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FEDERAL AND STATE RELATIONS IN EDUCATION

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Many societal factors and forces in North America point towards major shifts in the locus of governance in the American educational enterprise. It is my purpose today to 1) give brief historical overview to the educational system of the United States, 2) note shifts in the locus of decision making and 3) discuss these shifts in relation to their implication for the future of education in our society

The tenth Amendment of the Constitution of the United States of America states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." Since the Constitution makes no specific reference to education, and in keeping with the Amendment, the states have been allocated the basic responsibility for public education. The foregoing is not intended to imply that since the Constitution does not mention education, federal authority in this sector is negated. For example, the states are still required to accede to the basic tenets of the Constitution in terms of the separation of Church and State, contractual obligations, due process of law and equal protection of the laws. The last mentioned concept was invoked in 1954 when the United States Supreme Court ruled that segregation in the public schools was unconstitutional because it denied equal protection of the laws. Another example of the federal government's authority to deal with educational matters is the general welfare clause (Clause 1, Section 8 Article I of the Constitution - "The Congress shall have the power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the common defense and general welfare of the United States ...")

Even before the Constitution was adopted the Federal Government had taken an active role in public education. The Ordinance of 1785 provided that each township in the confederation was required to set aside a section of land for public schools. Later in 1862 the Morrill Act granted land to each state for the purpose of establishing institutions of higher learning. Other federal legislation of significance was adopted in the twentieth century. To mention just a few:

I. Smith-Hughes Act of 1917 - provided federal funds for Vocational Education below the college level.

II. The National Youth Administration, 1935 - provided benefits to needy college and secondary school students.

III . The establishment of the United States Military Academy in 1802. the Naval Academy in 1845, and other military institutions are actually schools governed directly by the federal government.

IV. The National Science Foundation, 1950, - was developed to advance progress in science.

V. Cooperative Research Program, 1954 - authorizes the United States Commissioner of Education to enter into jointly financed contracts with universities, colleges, and state agencies for conducting research, surveys , and demonstrations.

VI. The National Defense Education Act of 1958 - authorized grants, and grants and loans assisting both private and public education from elementary school through graduate school.

I could continue for quite some time but I'd like to mention only one more:

VII. The Elementary and Secondary Education Act of 1965 - This is probably the most significant federal act affecting education. There are five major sections of this act providing well over one billion dollars for aid to elementary and secondary schools as well as to universities and state departments of education.

Section I provides funds to assist children in poverty areas.

Section II provides funds for libraries, text books and audio-visual educational material.

Section III provides funds for supplementary education centers.

Section IV provides funds for regional educational research.

Section V provides funds for strengthening state departments of education.

In addition to these acts the United States Office of Edu-

education has greatly expanded its sphere. In 1953 the Office of Education became a part of the Department of Health, Education and Welfare. The principal functions of this office are to 1) disseminate educational information, 2) engage in educational research and 3) administer federal funds.

So much, for the time being, for the national government. In all states, Hawaii is the only exception, the responsibility for the organization and operation of the schools has been delegated to local school systems. For this reason a common misconception is that states have little to do with public education in the United States. Nothing could be further from the truth. The people of each state through their state constitutions and state departments of education, are responsible for the basic policies for the governance of education within their respective states. The state constitution then provides the basic framework, and the state legislature enacts laws to implement these basic policies. The authority for establishing minimum standards and the technical requirements in keeping with these policies is delegated to the state board of education. Typically appointed by the governor, this state board appoints its chief administrative officers - the commissioner of Education.

The state departments of education have numerous responsibilities the fall under the general categories of Service, regulatory, and leadership. The most important concerns of the departments are:

1. The Educational program - this includes the scope of program, length of school year, requirements for attendance, requirements for graduation, the curriculum and general standards.
2. Preparation and certification of professional staff
3. Vocational needs
4. Finance and business administration.

The states are also responsible for regulatory activities in higher education. Indeed each State maintains complex systems of higher education.

The actual operation of the schools is left to the local districts. At present these number approximately 20,000. These local districts are governed by a local board of education, with a superintendent as its chief administrative officer. These local districts

are locally supported, with assistance from the State and to a lesser degree from the federal government. The state however, is the key to securing a proper balance of educational systems throughout the state and its diverse local communities. Strong state departments of education can be powerful agents for change. They can create the requisite conditions for change or they can directly effect desirable modifications.

In my opening remarks today I explained my threefold purpose. In the brief overview of education in the United States I have alluded to certain shifts in the locus of governance in our educational enterprise. With your indulgence, let me now review some important facts. One, the federal government is spending more and more money for education. Second, the number of local school districts in the United States now numbers 20,000 when 40 years ago there were over 125,000 such boards. Third, state departments of education have been strengthened in the past decade. Fourth, the United States is dedicated to equal educational opportunity for all. Fifth, the cost of education has skyrocketed. And sixth, we are in the midst of a knowledge explosion. The only conclusion to be drawn from these statements is that local school districts cannot solve pressing educational, economic, social, and political problems that confront them. Neither can they, in terms of human resources or financial resources, maintain ongoing research organizations necessary to advance the local educational systems in the transitory period we live in today. Consequently there has been a shift in the locus of governance to state and to the federal government. In addition there has been a shift to other governmental agencies within the existing political structure. Separate government agencies are turning more and more towards municipal governments for assistance. Perhaps the best example of this is the crisis now facing urban centers in the United States. Although local agencies are still equipped to handle certain local decisions, the broad policies of direction are now made at a higher political level.

Given this shift in power, and given the existing structure what lies ahead? Clearly the first priority in charting the future of education is long range planning. We now have the instruments necessary for a systematic approach to the formulation of blueprint for educa

cation. By instruments I refer to implementation of theoretical foundations such as general systems theory, organizational theories and our enhanced understanding of bureaucratic organizations. Other recent conceptual structures such as PERT (Program Evaluation and Review Techniques) or PPBS (Planning Programming Budgeting Systems) can and should be employed. Another area of priority must be the development, or strengthening the communications network. I mean here--lines of communication downward, that is from federal to state, to local levels; upward from local level to the federal agencies; sideways from agency to agency, from state to state - from county to county. More money is no necessary not only to achieve the above stated priorities, but to expand research activities, develop new technologies but insure the extension of equal opportunity to all. Money should also be in general aid rather than categorical as is now the policy. Finally, and I deliberately saved this for last, organizations and agencies such as those represented here must continue with their efforts in finding viable programs for the solution of educational problems. By this I mean several things which perhaps can be summarized by one word - cooperation. I am referring to cooperation in the development of knowledge, in research, in dissemination in application and in finance. Cooperative efforts among the various governmental agencies must be accelerated. For if the federal government of the United States is to continue in its increasing involvement in the governance of education then it must call upon the expertise of the other agencies in meeting its new and expanding obligations. At the state level, state departments must be strengthened even further to fulfill their functions. The role of the University in this cooperative effort will also expand. Instead of merely training personnel to meet the demands of our society we must also train competent researchers to develop new tools to understand better the world within which we live. Here again cooperation is a key word. Departmental lines cannot stand in the way. Schools of education, arts, engineering, medicine, in fact the entire university community must be willing to cooperate with one another. Perhaps more important is the cooperation needed between the University and the society it serves. All levels of government will have to pool their resources with the academic community if we are to succeed.

The final area of cooperation I would like to mention is international. If the assumptions stated earlier in this paper are correct then modifications are needed in the organizational structure of education in the United States. Many of you represent areas of expertise in dealing with national issues in education. Could not cooperative efforts be sought that would make available to the United States his valuable knowledge? On the other hand should not our models, research, and knowledge be made available to you? Our goals are similar, why not work together in achieving quality education for all?