a school depends, to some extent, on whether there is law and order in the school.

And when teachers report violence, very frequently a principal will turn around and say, "Did you provoke it, a way of saying, "If you are going to trouble me with this thing and give the school a bad reputation, why, you are going to be in some difficulty yourself."

And you can hardly blame the school administration for taking an attitude like that because if you are a principal of a large high school, let us say, 2000 or 3000 students and only 1 percent of your students is engaged in violence, and if each time you try to pursue those 20 or 30 students you had to spend a half a day with a lawyer, go to court for two or three days, you could spend more than half of your school year as a principal in court and then know that at the very end the judge is just going to decide that the best thing to do for the child is to send him right back to your school anyway.

So the statistics are very unreliable. What we do have and where we feel it is accurate—it goes down a little one year and up a little another and the variations of up
and-down cannot be used as any signs of optimism or
pessimism; they just have to do with variations in the
reporting procedures.

Now, another point I would like to make is that we
do have competition for public schools in this country.
There are private schools and there are proposals to
give public assistance to those private schools. I can
think of no single item which if not dealt with effectively,
will result in the demise of public education in this
country.

I think if you were to poll parents out there—not
those who want religious instruction for their children,
they have a special reason—but if you poll those other
parents who made a decision to send their children to
private schools, I think very high on that list would be
the safety of the child and the second thing closely related
is that there is an atmosphere of learning in terms of
orderliness.

Now, I would also like to say that while I do not believe
that the solution that the President of the United States
is offering makes very much sense, I do not know of any
teachers or principals in this country who fail to take
action against a child because they are afraid that some
sort of counter-legal action will be taken against them.
I really think that that is pretty much of a non-issue.
I do think that it is very good and very important that the President of the United States has spoken up on this issue. I wish governors would speak up on it. I wish more members of Congress would do it. I wish superintendents of schools would do it. I wish leaders in the business community would.

We have the major top problem in terms of polls and in terms of teachers leaving, and there is an atmosphere of silence around this issue because—you know—it is very much like the law and order issue of the late sixties and early seventies.

Somehow, somebody has gotten the idea that if you talk about law and order in the schools, you have to be a conservative; and that if you are a liberal, you keep your mouth shut and talk about the underlying causes and that sort of thing.

Well, nonsense. Nobody likes to have their children beaten up or hurt. Nobody wants teachers beaten up or hurt in schools. Everybody wants action to be taken. Nobody believes that the time of an entire classroom and of all the children of a teacher should be taken up with one child who is constantly yelling, screaming, throwing things. This is not a liberal or a conservative issue. It is a question of how to intelligently administer schools and deliver an educational service to the overwhelming
majority of our children.

And whether we concentrate on the rights of the child who is sick or disturbed or something else, I am not saying we should abandon those children or do nothing for them, but whether we spend all of our time keeping that child in a setting where that child is not getting any learning and where everyone else is prevented from learning as well.

Now, there are a number of--I just briefly want to make a few distinctions here. First, we ought to distinguish the issue of violence from the issue of disruption. Violence, a very important issue--violence is a very important issue, but that is not it--it is--we have violence on the streets; we have violence in our transportation systems; we have some of it in the schools.

And the violence issue is treated no better and probably no worse in the schools than it is in the rest of our society. It is an overall problem.

The major problem that we have in schools is the student who is so disruptive. He is not hitting the teacher, He is not beating up the other child, but one child in a class or 25 or 30 or 35 who is yelling and screaming and jumping around, who takes 20, 30, 40, 50 percent of the time of the class and the teacher and prevents very much from going on.
From the point of view of educational effectiveness, not from the point of view of ultimate seriousness to the victim, but from the point of view of educational effectiveness, the question of serious disruption is the one that we ought to be dealing with.

Secondly, I believe that the Congress ought to be considering not whether students should or should not have due process rights, but the question of whether the procedures now used and the type of due process has consequences which are far beyond those which the courts originally thought would occur.

That is, if principals and teachers feel that there is no point in taking any action against a student who behaves in this way, because it is so time consuming and so expensive, and even if you find at the end of it that the student was found guilty, there is no other place to put the student but right back in the same school, then the entire process is—you have not really put in a due process provision for the child.

We may have gone so far as to create an atmosphere of total exasperation and demoralization saying there is no point in using the process because the costs of using it and the consequences are such that it is pointless. I think that the—not the question of should there or should there not be due process, but the question of what are the procedures, what happens, what are the costs in terms of time, in terms of
money, what happens to the administration of the school when enough people in the school have to involve themselves in this. And does this ultimately amount to a situation where no matter what the student does, nothing is going to happen to him anyway? For in such a case, 

And not only does that student learn a bad lesson, but all the other students do as well.

And, third, I think that we must find a way in which students who are constantly disruptive, and of course, those who are violent also, can be removed from the normal school setting for the period of time in which their case is under consideration. 

If we cannot do that, then I think that the public schools will become the schools only for those children whose parents cannot afford to take their children elsewhere or for those children who will not be taken by the private schools.

We have had a recent poll where parents across the country were asked, "if you had a tuition tax credit of $150, 250, 500, would you be most likely to take your child or fairly likely to take your child out of the public school and put him into a private school?" The answers were quite shocking. 

44 percent of Hispanic parents in this country said that they would be quite likely to take their children
out of public schools; 36 or 37 percent of black parents, (who would switch represented)

The smallest percentage of parents were white, middle-

class parents in suburbs where the problem is not as great

and where children who have these disturbances are probably

given private help by their parents or some other community

group. But this is a very serious problem. And the big

thing that a private school can say to a parent and can

offer that parent is I can guarantee that if a child like

that is in his class, that child will be gone very soon.

Your child is going to get an education.

Now, I think that most of the problems, not all, but

80 to 90 percent of the problems of disruption in our

schools can be solved by the school systems themselves. And

I think they come about because of poor educational planning

and strategy.

I am not talking now about the really sick kid, the

really disturbed kid, the totally violent kid, the kid

from a background and family which that child has not overcome.

There is a certain percentage of those. That percentage is

rather small.

The biggest problem we have got is this: we have a

child who enters, let us say, kindergarten or first grade,

and for whatever reasons the child does not learn very much

during the first four weeks and because the child did not learn

very much in the first four, he does not quite understand
what happens in the next four weeks. And then he does
not learn much of what happens in the next six weeks. And
before you know it, that child enters the second grade and
half of the children or three-quarters of them are starting
to read and to write and to count, and that child then
falls further behind in the third grade.

And before you know it, that child is in the fourth
or fifth grade and still cannot read, cannot write, cannot
count. What does that child now think about himself or
herself? I am stupid. I spent five years trying to do
this and I did not learn. I am never going to learn it.
The other kids sitting around me are doing it. That
teacher, by asking me to read and to write and to count
is practically asking me to do the impossible. You
might as well ask Al Shunker to go out to California and
compete in the Olympics a couple of months from now.

And if you ask me to do that I can tell you how I would
feel, and I know how those kids feel when at that point
they are asked to do something and they no longer believe—and
they are probably right—that they can make up four or
five years of lost time.

Now, our basic problem is that we wait too long. We
wait until somebody is so far behind and then in junior
high school or high school we put in some sort of a remedial
program and say, now, Johnny, you catch up with 10 years
of deficiency.

How many of us know adults who would catch up with 10 years of some deficiency in some area or even believe that they could? "Now, at that point, in the fourth or fifth grade, many of those children kind of tell the teacher."

They may not say it verbally, but they get the message across. They say, "Now, listen, I cannot do this stuff that you are asking everybody in this class to do.

You leave me alone; I will sit back here and I will either sleep or read a comic book. You leave me alone and I will leave you alone because I am a good kid." Or they will be so angry and so frustrated and so filled with bitterness and embarrassment at not being able to compete with the others that they will start yelling and screaming and throwing paper airplanes and doing other things.

Now, how do we solve this problem? Well, the way you solve it is 80 to 90 percent of these students, if somebody would reach them in the fourth week, in the eighth week, in the 12th week, in the first year and the second year—and I am not talking about hiring hundreds of thousands of teachers to hold children's hands individually.

Suppose that we had talented college students or even gifted high school students come into school as tutors? Suppose that every three or four weeks we picked out those students who have fallen behind one or two or three or four
weeks and gave them some tutorial help. Suppose we did something with the parents of those children to teach them how to read a story to those children, how to ask questions, how to watch television together, how to do things which will bring them up, because the greatest cause of disruption in schools comes from those children who have given up hope on themselves that they can learn or do anything.

So this whole business about trying to change Supreme Court decisions and trying to do this and that, those things weigh in about one or two or three or four percent of the cases.

The big problem that we have is that we are not doing the job at the time it can be done, at the time when the child still has faith and confidence, at a time when it is very cheap to do it, at a time when we can be successful.

And anybody who talks about solving this problem without reaching children early enough and taking the 80 or 90 percent who could make it and then concentrating our efforts on the hardcore problems, anybody who does not approach it that way, I think is just scratching at the surface and is not dealing with the problem when it is easier to deal with.

One other point and that is that---one final point, and
that is that at grade four or five there are now some children who have not made it. And I do not think we should keep them in normal school settings for the rest of their lives. You know, it is hard even for adults to sit down at 8:30 or 9:00 o'clock in the morning and sit still in one seat and keep quiet until 3:00 in the afternoon. I do not know of many teachers who can do it. And yet that is what we ask of a first-grade child and a second-grade child. And if the child starts moving around or jumps a little, we say that child is disturbed or disruptive. Well, some kids cannot sit still that long.

They cannot listen that long. They cannot keep their mouths shut that long. That does not necessarily mean they are evil children or terrible or something else. There is no reason why for those children where we have tried to help them in the kindergarten, first, second, third, and fourth grade, and they did not learn with a blackboard and a teacher and with books, why we cannot try some sort of other settings. Let me give you an example.

In a previous life, I was a volunteer leader in the Boy Scouts and I was a Boy Scout myself and later became a leader in the Boy Scouts. And I remember quite a few youngsters coming into the Boy Scouts who did not learn very much in school. But the minute they came into the
Boy Scouts they wanted to become a Second Class Scout and they wanted to become a First Class Scout and they wanted to take a merit badge, they all of a sudden learned how to read certain words. They learned how to read a compass. They learned how to make a map. They learned how to read a recipe so they could do their cooking, and so forth.

And we have all seen that sort of thing. The Army has seen that sort of an experience. People who have gone to work and did not learn much at school learn things on the job.

So I think that one of the things that we ought to do is somewhere around grades four or five say that if there are children who are so uncomfortable in a school setting, let us develop other types of educational settings for those students, rather than keep them in the settings where they obviously are not going to be able to function.

I think that those are the key points I would like to make. I would be happy to respond to any questions if you have any.

Senator Specter. Well, Mr. Shanker, we thank you very much for your testimony. The suggestions you have made about the tutoring and the parents, I think, are obviously excellent. That is far beyond the role of what the federal government can do.
You then isolate a narrower problem. And my first question to you is that as to the narrower problem, do you think that there is a role that the Congress and the federal government can play with some corrective legislation?

Mr. Shanker. I think that there—well, first I think that if students are going to receive—students who are accused of committing some violent act are going to receive legal assistance to pursue their case—I am not arguing against that—then I think that school districts ought to receive legal assistance, too.

If the person accused of committing a crime—in quotes and sometimes not in quotes—is to receive federal legal help, then why should not school districts be given in a sense assistance to set up school district attorney's offices and prosecuting offices?

I think that there is an inequality in what the federal government is now providing. If you are going to have an adversarial system and if you are going to fund only one side of it, you are going to have an unequal system.

Senator Specter. Well, suppose the issue arising with the student is not a criminal charge, but is only a school disciplinary matter. To my knowledge, there is no federal right for that kind of a student to have legal counseling or any right for the state to provide counseling.

Mr. Shanker. No, but there might be certain rights
under the Education for All Handicapped Act. For instance, if the disruption of that student is viewed as being part of an emotional handicap, you may have some requirements that that student be mainstreamed, rather than separated if he's viewed as a handicapped student.

Senator Specter. But I know of no rights which give that kind of a student even under that circumstance the right to counsel in a school disciplinary proceeding.

Mr. Shanker. That is true, but they do have a right, though to a long series of hearings in terms of their placement.

Senator Specter. Well, I am about to come to that. But as to the right to counsel, the federal requirements evolving from Gideon versus Wainwright in 1963 have been once hailed into court. And that has been expanded in terms of felonies, misdemeanors, et cetera.

Mr. Shanker. Right.

Senator Specter. But I know of no right that a student would have to counsel, provided either at state or federal expense. And then we come to the question which you have quite properly raised, and there are two decisions by the Supreme Court, which I would be very interested in your views on and I am sure Senator Grassley would be, too. One of them is the 1974 decision of the Supreme Court in Wood versus Strickland where the Supreme Court said that
school officials would be liable under section 1983 if they knew or reasonably should have known that the action they took was within the sphere of official responsibility.

Now, that raises a question as to what level of conduct there ought to be for liability.

I do not believe anybody is saying, as you have outlined, that there should be no area of liability. If you deal with a judge who makes a decision, he is absolutely immune from liability with some very rare exceptions not worth talking about here. You talk about a Senator and what we say in this proceeding or what you say, there is absolute privilege.

If you talk about newspapers, there has to be a showing for civil liability for malice or reckless disregard, which is equated with malice.

Now, the question is: given a teacher's official responsibilities or quasi-official responsibilities, should they be held to the very base, lowest standard for civil liability which is now imposed? That is negligence or knowledge or reason to know, which is a bare negligence standard.

And the question is: should that be modified to require that there be some reckless disregard, as say in Sullivan/New York Times standard or some of the newspaper cases?
Mr. Shanker. I do not consider this a serious problem. That is, I think the view—the view is that because of the standard that now exists that there are many teachers or administrators who are afraid to take action because they are afraid of the consequences. I just do not think that is true.

Senator Specter. You think that the standard for civil liability is not a serious impediment to teacher action?

Mr. Shanker. That is right. I do not see any set of teacher or administrative victims out there who have taken action and then action was taken against them. I am sure that we would be reading about all the cases of the poor teacher and principal who acted in this way and then was hauled into court. Where are they?

Senator Specter. How about the issue of uncorroborated complaints? That is a question which is very troublesome in police misconduct cases, for example, where it is one on one, a young child against a teacher where only two people are present.

Do you think that there ought to be some standard of at least some line of corroboration before that complaint is processed?

Mr. Shanker. I think the question is what kind of complaints are you talking about? If you are talking about action on the part of the student, let us say, that is,
criminal type of action, then I think that the kinds of evidence you require probably ought to be closer to what you require in the outside world in criminal cases for adults. I think if you are dealing with questions of disruption, educational placement, removal, or something like that, I think it ought to be much, much looser, because I think that if you cannot make—-I think there you ought to—I think at one end you ought to get very close to the school and teacher being in loco parentis. In the other case you ought to have very strong rights because you are dealing with very, very serious issues.

But if the school is strapped with a series of procedures on every minor movement of a child from one classroom to another or one teacher or one school or something like that on the basis of disruption, you cannot operate the school.

Senator Specter. Well, in a case of in loco parentis, standing in the position of the parent, the parent can spank the child. You cannot go to far lengths of child abuse without being subjected to the criminal process, even for a parent.

Would you think that that far, spanking would be appropriate or--

Mr. Shanker. No, we do not advocate that.

Senator Specter. How far would you go in loco parentis?

Mr. Shanker. We do not want to prohibit it either. That
is a local matter. There are a few school districts that like it and if the people there like it why we do not happen to think that that is very much of an educational answer, at least for a school.

Senator Specter. But how far would you go in permitting the teacher to stand in the place of the parent?

Mr. Shanker. Well, in terms of immediate, disruptive problems that come up within a school, I think the idea of removing the child, placing that child in some temporary other facility within the school, the principal being able to remove the child for a period of time, either from the school or to some other location, I think the main thing is the problem of dealing with that child is usually going to be a long term issue. You have a kid with substantial problems. They are not going to be solved with one punishment. They are going to be solved through some course of treatment over a period of time.

There are two issues: one is what do you do with that kid; the other is how do you let everybody else learn and let the teacher teach. And what has happened is that to some extent our procedures have said that our first concern has to be with that child and that child's right to stay in that room or to have reason as to why he is being removed or why put somewhere else.
And we're forgetting about the other 30 children and
the teacher and the atmosphere of the whole school, and
we've got it upside down. Somehow we have to have
permission to act swiftly in terms of saying, all right,
you are making noise; we will worry about things
later, but right now you are getting out of this room and
maybe out of this school today.

Those kids are going to learn the teacher is going to
teach. And if we cannot do that, if that kid cannot be
removed until we go through a series of things, then it is
all over.

Senator Specter. So, essentially what you are saying
is the minimal amount of restraint or force necessary to
permit the educational process to go forward.

Mr. Shanker. Exactly.

Senator Specter. But let me take up one more question
before I turn it over to Senator Grassley, and that is
the issue of due process and the hearings, taken up in
the case of Goss versus Lopez by the Supreme Court in 1975 where
the standard was set down that due process for a student
in connection with a suspension of less than 10 days, that
the student be given specific notice, either oral or written,
of the charges against him, and if he denies, an explanation
of the evidence the authorities have and an opportunity
to present his version, which essentially sets up a hearing
for that kind of, what would be considered a lesser disciplinary problem.

What is your view of the scope of that decision?

Mr. Shanker. I do not find anything wrong with the decision itself. What I find wrong is the effect that the decision has had on school personnel. I would find it very difficult to argue that we educate our children to live in a democracy by saying that somebody can just bounce you without saying what happened and give you a reason. That does not—you know—the requirements there do not seem to be extremely onerous.

However, if you are in a school setting and you are every minute waiting for some kid to blow up and somebody to walk in through the door with some announcement that somebody is collecting milk money and somebody is doing something else and you are a combination performer, trying to hold onto your audience; they did not pay to come in; they are forced to be there every day. They may not enjoy it that much. And you are a psychiatrist and a policeman and a mother and you have all of these roles wrapped into one in a situation where any one of these students at any moment can just change the atmosphere so that you cannot function.

Every additional thing that is added tends to paralyze,
tends to prevent you from taking action that you should.
I cannot in good conscious sit here and argue that a child
who is about to be pulled out of a school for three or five
or 10 days should not have a reason, should not have an
opportunity to say, well, I agree with it or do not agree
with it.

But unless we at the same time put some pressure
on school administrators and teachers and others to say,
look, that should not stand in the way of your taking
proper action. You still act, but do this. It is not
any individual. It is the whole process.

I am a teacher. All right. So you told me that
I report it to the principle and the principal says, now,
Johnny, you are about to be suspended for five days because
you stood up and yelled and screamed and cursed at the
teacher, and threw paper down and broke a glass.

And then Johnny gets a chance to respond. Now— but
if I am the principle and I know that now this means that
Johnny maybe get some legal assistance, I am going to have
to sit down for a couple of hours with a lawyer to talk
about what I handle, what I do when I am brought in.

And then X weeks from now the child has to come back
within a short period of time. In awhile I go to court and
spend a day in court; we all know what happens the first
day; it is postponed. So that is my day. I come back
again. By the time I am finished I have spent maybe
three and a half days as the principal of a school on
one child. There are only 180 school days in a year, or
181 or 82. If I spend three days on one child, what am I
doing? When it is all over, what is that judge going to
do? Throw the kid in jail? No. That is going to make
him a hardened criminal.

Throw him out on the street and not have an education
and do the same things out there? No. What is that
judge going to say? After I have gone through this whole
process, what is going to happen? He is going to say send
the child back to school."

And you know what I can do? All I can do is say to
the teacher who I have hit or beaten up or something else,
look, I know it is going to be very embarrassing for you
to be in the same school with a kid who poked you in the
face. Would you like a transfer to another school so it
will not be embarrassing.

You know, you take any little piece of this like that
Supreme Court decision, it is okay. But the whole process
somehow does not work.

Senator Specter. Mr. Shanker, I do not think you can
really say that there is nothing wrong with the decision and
then say, but the problem is with the way it is carried
out. As I hear your testimony, you do not like the
consequence of the decision. A decision speaks in a narrow parameter, but the reality is the way it is read by other judges, federal district judges, lawyers, other people. And as I hear your testimony, the consequences of the decision are problematic for the orderly administration of the school.

Mr. Shanker. They certainly are.

Senator Specter. Senator Grassley.

Senator Grassley. Thank you. And I know you have to go at 10:00 and I only have a couple of questions, and if I have some more, I will submit those to you in writing. I would appreciate your response if I have to do that.

I understand your thesis of your testimony, and that is that we ought to get to the child at a young age, early on and try to help him at that point.

And with that understanding of your thesis, I still want to ask you some questions along the lines of Senator Specter and refer, first of all, to a study by Jackson Tobey, professor of sociology and director of the Institute of Criminological Research at Rutgers University.

And he stated that related to the extension of civil rights in the school setting is the decreased ability of schools to get help with discipline problems from the juvenile courts. You have been frustrated with courts as
an answer to the problem. I know you have stated that several times.

In line with what Professor Tobey said, do you find that still to be the case of what I quoted him saying. And specifically do you know if courts have ever given relief?

Mr. Shanker. I do not know of courts ever giving relief, and I think that we have had a considerable number of instances—yes, we have a hard time getting teachers to press charges because they know what is going to happen at the end. The judge will return the child to school and even to the same classroom.

We do in our newspaper and other ways say, look, if something like this has happened and if we are going to develop some order in the schools, we urge you to do that. And we have had a number of occasions where a child has committed some serious offense. The teacher has pressed charges. They end up in court. And what does the judge do? The judge turns to the teacher and starts yelling and screaming at the teacher saying, you are only here because the union told you to be here and press charges. It is ridiculous.

What we have generally told teachers is that when an offense is committed, take action. We have not told individual teachers to go after that child. But we have had some very, very—many of the judges—well, they have two roles, really. One they tend to forget about.
And that is if you do not have an educational atmosphere in the school, you might as well close the schools down and accept that they become the custodial institution for disruptive children.

I think many of them feel that their main job is to be social workers. And they are dealing with the poor child who is there. And they take a look at the home background. They look at the environment. They look at the problems of the child, and if you are dealing with that one child, that is one thing. But that judge is not thinking of the 29 or 30 or 32 other children back there and what happens to their education if that child goes back.

It is too bad that the other kids cannot be in front of that judge and the teacher talking about what happens during the day. The judge is looking at that one child and says, what can I do for that child. He cannot think of anything else except send him right back.

Senator Grassley. My second question deals with a study by the National Insititute of Education. And this was conducted in '75, '76 of 640 different public secondary schools on victimization.

This survey, as well as a national crime survey, which was conducted or begun in '72, concluded that most school crime, like crime outside the school, was nonviolent. Do you think that recent studies would indicate that this still
holds true?

The study was done 10 years ago.

Mr. Shanker. Yes.

Senator Grassley. There has been no improvement in it, no change in that?

Mr. Shanker. I think it is about the same. From what we have seen, the only changes that are there could be easily—they could just as easily be attributed to changes in reporting procedures. There are not significant changes.

Senator Grassley. Along the lines of what Senator Specter started out with saying—and I will just ask you for a generalization on this—in the second paragraph of your printed testimony, after you went through what was done in 1977 by the Subcommittee on Juvenile Delinquency, you say, "But while its analysis was good, clearly the federal government did not come up with an adequate response."

Do you—in these areas you really are not looking for the federal government to have much of a response, as I detect from the tenor of your testimony?

Mr. Shanker. Well, the federal government in education has entered in a number of different types of areas. It has entered, obviously, in the civil rights area, which is a major federal concern. And it is also—taken certain specific emergency types of issues—Sputnik is an example—where they went after certain subjects and the retraining of
teachers.

I believe that in federal aid to education that if you have a major national problem, which I think you do here, I think the question of creating some special facilities for youths where school districts have tried all sorts of alternatives within the regular system, that financing a program of that sort would not be out of line. I would think that some program which concentrates on the early years as a preventative program; in terms of maintaining achievement standards, by the way, it would accomplish a number of things at once; not just the disruption issue, but you are talking about where our future math teachers are coming from, scientists.

We are talking about at the wrong end. We are talking about imposing graduation standards from high school or improving an SAT score before a kid gets into college. All those things get determined in the first four years. And if we want to do all those things, we can do a lot more than just make pronouncements about giving examinations 12 years later.

What we ought to do is take that one short period of life when we can have a tremendous impact at rather low cost, too. Tutorial programs are not that expensive; requiring homework and having some system where the kids can call somebody on the phone to get a little bit of help
with it or keeping the school open after school so that the child can get help with homework if he cannot get it at home. These are all good, inexpensive ideas.

We can get a very high, perhaps a much higher payoff from that sort of an investment than most of the billions of dollars that are put into—have been put into education by the federal government.

Senator Specter. Mr. Shanker, thank you very much. We will have some legislation submitted by the administration, which is going to be coming up, and we will doubtless be having more hearings. And we may ask you to join us again or to submit your ideas based on the legislation.

But what I would appreciate your doing would be to give some thought to what specific suggestion you might have. I know you have given a lot of thought to the problem, but as you look at the decisions we talk about and their consequences, your insights could be very helpful in trying to carve out an appropriate realm to maintain the civil rights and balance that you have seen from your extensive experience as a teacher.

If you would mind stepping forward for a minute, there have been requests for a photographic opportunity, and that will take less than a minute.

[Pause.]

Senator Specter. I would like now to call on the