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CSAANYS to Bishops: "It's Time To Tell It Like It Is."

If the people of God are to plan a program of liberty and justice for all in the future, then the role of the Catholic school in the past, present, and future must not be ignored or minimized. Justice for Catholic parents in their right to function as prime educators must be given a high priority.

This was the gist of the testimony given by Bro. Peter Pontolillo, S.M., for CSAANYS, and of the discussions after it, at the sixth and final Bicentennial Hearing on "Liberty and Justice For All" conducted by the National Conference of Catholic Bishops. This hearing, held in Newark on December 4, focused on the issue of ethnicity.

While many presenters spoke of all that the Church had done through national parishes to preserve ethnicity, the role of the school in these parishes was hardly mentioned. The "school problem" seems to be handled by forgetting about it.

Bro. Peter pointed out that the recent booklet published by the NCCB, **Respect Life**, omitted completely in its discussion of the needs and rights of the family, the parents, and the child, any reference to the fundamental right to a God-centered education under the parent as prime educator.

He asked the bishops and their representatives at the hearing to face the problem of justice for Catholic parents squarely, keeping in mind that:

- the hierarchy and clergy can not be effective witnesses or agents for the parents, the citizens and taxpayers, who are being deprived of their rights.
- parents should be encouraged to organize and use the channels of communication that schools and other parish organizations afford for contacts and for fund raising.
- since liberty and justice are at stake, we can not afford to be "nice guys" and not attack the illogical position of those Jews and Blacks represented by the AJC and the NAACP.

When asked about the futility of past efforts, Brother made it clear that up to now the Church has acted, and not the parents. Also, that it would be immoral for the clergy to decide that the fight was over, because they have no right to give away the rights that belong to parents as parents and as citizens.

After the hearing, Cardinal Cooke expressed his pleasure at the testimony to Bro. Peter and to Bro. Draney. The editor of the Newark diocesan paper was also very complimentary and asked questions about CSAANYS.

SOME DATES FOR A HAPPY NEW YEAR

- Friday, April 2
Workshop for Metropolitan N.Y.
- Monday, April 5
Workshop for Western N.Y.
- Friday, April 30
Workshop for Central and Northern N.Y.

Mr. William P. Gallagher, Executive Director of the NYS Federation of Catholic School Parents' echoed many of the points in our testimony when he gave the concluding presentation on Thursday evening.

A complete copy of the testimony will be sent to the membership in the near future.

Bro. Peter Named Director Catholic Athletic Association

On January 1 Brother Peter became the Executive Secretary of the athletic association for Catholic high schools in the state. Prior to this, the NYSCHSAA was directed by Mr. J. Alan Davitt, the Executive Director of the NYS Council of Catholic School Superintendents.

The association will remain as an affiliate of the Superintendent's Council, and Mr. Davitt will continue as a member of the executive committee. Bro. Peter will be responsible for the operational and representative activities of the association.

The change is expected to bring the whole realm of interscholastic athletics into better focus for administrators, and to strengthen the leadership role of principals in this important area of education.

The change was enthusiastically approved by the Board of CSAANYS and the Superintendents' Council.

The Association was formed in 1962. Prior to this there were only several diocesan associations. It is actually a federation of the 8 diocesan associations at this time.

Required Services Checks for 75% Sent

Because of money allocated last year but not used, the Governor's office was able to authorize a first payment check for 75% of the amount claimed.

These checks should have reached the incorporated authority designated on the form by mid-December, but in spite of the Governor's approval of the concept, road blocks were thrown up by individuals, first in the SED and then in the Bureau of Budget.

While the checks were not seen as priority items, a concentrated effort by various NPS groups caused the checks to begin to flow on January 6.

For the Record.

The Bureau of NPS Services under Mr. Hartmuller has final responsibility on appropriateness of times, administrative procedures, etc. The Bureau of Finance is primarily responsible for computation and the like. While it may question items it does not understand, if there are any difficulties resolving such inquiries, we advise principals to contact the Bureau of NPS Services and this office.

Confusion in SED Over NPS Records And Comparability

Officials in the State Education Dept. have recently issued statements which muddy the waters in regard to the ownership of the student records of a nonpublic school if it should close, and the establishing of whether or not a nonpublic school offers "comparable" education.

The statements have said that the local school district owns the records and should establish policies concerning receipt and retention of such records. Also, that the local district is the real judge of "comparability" in education.

These statements were challenged by nonpublic school authorities, including the Catholic superintendents, who represent the vast majority of nonpublic schools in N.Y. State.

The explanation presently given is that these directives were intended for the small, independent, religiously oriented schools which are springing up in many places in New York. The explanation doesn't say why such a distinction was not clearly made originally.

NEWSBRIEFS

Special Unemployment Assistance

SUA has been extended until December, 1976. Teachers (they are not included under regular unemployment insurance) may qualify for assistance under SUA. Those most likely to qualify would be teachers who lose their position through a closing or consolidation of schools and have not found another position. (See May Newsletter, 1975, for some details.)

A more detailed analysis of both the regular unemployment insurance and the Special Assistance, as they relate to both teachers and staff, will be issued from this office as soon as possible.

"First Amendment" Bigger and Better

Having sold out two printings of 10,000 each, Br. Draney's pamphlet on the freedom of religion in education has been reprinted for the third time. This edition, in response to suggestions by teachers, is with larger print, better paper, and 32 pages long instead of 24. Increased cost per copy in even small quantities is only a few cents per copy.

Secular Humanism Case

The court case in St. Louis, Mo., which challenges the neutrality of public schools, was featured in the December 22 issue of the National Catholic Register. The tax protest over the issue of public schools indoctrinating in Secular Humanism shows no signs of lessening.

Congress Continues Work On Copyright Legislation Problem

Two bills, S. 22 and H.R. 2223, to revise the copyright law dating from 1909 are presently in Congress. Up-dating is obviously necessary, because of the technological advances which have given us photocopying, filmstrips, cassette tape recordings, etc. But neither of these provide for free use of certain materials for teaching or research purposes.

While the bills provide for "fair use" for educational and scholarship purposes, it does not define the term. It could possibly be defined later on in some unrealistic way, such as only a single copy per class may be made.

The needs of the educational community (non-profit, not commercial educators) could be protected by incorporating a limited educational exemption as part of the law, or by defining the "fair use" already mentioned.

Such a definition would have to include: a) recognition of differences between commercial and non-profit use b) the need for multiple copies of brief excerpts c) the needs for teaching via mechanical transmission, such as TV.

Status of the bill

The Senate bill has been reported out of the judiciary committee and will be scheduled for debate and vote by the full Senate when it convenes on January 19th. Amendments at this time are both possible and probable.

The House bill is still in a sub-committee of the judiciary committee, which is trying to hammer out a final form for the full

committee to approve.

It would be well for administrators with experience and interest in this field to write to committee members, and appropriate legislators to insist upon a "fair use" for educators in the final bill, and perhaps to suggest means of protecting both educators and authors in the new bill.

Bicentennial Packet

A six page brochure of projects and resources has been mailed to all members. And along with it, a map.

Kits ordered in the future will contain all this information. The price is still only one dollar.

Mandated Services Appealed

The claim of the Catholic schools to the second payment of Mandated Services for 71-72 up to the time the law was declared unconstitutional, has been introduced by the Catholic school lawyers to the Court of Appeals, the highest court in the state. (See May Newsletter for background.)

While the case wouldn't be pursued if the lawyers did not feel it had merit, particularly in the light of the most recent decision in the Appellate Court and of precedent in Pa., it would be foolish to up hopes (or budgets) on a favorable decision.

Governor Rhodes and prominent legislators heard their concerns and promised relief.

Gallup Poll and Aid for Nonpublic Schools

Unfortunately, the direct question on favoring an amendment if necessary to give aid to "parochial" schools, was not included in the seventh annual poll sponsored by the Phi Delta Kappa. There is no direct means of measuring any growth over the 52% positive, 35% negative, and 13% undecided from the last poll.

Some interesting observations can be made though:

On the national totals — only 13% rated public schools "A" quality, a drop of 5% from the previous year

57% would send children to "special" public schools with stricter standards

79% favor instruction that deals with morals and moral behavior.