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THE WHITE HOUSE
WASHINGTON

*file
dept.*

TO: WENDY, MORTON, THELMA, HENRY

FROM: Diana Lozano

SUBJECT: Education Budget, Appeal Items

The attached is for your:

☐ Information

☐ Review & Comment

☒ Direct Response

☐ Appropriate Action

☐ EHD Draft Letter

☐ Signature

☐ File

☐ Other

Comments: _____

If you have any comments on the attached,
they must be delivered in writing no
later than ~~11:30~~ a.m. today, 12/11/81.

Please forward them directly to Jack.

Copies to EHD
Red
Jack Burgess
Bill Triplett

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

FRIDAY, C.O.B.
12/11/81

DATE: 12/10/81

ACTION/CONCURRENCE/COMMENT DUE BY: _____

SUBJECT: BUDGET APPEALS FOR: AGRICULTURE & EDUCATION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JAMES	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NOFZIGER/ROLLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	WILLIAMSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALLEN /NANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WEIDENBAUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ANDERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
BRADY/SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>	MC COY	<input type="checkbox"/>	<input type="checkbox"/>
CANZERI	<input type="checkbox"/>	<input type="checkbox"/>	CEQ	<input type="checkbox"/>	<input type="checkbox"/>
DOLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OSTP	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	USTR	<input type="checkbox"/>	<input type="checkbox"/>
FRIEDERSDORF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
FULLER (For Cabinet)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HARPER	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

Attached is a set of budget appeals for Agriculture & Education.

Please provide comments by ~~3x8xpm~~^{c.o.b.} tomorrow*. Comments should not exceed one half page per "appeal item." In presenting comments, please separate them so that each appeal item has its own clearly associated comment (if any).

Thank you.

*If this is particularly difficult, we will accept comments as late as noon Saturday.

Richard G. Darman
Assistant to the President
and
Deputy to the Chief of Staff
(x-2702)



THE SECRETARY
WASHINGTON, D.C. 20202

DEC 10 1981

MEMORANDUM

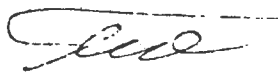
TO : Craig Fuller
Deputy Assistant to the President and
Director of the Office of Cabinet Administration

FROM : The Secretary
Department of Education

SUBJECT: 1983 Budget Appeal

In accordance with the December 2 instructions from the Budget Review Board, attached are five copies of my appeal on the 1983 budget.

Members of my staff have worked out most Education items with Don Moran, and both we and OMB agree that these four major remaining issues should be taken up with the Board at our December 14 meeting.


T. H. Bell

Attachments

Agency: Department of Education

Appeal Item: Should the Department of Education be asked to take rescissions in FY 1982 beyond the September request level or the level of the final Continuing Resolution for FY 1982.

Budget Impact:

(\$ in billions)

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
<u>OMB Passback</u>				
Budget Authority	\$14.9	\$11.7	NA	NA
Outlays	NA	8.6	NA	NA
<u>Agency Position</u>				
Budget Authority	14.9	13.3	NA	NA
Outlays	NA	8.8	NA	NA
<u>Amount Appealed</u>				
Budget Authority		1.6*	NA	NA
Outlays		0.2	1.2	0.2

*Should be adjusted to reflect final 1982 Continuing Resolution level.

Program Description: The OMB passback for FY 1982 provides for rescissions for Department of Education programs (with few exceptions) of \$1.6 billion, approximately 12 per cent below the President's September 24 request level for FY 1982. Also, should the present compromise between the President and Congress on the final Continuing Resolution for FY 1982 be enacted, an amount of approximately \$600 million could be added to the September revised request level.

Justification for Agency Position: No additional rescissions should be proposed.

- o There would not be sufficient time for States, localities, and institutions to adjust to reductions of this size in the current fiscal year, resulting in negative political reactions at the grassroots level.
- o The Continuing Resolution now being negotiated between the President and the Congress could provide \$600 million more for ED than provided in the Department's September request.
- o ED is the only agency being asked to take major rescissions beyond the September request level.
- o Additional severe reductions in 1982 could serve as rallying point for opposition to Administration on Foundation and legislative consolidations.

Agency: Department of Education

Never been moved to work on correction between improve or decline in special education

Appeal Item: Compensatory Education for the Disadvantaged (Chapter I, Education Consolidation and Improvement Act) -- Moderating the effect of budget cuts in order to continue effective services to educationally disadvantaged elementary and secondary school children.

<u>Budget Impact:</u>	<u>1981</u>	<u>1982</u> (\$ in millions)	<u>1983</u>	<u>1984</u>
o <u>OMB Passback</u>				
Budget Authority	\$2,952	\$1,926	\$1,500	\$1,500
Outlays	NA	135	1,453	1,559
o <u>Agency Position</u>				
Budget Authority	2,952	2,358	1,942	1,500
Outlays	NA	165	1,787	1,960
o <u>Amount Appealed</u>				
Budget Authority	NA	+432	+442	---
Outlays	NA	+ 30	+334	+401

measured by actions

Program Description:

Formerly authorized under Title I of the Elementary and Secondary Education Act, this program makes grants to State and local educational agencies to provide compensatory education services at the elementary and secondary education level for disadvantaged students. In fiscal year 1981, between 5.2 and 5.7 million children were served by Chapter I Grants.

Justification for Agency Position:

The 1983 OMB allowance of \$1.5 billion, a reduction of 50 percent from the 1981 appropriation, would serve about 2.8 million children.

Evaluation data have consistently shown that this program is effective in reaching its target population and bringing about real improvement in academic achievement for disadvantaged students. With few exceptions, this program reaches children in every school district in every State in the nation.

- o The program reaches the lowest achieving students in areas across the nation where there are concentrations of poverty.
- o The program affects student achievement. Recent studies show that, while they are in the program, students make considerable achievement gains during the school year. These gains are significantly greater than those realized by children not participating in the program. Some real momentum in our elementary schools will be lost if we cut before the States can have time to assume the burden.
- o If our strategy is to shift more of this responsibility to the States, a more gradual reduction, as proposed by the Secretary, will give time for the States to make appropriations. The OMB cuts are too harsh and should be spread over two years.

Agency: Education Department

Appeal Item: Student Financial Assistance (exclusive of Guaranteed Student Loans)--moderating the impact of budget cuts on needy students and institutions of higher education--including black colleges.

Budget Impact:

(\$ in millions)

	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
<u>o OMB Passback</u>				
Pell grants	\$2,604	\$1,594	\$1,000	\$1,000
Campus-based consolidation:			---	---
Supplemental grants	370	243	---	---
Work-Study	550	400	400	400
Direct Loans	201	166	---	---
Total: Budget Authority	3,725	2,403	1,400	1,400
Outlays	NA	3,033	2,362	1,480
<u>o Agency Position</u>				
Pell grants	2,604	2,118	1,808	1,000
Campus-based consolidation:			900	400
Supplemental grants	370	326	---	---
Work-Study	550	484	---	---
Direct Loans	201	274	---	---
Total: Budget Authority	3,725	3,272	2,708	1,400
Outlays	NA	3,137	3,213	2,596
<u>o Amount Appealed</u>				
Pell grants		594	808	---
Campus-based consolidation:			500	---
Supplemental grants		83	---	---
Work-Study		84	---	---
Direct Loans		108	---	---
Total: Budget Authority		869	1,300	---
Outlays		104	851	1,116

Program Description:

This appeal includes four major programs of financial aid to postsecondary students attending colleges and vocational schools who demonstrate financial need: Pell Grants are voucher-like awards based on a national eligibility formula, and are considered the basic building block of student aid. Awards in the other three programs are institutionally determined. The three "campus-based" student aid programs are proposed for consolidation by ED in FY 1983.

Justification for Agency Position:

Overall the OMB mark for student aid for FY 1983 is a reduction of \$2.1 billion--or 60 percent--from the FY 1981 level.

not to net
subsidy
+0 middle
class

Pell Grants: The number of Pell Grant recipients will be reduced by approximately 1.3 million from 2.7 million in 1981 to 1.4 million in 1983 and the maximum award will be reduced by \$670 from \$1,670 in 1981 to \$1,000 in 1983.

The Pell Grant program--formerly the Basic Educational Opportunity Grant program--was one of the principal educational initiatives of the Nixon Administration. Its voucher-like award system was regarded as a major symbol of the free-market approach to financing education.

Campus-Based Consolidation: The number of award recipients under the three campus-based programs will be reduced by 1.1 million from 2.4 million in 1981 to 1.3 million in 1983.

Effects on Students

- o The Pell Grant of a student from a typical family of four at a \$15,000 family income level will be reduced by \$820 from \$1,190 in 1981 to \$370 in 1983.
- o For a student attending an average cost public institution, the remaining education cost of \$3,650 that this student will have to cover by working and borrowing will increase over 65 percent.
- o For a student attending an average cost private college, the remaining education cost of \$7,260 that this student will have to cover by working and borrowing is considerably in excess of the amount a student could acquire by borrowing a maximum GSL loan and working 20 hours per week at the minimum wage.

Effects on Institutions: Educational Quality and Diversity

- o As the above effects on students suggest, under the OMB mark, there could well be sudden and major enrollment shifts from private to public colleges and from four-year colleges to two-year community colleges because many students would not be able to afford higher cost schools.
- o At the OMB mark, aid to students enrolled in black colleges would decrease dramatically in FY 1983. These decreases could seriously affect school operations since a significant percentage of the operating budgets of these schools is currently met through Federal student aid programs. For example:
 - Tuskegee, a four-year private institution, would receive 64 percent less in student aid.
 - North Carolina A&T, a four-year public institution, would suffer a similar decline in Federal funding with an overall reduction of 57 percent in the amount of student assistance funds it receives.
 - For some colleges, such as Coahoma Jr. College in Mississippi, the effect of OMB's mark would be even more dramatic. Coahoma's reduction in student aid funds of 57 percent is comparable to the reductions at the four-year schools just mentioned. However, as a percentage of Coahoma's operating budget, Federal student assistance would decline from 59.3 percent in 1981 to 20.9 percent in FY 1983 under the OMB mark.

Agency: Department of Education

Appeal Item: Block Grants for Improving School Programs -- Need for sufficient funds to implement Administration's recently enacted block grant.

Budget Impact:

	<u>1981</u>	<u>1982</u> (\$ in millions)	<u>1983</u>	<u>1984</u>
o <u>OMB Passback</u>				
Budget authority	\$612	\$387	\$305	\$305
Outlays	NA	27	293	316
o <u>Agency Position</u>				
Budget authority	612	\$519	\$433	\$305
Outlays	NA	36	394	433
o <u>Amount Appealed</u>				
Budget authority	NA	+\$132	+\$128	---
Outlays	NA	+ 9	+ 101	+ 117

Program Description:

Block grants constitute one of the Administration's major legislative initiatives. Under the Education Block Grant, States and Outlying Areas receive grants on a formula basis to meet, in a more flexible way, the purposes of the 42 previously funded categorical programs.

Justification for Agency Position:

- o At the OMB mark for 1982 and 1983, all States will receive much less support than under the antecedent programs. Such key States as California and New York will be reduced by more than 50 percent from their 1981 levels. This is too abrupt a reduction for States and localities to absorb, given the time required for action by State legislatures and school officials.
- o The low level of funding for the Block Grant would confirm predictions by opponents of the original proposal that Congressional acceptance of the consolidation would result in lower funding for the States. It will undermine this key achievement of the Administration and will jeopardize future block grant proposals in the 1983 President's budget, not only for Education but for all other agencies.

Why The Department of Education Should Be Abolished

by

Congressman Larry McDonald (D.-Ga.)



U.S. Congressman Larry McDonald (D.-Ga.) was first elected to the Congress in 1974 and is now in his fourth term. He has introduced a bill – H.R. 985 – that prohibits the federal government from being involved in controlling local education programs. He believes “there is no question that parents, States and local authorities should exercise jurisdiction over education.”

Introduction

Those who are fighting to abolish the Department of Education, or to keep it from being abolished, should ask themselves exactly what they mean by "abolish."

They *could* mean simply undoing what Congress did at the behest of President Carter in 1979. After such so-called "abolition," there would no longer be a "Secretary of Education" attending Presidential Cabinet meetings. The entity now headed by the official thus titled would be transferred back into a newly rechristened "Department of Health, Education, and Welfare," where it would be supervised by a U.S. Commissioner of Education and an Assistant Secretary for Education, just as it was before 1979. A few small programs, like the National Institute of Education, and one big program, the system of overseas schools for the children of American military personnel stationed abroad, would go back to their original boxes on the Federal organization chart.

That is all that would happen. Even after such "abolition," Washington would still operate more than 120 separate education programs, every one of which existed before the Department was created under Carter. Washington would still spend more than \$13 billion a year on these programs, and would employ more than 5,000 people to run them. Washington would still be enforcing several hundred pages of Federal education laws, and more than a thousand pages of education program regulations.

On the other hand, and at the opposite end of the range of possibilities, "abolition" could be taken to mean the complete elimination of every program, the repeal of every law, and the termination of every budget line item connected with the existing Department. The Federal education entity would not merely be re-named, but destroyed. Offices would really be emptied, people would really be fired, and money would really be saved. Such "abolition" is clearly closer to the dictionary sense of the term, but also closer to what the average grass-roots Reagan voter expects Reagan to do. (Reagan voters are *not* people whose idea of reform is to move boxes around on organization charts.) It is also much closer to what the President himself would like to do, if he is taken at his word in his 1976 and 1980 campaign statements about shifting major social-service functions, along with the revenue sources to pay for them, back to the state and local governments. (President Reagan has even reaffirmed these statements since his inauguration, indicating that in his view his proposed "block grants" are a way station, not the final step, toward the kind of decentralization he seeks.)

This study is based on the assumption that by "abolishing" the Department of Education we mean doing something considerably closer to the second than to the first of these two possible meanings. The Department *should* be "abolished" in that second, strong sense of the word, for five reasons.

A force for mediocrity, not excellence, in academic achievement

Most Americans rightly believe that the most important task of elementary and secondary schools is to teach children how to read, write, and compute—the core intellectual skills emphasized by the "back-to-basics" movement. If the schools did these jobs well—their *natural* jobs—they would do more good for social-reform goals like "equality," and for the

individual student's sense of fulfillment and self-confidence, than they could ever achieve by functioning directly as social-reform agencies or as centers of pseudo-psychotherapy.

The Federal government has been involved on a massive scale in elementary and secondary education since 1965, when the Elementary and Secondary Education Act was passed. Students now graduating from college constitute the first generation to have the "benefit" of a large Federal presence in education from kindergarten onwards. Washington has spent tens of billions of dollars on the schools during this period, but the schools have not improved. In fact, they have declined. Test scores of academic achievement generally showed *rising* levels of performance among high-school seniors during the late 1950's and early 1960's, reaching a peak in 1963. During the years since the Elementary and Secondary Education Act was passed, scores on tests like the SAT have *fallen*. The correlation between Federal involvement and academic deterioration is almost perfect.

California reading specialist Paul Copperman, author of *The Literacy Hoax* and one of the few experts on the Federal education enterprise whose well-being does not depend in whole or in part on the continuation of that enterprise, told the House Committee on Government Operations in 1979 that "the twin historical anomalies of extensive federal involvement in public education and declining academic achievement are not coincidental. In fact, four years of research into the decline in academic achievement in our public schools have convinced me that the federal government bears significant culpability for that decline."

Of the largest Federal elementary-secondary program, the \$3-billion-plus Title I of the Elementary and Secondary Education Act which funds "compensatory education" for low-income and low-ability students, Copperman said: "The mass of federal regulations which public schools must obey when spending this money virtually insures that the money will not be used to serve the needs of children, but in fact will only serve the needs of the politicians who pass the legislation, the bureaucrats who administer it, the professors of education and commercial interests it employs, and the community residents who use it as a jobs program Compensatory education is little more than an educational boondoggle."

Copperman also commented on Titles III and IV of ESEA, which formerly mandated "innovative" educational programs but which have now been folded into the education block grant enacted in the summer of 1981 as a compromise version of President Reagan's more radical proposal. He said, "Numerous programs have been introduced or funded under the aegis of these Titles, including the new math, open education, formal systems of individualized instruction, and a bewildering variety of new reading and math programs. Under these Titles, a program will be funded as long as it is innovative, but in no case longer than a few years. The effect of these Titles has been to introduce curricular chaos into thousands of public schools around the country. Since curricular stability is a hallmark of effective educational practice, especially in basic skills instruction, the anarchy created in the name of educational innovation provides a particularly apt demonstration of the damage the federal government has done to the local educational effort. This statute serves the needs of everybody in education except local school teachers and administrators, and children."

Copperman's view of these programs is reinforced by a mid-1970's, Federally funded evaluation conducted by the American Institutes for Educational Research. This project, the

"Longitudinal Study of Educational Practices," found that most of the Federally-funded innovative programs were unsuccessful or even harmful to student achievement. ("In fact, relative to the sample of schools participating in the project, students enrolled in programs with a more moderate emphasis on innovation and individualization showed the greatest improvement.")

Recent pedagogical research (Michael Rutter *et al.*, *Fifteen Thousand Hours: Secondary Schools and their Effects on Children*, Harvard University Press, 1979), buttresses the view that it is not money, but strong leadership from the principal, nurturing "staff consensus on the values and aims of the school as a whole," that sets good schools apart. The more time a principal has to spend sitting at his desk plowing through Federal regulations and filling out Federal forms, the harder it is for him to provide such leadership. In 1980, Congressman John Ashbrook (R.-Ohio) argued that there was a direct causal link between the findings of two studies: The National Center for Education Statistics said that the Federal paperwork burden on state and local educational institutions had climbed to about 9.5 million man-hours a year; and the National Association of Secondary School Principals discovered that one-third of a sample of "exceptional" principals were planning to leave their jobs. Mr. Ashbrook concluded that educators "who do not get their sense of career fulfillment from successfully shuffling government paperwork are precisely those who have the most to offer to students (and) are also the very ones who are being encouraged by Mr. Carter's allegedly 'pro-education' policies to forsake the schools and seek employment elsewhere."

In 1978 a small school district in North Highlands, Calif., decided to drop out of Federal and state programs ostensibly designed to help "disadvantaged" students. The district forfeited \$111,000 in program subsidies, but found that by mid-1979 student test scores in math, reading, and language had improved in every grade. Superintendent Robert Bagley said that the "12 to 15 per cent of the time (previously) devoted to paperwork and meetings is now going toward full teaching energy. If any organization could increase effectiveness by 25 per cent, you'd see a significant difference."

According to Fred M. Hedding, Executive Director of the Pennsylvania School Boards Association, "Federal data for 1976-77 show that HEW claimed direct employment of 22,000 persons involved in education. However, in his testimony before the Senate Appropriations Committee, Secretary Califano reported that HEW is paying the salaries of 980,217 persons who work for private 'think tanks,' universities, and state and local government agencies, in addition to the 144,256 regular employees of HEW. These same data show that state educational agencies employ another 1.1 million people compared to the 3.4 million persons employed at the local school district level where educational services are delivered to students.

"What all this means is that one person is engaged in regulation and oversight at the Federal and state level for every three people who work directly with students. Most of this is supported by Federal funds. Assuming an average salary of \$15,000 for such persons, this means that a minimum of \$16 billion annually is being spent for such a purpose. If this bureaucracy were reduced by 30 per cent, some \$5 billion could be made available to deliver services to students. This would undoubtedly result in an overall improvement in public school programs throughout the nation."

Common sense suggests that learning requires discipline. An orderly, quiet, safe environment does not necessarily

guarantee academic progress; but a classroom or school which is at the mercy of its most irresponsible, disruptive students almost surely guarantees academic frustration. The last decade has seen the balance of power within our schools shift away from teachers and principals in their role as keepers of basic order, and toward the students, student groups, and non-student intruders who are responsible for more than 100,000 assaults on public-school teachers every year.

Just as with crime in general, the sentimental liberalism of Federal agencies in this area has tended to encourage the classroom rulebreakers and lawbreakers, and to paralyze the law-abiding. The Federal courts, incited by Federally-funded agencies like the Center for Law and Education, have increasingly treated school suspension and expulsion cases as miniature replicas of adult criminal trials, requiring such formalized trappings as impartial hearing officers.

The Department of Education's Office for Civil Rights has proved quite willing to involve itself in these sensitive matters in ways which make it harder than ever for school authorities to do their jobs effectively. OCR requires schools to report every two years on aggregate numbers of suspensions and expulsions, and occasionally it demands that a school provide such figures not only in aggregate form, but also broken down by race and gender. In 1975, OCR issued an informal "memorandum" requiring all school districts to keep records of disciplinary actions broken down in this fashion. Only intense Congressional opposition forced OCR to rescind the memorandum. In 1980 OCR announced that it intended to issue formal regulations which would have embodied the same requirement. If Jimmy Carter and a liberal Congress had been re-elected, those regulations would probably be in force by now.

From the local school official's viewpoint, this Federal inquisitiveness clearly exercises what might be called a "chilling effect" on discipline. If a school official knows that every time he suspends or expels a minority student he is increasing his school's chances of an unfriendly visit from the Federal inspectors, he is going to be somewhat less likely to take action.

Discipline is not the only controversial area where the Federal education enterprise has taken a position opposed to both common sense and majority sentiment. Another is standardized testing. In the last half of the 1970's, as the continuing decline in the schools' effectiveness became more and more obvious, state legislatures began to pass laws to encourage or require minimum competency testing of students as a condition for graduating from high school with a state-certified diploma. No state had such a law before 1975; by 1980, nearly 40 did.

In several states these new testing programs became the focus of legal action, with "civil-rights" groups trying to persuade the courts to declare them discriminatory and therefore illegal or unconstitutional. The most important such case pitted these groups against the state of Florida. Siding with the local plaintiffs in this case were not only the national civil-rights groups, but three Federal agencies: the Center for Law and Education of the Legal Services Corporation, the U.S. Department of Justice, and the U.S. Department of Education.

Unfortunately, Florida lost. The immediate effect of this defeat is to cheat every high-school senior in Florida who is able to pass the competency test and thereby demonstrate his right to a real high-school diploma—a group which includes some 80 per cent of the state's black seniors. Its long-range effect is to jeopardize minimum competency programs in other states. The biggest losers, of course, are precisely the black and

Hispanic youngsters who want and deserve an objective measurement of their own academic achievements, both as a recognition of their past efforts and as a stimulus to further efforts.

An instrument for arbitrary, unwarranted Federal tyranny over state governments, local governments, and private institutions.

Next to the struggle to create a Cabinet-level Department, the most dramatic issue in Federal education policy during the Carter years was bilingual education. In August of 1980, the Department issued a body of proposed regulations which would have formally required local school districts to provide separate, minority-language classrooms for students from each of 87 different linguistic backgrounds. For example, Hispanic students would have had to be taught by Spanish-speaking teachers using Spanish textbooks and Spanish as the language of instruction—not just for some subjects, but for *all* subjects. Programs of intensive training in English, or special classes in “English as a Second Language” which do not isolate minority-language children from their English-speaking schoolmates, would not have been an acceptable substitute.

In February of 1981, shortly after the new President's Inauguration, the Department formally withdrew these proposed regulations. The new administration portrayed this action as a major policy shift, but as *Regulation* magazine noted, “Before the dust had cleared, knowledgeable observers were predicting that the move would make little, if any, difference. The reason is that the withdrawal leaves in place a large body of ‘subregulatory guidance’—policy memos from mid-level administrators, informal (but binding) guidelines, and the like—which local educators may well find even more onerous than the Carter proposal would have been.”

Like the Carter proposal, this body of “subregulatory guidance” promotes artificial linguistic separatism. By treating the English language as a sort of plague from which Hispanic and other minority-language children should be shielded, thereby delaying their acquisition of skills which are essential to their social and economic success, it actually harms such children in the long run. As *Regulation* noted, “In the bilingual case, subregulatory guidance grew by gradual accretions during the seventies, picking up momentum from the Supreme Court's 1974 *Lau* decision and from HEW's 1975 ‘Report on *Lau* Remedies.’ The latter, a *magnum opus* of subregulatory guidance, was used to extract ‘compliance agreements’ from some 500 school districts. . . . Details have varied from one agreement to another, but the trend, especially of late, has been to make it virtually impossible to meet *Lau* obligations through English-immersion programs—that is, without bilingual education. Those agreements will remain in force, and presumably new ones will be added, unless the Department decides to alter its policies. . . . Some advocates of compulsory bilingualism are noting approvingly that the stringent 1975 report was issued by the old Office of Education, whose commissioner strongly supported its conclusions. That commissioner was Terrel H. Bell, now Secretary of Education in the Reagan Administration.”

Another example of the Department's deliberate distortion of the law to expand its own powers can be found in its enforce-

ment of Title IX of the Education Amendments of 1972. Title IX prohibits any education *program or activity* which receives Federal funds from practicing sex discrimination. The education bureaucrats have enforced that law as if the prohibition applied to any educational *institution* which receives federal funds. This seemingly minor difference makes an enormous difference in actual practice.

Consider a university whose physics department receives a Federal grant for research. Under the bureaucrats' preferred interpretation, not just the physics department but every other activity at the university immediately becomes subject to microscopically detailed Title IX regulations. Extracurricular activities, athletics, off-campus living facilities, health-insurance programs, etc., are then to be scrutinized by the fanatical feminists of the Education Department's Office for Civil Rights to see if they are guilty of such offenses as paying the women's basketball coach less than the varsity men's coach, or spending more on equipment for men's athletics than for women's.

The Department has even tried to apply Title IX to small private colleges which receive no Federal aid on the ground that individual students at these colleges are receiving Federal grants or loans to help pay their tuition. According to the bureaucrats' bizarre logic, such a college is a “recipient institution” of Federal aid, with all that implies for Federal inspection and coercion, even if it does not receive a dime of direct Federal assistance. That's like saying that a corner grocery store is a “recipient institution” simply because some of its customers use Social Security checks to pay for their food.

Radical Hispanics and feminists are not the only militant groups who have been able to harness the awesome powers of the Department for their own purposes. The more extreme elements of the black community, who honestly believe that “racial justice” is synonymous with mandatory, numerical racial quotas in admissions and hiring, have found a useful ally in the Department's 1,100-employee Office for Civil Rights. This is the office which ordered the closing of a popular, racially integrated neighborhood school in New York City (40 per cent black, 60 per cent white) in order to make white students available for “racial balance” in a large school outside the neighborhood; which tried to cut off a special grant to a North Carolina school for a “gifted and talented” program on the ground that the program used an aptitude test which “discriminates” against children who are neither *gifted* nor talented; and which, before the Reagan administration took over, was trying to force state university systems to shift programs from one campus to another, and even to abolish entire academic departments, in order to meet mindless numerical quotas.

Violated American traditions of pluralism by promoting religious, moral, and ideological viewpoints hostile to traditional values

One of the most controversial movements in contemporary American education is called “values clarification.” In the opinion of Paul Vitz, Associate Professor of Psychology at New York University, values clarification is “a vehicle for undermining the family and hustling moral relativism and permissive secular humanism—while hypocritically claiming

neutrality and objectivity." In the opinion of Martin Eger, Associate Professor of Physics and Philosophy at the City University of New York, values clarification imposes a "narrowing of moral vision . . . the exclusion—from the explicit methodology—of a whole realm of moral categories not specific to one religion, but . . . encompassed by the heritage of both East and West: the good, the true (objectively), the just, soul, faith, courage, moral rebirth . . ."

America is a fantastically diverse country, and no conservative would advocate the use of Federal government power to *prevent* people from learning or teaching a curriculum like values clarification. For the same reason, no fair-minded person should support the use of Federal power to *promote* such a curriculum, which is clearly contrary to the moral and religious beliefs of millions of taxpayers. But the bureaucrats in the Department of Education's Office of Educational Research and Improvement either do not know about American traditions of pluralism and fair play, or do not care, or perhaps believe that American pluralism is a one-way street—where secularists must not be taxed to subsidize Christian activities, but where Christians can and should be taxed to subsidize anti-Christian activities. The bureaucrats have used Federal subsidies to spread a values-clarification program, called "The New Model Me," to more than 30 states.

Another Departmental assault on American pluralism is the Women's Educational Equity Act Program, which operates as a Federally-funded feminist caucus. In its studies, reports, and grants it works for even more meddlesome enforcement of Title IX, for new Federal regulations to combat sexual harassment of students, for an end to so-called "sex stereotyping" in curriculum and textbooks, and for the creation of more "Women's Studies" programs in our colleges and universities. Obviously, millions of Americans of both sexes disagree with these objectives. To use their tax dollars to support such activities is morally indistinguishable from using, say, Bella Abzug's tax dollars to support the Stop-ERA movement.

A captive agent of special interests, putting their narrow goals ahead of the public interest in intellectual excellence

Sufficient evidence for this charge has already been given in the discussions above of bilingual regulations, Title IX, and racial quotas. But there is one other special interest which deserves to be mentioned: the National Education Association. NEA, the nation's largest teachers union, was the sole major political force behind the creation of the new Department. The NEA endorsed candidate Jimmy Carter in 1976 only after he had pledged to create a Cabinet-level Department, and in 1979 only after he had delivered. After that victory, an NEA official was quoted as boasting that his union was the only one in the country to have "its own Cabinet Department." As if to confirm his words, a top official of the new Department told a meeting of Alabama teachers that "there ought to be a rider attached to every program coming from the Department of Education saying that in order for a state or local school district to qualify for the money the teachers within that area must have access to collective bargaining."

With the arrival of the Reagan Administration, such rhetoric has vanished from the top levels of the Department—at least for the moment. But like every Federal agency, this one has only a thin layer of top-level, political appointees loyal to the

White House. The overwhelming majority of the Department's employees are career bureaucrats protected by civil-service rules, and they have their own loyalties and their own goals. Weakening their own power over America's children is decidedly *not* one of those goals.

Even the Reagan Administration has turned out to be vulnerable to special-interest lobbying against the interests of America's schoolchildren. Early in 1981, the Administration was writing a bill to consolidate most of the narrow, categorical programs in elementary-secondary education into "block grants" which would allow much more flexibility at the state and local levels of government. Some officials, including David Stockman, wanted to include the \$174 million bilingual-education program in the block grant, a move which would have allowed schools to spend their share of that money for purposes other than bilingual education. According to the Federal government's own evaluation, this program is the least effective in the entire Department—in fact, it actually makes it *harder* for Hispanic children to learn English. So there was no good reason for giving it special protection by *keeping* it out of the block grant. Nevertheless, after meeting with representatives of the militant Hispanic lobby, Education Secretary Terrel Bell decided to side with them and against Stockman. Bell won, Stockman lost, and bilingual education still survives as a separate Federal program, protected by its own specialized bureaucracy within the Department of Education.

Department of Education role better filled by state governments, local governments, or the private sector

In August of 1981, the bipartisan National Governors Association passed a resolution proposing that the Federal government transfer all its programs in education to the states, and that the states transfer various other programs, like welfare, to Federal management. This resolution was a milestone: It showed that even the recipients of Federal largesse now recognize that, of all the social services, education is the one in which Federal activity is least justified.

Compared to the other services, like health programs, education is the least standardized, the most intangible, the most intimate, and the most dependent on individual personalities—and thus the least susceptible to successful intervention by distant bureaucracies. Washington therefore has no legitimate role to play in setting policies about what should be taught or how it should be taught. Even the liberals in Congress have at least paid lip-service to this principle—though the liberals in the bureaucracy have repeatedly violated it.

Where the liberals do *openly* argue for a Washington role is in (1) helping *pay* for education, (2) enforcing civil rights, and (3) running certain specialized activities like education research. The first of these roles can easily be reformed without any Federal bureaucracy: simply return revenue sources to the states, as Ronald Reagan has long favored. Congressman John Ashbrook has introduced a two-page bill which would do this by allowing each state to keep 2 per cent of the Federal income tax revenues raised within its borders, on the condition that the state spend that money on education.

The second role, civil rights enforcement, will of course continue to be a Federal task no matter what becomes of the education bureaucracy. Even if every program run by the

current Education Department were abolished, it would still be a violation of Federal law for any public school to discriminate against anyone. What is needed is a saner, more sensible concept of civil rights in an educational setting. That means one which does not regard public school children as mere ethnic units to be manipulated in some sort of shell game. And of course, any honest and clear-thinking person can see that forced busing is a *violation* of civil rights.

The third role involves two components of the Department of Education which used to be separate agencies: the National Center for Education Statistics and the National Institute of Education. The first of these for the most part acts as a neutral collector of objective data, compiling figures on school enrollment, finance, etc. The second plays a more controversial role, providing grants and contracts for educational research. NIE has been criticized for spending too much on "trendy" topics related to black studies and women's studies, and not enough on serious problems like school discipline; for discriminating against private education in its choice of

research topics; for hewing slavishly to the NEA line in areas like collective bargaining for teachers. Even if these criticisms were not true, it is clear that the very existence of NIE is predicated on the premise that education is a "science," in which objective research by academic experts leads to professional consensus about which theories are true and which false, which practices work and which do not. It is equally clear that this premise is false: Education is not a science but a highly subjective, value-laden art. NIE should be abolished for the same reason that the National Endowments for the Arts and Humanities should be abolished: "Soft" academic fields, no matter how important, should not be funded by the national government in a free and pluralistic society.

This reasoning does not apply to the National Center for Education Statistics, and its existence should therefore continue. In fact, NCES may be the *only* piece of the entire existing Department which ought to continue. Everything else should vanish like the morning mist.

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Mr. Morton Blackwell
The White House
Washington, D.C. 20500

For meeting concerning Department of Education

Steve Daniels	225-5074	Minority Council of Government Operations for Congressman Erlenborn
Bruce Wood	225-3725	Education and Labor Minority Council for Congressman Erlenborn
Linc Hoewing	224-3864	Professional Staff of Government Affairs for Senator Roth
Jed Richardson	224-0588	Labor and Human Resources Committee for Senator Hatch
Connie Marshner	546-3000	Committee for the Survival of a Free Congress; National Pro-Family Coalition
Susan Phillips	281-6782	Conservative Caucus
Susan Staub	321-9820	Concerned Educators Against Forced Unionism
Jack Howard	225-2411	legislative aide to Rep. Walker
John Houston	790-0700	P.S.R.C. Public Service Research Council
Greg Humphrey	797-4400	American Federation of Teachers
Ken Peterson	637-5078	A.F.L.- C.I.O.
Larry Uzzell	224-3154	legislative aide to Senator East



NATIONAL ASSOCIATION FOR NEIGHBORHOOD SCHOOLS, INC.

February 18, 1981

Mrs. Elizabeth Dole
Assistant to the President
1600 Pennsylvania Avenue
Washington DC 20501

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Dear Mrs. Dole:

The National Association for Neighborhood Schools is the foremost national anti-busing organization. Formed in 1976, NANS can be credited with taking opposition to forced busing "out of the streets" and into legitimate areas of citizen action and activity under our representative system of government.

Our goal, through grass roots citizen pressure, is to make Congress stop forced busing. Given the makeup of the new Congress, President Reagan's announced position on the issue, and the clear anti-busing language of the Republican Party Platform, we feel that we should be close to achieving that goal.

This will request a meeting with either the President or his top assistant on a matter such as the busing issue.

At such a meeting, we would like to have further elaborated the Administration's position, its proposed initiatives, and, in particular, its probable position on various anti-busing initiatives forthcoming in the Congress.

Sincerely,

William D. D'Onofrio, President
National Assoc. for Neighborhood Schools, Inc.
Telephone: 302-658-1856

president's office

1800 W. 8th St.
Wilmington, DE 19805

communications office

3905 Muriel Ave.
Cleveland, OH 44109

membership office

4431 Okell Rd.
Columbus, OH 43224

STOP FORCED BUSING



REQUEST FOR APPOINTMENTS

To: Officer-in-charge
Appointments Center
Room 060, OEOB

*Taxpayers
Education
Assoc.
petitions*

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for Morton Blackwell of OPL
(NAME OF PERSON TO BE VISITED) (AGENCY)

Dan Alexander
Grady Lloyd
James Wood
Mary Fran Edwards
Jean King
John Sloke
Richard Alexander

Tom Minarik

Toby Pyle

*- Vignettes
- photographer -*

MEETING LOCATION

Building OEOB

Room No. 191

Time of Meeting 1:30 PM

Requested by Blackwell

Room No. 191 Telephone 2657

Date of request 12/ /81

Additions and/or changes made by telephone should be limited to three (3) names or less.

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AC-708-987-8 289

- ✓ 2. George Will
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Chevy Chase, Md. 20015

N.T. 301 654 0054
212 334 6375

- ✓ 3. Thomas S. Winter
Human Events
422 First St. S.E.
Wash., D.C. 20003

546-0856

- ✓ 4. Conservative Digest
7777 Leesburg Pike
Fall Church, Va. 22043

✓ James Lofton, Jr.
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✓ 5. NEAL FREEMAN
NATIONAL REVIEW
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August, 1981

CONTACT--Ms. Bellamy-245-8564-65-66
Office of Public Affairs
Total - 90

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The Viguerie Company

A Direct Mail Advertising Agency

7777 Leesburg Pike, Falls Church, Virginia 22043, (703) 356-0440

November 25, 1981

Ms. Cathy Christianson
c/o Morton Blackwell
Room 191 - Old Executive Office Bldg.
THE WHITE HOUSE
Washington, D.C. 20500

Dear Cathy:

SUBJECT: TAXPAYERS EDUCATION LOBBY

Thank you for your help today. Let me confirm.

Organization: TAXPAYERS EDUCATION LOBBY
Mobile, Alabama

Executive Director: Dan C. Alexander, Jr.
205-476-4586

Purpose: To present to the White House petitions
favoring the dismantling of the
Department of Education

Date/Time: Monday, December 7, 1981 ^{1:30}~~3:00~~ P.M.

In attendance:	Dan C. Alexander, Jr.	Mobile
	Mr. John Sloke	"
	Mr. James C. Wood	"
	Mr. Grady Lloyd	"
	Ms. Jean King	"
	Ms. Mary Fran Edwards	"

They will all be staying at the Jefferson Hotel.

I've asked Dan to call Morton to discuss the schedule. Off
hand we would like a photographer for our own pictures. Should
we schedule one? OK

George Mc Donnell
Peta Mc Carthy
Tom Minarik } Viguerie

Ms. Cathy Christianson
November 25, 1981
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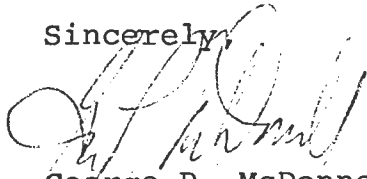
The scheduling of the press is something I'll let Dan and Morton discuss. The purpose is to draw attention to the TEL campaign to shut down the Department -- to oppose any notion of a foundation.

And I'm not sure how best to handle this. Hopefully Dan will be able to get through to Morton.

If I can provide additional information, Cathy, please let me know. I appreciate all your help.

By the way I've asked Dan to send you the social security numbers of those who will attend.

Sincerely,



George P. McDonnell
Vice President

cc: Dan C. Alexander, Jr.
Thomas Minarik
Peter McCarty
James Aldige