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SHANKER ASKS BASIC SKILLS COMPONENT IN TITLE I,
LIMITS ON BILINGUAL/BICULTURAL IMMERSION

WASHINGTON, D.C.--In testimony today before the Senate Subcommittee on Education, American Federation of Teachers President Albert Shanker called for a new initiative in basic skills instruction in districts with high concentrations of disadvantaged children. The AFT president also proposed a prohibition on the use of Title VII (ESEA) funds to maintain a separate Spanish-speaking subculture rather than helping move Hispanic students into the cultural mainstream.

Noting the public concern and debate over declining test scores, Shanker said that a program of funding earmarked for basic skills instruction "would demonstrate to the American people that both Congress and the Executive Branch are concerned" with the problem. He added that Title I is "the appropriate program for mounting a federal initiative on literacy, similar to the one made on Science, Math and Languages through the National Defense Education Act."

Commenting on Title VII, Shanker cited recent studies which indicate that up to three-fourths of the children in bilingual programs are there "because of a surname or ethnic background rather than any difficulty in speaking or reading the English language." He charged that some groups "see bilingual education as an opportunity to have the federal government fund a non-English school system" and suggested that a limit should be placed on the amount of time a child can remain in a bilingual program unless it can be demonstrated that the child cannot function in a regular classroom. Declared Shanker: "Unless there is a time limit, there will be pressure upon the parents of surnamed children to keep them in bilingual education simply because the more children are enrolled in the program, the easier it is to maintain the staff and facilities."

The union leader also requested more funds for the retraining of veteran classroom teachers to work in bilingual settings, stating that it is "unfair to practicing teachers not to afford them the opportunity to update their training when new skills are a necessity for retaining employment."

Other points emphasized in the Shanker testimony include:

- * Support for the concept of categorical funding in the Elementary and Secondary Education Act and opposition to distributing federal monies on the basis of educational rather than economic disadvantage;
- * A proposal for consolidation of existing training and research authorities to provide streamlined federal activity in these areas;
- * Criticism of the "numbers game" played by HEW's Office of Civil Rights in school desegregation cases and a proposal that a finding of actual discrimination rather than numerical imbalance constitute the basis for suspension of Emergency School Aid to local districts.

TESTIMONY OF ALBERT SHANKER, PRESIDENT
AMERICAN FEDERATION OF TEACHERS, AFL-CIO
ON REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT
AND RELATED ISSUES BEFORE THE SENATE SUBCOMMITTEE ON EDUCATION
November 4, 1977.

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: I would like to thank you on behalf of the Members of the American Federation of Teachers, AFL-CIO, for this opportunity to present our views on the shape and structure of federal aid to education. As you know, the AFT has supported the concept embodied in the ESEA since before its passage in 1965 when a membership referendum authorized AFT support for what was then a new concept. I am here today to reiterate that support and to make some suggestions as to how the ESEA programs can be improved in order to maximize the positive aspects of the law. We also support changes of some features of the Act that have not proven to be useful. Federal dollars still do not contribute more than about 8% of the total costs of education. The first step of this reauthorization should lead to a substantial increase in that percentage. One thing we hope will not occur this time is a fight over the Part A formula. As everyone here is well aware, the debate on the 1974 Education Amendments was dominated by that issue -- we believe to the ultimate detriment of many education problems which remain unsolved. While the current ESEA Title I formula has obviously worked to the disadvantage of cities, we believe that this issue should be closed and that this year this Committee should concentrate on major educational issues that must be dealt with such as basic skills and elimination of bureaucratic roadblocks in existing programs. This is not to say that finances and related fiscal issues are not a major problem in education today, but simply that we believe it would do little good to re-open the fight over the Title I, Part A formula. To again go through such a divisive and counter-productive fight would lead us nowhere.

We believe that the Title I debate should address educational questions such as basic skills. Much attention has been given to the decline in test scores among American students. While Title I has never been exclusively a basic skills compensatory educational program, there is merit to the idea of using Title I to increase concentrations on basic skills. However, because there are so many demands on Title I funds, we do not believe that Title I, Part A would benefit from a basic skills requirement beyond the 75% of Part A funds currently used for that purpose.

Instead, we suggest a new program similar to the now defunct Part C of Title I. This program could put funds earmarked for basic skills instruction into school districts with the highest concentrations on disadvantaged children. There are many good reasons to do this now; it would provide additional fiscal support to those districts with the greatest educational problems and it would demonstrate to the American people that both Congress and the Executive Branch are concerned with addressing what most parents and educators alike feel is one of our greatest educational problems, namely, the decline in basic skills.

What we are outlining here is a concept, not a program carved in stone. It is certainly possible that other approaches could shed light on solutions to this problem but, clearly, Title I is the appropriate program for mounting a federal initiative on literacy, similar to the one made on Science, Math and Languages through NDEA. The need here is even greater. Certainly, there is no more important career skill than literacy. The attention of the American people has been attracted and the prospects for success are only dampened by a lack of resources.

We in the AFT feel that the Title I concept has, by-and-large, been a success. While there are features of the law that should be modified to reduce unnecessary strings, it would be most unwise to simply send Title I funds to local education agencies without guidelines for their use. There is a continuing need for the federal government to require uses of these funds that will best serve disadvantaged children.

Other proposals have been made to change the nature of the Title I population from economically disadvantaged children to children who are "educationally disadvantaged." While we have always advocated that every child who is educationally disadvantaged should have additional resources devoted to his/her educational problems -- what is being offered would radically change the purpose of the ESEA I program.

Title I has never purported to provide aid to all children with educational problems. A major goal was to provide financial assistance to school districts with the largest number of disadvantaged children. Part A is and has always been financial assistance for those districts with the greatest needs. "Educational disadvantage" does not describe an LEA's ability to fund services out of its own revenue. A discussion about expanding Title I services to all children would be appropriate when a real commitment is made to provide additional funds rather than a shifting of funds around.

Under current levels of funding a great many economically disadvantaged children are not being served under Title I, and to shift the priority use of funds away from economically disadvantaged children to meet those with an educational disadvantage even though their LEA may or may not be economically impaired is to shift funds away from children, who, in effect have the double handicap of being both educationally disadvantaged and economically disadvantaged. It is simply not a good policy when using scarce dollars to shift away from concentrating efforts into a scatter-gun approach.

Another feature of the Title I program that we hope the Committee will modify are the non-supplanting requirements. We support the idea that federal funds should be in addition to resources generated by state or local governments who of course are most responsible for funding education. Non-supplanting, however, should mean that Title I children get more services in fact rather than in principle. For example, personnel hired with Title I funds have

restrictions on the duties they can perform that in effect add to the duties of other personnel in the school system. While this may look very good on paper, the practical effect is no net gain in services for the child and a divisive element injected into the school program. Everyone has, by now, heard of "Title I Field Trips" where space exists on a bus but non-Title I children cannot ride because that would violate the non-supplanting regulations. This is nonsense and should be eliminated; no useful purpose is served by these distinctions. By prohibiting Title I personnel from performing routine duties that are the responsibility of all school staff, the practical effect is to increase the requirements in time that regular school employees have to spend on these duties and the result for the student is no net increase in the amount of attention that can be expected in a regular school day. It is useful at this time to point out that education among all public services has lived with the non-supplanting requirements that local governments and other recipients of federal funds have never been required to observe. It seems clear to us that local educational agencies have been successful in seeing to it that federal money is used in the manner desired by the Congress. Current studies notwithstanding, there isn't a single federal program that can point to the small amount of misuse of federal funds that Title I can and education aid in general can. On a percentage basis, it is impossible to measure the Title I funds that have been called into question.

More and more school employees are covered by collective bargaining agreements and while it may be difficult for some to accept this, as a practical matter, programs that fly in the face of negotiated collective bargaining agreements tend to add educational problems in a school. We urge the Committee to seriously consider putting provisions into federal education law that acknowledge the reality of collective bargaining agreements and require that programs not be used to try to get around contracts. While we do not feel the Congress should refuse to carry out its responsibilities by neglecting its authority to set policy in this program, we believe that in most

cases there is no conflict between teacher collective bargaining agreements and the requirements of an organized and efficient educational program.

The final issue that we would like to address is the Title I governance structure. The proliferation of advisory committees that was allowed under the 1974 Amendments should be reversed. In some cases, PACs have begun to see their role as more than advisory. We believe that there is already a committee, usually elected by the taxpayer that has responsibility for administering and setting policy for Title I and other federal programs and that is the school board. In addition, restrictions should be placed on the budgets and travel authority of these groups, in larger districts PAC budgets run into six figures. We believe the funds would be better spent on expanding Title I services.

ESEA VII. The AFT has long taken the position that federal and state bi-lingual efforts should be transitional in nature and designed to help non-English speaking children achieve enough skills in the English language so that they can participate in the regular school program. Recent studies seem to indicate that much of what is currently offered as bi-lingual education goes in a different direction. Up to 3/4 of the children in such programs are there because of a surname or ethnic background rather than any difficulty in speaking or reading the English language.

We feel that this problem must be addressed in any extension of the bi-lingual program, to be neutral is not enough because of the pressures that develop to keep ethnic surnamed children in bi-lingual education whether or not they need the services. This is a serious mistake and a waste of scarce dollars. Some groups see bi-lingual education as an opportunity to have the federal government fund a non-English school system, others as a support system for various nationalist tendencies. To make sure that bi-lingual education serves only educational goals, we would suggest the following approach -- a time limit, possibly two years, should be established

for the termination of services to any child in the program unless an individual evaluation is undertaken and the child is found to have a need for instruction in English. There is no other way to assure the continuing existence of a transitional program. As long as there is not a time limit, there will be pressure upon the parents of surnamed children to keep them in bi-lingual education simply because the more children enrolled in the program, the easier it is to maintain the staff and facilities. We have first hand experience with this sad fact.

The bi-lingual program is also seen as a vehicle for circumventing collective bargaining agreements. In cases where children have a need for education in a language other than English, they should receive it until their English language skills are adequate. But, if action is not taken by this Committee to see to it that the bi-lingual program retains its transitional nature, the result will be an education designed to maintain the native language rather than facilitate skills in English. This development will not only be unfortunate for the society, it will be disastrous for the affected children. It is impossible to conceive that there will be a time that anyone can expect to secure a decent job and living in the United States without being able to speak, read and write English. It is naive to think otherwise.

There is a second major problem faced by teachers in the provision of bi-lingual services and that is the lack of adequate training and in-service educational opportunities. The federal bi-lingual program should devote more funds to in-service training of teachers. The current reality in city schools is such that retrenchment of employment opportunities is the norm. It is simply unfair to practicing teachers not to afford them the opportunity to update their training when new skills are a necessity for retaining employment. Funds for training in bi-lingual skills should be available through a training consolidation which we will discuss later.

ESEA IV-B and C. These programs should be realigned to put the people programs such as guidance and counseling in with other people programs and mobile and equipment programs in a purely equipment consolidation. It should not be necessary to make a choice between having to use funds for personnel or equipment. Both need a program that will address their needs and competition between the two should be eliminated.

Training Consolidation. We believe that more can be done in the area of teacher training. For example, there are many federal teacher training programs in existence; teacher corps, training under the Bi-lingual education program, training under 94-142, Title I, vocational and other specialized forms of education. We believe that it would be useful to consolidate existing training authorities into a new federal initiative for teacher training. It could be possible to coordinate with and utilize the new teacher centers authority as well as augmenting and supporting more traditional campus-based teacher education programs. The Committee should explore the possibility of designing a mechanism that could direct funds in concert with a more extensive needs assessment. Currently, there exists no real method of coordinating the efforts of LEA's and post-secondary institutions with the available federal funds. This could be an area for a regional approach.

A nation-wide initiative in teacher training could be generated by this federal activity and could work in concert with our basic skills initiative and the initiatives in education for the handicapped.

Research Consolidation. As with teacher training, research authority is scattered throughout many federal programs. While we have no doubts that much of the research that goes on is useful and worthy of support, the effort is so piece-meal and fragmented that federal efforts in educational research at this time have had relatively little impact.

Research authorities, such as those in the Bureau of the Handicapped, Vocational Education and Education of the Disadvantaged and other places should be consolidated into a concentrated research effort administered by the National Institute of Education. Until this is done, both NIE and other federal research efforts will be less effective than they should and could be.

Impact Aid. Without question, the most controversial program facing the Committee

is impact aid. Traditionally attacked by Republicans and Democrats, liberals and conservatives, it seems that only that sector of our society that really likes impact aid are those folks who have to work with it. Impact aid is a necessary, justified and effective method for distributing education funds. It requires a minimum of administration and is a model of what a general aid program could be. The funds are available for use by local education agencies for those needs which are most pressing locally. Impact aid can and has been used to help a school district reduce class size, buy needed materials, hire needed teachers, pay salaries and to do many other things that no other federal program is directly available for. In addition, since the Education Amendments of 1974, the law has been substantially reformed by the inclusion of public housing children. While residing in public housing is not a perfect indication of a need for additional federal support it is as good as any other measure of disadvantage. The AFT does support some changes in the impact aid program. Public housing children should be funded at 100% of entitlement rather than the current 25%. There should be a re-inclusion of postal facilities and workers as eligible for impact aid assistance and strings that are currently placed on the use of public housing funds should be removed. Public housing funds should be as generally available as other impact aid funds. We support the enactment of a \$10,000 threshold below which districts would not be eligible for assistance. It is possible that other formulas may be more efficient than the current one and we would be happy to support genuine improvements whose purpose is to improve the program, not eliminate it.

Impact aid has become a limited form of general aid to education and we would fight very hard to keep the only federal general aid program in existence.

Emergency School Aid. We are all well aware that federal desegregation efforts continue to be a major source of contention in our society. Part of the reason for this is that the emergency school aid program is based on an outmoded concept. Emergency school aid is now being used to require

strictly numerical definitions of desegregation among school faculties. We now have experience in Chicago, New York, Cleveland, Toledo, Los Angeles, and other AFT cities that make this clear. The numbers game is all that really matters to the Office of Civil Rights, and emergency school aid is the primary weapon they use to require teacher transfers that violate collective bargaining agreements and common sense. We urge that ESAA be reformed to require a finding of discrimination (not simply a numerical imbalance) before ESAA funds can be cut-off. We also believe that any cut-off should have an appeals procedure to assure due-process. The current situation is absolutely incredible. If a district does not have any minority teachers the so-called ingelton ratio does not apply. In fact, it is possible for a district to be all black or white and not run afoul of the ESAA guidelines. This is clearly absurd and should be changed. the ESAA guidelines. This is clearly absurd and should be changed.

In addition, rewarding school districts after the fact of desegregation might have been a viable policy when the schools were not as hard pressed financially as they currently are, but with pressures for more specialized programs, declining enrollment, inflationary erosion and the ever-increasing costs of meeting federal mandates, the Emergency School Aid Act should be completely overhauled. It should become a facilitator for desegregation rather than a reward. It should be used to help school districts undergoing voluntary or court-ordered desegregation to maintain the quality of their programs.

It could be used to hire additional specialized staff to improve education opportunities throughout the district so that some parents will not reject desegregation because they feel their children will be sent to inferior schools. While the sentiment of the Congress will not allow the use of funds for transportation, ESAA should and could be used for everything else and truly become an aid to desegregation. We would be pleased to discuss this in a more detailed proposal at a later date.

General Aid. The AFT has long advocated general aid as the best thing

the federal government could do to improve educational opportunity for all children. We again reiterate that position. However, under current budgetary pressures, general aid must not result from a consolidation or folding-in of existing federal assistance programs such as Title I or impact aid. General aid should be over and above existing efforts not as a substitute for them.

Discretionary Programs. It is time to reverse the trends that were precipitated by the past Administration in regards to providing some funds for administrative discretion. We do not believe that the special projects act is useful in its current form. The existing program is fragmented and subject to extremes of grantsmanship. It should be changed into a vehicle for the Office of Education to encourage educational development in many areas, including some currently found under the act.

We thank the Committee for the amount of time you have put into these hearings and into the study of these issues. The 95th Congress can go down as the Congress that launched an educational initiative that made a real difference in the lives and educational opportunities of millions of our citizens. We hope that will be the case.

I would be pleased to answer any questions that you might have.