

THE NEW YORK STATE CATHOLIC CONFERENCE

AND

CATHOLIC EDUCATION IN NEW YORK STATE

THE ALAN DAVITT ERA

1968 – 1981

**Jack Balinsky
Summer 2008**

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P R E F A C E

In November 1916, the Bishops of New York State, with Cardinal Farley presiding, established what would become known as the New York State Catholic Welfare Committee. As an unincorporated forum/council, the purposes of the Committee were:

- ♦ to consider current legislative problems
- ♦ to formulate legislative policies for the safeguarding and promotion of Catholic interests
- ♦ to effect unity of approach in state-wide legislative and administrative matters
- ♦ to develop harmonious relations among the agencies of the Church and State departments.

The membership of the Committee included representatives from each of the dioceses. Each Ordinary appointed two representatives from each diocese: one priest, the other the diocesan attorney or a competent layman. Bishop Edmund Gibbons, Bishop of Albany, served as the first Chairman and Mr. Charles Tobin, Esq. was named Executive Secretary.

The Committee dealt with the content of policy as well as with strategies for adoption and implementation of policy issues. The Bishops desired that all legislative matters of general import, including the framing of bills and the promoting or opposing of legislation, should be directed by this Committee. The Committee met monthly from September to June and spoke and acted only with the approval of the bishops.

In the early years of the Committee, a great deal of emphasis was laid on dependent children's issues and thus the priest delegate from each diocese was the Director of Catholic Charities and the lay delegate was generally the diocesan attorney. As it evolved, the Committee also had representation from the Catholic School Superintendents. In the 1930's the Council of School Superintendents designated three members to participate in the deliberations. In the 1940's two representatives from health and hospital activities were added to the Committee. Subsequently, the Conference of Catholic Colleges and Universities, including seminaries, was invited to designate two representatives for membership on the Committee. A priest active in the Confraternity of Christian Doctrine also served as a delegate. Although the Committee had encouraged the establishment of small, legal-oriented diocesan advisory groups within each diocese, only the work in the New York and Brooklyn Dioceses, which constituted 50% of the Catholic population, proved to be significant.

In the fall of 1954 following the untimely death of his father Charles Tobin, Sr., Charles Tobin, Jr. became Executive Director of the organization. His influence on the organization over the next thirty years had significant impact on all that is reported in this volume.

In November 1968, the Roman Catholic Bishops of New York established the New York State Conference of Catholic Bishops. Its purpose articulated in the Statement of Organization was “the collaboration of the Bishops to promote, by means most appropriate to social conditions existing in this state, the apostolate of the church exercised by the Province and the dioceses it comprises.” The New York State Catholic Committee was continued and its purpose was described as “to serve the New York Conference of Bishops in public affairs, including health, education and social services, in which the apostolate of the Church exercised by the dioceses of the State affects or is affected by the circumstances of civil society within this state. The committee’s activities include coordination of inter-diocesan efforts in all matters when joint action is desirable.” (Article V)

The Statement of Organization outlined these purposes for the Catholic Committee as the Catholic Welfare Committee had come to be known:

- ◆ To serve the common good of the people of the State by serving the Bishops of the State in an advisory and consultative capacity;
- ◆ To provide a means for coordinated efforts of the dioceses of New York State in matters of interest and concern in which joint participation is desirable; and
- ◆ To serve as a means through which the Bishops of the State may communicate with respect to public affairs at the State level.

In a footnote, it was noted that the Committee was not:

- ◆ To speak or act as an independent organization;
- ◆ To carry on programs or activities in direct service to people or groups; or
- ◆ To substitute in any respect for the duties and responsibilities of the Ordinaries and of diocesan organizations and agencies.

The membership of this Committee provided for each Ordinary to appoint three regular members (Director of Catholic Charities, Secretary of Education or Superintendent of Schools, and an attorney) and three alternate members, two of whom should be laymen. In addition, the Committee invited the following groups to designate a representative and an alternate: The State Council of Confraternity Directors, the Conference of Catholic Colleges and Universities and the Council of Bishops’ Hospital Representatives.

During the late 1960’s and into the 1970’s, in light of the ever increasing challenges and opportunities in the public sector, leadership at the State Catholic Conference responded through the establishment of five constituent subgroups and several advisory committees.

In a previous volume in this series it was reported that the Council of Catholic School Superintendents had been established in 1937. In 1967 its role was strengthened by the hiring of Alan Davitt as Executive Secretary and in 1968 the work of the group was formalized by the adoption of a constitution.

Representatives of Catholic colleges had begun to attend meetings of the Catholic Welfare Committee in the 1940’s. In 1963, the Conference of Catholic Colleges had determined to hire

an Executive Secretary to coordinate its work and would eventually have no formal participation in State Catholic Conference activities.

The first meeting of the Bishops' Hospital Representatives was held on April 7, 1960. This group would ultimately become the Catholic Healthcare Council.

At the April 22-23, 1968 meeting of the State Catholic Committee it was announced that in light of escalating discussion about liberalizing abortion laws, there would be established a Committee of Diocesan Right-to-Life Coordinators, the forerunner of the Diocesan Human Life Coordinators.

The Bishops of the state formally approved the establishment of the State Council of Catholic Charities Directors in April 1969.

In May 21, 1969, at Lake Placid, the Diocesan Directors of the Confraternity of Christian Doctrine formally adopted a Constitution establishing a statewide organization to be known as the New York Confraternity Directors (NYCD). This group has since become known as Diocesan Directors of Religious Education.

In late 1979, as a result of the work of a Special Study Committee, the Catholic Committee was renamed the New York State Catholic Conference Public Policy Committee.

These, then, are the five major constituent subgroups who have assisted the Bishops and State Public Policy Committee in carrying on the work of the Catholic Conference over the last forty years:

- The Council of Catholic School Superintendents
- The Catholic Healthcare Council
- The Diocesan Human Life Coordinators
- The Council of Catholic Charities Directors
- The Diocesan Directors of Religious Education

In addition, there have been established regular meetings of Diocesan Attorneys, Diocesan Fiscal Officers and Diocesan Communications Directors.

Recognizing that there were some issues which overlapped the work of different constituent subgroups or were not being adequately addressed by any of the groups, Conference leadership over the years also established several Advisory Committees to the Public Policy Committee. They were:

- The Criminal Justice Advisory Committee (1975-2002)
- The Advisory Committee on Persons with Disabilities (1980-2007)
- The Advisory Committee on Government Fiscal Affairs (1983-2004)
- The Advisory Committee on Women's Issues (1987-1994)
- The Advisory Committee on African American and Hispanic Ministries (1992-2004)
- The Advisory Committee on Environmental Justice (established 2007)

This volume is the fifth in a series of histories detailing the work of the State Catholic Conference. Previous volumes are:

- ✓ *A History of the New York State Catholic Conference 1916-1968*
- ✓ *A History of the Catholic Church and Healthcare Public Policy in New York State 1924-2004*
- ✓ *A History of the New York State Council of Catholic Charities Directors 1966-2006*
- ✓ *A History of the Advisory Committees to the New York Catholic Conference Public Policy Committee 1973-2004*

It is the purpose of this volume to detail the work of the State Council of Catholic School Superintendents and the Diocesan Directors of Religious Education during the time when Alan Davitt served as Executive Secretary for both groups from 1968-1981.

Planned are subsequent volumes which will describe the work of these two groups when Joe McTighe served as staff person to both groups 1981-1996, and when Jim Cultrara served as staff from 1996-the present, as well as a volume describing the work of the Diocesan Human Life Coordinators 1968-to the present.

Jack Balinsky
Rochester, NY
Summer 2008

Author's Note:

This book is dedicated to the memory of Alan Davitt who served as Executive Secretary of the State Council of Catholic School Superintendents from 1967-1981, and the Executive Director of the New York State Catholic Conference from 1979-1991. He was a Catholic family man, an exemplary Churchman and a giant in the field of Catholic education at both the state and national levels. Attached as the Final Appendix to this Volume is a copy of the wonderful booklet on his life distributed at a recognition dinner held on June 14, 1993.

As always, special thanks to Walter Wojtowicz and Alan's successors Joe McTighe and Jim Cultrara from the State Catholic Conference and my incomparable administrative professional JoAnn Anderson, without whose outstanding work this volume would not be possible.

PART I

THE COUNCIL OF CATHOLIC SCHOOL SUPERINTENDENTS

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INTRODUCTION

It is the purpose of this volume to describe the work of the Council of Catholic Superintendents from their meeting in September 1968 until their meeting in June 1981. During this time period, the Council was comprised of Diocesan Superintendents of Schools, Assistant and Associate Superintendents and other leadership staff from Diocesan Education agencies. J. Alan Davitt was the chief staff leader for the Council throughout this time period.

To help the reader better understand the context in which the Council was acting in 1968, the author begins with a brief recapitulation of the work of the Council from 1937-1968. This description is a summary of the activity described fully in a previous volume in this series "*A History of the New York State Catholic Conference 1916-1968.*"

This volume is then organized into the following Chapters:

- Chapter I: The Work of the State Council of Catholic School Superintendents 1937-1968
- Chapter II: Council Leadership, Membership, Structure and Function
- Chapter III: Relationships to Other Catholic Entities
- Chapter IV: Status and Vision of Catholic Elementary and Secondary School Education
- Chapter V: Relationships to Government – Federal and State
- Chapter VI: Advocacy at the Federal Level
- Chapter VII: Advocacy at the State Level

CHAPTER ONE

WORK OF THE STATE COUNCIL OF CATHOLIC SCHOOL SUPERINTENDENTS **1937 – 1968**

A. The Gildea Era 1937-1951

The State Council of Catholic School Superintendents was established in 1937, as the first constituent subgroup of the State Catholic Welfare Committee. From 1937-1951, it was ably chaired by Syracuse Diocesan Superintendent Monsignor David Gildea. During this time period, the Council focused on the following issues:

- Education Issues in the 1938 State Constitutional Convention
- School bus transportation
- Funding
- Released Time Programs
- Education for Mentally and Physically Handicapped Children

B. Leadership of Monsignor John Bourke and Monsignor Sylvester Holbel 1951-1966

During this period, the Council was ably chaired by Albany Diocesan Superintendent Monsignor John F. Bourke with significant leadership assistance provided from Buffalo Diocesan Superintendent Monsignor Sylvester Holbel. During this time period, the Council addressed these issues:

- Funding (particularly for health services)
- Released Time Programs
- School Bus Transportation
- Curriculum
- Powers of the Board of Regents
- School Prayer
- Minimum Education Standards

A development that occurred during this time period had significant impact on the evolution of the Council. Father Charles Mahoney, Rochester Diocesan Superintendent from 1945-1954 and Father Arthur Leary, Ogdensburg Vicar for Education from 1944-1954, and again from 1966-1971, met at Catholic University. There they studied under Father Johnson who had developed a comprehensive approach to curriculum in Catholic schools.

This approach entitled “Guiding Growth in Christian Spiritual Living,” posited that any academic subject could be used to communicate the Christian message. Far from “counting rosary beads as a means of learning arithmetic”, this approach viewed arithmetic as a way to help students understand the God-given concepts of integrity and order in the universe. Social studies, history and geography could all be used as means to convey the Christian concept of stewardship of resources, and so on.

The methodology included development of specific booklets for six to eight subjects for each grade. Fathers Leary and Mahoney provided the leadership to implement this approach in New York State. The five upstate Diocesan Superintendents (Buffalo, Rochester, Syracuse, Albany and Ogdensburg) came together on their invitation to form the Catholic Curriculum Committee. Each summer this group would select a group of the “best and brightest” sister teachers and commission three committees: two were assigned to updating the curriculum in the subjects determined most in need of work, and the third was “the testing committee” who would write (and keep in strictest confidence) the final exams which would be used in every subject the following June. The curriculum booklets and the tests were then sold through a publishing company in Buffalo as a means of sustaining the effort.

This work was important to the evolution of the Council because it was a “hands on” cooperative effort. It also provided for informal gathering and relationship building among the upstate Diocesan Superintendents, who gathered annually, usually the last week in July in Ogdensburg, to review the work of the three committees. The group was further strengthened when it was joined in the late 1950’s by Monsignor Edgar McCarren, named Superintendent in the newly created Diocese of Rockville Centre in 1957.

For many years, this approach was a vehicle to assure a high quality curriculum approach. It began to fall apart in the mid 1960’s as schools’ leadership changed, as there were changes in educational approaches like new math, etc. and as a poor choice of a staff person to lead the effort led to some financial difficulties.

Nonetheless, it was an important development which had much influence on the work of the Council of Catholic School Superintendents. Mention is made of the work of the Catholic Curriculum Committee in Chapter Two in the section on Council Committees; modest funds available from this effort were used in 1977 and 1978 by the newly created Curriculum Committee of the Council for two projects.

C. The Emergence of a Strengthened and Formalized Council Structure 1964-1968

The emergence of major policy issues which would require considerable attention, led to efforts begun in 1964 to strengthen and formalize the work of the Council.

At the December 1, 1964 meeting, the Catholic Welfare Committee first discussed the relationship of the Council of Superintendents to the Catholic Welfare Committee. Soon to be of major concern were the adoption in 1965 of state textbook aid legislation and the federal ESEA legislation, as well as discussion already of an effort to obtain repeal of the Blaine Amendment.

Present at a Superintendent’s meeting held on February 12, 1965 to flesh out thoughts for the future were:

Archdiocese of New York: Monsignor John Paul Haverty, Monsignor Ray Rigney

Diocese of Albany: Monsignor John Bourke, Father John Nevins

Diocese of Brooklyn: Monsignor Henry Hald, Monsignor Eugene Molloy

Diocese of Buffalo: Monsignor Sylvester Holbel, Father Leo Hammerl

Diocese of Ogdensburg: Father Arthur Leary

Diocese of Rochester: Father William Roche

Diocese of Rockville Centre: Monsignor Edgar McCarren

Diocese of Syracuse: Father Thomas Costello

There was further extensive discussion at the September 23, 1965 meeting of the Catholic Welfare Committee about the work of the Superintendents.

At the January 21, 1966 meeting, a committee comprised of Father Hammerl, Monsignor Molloy and Father Costello proposed that there be hired a competent education professional to assist Mr. Tobin and staff the work of the Council. At the December 9, 1966 meeting, it was reported that the so-called “Molloy Program for an Executive Secretary” had been approved by the Bishops. At the February 17, 1967 meeting, it was reported that Mr. J. Alan Davitt, Associate Superintendent of Schools in the Buffalo Diocese, had been hired as Executive Secretary of the State Council of Catholic School Superintendents and would start work on a shared time basis on April 1, 1967. It was also reported that Father Thomas Costello, Syracuse Diocesan Superintendent, had been elected President of the State Council of Catholic School Superintendents, that Father Daniel Brent, the Rochester Diocesan Assistant Superintendent, would serve as Vice President, and that Bishop Edward Maginn would serve as Episcopal Moderator of the Council, thus assuring good communication between the Council and Committee. At the June 9, 1967 meeting, the proposed Constitution of the State Council of Catholic School Superintendents was first introduced. It was approved in 1968, and is attached as Appendix I to this document.

During this time period, in addition to attending to these organizational details to strengthen the Council, leadership of the Council was involved heavily with that of the New York State Catholic Committee in advocacy during the 1967 State Constitutional Convention for repeal of the Blaine Amendment. Also of major concern were State Textbook Loan Aid enacted in 1965, and the federal Elementary and Secondary Education Act also enacted in 1965.

Beyond these matters during this time, the Council also focused on the following matters:

- Released Time Programs
- School Bus Transportation
- Prayer in Schools
- Administrative Relationships with the State Education Department
- Governance within Catholic Schools

With the hiring of Alan Davitt, the election of new Council leadership and the adoption of a Constitution for the Council on May 15, 1968, by the end of June 1968, the Council was poised to take on the challenges presented by a rapidly changing environment.

CHAPTER TWO

COUNCIL LEADERSHIP, MEMBERSHIP, STRUCTURE AND FUNCTIONING

A. Council Leadership

Throughout this time period, the Council continued to enjoy excellent leadership. Through provisions in the Constitution adopted in 1968, a President and Vice-President were to be elected in May to serve two year terms. Those who served were:

1967 – 1969

President: Syracuse Diocesan Superintendent Monsignor Thomas J. Costello

Vice President: Rochester Diocesan Assistant Superintendent Father Daniel Brent

1969 – 1971

President: Rockville Centre Diocesan Superintendent Father Patrick Shanahan

Vice President: New York Archdiocesan Assistant Superintendent Monsignor James A. Feeney

1971 – 1973

President: New York Archdiocesan Assistant Superintendent Monsignor James A. Feeney

Vice President (1971-1972): Rockville Centre Diocesan Assistant Superintendent Mr. Joseph Fox

Vice President (1972-1973): Albany Diocesan Assistant Superintendent Father Thomas Maloney

1973 – 1975

President: Rochester Diocesan Superintendent Father Daniel Brent

Vice President: Syracuse Diocesan Assistant Superintendent Monsignor James Kane

1975 – 1976

President: Brooklyn Diocesan Superintendent Father Joseph Bynon

Vice President: Ogdensburg Diocesan Superintendent Father Lawrence Deno

1976 – 1978

President: Ogdensburg Diocesan Superintendent Father Lawrence Deno

Vice President: Albany Diocesan Assistant Superintendent Mr. Matty Semenza

1978 – 1980

President: (May and June 1978) Albany Diocesan Assistant Superintendent Mr. Matty Semenza

President: (July 1978-June 80) Brooklyn Diocesan Superintendent Father Vincent Breen

Vice President: Syracuse Diocesan Superintendent Father James O'Brien

1980 – 1982

President: Syracuse Diocesan Superintendent Father James O'Brien

Vice President: New York Archdiocesan Superintendent Brother James Kearney

B. Council Membership

Council membership included Diocesan Superintendents, Assistant or Associate Superintendents and key central office staff.

A list of Diocesan Superintendents of Schools from inception of the office in each Diocese until the present is attached as Appendix II to this document.

Several of these men were outstanding leaders, each making a unique contribution to the work of the Council.

Archdiocese of New York

Ray Rigney was tall and friendly. With good grace he survived what seemed like endless struggles with the lay teachers' union in New York. He was a candidate for president of the NCEA Superintendents group, but lost the election to Bill Roche.

James Feeney was a buoyant, light-hearted, warm leader, who had a good relationship with women religious, and unfortunately died in office.

Brother James Kearney, in addition to being an excellent administrator, brought an understanding of the issues and needs of religious communities to diocesan level discussions. His greatest attribute was truly understanding the educational process.

Diocese of Albany

John Burke was always the gracious host when the group (as they often did) met in Albany. He was a sharp business man. He had little or no staff and was careful not to get overextended.

Matty Semenza was one of the first laymen to become a Diocesan school leader. He was an outgoing leader with good business sense who would go on to lead Diocesan fund-raising efforts.

Diocese of Buffalo

Sil Holbel was the cigar-chomping senior statesman. He always left the impression that he was totally confident that his large and competent staff had everything under control for him.

Leo Hammerl was vivacious and good-humored. Buffalo had a very large staff and Leo was a great motivator, a delight to work for.

Diocese of Brooklyn

Gene Molloy had lots of ideas (and money) and brought closed circuit television to the Brooklyn schools in the 1960's. He was smiles and charm but never put himself into the camaraderie that the upstate superintendents had.

Vincent Breen worked very hard at his job, strengthened connections between the Council and Bishops and ultimately was appointed Bishop of Metuchen, New Jersey

Diocese of Ogdensburg

Art Leary was the total gentleman. He was a George Washington type of man – tall, stately, and modest. The nuns loved him and would have walked the Great Wall of China if he'd asked.

Larry Deno's background was in secondary schools, like Alan Davitt while he was in Buffalo. Larry was quiet, working in Art Leary's shadow until his own remarkable twenty-five years tenure as Superintendent.

Diocese of Rochester

Bill Roche was a big thinker and saw early on the reform needs of the Catholic schools: central supervision and services, lay involvement in governance, and public aid. He loved the politics and it hurt him personally that the Supreme Court continually frustrated his dreams.

Dan Brent was a gentle organizer. Apparently low key, he knew how to develop and implement strategy, and was able to gain much personal support and unify the Council.

Diocese of Rockville Centre

As previously reported, Edgar McCarren joined the (otherwise upstate) Catholic Curriculum Committee and was an active and enthusiastic contributor to this effort. His participation in this work and in other ways helped bridge the always present upstate/downstate gap in New York State church politics.

Pat Shanahan was an intelligent, athletic man who helped strengthen the Superintendents relationship to the Catholic Charities Directors through his relationships to the likes of Emmet Fagan, Joe Sullivan and Charles Fahey.

Tom Gallagher was a charismatic leader who made significant contributions at the Diocesan, state and national levels. He was especially helpful in discussions about relationships to unions.

Diocese of Syracuse

Tom Costello was very bright, very articulate, and very well respected. He worked hard and was always willing to take on new responsibilities when there was need, thus contributing immensely to the significant strengthening of the Council in this time period. This author numbers him with former Governor Mario Cuomo as the two most eloquent and compelling orators he has known personally.

Jim O'Brien was an outgoing, vigorous leader, who had good relationships with women religious, and took an inclusive "communitarian" approach.

Beyond the Superintendents, membership by Diocese during this time period, listed generally in chronological order, is detailed in Appendix III.

C. Council Structure and Functioning

1. Introduction

This time period was one of great change and evolution of Diocesan Catholic School offices and therefore of membership on the Council. The two major changes in staffing patterns were the significant expansion of central administrative personnel and the gradual change from priest leadership to leadership by religious women and lay persons. These changes had great impact on Council membership and functioning. From the late 1960's to the late 1970's, Dioceses named a number of central office staff and regional administrators to participate in Council activities. This participation led to the decision by the Council to establish subcommittees for a time during the 1970's. After a few years, largely because of time constraints and travel costs, these committees were disbanded. Beginning with the 1978-79 program year, and certainly by 1979, the decision was made to generally limit participation in Council meetings to Diocesan Superintendents and perhaps in some instances one other high level administrator. These developments are described more specifically in the next section.

2. Council Committees and Task Forces

When Alan Davitt was hired in 1967, and established a separate office in the same building as the State Catholic Committee, the Council formed a Finance Committee to oversee the business aspects of the operation. Alan Davitt was able to report in June 1968 that from a financial perspective the first year of operation was successful, that revenues had been received as anticipated and that expenses were less than budgeted. As time went on the offices became more closely connected, the need for a separate Finance Committee lessened and the Committee was discharged at the July 31, 1974 meeting.

Early on, the Council also established ad-hoc committees on Certification and Goals of Catholic Education. At the June 26, 1968 meeting it was reported that there had been no action on the question of pursuing certification for Catholic school teachers. The Ad Hoc Committee on Goals of Catholic Education was just beginning its work. At the October 24, 1968 meeting, the Certification Committee recommended that all teachers in Catholic schools should seek state certification.

Beginning with its meeting on December 2, 1970, the Council sponsored a series of meetings of Diocesan Coordinators of Government Programs, to update them on recent developments on funding opportunities and enable them to share issues of common concern.

At a meeting held on February 17, 1971, the Superintendents endorsed in principle a proposal to create a Statewide Organization of Catholic High School Principals.

Father Daniel Brent, Rochester Diocesan Superintendent, was elected Council President for a two year term in May 1973. Taking advantage of the fact that 1973 was the fifth

anniversary of the formal strengthening of the work of the Council with the adoption of its Constitution in 1968, Father Brent and Alan Davitt developed and distributed over the summer of 1973 a survey asking Council members to evaluate various aspects of the work of the Council.

A significant moment in the evolution of the structure, functioning and committee activity of the Council came at the Council meeting held on September 11-12, 1973, when the results of the survey were reviewed, and the Council developed its work plan for the year in light of the results of the survey.

With regard to Council purposes, it was agreed to devote more time to educational issues, especially planning, policy and standards, recognizing this focus would result in less time and emphasis to legislative concerns. It was also agreed that more time should be devoted to “research objectives” and public relations activities.

With regard to Council functioning, it was agreed that goals would be a greater variety of meeting topics and more participation by members.

The Council felt that staff assistance was “more than satisfactory”.

It was agreed that for the 1973-74 year, an important portion of the work of the Council would occur through three task forces that were established at the meeting:

- Finance
- “*To Teach as Jesus Did*”
- New Directions

The Finance Task Force, chaired by Father Lawrence Deno, put forth its recommendations at the November 7, 1973 Council meeting, which included:

- More emphasis on parish and interparish planning.
- The importance of increased funding from parents.
- The need for increased financial assistance from the Catholic community.
- The need for enhanced public relations efforts.
- The exploration of new funding mechanisms such as endowment funding, matching gifts, and insurance plans.
- The need to find a mechanism to test out the assumptions and myths about Catholic education that were believed to be commonly held.

It was agreed at the January 16, 1974 Council meeting that Father Deno would revise the Committee report based upon discussion at this Council meeting.

At its March 13, 1974 meeting, the Council heard the report from the Task Force on *To Teach as Jesus Did*, chaired by Father Michael Dempsey. Following discussion, it was agreed that the Task Force would continue its work and develop a more popularized version of the document to serve as a basis of a public relations campaign. When the

Council reviewed the proposed popularized version at its May 16, 1974 meeting, it was agreed that there was need to translate principles into action programs or a strategy. At this same meeting, the Council also heard the report of the New Directions Task Force, which outlined several possible new school/education models.

Finally, at this meeting, the Superintendents reviewed activities and accomplishments for the 1973-74 program year as measured against the goals established in September 1973. In the generally very positive evaluation, it was agreed the Council had indeed spent more time on educational matters, that members liked the scheduling of meetings every other month, and that the two times when there had been scheduled two day sessions, with a special issues presentation the day preceding the business meeting, had been worthwhile.

It was agreed that major goals for 1974-75 would be: *To Teach as Jesus Did*, urban education, new organizational models and leadership training.

A new era of committees began at the September 16, 1976 meeting. A good portion of that meeting was devoted to reviewing past year's activities. In reviewing 1975-1976 activities, the Council determined that it needed to place more emphasis on long range planning of goals and policies, research and experimental programs and definition and recommendation of educational standards and practices.

To help achieve these instruction goals, the Council established five committees: Instruction (Curriculum); Personnel; Public Relations and Communications; Finance; and Legislation. At the November 10, 1976 meeting, there was discussion as to whether there should also be established a separate committee on religious education, and it was agreed that this was not necessary, because issues relating to religious education could be satisfactorily addressed by the Instruction (Curriculum) Committee and Personnel Committee.

At its January 21, 1977 meeting, the Council established the following goals for the Public Relations and Communications Committee:

- To provide a means to communicate the public relations program in each Diocese to Council members.
- To determine possible statewide projects in public relations for Catholic schools.
- To determine the clientele to whom a public relations campaign would be directed for greatest effectiveness.
- To provide an opportunity for the New York State Diocesan Superintendents of Schools to publicize (as one) the positive good things happening in Catholic schools.
- To establish a professional Catholic school public relations presence.

It was also reported that the functions of the Curriculum Committee would be:

- To serve as liaison and resource to the Council.
- To respond to State Education Department endeavors and initiatives.

- To serve as a clearing house for curriculum sharing among Dioceses.

It was agreed that the major role of the Personnel Committee would be the development of models of sound personnel practices.

It was reported that the Finance Committee had not yet been organized.

Committee reports at the March 2, 1977 meeting focused on these matters:

- The Personnel Committee was focusing on unemployment benefits, maternity benefits and due process guidelines for unions.
- The Instruction Committee had heard a presentation from Father Theodore Berg on the history of a previously established Catholic Curriculum Committee (described in detail in Chapter One) and had approved the transfer of modest assets available from the previous effort to be used for the work of this Committee.
- The Finance Committee reported that it was reviewing the School Accounting Manual developed by the State Fiscal Officers Committee.
- The Public Relations Committee indicated it had been informed of discussions by the national Bishops about a possible fund-raising effort for public relations.

At the May 25, 1977 meeting, it was reported that the Curriculum Committee was using a loan of Catholic Curriculum Committee funds to develop a kindergarten curriculum.

At the planning meeting of Diocesan Superintendents held on July 7, 1977, it was agreed that the Council would also establish a Transportation Committee to be chaired by Sister Roberta Tierney from Rochester.

At the September 14, 1977 Council meeting, it was reported that the Instruction Committee had published and distributed the kindergarten curriculum, and that the Personnel Committee was continuing to discuss unemployment insurance and maternity leave issues.

The 1976-77 and 1977-78 school years represented the height of functioning of the committees. A list of committee members for each of the committees is attached as Appendix IV to this volume.

Because of time and travel costs, at the September 28, 1978 meeting, the Council decided to disband these five standing committees, agreeing that it would appoint ad hoc committees as needed to address particular issues. As an example of such a group, an Upstate Curriculum Committee developed a music resource book, as reported at the September 12, 1979 meeting.

3. Office and Staff

In 1969 the separate offices at 11 N. Pearl Street were consolidated into one location in the building. Thus, Charles Tobin, Alan Davitt, and John Szulgit, Executive Secretary of the Council of Catholic Charities Directors, would work out of the same office.

With regard to the evolution of staffing, Father Breen first reported at the September 12, 1979 meeting that there were certain staff developments at the Catholic Conference that would affect the role of the Executive Secretary. Thus began a process that would result in Alan Davitt being named Executive Director of the Catholic Conference later in 1979 and the hiring of Joe McTighe as the Executive Secretary of the Council in September 1981.

CHAPTER THREE

RELATIONSHIPS TO OTHER CATHOLIC ENTITIES

A. Introduction

In addressing issues relating to Catholic elementary and secondary education, the Council of Catholic School Superintendents was clearly the lead agent. An important factor in its success, however, was the ability to work within the context of the larger Church entity in the country and in New York State, and to collaborate with other Catholic federal and state organizations concerned with Catholic education, including:

- The United States Catholic Conference of Bishops
- The Bishops of New York State
- The New York State Catholic Committee
- Communities of Religious Women
- Confraternity of Christian Doctrine, Diocesan Directors of Religious Education, Youth Ministry and Campus Ministry
- The Catholic Conference Advisory Committee on Handicapped Persons
- The State Catholic School Administrators Association and the Catholic High School Athletic Association
- The Federation of Catholic School Parents

B. The United States Catholic Conference of Bishops

The major area of interaction between the Council and the United States Catholic Conference of Bishops was advocacy in relation to education policy and funding at the federal level. These events and activities are described fully in Chapter Six.

Beyond this activity, however, there were other ways in which the activities of the Bishops at the national level influenced the work of the Council. The most significant impact resulted from the publication in 1972 of the National Bishops' Pastoral Letter: "*To Teach As Jesus Did*". Through participation in national Catholic education organizations, as described in Chapter Six, representatives of the Council had significant input into the formulation of the document.

Commencing in the fall of 1972, the Council spent considerable time discussing ways in which the Council could assist implementation of this document within New York State. The Council first reviewed this document at its October 19, 1972 meeting. At the July 31, 1974 leadership planning meeting, it was agreed that the Council should give high priority in the 1974-75 year to implementation of the recommendations in the Pastoral.

At the May 27, 1975 meeting, there was review of progress made in implementing these recommendations, particularly toward the goal of creating new forms of Catholic schools.

Beyond this focus on implementation of “*To Teach As Jesus Did*” at the state level, there were other ways in which activity at the national (and international level) impacted the work of the Council:

- At the October 19, 1972 meeting, the Council reviewed the Vatican document on Catholic Schools in a Pluralistic Society.
- At the March 9, 1976 meeting, there was discussion about implementation of the 1976 National Bishops’ Statement: “*Teach Them – Challenges and Opportunities*”, which made specific recommendations relative to parents, teachers, administrators, priests and congregations.
- At the meetings held on May 15, 1976 and November 10, 1976, there was discussion about how to take advantage of the positive findings in an article written by Andrew Greeley in America, published in the spring of 1976, which reported that generally American Catholics had very positive feelings about Catholic schools.
- At the September 12, 1979 meeting, there was discussion about the visit of Pope John Paul II to the United States.

C. The Bishops of New York State

Throughout this thirteen year period, the Bishops of the state were closely involved with the Council both in addressing internal issues and also in advocating for aid to nonpublic schools at both the federal and state level.

1. Internal Organization Issues

The Bishops of the state had appointed a Commission on Catholic School Organization in 1965, but it had been largely inactive in the three previous years.

At the January 10, 1968 Superintendents’ meeting, it was announced that the Commission had been revitalized and Bishop Thomas Donnellan was the Chair. (He would very soon be replaced as Chair first by Alan Davitt and then by Bishop Stanislaus Brzana when he was appointed as Bishop of Ogdensburg.)

The Commission was very active in early 1968. With Alan Davitt providing key leadership, the Commission met on February 2nd, March 22nd, and May 3rd. Although the primary question which the Commission was asked to address was the possible incorporation of elementary schools, it was soon agreed that the Commission should address many broader interrelated questions. The proposal adopted by the Commission at its May 3rd meeting called for the incorporation of Diocesan School Boards with a consequent structure of regional boards and individual school boards which would not be incorporated. The proposal also affirmed the role of Diocesan Christian Education Committees as coordinating bodies for over-all Diocesan education efforts.

At its June 26, 1968 meeting, the Council adopted the recommendations of the Commission and recommended approval by the State Catholic Committee.

At the October 24, 1968 meeting, it was announced that Alan Davitt would redraft the report for a larger audience.

At the April 17, 1969 Council meeting, it was reported that Bishop Brzana had also been involved in the fine-tuning of the Commission Report. The final Consensus Report was adopted by the Council at its June 18, 1969 meeting, and it was indicated that it would be presented to the Bishops at their meeting the subsequent day.

At their meeting on June 19, 1969, after much discussion, the Bishops decided not to adopt the recommendations in the report because of the costs of implementing the proposed new structure.

As a follow-up to this discussion, it was reported at the February 25, 1970 Council meeting that the Commission would meet with Diocesan Fiscal Officers to discuss the cost implications of the recommendations.

Unfortunately, this event was to be the last activity of the Commission.

There were, however, over the next decade, many other interactions between the Council and the Bishops of the State in furtherance of Catholic education.

In addition to the regular practice of participating in a statewide Mass during Catholic Schools Week in conjunction with the Federation of Catholic School Parents, as described below, the Bishops did much in their individual Dioceses to promote Catholic schools. For example, Albany Diocesan Bishop Edwin Broderick encouraged all pastors to give a homily on “*The Opening of Catholic Schools Week*” on the weekend of September 7, 1969.

At the December 1, 1970 meeting, the Council discussed giving input to the Bishops’ Task Force on Drug Abuse.

At the February 17, 1971 meeting, the Council considered a response to a request from Cardinal Cooke which emanated from a special Bishops’ meeting in Chicago to energize a major campaign for enrollment in Catholic schools. The Council determined to relate such an effort to the “Uniqueness” paper described in Chapter Four, and to draw from materials developed by the Rochester Diocesan Education Task Force, while recognizing that the fundamental problem was “how to reach clergy and religious for their support and assistance”.

Another significant moment in the relationship between Bishops and the Council came in a joint meeting held on September 20, 1971 in which these matters related to schools were discussed:

- Participation in decision-making relative to continuation of schools
- Determination of standards or norms for continuation of schools
- Tuition
- Success of past consolidations

At the December 1, 1971 Council meeting, individual Diocesan leaders reported on contingency plans presented to their own Bishops in light of the discussion at the September 20th meeting.

At its April 12, 1972 meeting, the Council continued discussion on Diocesan restructuring of schools.

In the spring of 1973, the Bishops of the Province began a practice of holding annual meetings in the spring with broad Church constituencies including Diocesan staff and lay volunteers on particular topics of interest. While this practice would continue throughout the 1970's and Council members would participate to some extent each year, the three sessions of most interest to the Council were the session held in Syracuse in May 1973 focusing on youth ministry and family life, the session held in Watertown in April 1979, focusing on Evangelization, and the session on Campus Ministry held in April 1981.

2. Participation in Advocacy Efforts

While the Bishops individually and collectively were involved in advocacy efforts at both the federal and state levels on an ongoing basis, there are two particular activities worthy of mention.

On February 25, 1970, the Council developed a series of recommendations to the Bishops in light of the decision of Governor Rockefeller to oppose the Speno-Lerner bill which would provide tuition assistance to parents. The Council recommended to the Bishops that:

- They make known to the Governor that they were not willing to accept as a substitute for the Speno-Lerner bill such peripheral aid as textbook aid, or remedial service aid.
- That the “dual enrollment” approach being proposed was also not acceptable.
- That the situation was so dire that Catholic church leadership could not wait for possible future action on possible repeal of the Blaine Amendment or for the report of the Fleischmann Commission on Nonpublic Education appointed by Governor Rockefeller which was still two years away.
- That no other question important to the Church (e.g. abortion) should be introduced at this time so as to retain the focus on education.
- That the Bishops should recognize that if no state aid was obtained, the consequence would be a retrenchment in Catholic schools in the state.

The context in which this action occurred is described more fully in Chapter Seven on advocacy at the state level.

Similarly, advocacy at the federal level is fully described in Chapter Six, which provides a context for development of the State Bishops' Statement on Tuition Tax Credits put forward in early 1981.

D. THE NEW YORK STATE CATHOLIC COMMITTEE

The relationship of the Council to the New York Catholic Committee efforts always had significant impact on the work of the Council.

In the early years, the governing body had been comprised mainly of Diocesan Catholic Charities Directors and attorneys. During the 1920's and 1930's, as education public policy questions became more important, some Superintendents were added to the governing body. As indicated in Chapter One, the Council of Catholic School Superintendents was established in 1937 as the first constituent subgroup within the Catholic Committee structure. Through this vehicle, advocacy on education issues became an ever greater part of the over-all Catholic Committee efforts in the 1940's, 1950's and into the 1960's. In fact, it was because of concern that social welfare issues were not getting sufficient attention, that the Diocesan Catholic Charities Directors of the state determined in the late 1960's to establish the State Council of Catholic Charities Directors.

The major initiative of the Catholic Committee of importance to the Council during this time period was the work of the Education and Study Committee of the Catholic Committee. This Committee was charged with making recommendations about the structure and functioning of the Catholic Committee in the wake of the formal establishment in 1968 of the New York State Catholic Conference. It began its efforts in early 1972, and made its final report on July 31, 1974, through which the structure of the Catholic Committee was more formalized and the relationship between this over-all Committee and constituent subgroups such as the Council of Catholic School Superintendents and the Council of Catholic Charities Directors was clarified.

Even in this clarified structure, however, the focus and priorities of the work of the Statewide organization continued to be influenced by outside events, as well as internal leadership on the Catholic Committee and Councils. Reflective of this continuing dialogue was discussion at the November 10, 1976 Council meeting about its relationship to the Catholic Committee with the resolution that the group must "work harder" to make sure its priorities were addressed by the larger group.

E. COMMUNITIES OF RELIGIOUS WOMEN

From the time of the very establishment of Catholic schools in the state and country in the early 1800's, the role of religious men and women as teachers was vital to the success of Catholic schools.

Especially as conditions were changing, particularly with a begin in the decline of vocations among religious men and women and decisions by a greater number of men and women religious to pursue ministries other than Catholic schools, the Council recognized the importance of relationships with communities of religious men and women.

During this time period, there were several examples of this recognition.

From the very beginning of this time period, at the February 9, 1968 Council meeting, there was discussion about the role of religious women in schools.

At the April 12, 1972 meeting, the Council strongly affirmed the need for adequate salaries for religious staffing.

Compensation of religious women was again a major topic of discussion at the Council meeting held in Syracuse on May 27-28, 1975.

This matter would continue to be on the radar screen throughout the remainder of the decade.

F. CONFRATERNITY OF CHRISTIAN DOCTRINE, DIOCESAN DIRECTORS OF RELIGIOUS EDUCATION, YOUTH MINISTRY AND CAMPUS MINISTRY

As Catholic school enrollment continued to decline throughout the 1970's, the importance of other Catholic education initiatives concomitantly increased. The work of the statewide organization which became known as the Diocesan Directors of Religious Education is described in Part II of this volume. This section describes interaction between the Council of Catholic School Superintendents, the DDRE's and others concerned with emerging youth ministry and campus ministry efforts.

Already at the beginning of this time period, there was discussion at the February 9, 1968 meeting of the Council about a possible joint meeting with the Directors of the Confraternity of Christian Doctrine.

At its May 15, 1968 meeting, the Council heard a report about the national meeting of the Confraternity Directors.

As indicated in the Preface to this volume, the New York Confraternity Directors organization (NYCD) was formally established on May 21, 1969 at Lake Placid.

At the January 20, 1970 meeting, it was affirmed that Alan Davitt would continue to serve the needs of the Confraternity Directors "as they related to the State Education Department or other such agencies".

At the April 20, 1971 Council meeting, there was discussion about the evolution of religious education programs and differing Diocesan structures.

Several Council members participated in a Conference held in Glencoe on June 6, 1971 to develop curriculum materials for religious education programs.

As time progressed, joint meetings between the Council and the group now known as the Diocesan Directors of Religious Educators became more frequent and productive. Early meetings were held in the fall of 1975 and April 1977.

At the November 28, 1977 meeting, the following matters were addressed:

- It was affirmed that there was value in regular meetings.
- There was discussion about the emergence of new ministries (e.g. youth ministry, young adult ministry, prayer groups) and their impact on Catholic education.

- The joint group discussed several education issues including reverse dual enrollment, released time and high school chaplaincy.
- There was discussion about relationships between school and religious education personnel.
- There was discussion about sacramental programs.

It was reported at the March 20, 1978 meeting that a statewide group of youth ministry leaders had met, that they wanted a joint meeting with the Council and DDRE's, and had suggested that dual enrollment be one topic addressed at the meeting.

At this joint meeting held on November 28, 1978, youth ministry was defined as “the process of meeting young people’s needs, a process to, with, by and for young people”. It was agreed to develop and distribute a report of this meeting and to encourage such joint gatherings at the Diocesan level.

The first recorded, formal meeting of a statewide group of Campus Ministers came when Bishop Theodore McCarrick convened them on March 19, 1979. It was agreed that it would be beneficial for this group to meet again. This session led to a planning session held on July 6, 1979 involving Monsignor Thomas Costello, Father Charles Borgognoni from Syracuse and Father Gerry Appleby from Rochester along with Alan Davitt to discuss the problem of “religious illiteracy” present on the campuses of colleges and universities.

An initial larger meeting on campus ministry was held on September 13, 1979. This meeting resulted in a joint meeting on campus ministry involving those involved in the ministry, the Council and the DDRE's held on January 7, 1980. It was reported subsequently that since there had been “no clear objectives for the meeting, there was no positive outcome.”

At the September 19, 1980 meeting, the Council once again planned for a joint meeting with the DDRE's. It was agreed that the following matters would be addressed:

- Discussion of the NCCD Statement on Directors of Religious Education.
- Sharing of information on Diocesan fiscal policies relating to personnel, teachers in public schools and released time.
- Discussion of the USCC Statement on Evangelization and Catechesis of Youth.

G. NEW YORK STATE CATHOLIC CONFERENCE ADVISORY COMMITTEE ON THE HANDICAPPED

Just as government and society more generally turned greater attention in the late 1960's and 1970's to the needs of handicapped children and adults, so did the New York State Catholic Conference. Over this time period, there would be a series of formal and informal gatherings focused sometimes on the needs of handicapped children in schools and sometimes on the needs of handicapped persons in society. Alan Davitt was the person from the Catholic Conference charged with the primary responsibility for staffing these efforts.

The first such gathering was a meeting of an Ad Hoc Joint Committee on Special Education comprised of schools and Catholic Charities leadership convened on June 8, 1970. The

purpose of the meeting was to discuss problems and opportunities relating to Sections 4001 and 4407 of the education law. It was agreed to disseminate a survey to determine which schools could take advantage of funding opportunities presented by these sections and also to identify their institutional relationships to the Catholic Church structure in the state. With regard to legislative advocacy, it was agreed that the Catholic Conference should continue to support the provisions of Section 4001, but should meet with representatives from the State Education Department to discuss possible changes in Section 4407.

There was a meeting of the State Catholic Conference Ad Hoc Committee on Special Education held on November 11, 1971 to review the status of special education programs in Catholic schools in New York State and their relationship to state law and financing. It was determined that in relationship to Section 4001, there were 17 orphanages in the state eligible for this program, 11 were Catholic, and that these Catholic programs served between 1500-2000 out of the total population of 2750. With regard to Section 4407 eligibility, it was determined that of the 134 institutions eligible, only 12 were Catholic, and that this Catholic group served less than 1000 children out of the 7000 total. The group recommended expansion of eligibility for the 4001 programs to make eligible “neglected, needy and dependent” children.

The publication by the State Education Department of a 1973 Statement on the Education of Children with Handicapping Conditions presented a major step forward in this field. The basic concepts outlined in this report included:

- Wherever possible returning handicapped children to the local school districts.
- Recognition that the local district would then take responsibility for some children who had been being served by BOCES.
- In turn, BOCES would pick up some handicapped children who had been institutionalized.
- It was the goal of SED to reduce the Section 4407 population in institutions from 7000 to 2000.

This statement was obviously consistent with other state efforts toward deinstitutionalization of both children and adults with special needs.

Through the 1973-1974 time period, the Catholic Conference continued its visible presence in advocacy for handicapped persons. On October 30, 1973, Catholic Conference staff person Jim Sanderson presented testimony at a Hearing on Physically Handicapped Persons held by the Select Committee on Mentally and Physically Handicapped. He presented a statement prepared by the Brooklyn Diocesan Committee on the Handicapped which focused on transportation, education and sheltered workshop issues. On December 18, 1973, Alan Davitt sent a memo to the Catholic Conference Advisory Committee on the Handicapped indicating that changes in the SSI program meant that disabled children under 18 were now eligible for SSI benefits.

On December 19, 1973, Alan Davitt and others met with State Education Department Assistant Commissioner Dr. Leo Soucy to discuss the department statement issued earlier in the year. In this meeting, the Assistant Commissioner indicated that there were not likely to

be any changes in existing laws anytime soon, and it was agreed that there was great need for a plan for interagency cooperation.

In July 1974, the nascent Catholic Conference Advisory Committee on Handicapped Persons was asked to review a draft of the SED Division for Handicapped Children information booklet for parents of handicapped children.

A major step forward in the evolution of a formal structure within the Catholic Conference to address the needs of handicapped persons came with the October 9, 1974 meeting of the Advisory Committee on the Handicapped. Present for the meeting were:

Archdiocese of New York – Father Patrick Cahill, Mr. William Price, Sister Catherine Coyle
Albany – Brother Augustine Loes
Diocese of Brooklyn – Sister Nora Bottcher, Ms. Mildred Shanley
Diocese of Buffalo – Sister Raphael Marie, Father Harold Wagnor
Diocese of Rockville Centre – Mr. Paul Sauerland, Sister Rose Augustine
Staff – Father William Jenks (USCC), Mr. Jim Sanderson, Mr. Alan Davitt

A major agenda item was review of Chapter 241 of the Laws of 1974, which provided for additional proportional weighting for funding for pupils with special needs in special programs. Another important improvement was made to enable school districts through Section 4404 (2) (b) to contract with a private institution anywhere in the state for programs of instructional services to handicapped children.

The Committee also made the following recommendations for the 1975 Catholic Conference Legislative Programs:

- There should be created uniform contracts for the 4404 (2) (b) program
- There should be created a permanent Commission for the Deaf

The next day, SED Commissioner Nyquist issued a memo formally approving Section 4403 Court Orders Relative to the Cost of Instruction. Through this memo, local school districts were given authority to contract with BOCES for instruction of handicapped children. More importantly, if the local school district had no program of its own, and there was no BOCES program available, the school district was given authority to contract with a private agency. This memo also put forward a formula for allocation of costs of such services.

On November 20, 1974, the Catholic Committee put forward a statement at another Public Hearing of the Select Committee on Mental and Physical Handicaps. Recommendations in this statement included:

- Creation of a State Office for the Handicapped.
- A series of recommendations on Unified Services.
- While expressing appreciation of the state's efforts to depopulate state facilities, a strong call to increase community-based services.
- A call to enforce laws on architectural barriers.

- The need for supplemental assistance to middle income families and persons with handicaps.
- The need for expansion of facilities for emotionally disturbed children.
- A strong criticism of chemotherapy when used as a “chemical straight jacket”.
- The need for expanded transportation services.
- A recommendation to restructure the Office of Vocational Rehabilitation to make it more responsive.
- The need to recognize that sheltered workshops could help the physically handicapped as well as the mentally retarded.

At the September 30, 1975 meeting of the New York State Catholic Conference Legislative Subcommittee for the Handicapped, there was extensive review of HR 7217, the Education for All Handicapped Children Act, enacted in 1975 as PL 94-142 and S5967, the Giuffreda Bill on Handicapped Children.

Once again, in late 1975, representatives of the Catholic Conference testified before the Select Committee on the Mentally and Physically Handicapped. On November 19, 1975, Michael Maiello from Brooklyn Catholic Charities addressed funding structures for Unified Vocational Rehabilitation. At the December 2, 1975 meeting, Paul Sauerland from Rockville Centre decried the decision to terminate the work of the Temporary Commission to Study Problems of the Deaf.

At its December 3, 1975 meeting, the Catholic Conference Advisory Committee discussed S.6, introduced into the United States Senate, a bill that would provide for free education to all handicapped, mentally retarded and emotionally disturbed children, as well as to children with specific learning disabilities.

During 1976, the momentum toward establishment of advisory bodies continued. On March 24, 1976, Governor Hugh Carey established the State Advisory Council on the Handicapped, and followed up with a Special Message to the Legislature on Children and Youth on April 29, 1976. Father William Jenks reported by memo on May 25, 1976 that at its meeting on May 21, 1976, the United States Catholic Conference had voted to establish an Advisory Committee on Ministry to the Handicapped. On June 24, 1976, Monsignor Thomas Cribbin, who was to become a giant in the field of serving handicapped persons, reported on his participation on both the Governor’s Advisory Council and the USCC Advisory Committee. (He was soon to be elected Chairperson of the latter.)

On July 16, 1976, Governor Carey signed Chapter 853 of the laws of 1976 which revised the provisions of Education Law and the Family Court Act with regard to the instruction of children with handicapping conditions. Article 89 of Education Law (Sections 4401-4407) was repealed and replaced with a new Article 9. This law greatly simplified the placement of handicapped children in educational situations eliminating the requirement of appearing in Family Court.

There was much government activity relating to handicapped persons during 1977. On March 23, 1977, there was released the draft Fiscal Year 1978 State Plan for the Education of Children with Handicapping Conditions. In April, SED amended Commissioner’s

regulations to allow SED Hearing Officers to appoint a surrogate in place of a parent of a handicapped child when the parent was not present or capable of representing the child.

In May 1977, the White House Conference on Persons with Handicaps produced a full complement of recommendations. In September, SED Commissioner's regulations pertaining to Sections 207 and 4403 of the education law were amended.

The Catholic Conference also continued its advocacy at the state level. On November 16, 1977, Paul Sauerland presented testimony to Senator Donovan's Committee on Education on behalf of the Catholic Charities of Rockville Centre Office for the Handicapped. He began by articulating the context in which the state should be considering legislation:

- Final regulations for PL 94-142 had just been implemented.
- Similarly, implementation of Section 584 of the Federal Rehabilitation Act was just beginning.
- Chapter 853 in New York State had been in force only a year.
- Amendments of Chapter 470 of the laws of 1977 were not yet implemented.
- The 1974 Riley-Reed decision to force New York City into compliance had just been implemented.

Against this background, he articulated a series of recommendations, generally based on two foundational principles – the least restrictive approach, and the opportunities for options.

Records show that as of the January 26, 1978 meeting, membership on the Advisory Committee on the Handicapped was:

Archdiocese of New York – Sister Claire Strack, Father Donald Poulin
Diocese of Albany – Sister Rachel Ricciardelli, Brother John Farrell
Diocese of Brooklyn – Sister Nora Bottcher, Father Thomas Cribbin, Mr. Michael Maiello
Diocese of Buffalo – Father John Aurelio, Sister Raphael Marie, Ms. Jean Simpson, Sister Nora Letourneau
Diocese of Ogdensburg –
Diocese of Rochester –
Diocese of Rockville Centre – Sister Loyola Marie, Sister Grace Harding
Diocese of Syracuse – Sister Mary Adorata, Father Thomas Kobuzenski

On February 13, 1978, Monsignor Cribbin published a Statement on Creating a National Office for the Handicapped in the United States Catholic Conference.

On March 1, 1978, Alan Davitt responded to an inquiry from Michael Maiello of Brooklyn Catholic Charities suggesting that it was not appropriate to include within public policy for handicapped children focus on "learning disabilities caused by cultural and environmental factors" because such factors were covered by Title I programs.

Throughout 1978, advocacy, led primarily by Monsignor Cribbin and others from New York State, continued at the national level. After approval in September by both the USCC

Department of Education and Department of Social Development and World Peace, the Bishops approved and issued on November 16, 1978 a Pastoral Letter on Ministry to Handicapped Persons. It is attached to this document as Appendix V.

The State Catholic Conference Advisory Committee on the handicapped met again on May 3, 1979. Those present included:

Archdiocese of New York – Sister Claire Strack, Father Patrick Cahill, Sister Dorothy Burns, Ms. Dorothy Coyle
Diocese of Albany –
Diocese of Brooklyn – Sister Patricia Lynch, Mr. Michael Maiello
Diocese of Buffalo –
Diocese of Ogdensburg –
Diocese of Rochester – Sister Jane Geiger
Diocese of Rockville Centre – Sister Rose Herbert, Mr. Paul Sauerland
Diocese of Syracuse – Ms. Lynn Mehen

The Committee addressed the following matters:

- Various federal issues
- Support for a particular assembly bill that would require education to be provided to handicapped children three years of age and over
- A series of issues relating to transportation needs of handicapped persons
- Various bills introduced into the legislation

It was also agreed that there would be a convening in the fall to develop a statement of programmatic concerns on the handicapped to be endorsed by the Bishops of the state.

The Committee also endorsed a proposal from a White Plains Advocacy organization, the Healing Community, to designate June 24, 1979 as Access Sunday – A Day for Consciousness Raising about Handicapped Persons.

As agreed, the State Catholic Conference Advisory Committee on the Handicapped again met on September 26, 1979. Present for this session:

- Archdiocese of New York – Sister Claire Strack, Sister Dorothy Burns, Ms. Vincenza DeFazio
- Diocese of Albany –
- Diocese of Brooklyn – Sister Pat Lynch, Mr. Michael Maiello
- Diocese of Buffalo –
- Diocese of Ogdensburg –
- Diocese of Rochester –
- Diocese of Rockville Centre – Sister Rose Herbert, Mr. Paul Sauerland
- Diocese of Syracuse – Ms. Lynn Mehen

Issues addressed at the meeting included:

- Mandatory education for handicapped children three years and older
- The work of the newly established State Office of Mental Retardation and Developmental Disabilities
- The need for a Commission for the Deaf
- The need for “a desk” at USCC to address handicapped issues

This meeting also addressed the formal establishment of an Advisory Committee on the Handicapped (soon to be renamed the Advisory Committee on Persons with Disabilities) as a formal advisory committee to the New York State Catholic Conference Public Policy Committee (the recently adopted new name for the Catholic Committee).

The work of this Advisory Committee from 1980-2004 is described fully in another volume in this series of histories about the State Catholic Conference.

H. CATHOLIC SCHOOL ADMINISTRATORS ASSOCIATION OF NEW YORK STATE AND THE CATHOLIC HIGH SCHOOL ATHLETIC ASSOCIATION

Two other important Catholic school-related statewide organizations with whom the Council interacted were the Catholic School Administrators Association of New York State (CSAANYS) and the Catholic High School Athletic Association.

1. Catholic School Administrators Association of New York State

The Catholic School administrators who attended the 1971 meeting of the New York State Association of Secondary School Administrators at Kiamesha Lake had no inkling of what that meeting would produce. Locked out of sessions where public school administrators were strategizing as to how to scuttle the impending mandated services legislation, the Catholic school administrators in attendance held their own meeting, and decided it was time to have their own association. On April 24, 1971, some 280 principals gathered at Mater Christi High School in Brooklyn, voted in an executive board and appointed Brother Peter Pontolillo as Executive Secretary and Brother Thomas Draney as Field Representative.

The Christian Brothers allowed CSAANYS offices to use space at their high school in Schenectady so that the directors had access to the state legislature. The most immediate task was crafting mandated services legislation which would satisfy the New York constitution, a test that a previous law in this area had failed. Brother Tom Draney wrote the wording of the provision and a series of conversations between the CSAANYS directors and Albany lawmakers resulted in legislation that endures to this day. This activity is described more fully in Chapter Seven.

Two events which occurred during 1973 were illustrative of the purposes and activities of CSAANYS as it evolved from this beginning.

At its September 12, 1973 meeting, the Superintendents' Council reviewed CSAANYS Goals for 1973-1974:

- Improving articulation between programs of elementary and secondary schools, as well as secondary schools and colleges, for the benefit of students.
- Working with others to plan and effect a strengthening of the Catholic school as a unique instrument in imparting Catholic value oriented education.
- Planning regional conferences.
- Strengthening local representation.
- Sharing workshop meetings.
- Improving public understanding of Catholic schools.
- Issuing regular "legal memoranda for administrators".
- Building membership.
- Establishing local groups to address ESEA issues in situations where there were non-responsive local public schools.

At an October 23, 1973 meeting with Council representatives, CSAANYS leaders Brother Peter Pontolillo and Brother Thomas Draney made a presentation suggesting the organization could play a role as "ombudsman across the state: on textbook aid issues, busing and Title I planning." The suggestion was referred to individual Superintendents.

Throughout this time period, there was a growing relationship between CSSANYS and the Council, especially as CSAANYS became more concerned about public policy questions, including government aid to education. Particularly around the questions of tuition tax credits in the late 1970's and early 1980's, there were collaborative efforts in advocacy among the Council, CSSANYS and the Federation of Catholic School Parents. CSAANYS was regularly represented at Council meetings first by Brother Peter Pontolillo and Brother Thomas Draney and then by Father Bernard Flood.

2. The Catholic High School Athletic Association

The New York State Catholic High School Athletic Association was created in 1957. At its first meeting, chaired by Monsignor John J. Bourke of Albany, held on March 11, 1957, it was agreed that there was:

"need for a vehicle such as a state organization to promote, regulate and direct certain athletic, recreational and physical programs in the Catholic high schools of the state."

Father John F. Nevins would serve as Executive Secretary.

At the second meeting, held on April 29, 1957, it was reported that the State Education Department had received the news of the proposed Association "with joy".

Indicative of the level of activity of the Association (as well as the times), the financial report for the time period May 16, 1962 – April 29, 1963 showed income of \$1255 and expenses of \$892, leaving a year end cumulative fund balance of \$1252.

At the October 10, 1967 meeting, Father Howard Basler from Brooklyn was elected to replace Father Thomas Flanigan as Chairperson of the Association.

Through a series of joint meetings in early 1968, it was agreed that with the hiring of Alan Davitt at the State Catholic Conference, there would be some changes in the administrative functioning supporting the Association. Mr. Davitt indicated that his involvement would be primarily with the mechanical functioning of the group and that he would handle the finances as well. Mr. Davitt also represented the Association at the Athletic Advisory Committee of the New York State Council of School District Administrators.

Throughout this time period, one of the major concerns which the Association addressed was its relationship to the New York State Public High School Athletic Association (NYSPHAA). Alan Davitt participated in a NYSPHAA meeting “toward the formation of a state association of sports officials”, reporting that the results were “amorphous”.

As an example of the work of the Association, major issues addressed during 1969 included:

- Approval of coaches
- Clarifying the membership status of individual schools
- Upgrading communications with all schools
- Strengthening ties to Diocesan organizations

At their October 19, 1969 meeting, the Council of Catholic School Superintendents approved establishment of an Association Subcommittee on girls’ athletics.

At the October 29, 1969 meeting of the Association, Mr. Joseph Thomas from Rockville Centre was elected as Chairperson and Mr. Edward Lynch from Albany as Vice-President.

Again at the April 22, 1970 and November 20, 1970 meetings, there was discussion of the relationship with NYSPHAA.

Also illustrative of the work of the Association were these issues addressed in the Association’s June 30, 1971 Annual Report to the Council of Catholic School Superintendents:

- A ninth football game
- A twenty game basketball schedule
- Sectional playoffs
- All-Star participation

During 1972 and 1973, members of the Association reviewed the development of the New York State Federation of Secondary School Athletic Associations.

At its September 12, 1973 meeting, the Council reviewed the July 1973 annual report of the Association. It was reported that from a financial perspective, the Association had successfully completed the second year of its three year funding plan. Concerns expressed were a lack of identity with schools and lack of participation at meetings. The Association outlined the following goals for 1973-1974:

- Development of a State Federation of High School Athletic Associations.
- Development of a position statement on the proposal for a single statewide Athletic Association.
- Monitoring of changes in Commissioner’s regulations.
- Planning for restructuring in 1975.

At the April 4, 1974 meeting of the Executive Committee of the Association, there was discussion about proposed changes in Commissioner’s regulations on interscholastic sports, as well as about the evolution of the New York State Federation of High School Athletic Associations, as a representative body of all schools in the state.

At the April 22, 1975 meeting, Father James O’Brien from Syracuse reported that the “experimental program” of nonpublic schools having membership in this organization would probably be continued on a year to year basis.

At the November 16, 1975 meeting, Mr. Davitt indicated that because of the press of his many other responsibilities, he would no longer be able to provide staff support to the Association. Support would be henceforth provided by the Catholic School Administrators Association of New York State.

I. THE NEW YORK STATE FEDERATION OF CATHOLIC SCHOOL PARENTS

Another of the significant developments in the evolution of Catholic education during this time period in which Alan Davitt and the Superintendents were involved was the establishment and growth of the New York State Federation of Catholic School Parents.

First discussion of the possibility of creating such an organization occurred at the June 26, 1968 Council of Catholic School Superintendents meeting when Charles Tobin had asked the Superintendents to “give some thought to the possibility of coordinating the home-school associations in the various Dioceses”.

At the March 13, 1969 Superintendents’ Council meeting, it was agreed that “action should be taken to forward the organization of a statewide group”.

There was discussion at the October 19, 1969 meeting of the possibility of a Statewide Steering Committee.

At the November 19, 1969 Superintendents meeting, there was long discussion about the purposes and possible effectiveness of such an organization.

The State Catholic Committee approved in concept the establishment of a coordinated Parent Association at its meeting on December 18, 1969.

During 1970, 1971 and early 1972, there was on and off discussion about such an organization.

Finally at its September 27, 1972 meeting, the State Catholic Committee approved the establishment of this organization, on recommendation made by the School Superintendents at their meeting the previous day.

Initial planning meetings were held on November 11, 1972, December 9, 1972 (at which the Planning Committee reviewed the activities of the Brooklyn Federation of Home School Associations as a possible model for this organization) and January 13, 1973.

At the January 13, 1973 meeting the Planning Committee reviewed a draft Constitution whose Preamble detailed three purposes of the organization:

- Assistance to parents in fulfilling their responsibilities for the education of their children in Catholic schools.
- Support of Catholic schools as part of the total teaching mission of the Church.
- A means for parents and others to participate effectively in the educational mission of the Church in the state and nation.

At the February 3, 1973 meeting, a fourth purpose was added to the Preamble:

- Advice for parents on their rights and responsibilities as American citizens in educating their children in nonpublic schools.

The Constitution was adopted at a meeting held on March 3, 1973. It spelled out the nature of the organization:

- A union wherein each member retains control over its own internal affairs
- An organization that provides leadership and service to members
- Diocesan-based
- Provides coordination for mutual efforts

Membership would be open to any school-related organization of parents of children attending any Catholic elementary or secondary school in New York State.

The Federation outlined three major goal areas in its 1973-74 work plan:

- Public Relations
 - About the Federation itself
 - About schools
 - To promote enrollment
- Political activity
 - Seeking funding in coordination with Catholic Conference
- Organizational
 - Continuing to strengthen relationships with existing Diocesan Federations

- Assisting in the development of Federations in Dioceses where they did not yet exist
- Assisting in the development of parents' organizations in each school
- Encouraging each Diocese to develop a plan
- Raising funding for the organization

At a meeting held on September 8, 1973, Dr. Thomas Curran of Elmira was elected as Chairperson of the group. (An interesting note relating to Chapter Six of this part – at this meeting, the Federation unanimously passed a resolution of support for Alan Davitt's candidacy to become President of CACE). Shortly after this meeting, William (Pete) Gallagher of Binghamton was appointed as Executive Director of the Federation.

At its meeting held on December 1, 1973, the Executive Committee addressed three priorities:

- Developing membership
- Assisting in promoting Catholic Schools Week
- Communicating with clergy through publication of a special issue of the newsletter.

At its meeting held on January 19, 1974, the Executive Committee heard a presentation from the United Catholic Parents Association, a national organization.

During 1974, while the Federation continued its focus on state activities, it also was involved with federal issues. From a state viewpoint, it adopted an annual budget of \$50,000 and in June issued a press release promoting the fact that 550,000 children attended Catholic schools in New York State. At the federal level, in January, the Board discussed whether the Federation should participate in an upcoming Parents' March for Religious Freedom in Washington and concluded that it needed more information about the event. Mr. Gallagher was invited to a June 7, 1974 USCC meeting to help promote home-school organizations and other parent-school organizations in light of the National Bishops' Pastoral: "*To Teach as Jesus Did*".

At its February 22, 1975 meeting, the Board discussed what political action steps could or should be taken when a Catholic school was closed.

The June 28, 1975 meeting was devoted to hearing presentations on the school voucher issue.

The July 1975 Annual Report indicated that during the year nine newsletters had been published. A total of 5500 copies of each were mailed – 2800 to officers of home school organizations, and bulk mailings to the Archdiocese of New York and the Brooklyn Diocese.

On behalf of Catholic School parents, Brother Peter Pontolillo testified at a Board of Regents Steering meeting in September 1975 asking the Regents to sponsor an experiment for the voucher plan for financing education in New York State.

On December 4, 1975, the Federation presented testimony to the USCC Bicentennial in Philadelphia urging the Bishops to follow up on the recommendations put forward in the

Pastoral: *“To Teach as Jesus Did”*. In this testimony, it was indicated that 488,913 students were enrolled in Catholic schools for the 1975-1976 school year.

At the January 17, 1976 meeting, it was reported that Alan Davitt had been appointed to the National Advisory Council on the Education of Disadvantaged Children.

On June 24, 1976, the Federation issued an angry press release decrying the decision of a three judge panel that it was unconstitutional for New York State to reimburse nonpublic schools for comparable services even though the panel admitted that the services in question were secular.

On March 25, 1977, Federation leader Vincent Post was elected as President of the National Forum of Catholic Parent Organizations, a Commission of NCEA.

By 1977, the Federation had begun to experience financial and internal organizational difficulties that would hamper its effectiveness throughout the remainder of this time period. In May 1977, the Federation made a proposal that each Diocese add an amount of money to its tuition or book bill to support the Federation as opposed to taking a collection for this purpose.

The Executive Committee of Bishops referred this proposal to the Council of Catholic School Superintendents who, at their May 25, 1977 meeting, generally affirmed the importance and need for funds for the Federation and agreed to meet with Federation leadership to discuss alternate approaches.

It was reported at the January 29, 1978 meeting of the Superintendents’ Council that the Federation was still having major fiscal problems with heavy impact from the problems of the Brooklyn Federation, and that solutions would continue to be sought on a Diocese-by-Diocese basis.

That same day, Bishop Head gave the homily at the Annual Catholic Schools Week mass in Buffalo (generally attended by all the Bishops in the state), using the theme “Jesus as Teacher”. He described the Catholic school as “a Family center where parent, child, parishioners and teachers will come to join hands and hearts together with Christ”.

At the May 24, 1978 Council meeting, the Federation was commended for its excellent advocacy on the federal tuition tax credit issue, and individual Superintendents were encouraged to do whatever possible to continue to provide financial support.

The Council of Catholic Superintendents agreed at their September 20, 1978 meeting to work with the Federation on promoting “family moral values”.

At the May 16, 1979 Council meeting, it was reported that because of the increasing difficulty the Federation was having financing itself, the Federation Executive Committee had decided to contact the Bishops directly for help.

In the summer of 1979, Federation member Joe McTighe developed a proposal for creating a position in the Federation of Associate Director with responsibility for direct fund-raising

efforts across the state. While there was some interest expressed, this idea ultimately did not go forward.

At the November 28, 1979 Council meeting, the Superintendent endorsed a Federation proposal to establish a program on “parents as reading partners”.

On December 1, 1979 Alan Davitt attended a meeting of the Executive Committee of the Federation at which they presented a three point plan to address their severe financial problem – immediate borrowing, collecting 1980 assessments early, and obtaining from the Bishops approval to collect money through schools based on pupil enrollment either as an addition to the tuition or book bill or simply to the school budget.

In considering this proposal and alternatives at their meeting on January 8, 1980, Superintendents agreed to recommend to the Bishops that since the Federation was overextended in its fiscal operations, it should cut its budget to suit its means and capabilities.

At their meeting on March 19, 1980, the Council heard a presentation from Federation Executive Committee member Joe McTighe on a proposed statewide marathon for Catholic schools in the fall, which was endorsed by the Superintendents.

It was reported at the May 7, 1980 meeting, that the Bishops had decided at their April 18, 1980 meeting to refer discussion about the Federation to Bishop McCarrick and his Committee on Education Concerns.

Representatives of the Council of Catholic School Superintendents met with William (Pete) Gallagher on the Federation on May 14, 1980 to begin discussion about advocacy for state tuition tax credit legislation.

On December 6, 1980, Alan Davitt met with the Executive Committee to discuss a possible date change for Catholic Schools Week.

At the end of this time period, despite its financial difficulties, the Federation had proved to be a helpful partner in advocacy for government aid.

CHAPTER FOUR

THE STATUS OF AND VISION FOR

CATHOLIC ELEMENTARY AND SECONDARY EDUCATION

A. Introduction

Much of the focus of the work of the Council during this time period was in responding to changes in the environment and defining the purpose and role of Catholic school education. The height of Catholic education nationally and in New York State came in the 1964-1965 academic year when there were more than 5.6 million students in the country, and 796,327 students in New York State enrolled in Catholic elementary and secondary schools. Appendix VI details decline in enrollment from the 1963-1964 school year when the total enrollment was 789,614, to the 1980-1981 year, when the total enrollment was 414,874 in New York State, a decline of nearly 50 percent.

The Superintendents' Council gave major priority during this time to addressing causes of this decline and redefining the purpose and role of Catholic school education in light of changing realities. Certainly among the major causes of declining enrollment were a weakening of ties between families and the Catholic church, the growing affluence of Catholic families, a decline in perceived exclusion of Catholics from general society, the decline in vocations among religious women and the increase in numbers of religious women who chose to live out their vocation in other ministries, and concomitant increases in tuition, among many others.

This chapter focuses on efforts of the Superintendents to define and promote a changing vision for Catholic education in response to these realities. Chapters Six and Seven focus on efforts to obtain federal and state aid, respectively, to sustain Catholic schools.

This chapter details specifically:

- The 1969 State of the Schools Statements
- The 1969 Statement: Another Aspect of the Financial Crisis in Education
- The 1970 Uniqueness Initiative
- Council Meetings: Diocesan Briefings and Special Issues Presentations
- Late 1970's Planning and Research Initiatives
- Administrative and Policy Issues

B. The 1969 State of the Schools Statement

In light of the dramatic changes taking place in Catholic education, at its December 5, 1968 meeting, the Council appointed a committee comprised of Father Patrick Shanahan, Monsignor William Roche, Father Theodore Berg, Monsignor James Feeney and Alan Davitt to gather data to prepare for a three day retreat on the State of the Schools to be held on January 20-23, 1969.

Discussions on these three days and subsequent writing and editing, most of it done by Alan Davitt, resulted in the publication in the summer of 1969 of the seminal document produced by the New York State Council of Catholic School Superintendents:

The State of the Schools.

A Summary Report

of

A Special Conference of Diocesan School Administrators

on

The Present Situation and The Future

of

Catholic Elementary and Secondary Schools in New York State

The Forward outlines the context in which the Report was developed.

In part, it reads:

“If the last years of the sixties have been troublesome ones for Catholic schools, the decade ahead will be years of decisive action and change.

.....this document is fundamentally a commitment on our part that the standards of excellence and the quality of programs in Catholic schools shall be maintained and even enhanced.”

Part I of the Report outlined “*the present situation in Catholic schools*” in five sections:

- a. Pupils
- b. Teachers
- c. Parents and the General Public
- d. Church
- e. Finances

Part II outlined three recommended solutions to the crisis:

- Re-vitalizing our schools through a re-definition of our goals to preserve their uniqueness in American education.
- Re-designing our school structure.
- Re-financing our schools by seeking increased support from the Catholic community and “to seek in justice and economic prudence legitimate assistance from government for pupils attending nonpublic schools”.

With regard to re-vitalizing Catholic schools, the report outlined both general objectives shared by public and Catholic schools, spiritual goals, community service goals of Catholic schools as institutions and goals of the schools as institutions of the Church.

With regard to the re-designing of Catholic schools, the report offered recommendations “within the school itself” related to curriculum, pupils and staff and “related to the school” including central school administration, religious communities, parents and the laity and pastors.

With regard to re-financing, the report offered three major approaches:

- In terms of internal procedures, developing a statewide uniform accounting system.
- Emphasizing the responsibility of the laity in general and Catholic school parents in particular in financing Catholic school administration.
- Advocating for government funding that met the legal requirements of instruction and service, and describing several possible approaches.

The next section in the report was a section on contingency planning, raising several “what if” questions and recommending principles and specific approaches to possible school closing.

The report concluded with an exhortation toward a major public relations campaign for schools.

C. The 1969 Statement: Another Aspect of the Financial Crisis in Education

The Superintendents Council quickly followed up the report on the State of the Schools by publishing on September 3, 1969 a second document:

Another Aspect
of the
Financial Crisis in Education
The Current Problem of Support
for the Education of
Catholic Elementary and Secondary School Children

This document contained two sections. The first reviewed various facets of Catholic education at the elementary and secondary grade levels in New York State. The second presented some remedies toward solving, or at least alleviating, the fiscal crisis which had implications for all of education. The report emphasized the responsibility of government to equitably “assure the education of all children while preserving a viable exercise of the parental right of freedom of choice”.

The first section was basically a summary of material presented in the 1969 document “*The State of the Schools*”.

The second section addressed recommended solutions regarding internal procedures, the responsibility of the laity, and advocacy for governmental funding.

With regard to government funding more specifically, the report called on state government, in light of federal and state court decisions, to address the following matters:

- 1.) To recognize that Catholic education could not continue much longer without governmental assistance in a significant manner.
- 2.) To accept the sincerity of Catholic leadership in the following matters:
 - a. No funds are sought for religious purposes.
 - b. Support for development of methods for assistance to nonpublic schools which would not diminish assistance to public schools but rather reinforce it.
- 3.) To institute a program of assistance for pupils in elementary and secondary nonpublic schools in those fields whenever the schools meet the legal requirements of instruction and service.
- 4.) To consider seriously the following forms of assistance to nonpublic schools and to institute them without delay:
 - a. A state aid program to help parents and schools.
 - b. Enactment of legislation to include the participation of nonpublic pupils in the urban education program.
 - c. The establishment of a Permanent Commission for Nonpublic Education.

This document is such an important statement on the status of Catholic education at this time that it is included as Appendix VII to this volume.

D. The Uniqueness Initiative

In the continuing effort to define the mission and improve the rationale for promotion of Catholic schools, the Superintendents’ Council organized another three-day retreat held from June 1-4, 1970 around the general theme of the uniqueness of the Catholic school.

Workshops focused on the uniqueness of the Catholic school, the Catholic schoolteacher and the inner city school.

Workshop I on uniqueness of the Catholic school resulted in a report which contended that the Catholic school was unique “because the Catholic view of man is unique: man is the son of God, basically good but struggling with evil and constantly in need of God’s grace; man as a person is called to become fully human – the person God intended him to be.”

Workshop II focused on the Catholic schoolteacher as the most important element in assuring the unique character of the Catholic school.

Workshop III focused on the inner city school, focusing on the challenge to provide quality education with limited resources to children, increasingly non-Catholic, in the community in

which they live and the opportunity to give effective witness to the Church's concern for the poor by maintaining these inner-city schools.

At the January 20, 1971 Council meeting, it was decided that the material developed from this retreat should be consolidated into one single report and distributed.

E. Council Meetings: Diocesan Briefings and Special Issues Presentations

Another way in which the Council attended to the status of and vision for Catholic schools was devoting time at Council meetings to Diocesan Briefings and Special Issues Presentations.

At the December 16, 1970 meeting, Father Dan Brent recommended that time be given over at each Council meeting for a 2-3 minute briefing by each Diocese on recent developments in Catholic education within the Diocese as a means of sharing Best Practice Models. This proposal was accepted and such briefings were given at most Council meetings from January 1971 through the spring of 1972.

The practice of having Special Issues presentations at Council meetings began in 1973. Special Issues presentations which occurred between September 1973 and March 1981 included:

- September 11, 1973 presentation by Father Joseph Bynon on New Directions for Catholic Schools, in which he focused on these matters: instructional program, staffing, scheduling, financing and spirituality.
- May 15, 1974 presentation by leadership from the Buffalo Diocese on best practice models preceding the Council business meeting the subsequent day.
- March 5, 1975 presentation by Sister James Lynch, Rochester, on Leadership Development.
- November 11, 1975 Special Issues discussion on the Christian Dimension of the Curriculum, which focused on the following issues:
 - A formal religion program
 - A shared assessment of materials which were values oriented and within the regular curriculum
 - Development of values material
 - Research on values learning and teaching
 - Assessment of follow-up on the Uniqueness initiative
 - Parent and pastor involvement
 - Teacher orientation
 - Teacher in-service training on values
- January 13, 1976 presentation by Sister Elinor Ford from the Archdiocese of New York on parental involvement from a political, psychological and educational perspective.
- November 10, 1976 workshop on Political Action Strategy at the federal level, focusing on implementation of existing laws, exploring various potential new laws, and reporting on activity from the judicial sector.
- May 24, 1978 discussion on Voluntarism

- August 2, 1978 discussion on the Role of Catholic Schools in developing Family and Moral Values.
- March 6, 1981 presentation by Mario Paredes, Executive Director of Northeast Center on Hispanic Pastoral Ministry, on Catholic Schools and the Hispanic Community.

F. Late 1970's Planning and Research Initiatives

In the last half of the 1970's, the Council continued to engage in a number of initiatives to foster further understanding and evolution of the mission of Catholic schools. They are described here in chronological order.

On January 20-21, 1975, the Council held a workshop in Valatie, focused on the following questions:

- What is the nature of the Catholic religious education system as it should be? What principles must it embody (e.g. quality)?
- Given our present status, what action steps are needed from where we are now to that goal? (Action Steps)
- How do we go about having that goal and these action steps adopted, as a basis for planning a Catholic education strategy?

Based upon these questions, the goals of the session were:

- To develop a revised New York State Task Force report on the implementation of the recommendations of the USCC Pastoral "*To Teach as Jesus Did*"
- To send this report to NCEA
- To share information on implementation of TTAJD, Adult Education programs, technology, and parish relationships.

At its May 27-28, 1975 meeting, the Council revisited the 1969 State of the Schools Report.

At the September 16, 1976 meeting, when reviewing the work of the Council during the previous year, there was agreement that the Council needed to emphasize long range planning of goals and policies, research and experimental programs, and definition of educational standards and practices.

At the January 2, 1977 meeting of the State Catholic Committee, the following Diocesan representatives were appointed to an Ad Hoc Task Force on Catholic Schools:

Albany: Mr. Matty Semenza
Brooklyn: Father Vincent Breen
Buffalo: Dr. Patrick Hughes
New York: Father Peter Finn
Ogdensburg: Father Larry Deno

Rochester: Sister Roberta Tierney
Rockville Centre: Mr. Hugh Carroll
Syracuse: Father James O'Brien

At the September 14, 1977 meeting, there began discussion of a research proposal about the future of Catholic schools, submitted by Peter J. Kupcha. (This discussion was the first of a series of discussions which would last the remainder of the decade. Ultimately, the Kupcha proposal was rejected, and a series of discussions with the National Opinion Research Center also proved fruitless because of lack of funding for such an effort.)

At both the August 2nd and September 20th, 1978 meetings, there was discussion about developing another State of the Schools document, ten years after the first such document.

On February 19, 1979, the Council again gave over considerable time to discussing the future of Catholic schools. Father Thomas Gallagher from Rockville Centre gave a presentation entitled, "The Community of the Catholic School", in which he addressed issues about the future relationship of schools to Catholic parishes. Brother James Kearney gave a presentation entitled, "Non-Catholics and the Catholic School", addressing issues of evangelization, and how to promote Catholic identity in a school with a large number of pupils who were non-Catholic. Brother Medard Shea gave a presentation entitled, "The Role of the Laity" in which he urged more outreach to lay leadership.

The decade was concluded when the Council heard, at its May 16, 1979 meeting, an interim report of the Catholic Conference Special Study Committee on Education.

G. Administrative and Policy Issues

In addition to discussions with the State Education Department about a host of administrative and policy issues which are detailed in Chapter Five, the Council also focused on several internal policy issues during this time period.

1. Vietnam War Moratorium

In October 1969, the Council considered what should be the response to the nationwide Vietnam War moratorium which was affecting all educational institutions. It was agreed that it did not make sense for the Council to take a single statewide approach because of differing conditions in each Diocese. An example of one approach taken was the decision by the Brooklyn Diocese that the situation "must be addressed responsibly" and that various in-school education programs were offered as alternatives to participation in the moratorium.

2. Collective Bargaining Activities

Collective bargaining issues were addressed by the Council throughout this time period and indeed from 1968 up until the present time.

Council representatives participated in a USCC Conference on collective bargaining on March 19-21, 1968.

At the June 18, 1969 Council meeting, it was reported that union activists were seeking collective bargaining rights in three Dioceses (New York, Brooklyn and Rockville Centre) for custodial and library personnel.

The Council discussed at its February 25, 1970 and April 12, 1972 meetings the reality that lay teachers' organizations "were on the rise".

Reference was made at the November 10, 1976 Council meeting to the USCC statement on principles relating to collective bargaining, which is detailed in Chapter Six of this volume.

3. Uniform Statewide Cost Accounting

A major recommendation in the 1969 State of the Schools Report was that there be developed a uniform statewide cost accounting system for Catholic schools. Already at the June 18, 1969 Council meeting, there was beginning discussion about how to collect cost data. At the September 24, 1969 Council meeting there was agreement to carry out a statewide survey of costs using the Brooklyn model. On February 15, 1970, a School Costs Survey Committee consisting of Alan Davitt, Father Fitzpatrick and Mr. Forton met to review survey results as the basis for developing a statewide cost accounting system, but also as a means of giving input to the Catholic Conference Advisory Committee established to relate to the Fleischmann Commission.

Attention then was turned to developing a statewide system. An initial proposal from Peat, Marwick, Mitchell was reviewed at the October 10, 1970 Council meeting and by the Diocesan Fiscal Officers at a meeting on December 16, 1970, and rejected as being too vague and not closely enough related to existing practices. This objective was accomplished, however, when it was reported at the March 14, 1971 Council meeting that a revised Peat, Marwick proposal had been accepted and would be implemented statewide on July 1, 1971.

In a related matter, it was reported at the September 14, 1977 meeting that some but not all Dioceses were using the manual on cost accounting developed by the Diocesan Fiscal Officers.

4. Other

Brief attention was given by the Council to four other administrative and policy issues.

At the March 14, 1973 meeting, there was discussion about problems with students in grade 12 and issues relating to early graduation.

At the Council meeting held on December 9-10, 1980 three matters were discussed: recruitment in schools for the Armed Forces; Basic Skills and GED programs; and relationships between the State Education Department and the State Department of Social Services about adolescent pregnancy prevention services.

CHAPTER FIVE

RELATIONSHIPS TO GOVERNMENT – FEDERAL AND STATE

A. Introduction

Obviously, relationships with government agencies and leadership at both the federal and state levels were an important part of the work of the Council. This Chapter focuses on the process of and mechanisms for such relationships, as well as some specific administrative issues of concern. Chapter Six focuses on advocacy at the federal level, and Chapter Seven focuses on advocacy at the state level.

B. Federal Government Relationships

Clearly, the most important relationships at the federal level were with Presidents, Congress and the United States Office of Education. These relationships are described in Chapter Six. Here are reported interactions with other federal agencies around specific areas of concern.

During this time period, there were seven issues on which there was discussion about or interaction with a federal agency other than the U.S. Office of Education:

- Interaction with the National Labor Relations Board on unemployment insurance issues. (1968-1978)
- A request to USCC as to how to submit a report requested by the Equal Employment Opportunities Office. (1973)
- Discussion about the Internal Revenue Service Form 990. (1976)
- Discussion about Lobbying Report forms developed by IRS. (1976)
- Discussion about the Youth Employment Act. (1978)
- Discussion about the Federal Energy Law. (1979)
- Discussion about implementation of CETA programs. (1979)

C. State Government Relationships

1. Introduction

The three most important relationships with state government administrative leadership were with the Governors, Commissioners of Education, and with leadership in SED administrative positions relating to nonpublic education. These are described in turn. (Relationships to the Legislature and individual legislators are described in Chapter Seven.)

2. Governors

During this time period, the Council had interactions with three Governors: Governor Nelson Rockefeller who held office from 1958 until 1974 when he was appointed Vice-President by President Gerald Ford; Malcolm Wilson, the Lieutenant Governor who

became Governor to fill out Governor Rockefeller's term until the end of 1974; and Hugh Carey who was elected in November 1974, took office in January 1975, and would serve until the end of 1982.

Although there was infrequent formal contact with Governor Rockefeller himself, Charles Tobin throughout this time period had a very strong working relationship with his chief of staff Alton Marshall. In fact, the advocacy work of the Catholic Conference more generally was quite different than it would become later. Charles Tobin was able to accomplish much in many different areas of concern through his relationship with Mr. Marshall, and the incumbent Speakers of the Assembly and Majority Leaders of the Senate.

This positive relationship with the Governor Rockefeller's office resulted in several achievements. As described in the Governor's 1973-1974 Executive Budget, the state had "assisted nonpublic schools by providing them, through the public school system, with pupil transportation, health services, textbooks, and other services, and by paying a large share of the cost of private and sectarian services for the handicapped. The cost for such services and subsidies is now approaching \$100 million a year".

The adoption of the landmark Textbook Aid Loan legislation is described in the first volume of this series: "*A History of the New York State Catholic Conference 1916-1968*".

Particular issues relating to the other initiatives are discussed in detail in Chapter Seven of this volume.

Clearly, the Rockefeller administration was a time of enhancing state support for nonpublic schools.

While Malcolm Wilson was an ally of the Catholic Conference, his tenure was so brief that it had little impact on Catholic education in the state.

Leadership of the Catholic Conference had a much closer relationship to Hugh Carey, himself a Catholic, than to Governor Rockefeller. There was established the practice of regular meetings with Bishops and/or Catholic Conference leadership which has continued into the present. Through these sessions, there were addressed many specific issues, but no legislation of great import to Catholic education was enacted in the Carey administration, primarily because of adverse Supreme Court decisions described in Chapters Six and Seven. (Former Governor Carey would, however, make an important contribution to Catholic education through his leadership on the State's Blue Ribbon Panel on Catholic Education which issued its Final Report in 1993.)

3. Commissioners of Education

During this time, the Catholic Conference and Council of Catholic School Superintendents interacted with three Commissioners of Education: Dr. James E. Allen, Mr. Ewald B. (Joe) Nyquist, and Mr. Gordon Ambach. (It should be remembered also that there was attention to appointment of members of the State Board of Regents and also occasional interaction with the Regents on specific issues.)

a.) Dr. James E. Allen

While Dr. Allen had a long and distinguished career, since he left in early 1969 to accept appointment from newly elected President Nixon as Commissioner of the United States Office of Education, he did not have much influence on the work of the Council during this time period.

b.) Mr. Ewald B. (Joe) Nyquist

Mr. Nyquist, who was named Commissioner in November 1969 and served until 1977 was a great friend and supporter of Catholic education, as well as a vigorous champion of enhancing the quality of all education in the state.

Interaction with him and his leadership occurred in three important ways: regular communication on administrative and policy issues, the Annual Commissioner's Dinner which became a signature event during his tenure, and participation of Catholic Conference representatives on Commissioner's Advisory Committees.

Administrative and Policy Issues

Throughout Mr. Nyquist's tenure there was openness to communication which led to dialogue, although not always agreement, not only with the Commissioner but also with many of his staff. The most important issues discussed with him and leadership staff were:

- Urban Education
- Intercultural Education
- Equivalent Standards
- Surplus Property
- Regents' Diplomas
- School Lunches
- The BEDS Statistical Reporting Form
- Vocational Education
- Teacher's Certification
- Supervisory (Advisory) Visits
- Professional Standards
- Regionalism
- Early Childhood Education
- PEP
- BOCES Issues
- Minimum Requirements
- Physical Education Requirements
- Goals and Values Statement
- Law Enforcement
- Professional Charters
- Cable Television
- Elementary and Secondary Statewide Evaluation Program

- Selective Service
- Bilingual Education
- Length of School Day
- Fire Inspections

Annual Dinners

Based upon the long-standing success of the Catholic Conference Health and Human Services Dinner, the practice of an Annual Commissioner's Dinner was established in 1973. Generally at the dinners were the Diocesan Superintendents, some members of the Catholic Committee, Conference staff, and the Commissioner and his leadership staff.

Discussed at that dinner meeting held on April 11, 1973 were the following matters:

- Status of the position paper on values in education.
- Federal education relationships.
- Relationships with BOCES.
- Support for SED Dual Enrollment Legislation.
- Issues relating to education of handicapped children.

The 1974 dinner was held on March 13th. The 1975 dinner was held on March 9th.

At these dinners, the Commissioner regaled those present with humorous and insightful comments. For example, at the March 9, 1975 dinner, he commented on the challenge:

“in an evening twilight, which together with the now diminished public confidence in education, will consist of markedly reduced financial support, fewer students, lessened quality and curtailed education opportunities”...

He cited the New York City educational situation as an example of these realities.

By the March 2, 1977 dinner meeting, when it was known that Commissioner Nyquist would soon be leaving his position, he gave a valedictory address to the group. Among his many comments, as always, mixing humor and insight were...

“I think the world looks a lot better from behind a laugh”

“New York State has attained educational excellence over the years for the reason it has always embraced educational diversity”.

In his remarks, he expressed delight that his administration had been the first in the country to organize a nonpublic education department, a reality not yet present in the United States Office of Education and more than thirty states. He also expressed

concern that Governor Carey seemed to want to weaken the Board of Regents and “splinter” the state education system.

In response to this address, Father Larry Deno, Council President, commended “Joe” Nyquist for his openness to dialogue, for his work to end discrimination in education and provide education opportunities for all, for the establishment of the Office of Nonpublic School Services, and for his focus on values and moral ideals.

The work of the Commissioner’s Advisory Committees is described later in this Chapter.

c. Mr. Gordon Ambach

Mr. Ambach was appointed as Commissioner on July 1, 1977. He had joined the State Education Department as Special Assistant Commissioner for Long Range Planning, a position he held from 1967-1970. From 1970 until his appointment as Commissioner in 1977 he served as Executive Deputy Commissioner of Education. He would serve as Commissioner until 1987. He too showed an openness to meeting and dialogue with the Council on a regular basis.

Administrative and Policy Issues

Just as there had been open discussion on many administrative and policy issues with Commissioner Nyquist and his staff, this practice continued with Mr. Ambach and his staff. Issues discussed included:

- Alternate School Calendars
- SED School Financial Aid Process
- Basic Competency Testing
- Advisory Council on Vocational Education
- Library Pilot Program
- Asbestos
- Corporal Punishment
- Funding for Indochinese Refugees
- Talented and Gifted
- Driver Education
- Resource Allocation

Annual Dinners

More for internal purposes than because of the attitude of the Commissioner, the Council and Catholic Committee made the decision to change the format and significantly reduce participation in the annual dinner meeting.

The first such meeting with Commissioner Ambach was held on April 4, 1979. Matters discussed at this meeting included:

State Education Department Matters

- Competency Testing
- Re-registration of Secondary Schools
- Equivalency of Instruction

Health Services

- Legislation to remove exemption from providing 912 Health Services enjoyed by city school districts in New York City, Rochester and Buffalo
- The drug abuse crisis and need for preventive services
- Early intervention proposals of the Council on Children and Families

Transportation Legislation

Federal Programs and Tuition Tax Credits

At the March 19, 1980 dinner meeting with the Commissioner, Brother James Kearney, Archdiocesan School Superintendent, gave a presentation on the myths about Catholic education. In particular, he focused on the role of faculty as ministers and as role models for pupils.

4. Commissioner's Advisory Committees

a. Introduction

Again, in addition to ongoing interactions and Annual Dinners, another important Council relationship with the Commissioner was the participation of Council representatives on Commissioner's Advisory Committees. These activities for the Allen, Nyquist and Ambach tenures are described below.

b. Interfaith Advisory Committee

The most important Advisory Committee on which Alan Davitt and other representatives of the Catholic Conference participated, in terms of decisions impacting nonpublic schools, was the Interfaith Advisory Committee.

While there was great focus throughout this time period on released time programs, the Advisory Committee also addressed other important matters.

At meetings held on April 30, 1968 and June 24, 1968, a major topic of discussion was the health curriculum section on Family Living and Human Sexuality.

Discussion about released time programs also began at the June 24, 1968 meeting.

There was a major meeting on released time programs, held on September 18, 1968 and attended by Dr. Walter Crewson from SED, selected chief school officers and representatives of the Confraternity of Christian Doctrine. Specific issues addressed included:

- One full hour not including transportation time
- Staggered schedules
- Strengthening the policy that no new material would be introduced during released time programs

Matters addressed at the October 2, 1969 meeting included the possibility that the Regents would issue a paper on values, and possible improvements in released time religious education programs.

At its December 18, 1969 meeting, the Catholic Committee approved the permanent appointment of three CCD representatives, as well as Charles Tobin and Alan Davitt, as representatives on the committee, because of the importance of released time on the agenda. (Previously the three non-Catholic Conference staff representatives had served on a rotating basis.)

Released time was again the main focus of the March 5, 1970 meeting.

At the meeting of the Committee held on June 12, 1973, Mr. Davitt was joined by other Catholic Conference representatives Charles Tobin and Father Howard Basler. At this meeting, Committee Chairperson Associate Commissioner for Instructional Services Bittner asked for input on issues relating to restrictions on the use of technology in released time instruction. Other matters addressed were teaching about evolution, Values Education – Project Search and banning of books.

At its September 25, 1973 meeting, the Committee reviewed revised administrative guidelines for released time programs (which were found satisfactory), and statements about values in Social Studies and Departmental Values.

Through the Committee, the Council of Catholic School Superintendents affirmed agreement in December 1973 on the SED Statement on Goals for Elementary, Secondary and Continuing Education. The thrust of this input was support for the long term approach outlined in the statement but it was recommended that the report be redrafted to include a specific section on the role of nonpublic schools.

The following matters were addressed at the March 5, 1974 meeting of the Advisory Committee:

- Released time regulations
- “Goals” position paper
- Position paper on Values education
- Matters relating to the occult

- High school Chaplains
- Review of a newly developed video on the education of the handicapped

The Committee advised that a May 20, 1974 draft SED Statement on Questions and Answers About Religious Education was unsatisfactory because it did not prevent introduction of new content, was lacking in terms of opportunities for credit, and did not permit program innovations made possible by evolving technology. With regard to mandated services and dual enrollment, the Committee raised the question as to why the Department had not proposed “across-the-board” dual enrollment.

The discussion about released time programs continued into 1975. At the June 6, 1975 meeting, it was reported that some restrictions on released time credit had been removed, but still Catholic representatives on the Committee were not satisfied.

At the September 16, 1975 meeting of the Advisory Committee, these matters were addressed:

- A new version of the Values Education paper
- Continuing discussion of the released time issues
- Early childhood education
- Education of Vietnamese refugee children

At the March 23, 1976 meeting, it was agreed that Alan Davitt and Father Howard Basler would develop a proposal for giving credit for “religious instructional programs undertaken outside released time”. At the December 11, 1976 meeting, this paper was endorsed and Father Basler was asked to head a committee to meet with school district administrators to discuss the paper.

At the June 7, 1977 meeting, Department representatives indicated their interest in released time as a functional program at the K-6 grade level and their desire to increase community support for such programs, and also some interest in pursuing dual enrollment options at the secondary school level.

At the March 15, 1977 meeting, matters discussed included basic competency testing, future school calendars and bilingual education.

At the October 3, 1977 meeting, newly appointed Commissioner Gordon Ambach reviewed with the Committee an amendment to the Commissioner’s regulations made in 1977 which provided for staggered released time.

The focus of the January 16, 1978 Committee meeting was a paper on “reverse dual enrollment” developed by Mr. Davitt and Father Basler, and another paper on Guidance and Counseling as non-instructional services. In general, the Committee opposed the Davitt-Basler proposal but did not recommend another alternative.

Some progress was made when at the May 8, 1978 meeting when Commissioner Ambach presented proposals for credit for released time, but he said that he needed to further discuss them with school district officials before implementing them.

At their meeting on July 28, 1978, the Board of Regents approved regulations allowing Boards of Education to establish optional programs by which high school students could be excused from class to attend a course in religion offered by a registered nonpublic high school during school time.

The conclusion of this several year discussion about released time programs came in November 1978.

At its November 2, 1978 meeting, the State Catholic Committee recommended approval of the proposed pamphlet on changes in regulations for released time programs which would be discussed at the November 27, 1978 Commissioner's Advisory Committee meeting.

While most of the attention of the Advisory Committee during this time period was focused on the released time issue, the Committee from time to time addressed issues relating to children with handicaps and also racial justice issues. For example, at the September 18, 1978 meeting, there was discussion about the role of religious institutions relating to the needs of individuals with handicapping conditions, especially with regard to barrier removal. At that same meeting, there was considerable discussion about an Interfaith Conference on Racial Justice to be held in March 1979. At the November 27, 1978 meeting, there was discussion of a Draft Statement on Racial Justice to be discussed at that conference.

The major focus of the May 12, 1979 meeting was racial justice in education.

At this meeting, the group reviewed the U.S. Bishops' Pastoral Letter on Racism in our country.

c. Advisory Committee of School District Administrators

Alan Davitt also represented the Council of Catholic School Superintendents and the State Catholic Conference on the Commissioner's Advisory Committee of School District Administrators regularly from the fall of 1968 until the end of this time period, always advocating for the interests of nonpublic schools. The variety of issues addressed at these meetings, generally in chronological order, included:

- SED development of a Goals Statement for Elementary, Secondary and Continuing Education
- Issues relating to children with handicapping conditions
- Libraries
- Physical education programs
- Energy efficiency
- Federal funding in general

- Amendments to ESEA adopted in 1974
- General state aid to public schools
- The reorganization of the House of Delegates
- Issues pertaining to the relationship of SED and local school districts
- The financial crisis in New York City
- The 1975 Meek v. Pittenger decision
- Issues relating to Section 220.4 of the Commissioner's regulations
- Unemployment insurance
- Changes in regulations required by Chapter 853 legislation
- Released time issues
- The possibility of changing the school year to save energy
- State and federal budget issues

Two particular events of note were appointment of a Joint Committee in 1971 and the September 16, 1977 meeting when Commissioner Ambach who had been appointed on July 1, 1977 addressed the Committee presenting his priorities for his administration.

At the January 20, 1971 meeting, the Council appointed a committee comprised of Monsignor Costello, Mr. Semenza and Monsignor Feeney to meet with a committee from the Advisory Committee of School District Administrators to discuss issues of common interest.

At the first meeting of this Joint Committee held on April 2, 1971, it was agreed that it would be beneficial to address issues of common concern including:

- Mandates in education, particularly health education
- Implications for finances of schools from unemployment insurance coverage of teachers
- Tenure
- Teacher accountability
- Project Redesign
- Handicapped education
- Issues related to federal revenue sharing

The priorities outlined by Commissioner Ambach at the September 16, 1977 meeting were:

- Improving educational performance in urban schools
- Setting standards for instruction and student performance
- Racial integration
- Values and effectiveness for cost
- Strengthening state library services
- Education for vocations
- Services for the disabled
- Education and health policies

d. Advisory Committee on Children with Handicapping Conditions

On November 25, 1974, Alan Davitt attended the first meeting of the SED Commissioner's Advisory Committee for Children with Handicapping Conditions as a representative of Catholic schools. The Committee heard an introductory presentation by Commissioner Nyquist and then an overview of existing SED programs.

At the second meeting of the Committee, held on January 28, 1975, there was a review of Chapter 241 of the laws of 1974, discussion that the role of the parent in the education of a handicapped child needed to be clarified and a discussion of pending legislation on "excess costs".

Matters addressed at the April 8, 1975 meeting included implications of excess cost funding, parental involvement in educational decision-making, qualifications for staff, and a study of vocational needs for handicapped persons.

At its June 13, 1975 meeting, SED staff indicated they were preparing a revision of the state plan for services covered by Section VI B of PL 93-380. Also, the Committee reviewed proposed changes in Commissioner's regulations, and a proposed statement on Learning Disorders. These later two items were again reviewed at the September 19, 1975 Advisory Committee meeting.

At the November 30 – December 1, 1975 Advisory Committee meeting, these matters were addressed:

- The Advisory Committee endorsed the inclusion of learning disability as a handicapping condition to be included in the Commissioner's regulations.
- Various state legislative initiatives.
- The federally funded program combining television and computer assisted learning for handicapped children.
- Procedures for the transfer of children from institutions to local situations and schools.

The last meeting of the SED Commissioner's Advisory Committee was held on September 17, 1976. A major agenda item was review of a proposed Parents' Handbook. This was the last meeting because this body was to be replaced by an Advisory Panel required by Chapter 853. The new panel was to include at least five representatives from the following constituencies:

- Handicapped persons
- Teachers of handicapped persons
- Parents or guardians
- State and local education officials
(Alan Davitt was included in the new group as a representative in this category.)
- Representatives of State Associations

At its meeting of November 30, 1977, the newly reconstructed SED Commissioner's Advisory Panel discussed strategy to introduce legislation to mandate local school districts to provide early childhood education programs for handicapped children.

Alan Davitt's work on the SED State Commissioner's Advisory Panel continued in 1978. The major agenda item at the meeting held on March 16-17, 1978 was recommending to SED priorities for use of federal funding. Once again, the panel unanimously passed a resolution recommending provision of state funding for the education of children with handicapping conditions who were three years or older. The Panel also reviewed the proposed state plan to implement PL 94-142, and discussed regulation 200.6 relating to the role of local Boards of Education in placement.

On June 4, 1979, the Commissioner's Advisory Panel reviewed a memorandum from the Governor on a Special Education Classification and Standards Project to be presented to the Regents.

There was reviewed at the July 26, 1979 meeting a proposal to relocate blind pupils from the New York State School for the Blind to other facilities.

At its August 21, 1979 meeting, the Commissioner's Advisory Panel reviewed operating cost estimates for the Classification and Standards Study and recommended deletion of the requirements that for a child to be classified as disabled there needed to be a greater than 50 percent discrepancy in skills.

At this meeting, the Advisory Panel also reviewed a status report issued in August 1979 by the Office of Vocational Rehabilitation, which had been formally established on August 31, 1978, on its first year of operations. The report indicated that much attention had been given in its first year to structural development of the office and planning. Still, it was emphasized that the Office also oversaw programs and services to 100,000 handicapped persons, successfully rehabilitating 10,000.

e. Advisory Committee on Gifted and Talented

First mention of special education initiatives for gifted and talented students came with release of the first draft of a Regents Plan in May 1973.

After much discussion and revision, in January 1976, the Regents issued Position Paper 23, Educating the Gifted and Talented in New York State.

Soon thereafter, in September 1976, a group of advocates voluntarily formed the New York State Coordinating Council for the Gifted and Handicapped. With this group and others expressing disappointment during 1977 that not much progress had been made in implementing the recommendations in the Position Paper, a Commissioner's Advisory Committee on Education the Gifted and Talented was formed in fall 1977.

Alan Davitt represented the Catholic Conference on this Advisory Committee from 1977-1981. Among the matters that were addressed by the Advisory Committee during this time period were:

- A recommendation was made on February 3, 1978 that Title IV (c) ESEA funds should be used for in-service training and program development for the gifted and handicapped.
- Input was given in June 1978 on federal legislation HR 15 and S 1753.
- Testimony was given at the September 8, 1978 Regent's Legislative Hearing on the importance of developing a state plan.
- During 1979-1980, the Advisory Committee supported Senate Bill 120 mandating that school districts develop a program for gifted and talented students, but Alan Davitt expressed his concerns about the lack of attention to nonpublic schools.
- On February 20, 1979, Alan Davitt testified before the Senate Minority Task Force on Education of the Gifted and Handicapped indicating that "gifted and talented" abilities pertained to an individual, that therefore there should not be discrimination against nonpublic schools and that S120 completely ignored the needs of gifted and talented students in nonpublic schools.
- Catholic Conference representatives presented testimony to the Regents on July 7, 1979 asking for development of a comprehensive plan.
- On October 19, 1979, the Regents proposed such a plan with funding in the amount of \$7 million.

The above are just another instance in which the Catholic Conference and Alan Davitt had contributed to improving the over-all education system in the state.

f. Advisory Committee on Nonpublic Schools

Following on the creation of the position within the State Education Department of Associate Commissioner for Nonpublic Education and the hiring of Joan Arnold to fill this position as described below, it was a logical next step to create a Commissioner's Advisory Committee on Nonpublic Education. Commissioner Gordon Ambach did so in early 1980.

He convened the first meeting of this Advisory Committee on February 7, 1980. Matters addressed at this meeting included:

- Equality of instruction (not viewed as a problem for Catholic schools)
- Re-registration of schools (also not seen as a problem)
- Two transportation decisions (the Commissioner indicated he was unable to comment on these decisions because he had been involved in making them)
- SED's legislative agenda for 1980
- Issues relating to receipt of mandated services checks

Issues raised at the second meeting of the Committee held on May 15, 1980 included:

- Review of action on SED's legislative agenda during the session
- PEP test results
- Clarification that kindergarten admittance standards were the same for nonpublic schools as for public schools

5. The Office of Nonpublic School Services

As indicated above, Commissioner Nyquist established early in his tenure the first formal Office of Nonpublic School Services in a State Education Department. The first Director was Esther Swanker. The second Director of this office was Dr. Thomas Heath.

As early as the January 12, 1972 and February 9, 1972 meetings, however, the Council expressed concern that this office had low status and needed to be upgraded. Concern was also expressed at the former meeting about the proposal on regionalism which Dr. Heath described for the Council.

This concern about regionalism continued to be expressed throughout most of the decade.

At the January 1, 1974 Council meeting, it was agreed that an assessment of the effectiveness of the office would be put off until the March Council meeting, because Dr. Heath had not completed his Diocesan visits.

Under Commissioner Ambach, things began to change. It was reported at the April 13, 1978 Council meeting that Mr. Appleton Mason, who was serving as the Executive Director of the State Nonpublic School Association, had been hired as a consultant to the State Education Department to explore ways to improve relationships with nonpublic schools. In June 1978, Council representatives participated in a conference called by Mr. Mason to explore these issues. One result of this work was the creation of the new position of Assistant Commissioner for Nonpublic Education.

Very happily for the Council and Catholic Conference, the first person hired for this position in the summer of 1979 was Joan Arnold. She had worked for the Syracuse Diocesan education office and also had represented the Council on Federal and State Title III ESEA Advisory Committees. She was invited to the Council meeting on November 28, 1979. So began a long, happy and productive working relationship.

CHAPTER SIX

ADVOCACY AT THE FEDERAL LEVEL

A. Introduction

As indicated above, one of the key reasons for the establishment in December 1966 of the position of Executive Director of the Council of Catholic School Superintendents and the hiring of J. Alan Davitt in this position effective April 1, 1967, was the growing need to address public policy issues at the federal level, especially in the wake of the passage of the landmark Elementary and Secondary Education Act in 1965. And, indeed, a major portion of the work of the State Council of School Superintendents throughout the thirteen year period covered in this history was advocacy at the federal level. The Council and the State Catholic Conference more generally can take pride that first Charles Tobin Jr. and then Alan Davitt made significant leadership contributions to the development of policy and advocacy at the federal level during this time period.

To understand the context in which this advocacy evolved, it is helpful to recapitulate the history of the evolution of federal aid to education, including both public and nonpublic schools, prior to 1968. Described here are both important legislative acts and Supreme Court cases.

The modern era of federal aid to education began with the publication of the Report of the Roosevelt Commission in 1939, more commonly referred to as the Reeves Report. The Roosevelt Commission made a thorough study of the whole question of federal aid and recommended that the federal government provide assistance in areas of need and that it likewise provide assistance for the health and welfare needs of children in nonpublic schools. This latter recommendation was predicated on the child benefit theory as enunciated by the Supreme Court in Cochran v. Board of Education, 281 U.S. 370 (1930).

The proponents of federal aid from 1939 until 1958 proposed legislation modeled along the lines of the Reeves Report. With one exception (the School Lunch Program), the bills, as originally introduced, eliminated participation of nonpublic school children. This precipitated a continuing controversy, which hobbled the progress of federal aid to education for many years.

The continuing viability of the child benefit principle did however generate important legislation affecting children at the elementary and secondary level.

Relating to elementary and secondary education, the most important legislation enacted in this time period was:

1. National School Lunch Act, PL 79-396 (1946). Under this program, the federal government made grants to states for purchases of food for nonprofit school lunches in public and private schools. This legislation has frequently been amended and is providing important assistance for children in public and nonpublic school systems of the country. [Note: Charles Tobin Sr. had been accurate in a statement when the school

lunch program had been considered in New York State: “If it happens here, then it will happen throughout the country”.]

2. Impacted Area Legislation, PL 81-874 (1950) authorized federal programs for maintenance and construction of public schools.
3. National Defense Education Act, PL 85-864 (1958). Title III of this legislation provided for equipment loans at a moderate interest rate to enable private secondary schools to acquire equipment for science, mathematics, and foreign languages.
4. Vocational Education Act Amendments, PL 88-210 (1963) authorized federal grants to states to improve vocational education to persons of all ages. Ten percent of the funds were allocated for grants to colleges and universities to establish pilot programs designed to meet special educational needs of all youth.
5. Elementary and Secondary Education Act, PL 89-10 (1965). The target for the aid approved under this legislation was the educationally disadvantaged child regardless of the elementary or secondary school attended. The federal funds were to be channeled to local educational agencies for the benefit of educationally disadvantaged children within their jurisdiction. Assistance included special services, such as public school teachers giving remedial courses on parochial school premises and special arrangements such as dual enrollment programs. This legislation has been repeatedly amended, and strengthened. Each amendment progressively reinforced the mandate of comparable services for all educationally disadvantaged children. It now reflects settled Congressional policy in the area of federal aid, namely, categorical aid for disadvantaged children.

A series of US Supreme Court cases has impacted the way in which the federal government and states may provide services and benefits to parents and students in private and religious schools. Key decisions rendered through 1968 included:

1. Pierce v. Society of Sisters of the Holy Names of Jesus and Mary (1925). This landmark decision over-turned an Oregon law that would have required all children to attend only the public schools. The decision affirmed the right of parents to choose the type of education they wanted for their children and also affirmed the right of the state to reasonably regulate private schools. The Court ruled that: “The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”
2. Cochran v. Louisiana State Board of Education (1930). Decision upheld a Louisiana statute that allowed expenditure of public/state funds to purchase and supply nonsectarian textbooks to parochial school students.
3. Everson v. Board of Education (1947). Decision upheld a New Jersey program that established the precedent that a state may provide, with public money, bus transportation services to and from school to students in parochial schools.
4. Board of Education v. Allen (1968). Decision upheld a New York textbook law authorizing the lending of textbooks free of charge to all children, including those attending parochial schools, in grades seven through twelve. This was a very significant decision for both federal and state advocacy.

This Chapter then details the continuing advocacy on federal issues from 1968 under the leadership of Alan Davitt until 1981 when Joe McTighe became the Executive Secretary of the Council.

B. Federal Aid to Nonpublic Schools – 1965-1981

First described is the evolution of Federal education public policy as a context in which the work of Alan Davitt and other representatives of the State Catholic Conference at the federal level can be better understood.

The major source of federal aid to nonpublic schools during this time period was the Elementary and Secondary Education Act. Its evolution is described here first. The second part of this section details other direct federal aid programs. The third part describes the very important debate over tuition tax credits which began in 1972, was important throughout that decade and has been a major issue ever since.

1. Elementary and Secondary Education Act

a. PL 89-10: The Elementary and Secondary Education Act of 1965

On April 9, 1965 President Johnson signed this legislation. Title I of the Act allocated \$1.06 billion to be distributed by state education officials to assist local school district profits directed at “educationally deprived children”. The funds were not to finance either construction or teachers’ salaries, but could pay for “shared-time” programs by which nonpublic school pupils attended classes at public schools. Title II provided \$100 million for the purchase of textbooks and other materials and the expansion of school libraries for nonpublic and public school children, through public agencies. Title III earmarked \$100 million for “supplemental services and centers” open to nonpublic as well as public school children. Title IV allocated \$100 million to modernize and coordinate federal education research, and Title V assigned \$100 million to improve state education agencies.

From the perspective of nonpublic schools the following programs had as a condition of approval the provision of benefits by a public education agency to children (and to teachers in social programs) in private, or nonpublic elementary and secondary schools.

Title I

- Educationally deprived children from low income families
- Migrant children
- Neglected and delinquent children
- Handicapped children

Title II

- School library resources
- Textbooks
- Instructional materials

Title III

- Testing, guidance and counseling
- Innovative projects (supplementary centers)
- Innovative Section 306 consensus projects

b. PL 90-247: The Education Amendments of 1968

ESEA legislation was extended and amended with the passage of PL 90-247 in June 1968. Major provisions included giving more authority to states, increased eligibility for handicapped students and dropouts, and adding a Title VII, which provided for services to bilingual students.

Nonpublic schools were clearly eligible for aid under Titles I, II and III. Opposition fueled by the National Education Association brought constitutional challenges to nonpublic school use of these funds. An important early decision was the June 1968 Flast v. Cohen decision which supported the right of taxpayers to sue and test the constitutionality of the ESEA's provisions for textbook "supplemental services and centers", and "shared time" programs for nonpublic as well as public school children.

c. PL 91-230: The Education Amendments of 1970

As Congress considered reauthorizing ESEA in 1969, USCC submitted two different testimonies to the House Committee on Labor and Education.

The first, submitted on March 4, 1969 was entitled "Notes on Implementation of Title I in New York City". This testimony, based on a study done by Boston College, cited "Catholic frustration at the total lack of communication with the New York City Board of Education in which rests all decision-making power". The report indicated that the Board had never directly consulted the Nonpublic School Officials' Council. Further, it was indicated that for the 1968-1969 school year, while 15 percent of children were enrolled in nonpublic schools, nonpublic schools received only 4 percent of ESEA funding.

On March 9, 1969 Monsignor James Donahue, representing USCC, made three major points in his testimony before the same House Committee:

- He urged expansion of the program.
- He advocated for establishing as law the by-pass provision for Title I.
- He indicated his belief that receipt of ESEA funds did not result in "commingling of funds".

In May 1969, the State Council of Superintendents joined with others around the country to protest the proposed elimination of Title III ESEA funding.

There were several helpful, if modest, provisions assisting nonpublic participation in PL 91-230 passed in the spring of 1970 which extended ESEA from 6/30/70-6/30/73. They included:

- Consolidation of Titles III and IV A

- Inclusion of a provision that ESEA funds could be withheld from states that had substantially failed to provide for participation of nonpublic schools
- Incorporation into law of maintenance of effort requirement
- Amendments improving services for institutionalized neglected or dependent children
- Inclusion of all handicapped children
- Provisions for increased parental involvement in decision-making (in 1973, A Guide for Parents and Parental Councils was published)

One further positive result of this legislation was that it was determined in 1972 that additional public schools in New York City were eligible for funding with the result that additional nonpublic schools associated with these public schools were also eligible for funding.

d. PL 92-318: The Emergency School Assistance Act of 1972

An important related development was passage of PL 92-318, the Emergency School Assistance Act of 1972. The major feature of this legislation was Title VII which provided new financial aid for desegregation. In this legislation, there was explicit provision for the inclusion of nonpublic school children, teachers, agencies, institutions and organizations. These provisions were even more explicit than those in ESEA legislation. This legislation also expanded funding for educational television and bilingual education. (Nonpublic school participation was also mandated in the Occupational Education Act passed in the same year.)

e. PL 93-380: The Education Amendments of 1974

Attention then turned to advocacy around the reauthorization of ESEA in 1973, which in actuality was accomplished through PL 93-380, enacted in 1974. In June 1972, USCC established a Task Force on ESEA, chaired by Alan Davitt, charged with developing recommendations for the 1973 reauthorization. It had become clear that Title III would be under heavy fire in Congress in this debate. In October 1972, in his role as Chair of the USCC Task Force on ESEA, Alan Davitt testified on Title III Legislation before the National Advisory Council on Supplementary Centers and Services. His testimony focused on two things. It was clear that the objectives of this legislation in general were not being achieved, and amendments to the legislation would be required if it were to become more effective. Second, it was clear that “positive action had to be taken by the U.S. Office of Education to assure inclusion of nonpublic schools.”

Based upon the recommendations from Catholic school representatives who attended a USOE Conference on public/nonpublic education on January 10-12, 1973 and a meeting with the C.R.E.D.I.T. organization on February 26, 1973, USCC testimony on this reauthorization presented on March 1, 1973 focused on these major themes:

- Significant progress had been made over the previous seven years with regard to inclusion of nonpublic services.

- There was still a serious lack of equitable participation nationally.
- The lack of participation by nonpublic school representatives in decision-making was an injustice.
- Two major elements that should be included in the reauthorized legislation were a strengthened bypass provision when the public school district had substantially failed to provide for nonpublic participation and also enhanced requirements for consultation.

In October 1973, Edward D'Alessio, Secretary of the USCC Department of Education, testified before the House Committee on Education and Labor on the proposed reauthorizing legislation. His major themes included:

- 50 percent of Catholic schools were located in urban areas or the inner city.
- In the largest 20 cities in the country, two fifths of children attended nonpublic schools.
- He advocated for adequate funding and more nonpublic participation.
- He admitted that Title III had been a problem from the beginning.
- He indicated that nonpublic participation was weakest in Title VII, bilingual education programs.

PL 93-380 was enacted in fall 1974. In a December 1974 memorandum, Richard Duffy, staff of the newly created USCC Office of Government Liaison summarized for Superintendents the major provisions of this legislation:

Title I

- Teacher training was now approved.
- The legislation required the establishment of both district-wide and individual school advisory committees.
- The by-pass process was enacted into statute, with provision for both administrative and judicial review.
- There was provision for experimentation with new allocation formulas in 20 local districts.

Title IV

There was consolidation of ESEA Title II, National Defense Education Act Title III, and ESEA Title III relating to testing, guidance and counseling into a new Title IV Part B – libraries and learning resources. In January 1976, Alan Davitt gained clarification that nonpublic schools could participate even if the local public school didn't.

Title III ESEA Innovation, Title V ESEA Strengthening State Departments of Education, and Title VIII ESEA Dropout Prevention and Nutrition and Health Services were consolidated into a new Title IV C: Education Intervention and Support. This section provided funding for vocational education programs.

Title VII

While the definition of bilingual education was substantially rewritten, there was basically no change for nonpublic schools.

(It should be noted that nonpublic participation was also mandated in the 1974 Special Projects Act for Gifted and Talented Children, and the National Reading Improvement Act.)

Alan Davitt, Richard Duffy, Father Olin Murdock and Monsignor Francis Barrett from USCC all participated in a March 1975 U.S. Office of Education Conference on Implementation of the 1974 Education Amendments, as well as a White House briefing held on April 8, 1975.

f. Litigation Related to ESEA - 1975-1976

Following passage of this legislation, major activity relating to ESEA became focused in the judicial arena.

Even though it had occurred in a previous year, this section begins with mention of the landmark 1971 Lemon v. Kurtzman case in which the Supreme Court established a three-pronged test for constitutionality of government aid to nonpublic schools:

- Whether the funding had the “primary effect” of advancing religion
- Whether there was a secular purpose for the funding
- Whether administration of the program would require excessive entanglement between Church and state

In June 1974, the Supreme Court affirmed in Wheeler v. Barrera, a case from Missouri, that states must provide comparable services to nonpublic schools, but not necessarily through in-school services in nonpublic schools.

Citing this decision, in November 1975, the Wisconsin Attorney General ruled that Title I funds could not be used in Wisconsin to pay teaching personnel in parochial school. He also ruled that shared time or dual enrollment approaches were permissible for Title IV funds, but not required to achieve equality.

In the landmark 1975 Meek v. Pittenger decision, the Supreme Court ruled that it was unconstitutional to use state funds for programs in nonpublic schools during regular school hours, leaving open the question of whether it was permissible to use federal funds for these purposes.

In response, the U.S. Office of Education issued on February 10, 1976 Administration Bulletin 7-76, which indicated that ESEA Title I funds could be used to provide services in nonpublic schools “when such services are not normally provided by nonpublic schools”.

In March 1976, the National Coalition for Public Education and Religious Liberty (PEARL) brought suit challenging such in-school provision of services on the basis of

the 1975 Meek v. Pittenger case. This suit differentiated between education programs and health and welfare services. This suit would ultimately prevail and thus result in the use of on-site trailers for the provision of such services.

g. PL 95-561: The Education Amendments of 1978

When attention again turned to reauthorizing legislation in 1977, in April, USCC put forward several recommendations to improve ESEA:

- Statutorily strengthen the by-pass process.
- Statutorily allow nonpublic schools to participate in IV B even if the associated public school did not.
- Eliminate the “target area” concept.
- Make the by-pass process less cumbersome.

Also, as part of discussion on reauthorization of ESEA, in 1978 the United States Office of Education issued a report on implementation of IV C programs in ten states, including New York State. It seemed that generally the program was working well for nonpublic schools in the states. An internal State Catholic Conference discussion, however, indicated that there continued to be problems with inclusion of nonpublic schools in New York City.

PL 95-561 was enacted in 1978, providing for extension of ESEA from 1980-1983.

In June 1979, Alan Davitt distributed to Superintendents in the state information about the 1980-1983 plans for implementation of ESEA in light of the 1978 Education Amendments.

The major change was that Title IV B was amended to focus on acquisition of school library resources, textbooks, instructional materials and equipment used for instructional purposes. Funding for testing, guidance and counseling services was moved to a new Part D. The U.S. Office of Education issued a ruling that these services could still be funded under Part B in 1979-1980, with the hope that funding for Part D would be included in subsequent years’ funding.

h. Further Litigation Related to ESEA 1980

In 1980, the Catholic Conference position on utilization of Title I funds for in-school services during regular school hours was upheld in two PEARL cases: PEARL v. Harris decided at the Appellate level in April, and dismissed by the U.S. Supreme Court in November, and the PEARL v. Hufstedter case, dismissed by the Supreme Court in September because the appeal was not submitted in timely fashion.

1. Conclusion

Concluding this era of advocacy on ESEA, Alan Davitt testified in the spring of 1981 before the House Education and Labor Committee on Education and Labor on an “Oversight Hearing on Private Schools”. He began by reminding the Committee that there were 1,000 Catholic schools in New York State, serving 417,000 of the 550,000 pupils being educated in nonpublic schools. He commended the process and the results of the Education Amendments of 1974 and 1978, which resulted in strengthening the role of the nonpublic sector. He indicated that in New York State representatives of nonpublic schools worked well with the State Education Department, and he commented that the State Education Department had recently established a position of Assistant Commissioner for Nonpublic Education and had hired Joan Arnold in that position. He commented also that generally Title I and Title IV B programs were working well in New York State.

2. Other Federal Direct Aid Programs for Nonpublic Schools

ESEA programs were the major source of federal funding for nonpublic schools. During this time period, however, there were other federal funding programs which could help nonpublic schools. In some of these programs, nonpublic participation was mandated. In other programs, there were opportunities for nonpublic schools, but no specific mandate to serve nonpublic school children.

There were five other major programs which mandated nonpublic school participation.

- Title III National Defense Education Act 1958 (which as mentioned above was folded into ESEA with the 1974 Amendments)
 - Strengthening instruction in academic subjects
 - Loans to private schools
- Education of the Handicapped Act 1975
 - Part B – Pre-School, Elementary and Secondary
 - Part E – Early Childhood
 - Part G – Specific Learning Disabilities
 - Title I – State Support for Schools
- Vocational Educational Act (originally passed in 1973)
 - Section 102(h) Special Needs (disadvantaged)
 - Part D – Exemplary (innovative) projects
 - Part G – Cooperative Vocational Education
- Occupational Education Act
 - Title X, Part B
- Follow Through Program (Economic Opportunity Act of 1965)

Non-mandated programs included funding for: Arts Education, Career Education, Community Schools, Consumer Education, Dropout Prevention, Drug Abuse Education, Environmental Education, Ethnic Heritage Studies, Metric Measurement, Right to Read, State Vocational Education Plan Programs, Surplus Property Utilization, Talent Search and Upward Bound.

3. Tuition Tax Credits/Voucher Programs

No discussion of advocacy at the federal level would be complete without discussion of advocacy around tuition tax credits and voucher programs. This section concludes with an overview of this advocacy effort at the federal level.

Discussion about tuition tax credits and voucher programs began in 1972 between representatives of the Panel on Nonpublic Education appointed in 1969 by President Nixon and representatives of the United States Catholic Conference. In light of problems with implementation of ESEA cited above and court decisions such as the 1971 Lemon decision also cited above, the notion was put forward that tuition tax credits, a form of indirect federal aid to schools, could pass the three prong Constitutional test of the Lemon decision. It was believed by proponents that such provision for nonpublic school expenses on a parent's federal income tax returns would favor lower income tax payors, enlist the support of various Protestant, Jewish and independent schools, invite bipartisan backing in Congress, and hopefully win the endorsement of the President.

The first formal recommendations for tuition tax credits contained in the final reports of Commission on School Finance and the President's Panel on Nonpublic Education were approved by President Nixon in March 1972. Hearings on the tuition tax credit bill H.S. 16141 began before the House Ways and Means Committee in August 1972. Mr. Robert Lynch, Executive Director of the national organization Parents for Nonpublic Education, made a presentation to the Council of Catholic School Superintendents on this issue at their September 13, 1972 meeting. The USCC supported the effort and the opposition was led by the American Federation of Teachers and the National Education Association. Even though the Committee reported the bill to the full house by a vote of 18-6 on October 2, 1972, the bill went no further because of the press of other legislative business and the presidential campaign.

On May 16, 1973, Alan Davitt participated in a national committee meeting to develop a position statement for USCC on tax credits.

When he assumed office in August 1974, President Ford inherited a modest OEO (later National Institute of Education) voucher experiment program. Opposition continued to this program and specifically to potential programs in Connecticut and New Hampshire. In light of the May 1975 Meek v. Pittenger program cited above, and viewed as further restrictive of federal funding for nonpublic schools, Education Commissioner Terrell Bell indicated in 1975 his belief that about any new forms of aid to nonpublic schools (tax credits, tuition reimbursement, vouchers) would survive a constitutional challenge only if they were available to both public and private schools, making them fiscally impossible.

During the 1976 Presidential campaign, Democratic candidate Jimmy Carter declared in October 1976 that he was "firmly committed to conducting a systemic and continuing search for constitutionally acceptable methods of providing aid to parents whose children attended nonsegregated nonpublic schools." Despite the negative June 1977 Wolman V. Walter decision further restricting use of federal funding in an Ohio case, New York Democratic Senator Daniel Patrick Moynihan and Oregon Republican Senator Robert Packwood introduced in 1977 a tuition tax credit bill of up to \$500 for parents in

nonpublic schools and colleges. Again there was opposition because of the price tag (\$4.7 billion), a belief that wealthier parents would receive most of the benefits, and the constitutionality question. At the October 19, 1977 CACE Annual meeting, a resolution was passed urging the President and Congress to enact tuition tax credit legislation. In November 1977, the USCC Administrative Board directed the Bishops to reenergize their advocacy efforts for tuition tax credits.

Despite opposition from the President, on June 1, 1978 the House passed a bill providing tax credits at all levels of education. By early August, however, it became apparent that the pendulum had swung against the legislation in the Senate. On August 15, 1978, the Senate voted 65-26 in favor of college tuition credits, but 53-41 against elementary and secondary school credits, with President Carter continuing to express strong opposition to the tax credit proposal. On September 28 the House Conferees on the Joint Conference Committee voted 4-3 to drop elementary and secondary credits from the House bill. Thus was enacted a college tuition tax credit bill.

In early 1979, the Bishops approved a two-to-four year campaign for tuition tax credits and Senators Moynihan and Packwood reintroduced their legislation. At their May 16, 1979 meeting the State Superintendents recommended that the state Bishops issue a statement in support of tax credits. This effort was doomed to failure in light of a May 1979 decision Beggans V. Public Funds for Public Schools finding unconstitutional a New Jersey nonpublic school tuition tax credit program, a decision the Supreme Court let stand.

At the end of this time period, there was new enthusiasm with the election of tuition tax credit supporter Ronald Reagan and this issue would continue to be a major issue of discussion from this time period until the present.

C. State Influence on National Catholic Organizations

Against this background of the evolution of federal education policy, the significant advocacy role played by national Catholic education organizations and the influence of New York State on this work becomes clear.

1. National Catholic Education Association

The National Catholic Education Association traces its official beginning to a meeting held in St. Louis Missouri, July 12-14, 1904. At that meeting the separate Catholic education organizations, the Education Conference of Catholic Seminary Faculties (1898), the Association of Catholic Colleges (1889) and the Parish School Conference (1902) agreed to unite as the Catholic Education Association (CEA).

From then until 1919, the CEA was the only unifying agent for Catholic education at the national level. In 1919, the establishment of the National Catholic War Council (NCWC), later changed to National Catholic Welfare Council, to serve as an agency of the American bishops to coordinate all Catholic activity, including education, marked a new era for CEA. A working relationship of independent cooperation between the

Association and the Department of Education of NCWC was established that endures with the NCWC successor, the United States Catholic Conference of Bishops (USCCB).

In 1927, the word ‘national’ was added to the official CEA title and, in 1929, the association headquarters moved to Washington, D.C. to be in proximity to national secular agencies of education. The Association began a policy of friendly cooperation with other private and public educational associations and federal government agencies in the service of all aspects of American education.

The Association of Catholic Colleges and Universities, founded independently in 1899, had a long relationship with the various components that later became the National Catholic Educational Association, of which it had for some time been a constitutive member. In July 1, 2000, ACCU became an independently incorporated 501(c3) organization and an affiliate of the NCEA.

Today, the National Catholic Education Association continues as a voluntary association of educators and institutions. The Association’s structure is based on a departmental arrangement whereby member institutions hold association membership through one of the constitutive departments. The membership departments are:

- Chief Administrators of Catholic Education (CACE)
- Elementary Schools
- Secondary Schools
- Religious Education
- Seminaries
- Boards and Councils of Catholic Education

Described here is a general overview of the work of NCEA as a total body during the 1970’s, again as a means of helping understand the context in which the Council of Catholic School Superintendents worked and the influence of Alan Davitt and other Council representatives on the work of NCEA.

The March 30, 1970 NCEA Convention included:

- The opening address by Cardinal Cooke trumpeted “the continuing improvement and strengthening of our total apostolate in education”.
- A keynote address from Dr. James Allen U.S. Commissioner of Education (and former Commissioner of the New York State Education Department).
- Establishment of a Task Force to address issues arising from implementation of the ESEA Title I program.
- A series of workshops and discussions about “what happened to the role of religion in Catholic Schools”.

In November 1970, the NCEA issued a statement on education directed both to public educators and to the Catholic community.

The statement urged public educators:

- Be open to research and experimentation in education, and withhold judgment on new and even supposedly radical ideas until these have been sufficiently tested and tried by reasonable experimentation.
- Emphasize values education, and give students in the public schools the opportunity to discuss, study, and understand the ultimate and fundamental questions of life, in accord with the guaranteed rights of the U.S. Constitution.
- Recognize and support the rights of parents in education and the obligation of governments to promote the exercise of these rights by providing legitimate choices in education.
- Cooperate unselfishly with private industry and private education in a concentrated effort to improve the education of every American citizen.

The statement pledged to the Catholic community that Catholic education leaders would:

- Establish Boards of Education representative of the total community they serve and endowed with real jurisdictional power to formulate educational policies, so that schools may be incorporated into a total coordinated diocesan educational system.
- Transform the Catholic school to a Community Educational Center so that resources of the school (generated to a great extent by the school itself) may be utilized in the total educational program, thus expanding the school's function and responsibilities for the benefit not only of the school's full-time students, but also of other youth, pre-school children, parents, and adults.
- Make every Catholic school a truly Christian Educational Community, in which faculty, students, and parents are united in a bond of faith, hope and charity.
- Encourage evaluation of the school's total religious education program by faculty, students, and parents, so that the goals and methods of the program may be understood better and constantly improved.
- Emphasize the community-service goal of the school in helping to overcome social and racial injustices, religious alienations, generation gaps, and the ecological crisis.
- Promote a public relations and recruitment program necessary to compensate for the regretful silence on the value of a Catholic school education resulting from a shortage of school facilities at a time that the quality of the schools was, and continues to be, unsurpassed.

It should be noted that at this meeting it was reported that NCEA had 14,000 member institutions, representing 200,000 teachers and serving 5 million students (down from all-time high enrollment of 5.6 million students in the 1964-65 school year).

A major theme addressed at the October 1971 meeting of NCEA was the Catholic school as a means to upward mobility of the Catholic population in society. Also, at this meeting, the group passed by-law amendments for formal creation of what was to become a significant constituent group of NCEA: Chief Administrators of Catholic Education. At this meeting, Monsignor Thomas Costello from Syracuse was a candidate for President of the Superintendents Department. He was "nosed out" by incumbent Vice-President Monsignor James Habiger from Winona, Minnesota.

During 1972, the Secondary School Executive Committee addressed at its February meeting relationships with superiors of religious orders who provided teachers for Catholic schools. At the April 1972 meeting, Executive Secretary Father John Meyers presented a paper on “Positive Directions from Recent Research” based on the Gary Report on New York, written by researchers from Notre Dame and Boston College. The group also reviewed the 1972 report of President Nixon’s Task Force on finances which recommended equitable participation of nonpublic school children in federal and state programs. As described above, thus was born the debate about tuition tax credits.

During their October 1973 meeting, the Secondary School Executive Committee reviewed the June 25, 1973 Levitt case which reaffirmed the 1971 Lemon case three pronged test for determining the constitutionality of government aid to nonpublic schools. The Levitt case is described in greater detail in the next chapter because it was a New York State case.

At the general NCEA meeting held later that month, the convention heard presentations on:

- The Diocesan Education Office: Service or Administration
- Financing of Catholic School Administration
- The Catholic School: Theory and Practice: Goals and Challenges
- Staffing and Compensation Practices
- Strategies for Reorganization, Merger and Consolidation

Also at this meeting, NCEA established a Task Force to develop a practical guide to the National Bishops Pastoral Letter “*To Teach as Jesus Did*”, heard a presentation by Father Daniel Brent from Rochester on early childhood education, and addressed “The Qualities and Competence of the Religious Teacher”.

The major theme of the fall 1974 NCEA Convention was “Catholic Education in a Global Perspective”. There was also a presentation on “Toward a Theory of Management for Education Policy-Making and Advocacy”. The convention also received a report from the Task Force developing a practical guide for implementation of the Bishops’ 1972 Pastoral and a report on the National Catholic Education Evaluation program.

The importance of the tuition tax credit issue in the 1976 Presidential election has been described above. At the fall 1976 NCEA meeting, it was reported that there has been support for such legislation in the United States Senate and that even the New York Times editorially refrained from labeling this a Church-State issue.

At the April 1979 NCEA Convention (its 76th Annual Meeting), a major focus was the relationship between CACE and the National Association of Boards of Education of Catholic Schools on the question of shared decision-making. A policy paper presented at the meeting described “shared decision-making” as “the process whereby the responsibility to make a decision is shared by the one who has the rightful authority to do so with others willing and able to help”. This notion was based on concepts put forward in three Church documents. Reference was made to document of “The Constitution of

the Church in the Modern World” declaring that “Pastors should promote dignity and responsibility of the laity in the Church.” Several references were made to the 1972 National Bishops’ Pastoral “*To Teach as Jesus Did*”. Also specific reference was made to a statement, “the Catholic School” issued on July 5, 1977 by the Vatican Congregation of Catholic Education, which stated:

“Catholic education is inspired by general principles enunciated by the Second Vatican Council concerning the collaboration between the hierarchy and those who work in the apostolate”.

At this session, there was a report on the status of Diocesan Boards of Education and shared decision-making. Of the 166 Dioceses in the country, 146 responded, with 82 indicating they had Diocesan Boards of Education. It was agreed that an NCEA Committee would study this matter further and make recommendations for enhancing shared decision-making.

2. The Department of Chief Administrators of Catholic Education (CACE)

Alan Davitt was significantly involved with the work of CACE from the time the Department of School Superintendents of NCEA was transformed by by-law amendment of February 5, 1969 into the Department of Chief Administrators of Catholic Education.

At its meeting held on April 1, 1972, CACE reviewed and endorsed HR 13020 introduced earlier in the year to provide for tax credits for businesses contributing to nonpublic schools.

The major address at the October 1972 meeting given by Monsignor James Habiger from Winona, Minnesota, CACE President, was entitled: *The Tax Credit Campaign – The Latest Word*”. The group also heard a presentation from Mr. Robert Lynch, Executive Secretary of Parents for Nonpublic Education (he would later become a priest, General Secretary of NCCB/USCC, and ultimately Bishop of St. Petersburg). Resolutions were passed which clearly defined the goals and objectives of CACE, recommended a study of the National Catechetical Directory and supported school busing as a technique to achieve integration.

The April 25, 1973 CACE meeting in New Orleans focused on these matters:

- Passage of a series of resolutions to implement recommendations from the National Bishops’ Pastoral “*To Teach as Jesus Did*”
- Reaffirmation of the commitment to racial integration and support of busing to achieve this goal
- A question and answer session on tax credit legislation
- A report on state aid, including parental grants, shared time and dual enrollment arrangements and state income tax credits

Also at this meeting, for the first time, Alan Davitt was a candidate for President of CACE.

Alan Davitt's involvement with CACE intensified when he became a member of the Executive Committee at the November 1975 meeting. At that meeting Father Russell Black was elected as the new CACE President to work with Monsignor Francis Barrett, Executive Secretary of CACE.

During 1976, agenda items at CACE meetings included work on defining the role of the Vicars of Education, establishment of a committee to explore creation of a national parental organization, as well as a proposal to create a National Center for Research on Catholic Education. At the April 1976 CACE meeting USCC Secretary for Education Monsignor Olin Murdock made a presentation outlining four areas of need with regard to public policy advocacy:

- A cohesive litigation strategy
- Research and development regarding public policy
- An assessment of public relations strategies and capabilities
- An assessment of political action strategies and collaboration

Also at this meeting, the group heard a request from the Committee for Educational Freedom for support for its advocacy on tuition income tax deduction legislation.

There was also a report from the Ad Hoc Commission on Marriage and Family Life.

Alan Davitt was elected as CACE President at the October 1977 CACE meeting. (His resume circulated for the election process is attached as Appendix VIII).

His tenure as President would be focused heavily on the tuition tax credit issue. As indicated above, it had evolved from early discussion in 1972 about a tax credit for business, to a more general tuition tax credit by 1976. In 1977, both the USCC and CACE clarified that they would be supportive of such a tax credit proposal only if it applied to elementary and secondary education as well as colleges and universities. In 1978 and 1979, Alan Davitt was instrumental in urging national advocacy with campaigns to write to Congress and the President, while the debate between Congress and the President was about whether to support tuition tax credits or grants and loans. As indicated above, this ultimately was an unsuccessful effort, but was certainly an evidence of Alan Davitt's effectiveness at the national level.

3. The United States Catholic Conference Department of Education

Alan Davitt also played a major role in the evolution of the work of the national Bishops in education. Recall that what had been established in 1917 as the National Catholic War Council (and later the National Catholic Welfare Council), had been transformed in 1966 into two sister organizations: the National Conference of Catholic Bishops (NCCB), which would address internal and ecclesial matters, and the United States Catholic Conference (USCC) which would address external and public policy matters.

Within this structure the Association of Catholic School Superintendents was established in October 1967 as "an advisory body to the Bishops' in the formation of policy decisions affecting the Church's educational efforts in the United States". This Association would

work closely with the Committee on Education of USCC and the staff of the Department of Education.

As outlined in the first Annual Report of the Department on September 3, 1969, there were established six Divisions of the Department of Education, in addition to the Office of the Departmental Director. They were:

- Division of Elementary and Secondary Education
- Division of Religious Education (soon renamed Confraternity of the Christian Doctrine [CCD])
- Division of Youth Activities
- Division of Campus Ministry
- Division of Adult Education (in formation at this time)
- Division of Research and Development

The goals of the Division of Elementary and Secondary Education as articulated at this time were:

1. To guide Bishops and other decision-makers toward a total reorganization of the Catholic School system.
2. To offer a complete service to each Diocese on the successful implementation of federal programs.
3. To effectively represent Catholic School interests to the federal government and to advise state conferences on their local efforts in the area of state aid.

The first formal meeting of the Diocesan Directors of Education was held on October 22, 1969. Concern was expressed there was no new funding in the recently adopted federal budget for education aid. The group also recommended to USCC the establishment of a National Catholic Education Fund, soliciting funds from donors to distribute to educate the poor.

On behalf of the USCC Division of Elementary and Secondary Education Director, Monsignor James Donahue testified before the General Subcommittee on Education of the House of Representatives Committee on Labor and Education on December 3, 1969, citing the drop in Catholic school enrollment from 5.6 million in 1964-65 to 4.86 million in 1969-70. His thesis was that the crisis in Catholic schools was exacerbating problems in public schools. Citing the 1968 Allen case upholding the constitutionality of New York State's program of lending textbooks to students in private schools he asserted:

“The Supreme Court has recognized the public purpose of private not-for-profit schools in our system of education.”

He then spoke in favor of extending provisions in several bills to include funding for private schools.

During the spring of 1970, attention was focused on President Nixon's March 3rd message to Congress on education reform and the subsequent establishment on April 21,

1970 of a panel of four educators “to study the plight of nonpublic elementary and secondary schools”, as described above.

Illustrative of thinking and activity in Catholic education at the time was the agenda and discussion at the Superintendents meeting held in early November 1970. On the agenda was reviewing a tool to evaluate religious education programs, a recommendation to develop a “massive public relations program” to promote Catholic education, discussion of the concept of creating a “total educational apostolate”, attention to “stewardship of the earth”, and discussion of ways to improve public school and private school cooperation.

Following the meeting, the Association of Superintendents issued a statement in support of Catholic education, emphasizing openness to research, the importance of valuing the rights of parents, and a strong desire to cooperate with public schools.

A feature of the meeting was a “delphi exercise” during which the following topics were raised as of interest and concern:

- ❖ Modular schedules
- ❖ Personal evaluation of students as opposed to grades
- ❖ Central Diocesan finance models
- ❖ Public aid issues
- ❖ 25 percent increase in black students in Catholic schools
- ❖ Religious education programs for adults
- ❖ Privately incorporated Catholic schools
- ❖ Jurisdiction of School Boards
- ❖ Student input into curriculum
- ❖ Equity of pay of religious women teachers with lay teachers
- ❖ “Schools without walls”
- ❖ Teachers’ associations and right to bargain
- ❖ Contracting for educational services
- ❖ Decreasing enrollments

On April 14, 1971 Bishop William McManus, Chairman of the USCC Committee on Education, appointed an Ad Hoc Committee on federal legislation, of which Charles Tobin was a member.

Obviously, a major focus of the work of this committee over the years was the continuing evolution of ESEA, both in terms of implementation issues and also in terms of the periodic process of reauthorization and amendment. While the work of this Committee is mentioned above, it is described here in somewhat more detail.

The agenda of the Ad Hoc Committee in 1972 was focused on a review of court decisions and the tax credit issue.

Matters addressed by the Ad Hoc Committee in 1973 included:

- A strong statement that any government benefit should help the poor as well as the wealthy
- Vocational rehabilitation
- Extension and renewal of ESEA
- Issues relating to education of handicapped children
- Early childhood education
- Education in correctional institutions
- Occupational education
- Teachers' Centers
- Instructional technology issues

On March 1, 1973 a number of representatives of the United States Catholic Conference testified before the Education and Law Committee of the House of Representatives in support of Catholic and nonpublic education. Described in a previous section are the general themes articulated. Several Superintendents spoke to specific issues. Charles Laferty of the Augustinian Education Association presented research which showed that 10 percent of all children in elementary and secondary schools were in nonpublic schools. Joseph McElligott, Director of Education for the California Catholic Conference, called attention to unmet needs for bilingual education for the 16 percent of children in public schools and 21 percent of children in nonpublic schools in California with Spanish surnames. Chicago Catholic School Superintendent Father H. Robert Clark presented examples of successful Title I programs in his district. Other Catholic school representatives also presented information about successful programs in their districts.

Of concern in May 1973 were several cases decided by the Supreme Court including:

- *Americans United v. Paine*, a New Hampshire case in which a dual enrollment plan was declared unconstitutional because it fostered excessive government entanglement with religion.
- *PEARL v. Nyquist*, which ruled on three provisions in New York law: public funding for maintenance in private schools was declared unconstitutional, as was direct aid to parents. The Court ruled that the provision to adjust gross income for tax purposes for tuition payments was constitutional.
- *Sloan v. Lemur*, a Pennsylvania case which declared granting direct aid was unconstitutional.
- *PEARL v. Levitt*, a New York case about state aid for safety inspections and reports in private schools, in which this “mandated services legislation” was declared unconstitutional.

At this same time, USCC issued a report on shared time or dual enrollment, in which it was indicated that programs where a child attending a nonpublic school taking one or more courses in a public school were constitutionally permissible in most states.

The USCC affirmed that funding for busing, books, health services, lunches and traditional institutional tax exemptions remained constitutional.

In response to all these decisions, the Ad Hoc Committee recommended focusing advocacy efforts on tuition tax credits and maintaining a rigorous public relations campaign, including a “Back to School Sunday” statement by the Bishops which would make reference to “*To Teach as Jesus Did*”.

Another federal matter addressed in 1973 was the Comprehensive Employment and Training Act (CETA) legislation passed that year. Provisions of this legislation as regards to aid to private schools maintained previously established regulations. CETA workers could not be hired for sectarian activities or in situations where their hiring would result in release of funds to promote sectarian aims. They could work in agencies where non-sectarian services were available on a non-discriminating basis.

The March 1, 1974 meeting of the Ad Hoc Committee was an important one. At this meeting, Charles Tobin indicated that he was resigning from the committee because of the press of other business. It was indicated that Alan Davitt would be appointed to replace him. (Alan was actually appointed on December 13, 1974.) At this meeting, a subgroup was created to study what should be the future role of this Ad Hoc Committee which had now been in existence three years.

At the January 1975 meeting of the USCC Committee on Education, these matters were addressed:

- Department Director Monsignor Murdock reported on the reorganized USCC Department of Education.
- It was indicated that 400,000 copies of the National Catechetical Directory were available.
- It was agreed there was need for further study of a proposal to create an Office for the Handicapped.
- Other matters addressed were relationship to colleges, retreats of religious, the upcoming USCC Bi-Centennial, and the role of women in Catholic education.

At its last meeting, held on June 18, 1975, the Ad Hoc Committee was discharged and a small advisory committee was established to carry on its duties. Also at this meeting there was review of the very significant Meek v. Pittenger case described above. The Supreme Court held that programs that utilized public funds and/or employers to provide students in private schools with textbook loans and approved instrumental materials and various auxiliary services (speech, hearing), had neither the primary effect of advancing religion, or the danger of fostering excessive government entanglement with religion where services were provided to specific children on an individualized basis. On the other hand, the Court invalidated the instructional equipment loan program to the extent that it sanctioned the loan of equipment “which from its nature can be directed to religious purposes”, such as movie projectors that could be used to show sectarian features.

Matters addressed at the July 1975 meeting of the USCC Committee on Education included:

- Review of the Operation Difference/Heritage bi-lingual initiative
- Review of a proposal to establish a National Committee on Marriage and Family Life

- Review of a proposal on funding for the retirement of religious

Following this meeting, Alan Davitt sent a memo to interested parties raising the possibility of bringing together representatives from NCEA, USCC and State Catholic Conferences to discuss public policy advocacy strategies, because he was concerned that USCC staff was “overly cautious”.

Alan Davitt also was instrumental in organizing a meeting of the Advisory Task Force on Religious and Education Rights and Public Policy concerns, to discuss how best to focus discussion of creating parents’ organizations. In addition, he participated in the initial organization to the Ad Hoc Committee on Federal Assistance which met in September to discuss its role in the Meek decision and ESEA issues.

At the USCC Committee on Education meeting held in January 1976, these matters were discussed:

- A report on its relationship to Catholic Colleges
- Discussion of a draft of a formal statement on Catholic schools
- Discussion of a position paper on ministry to the handicapped
- Discussion of a position paper on bilingual/bicultural education
- A report on the meeting in December 1975 meeting on the creation of parents’ organizations
- Review of a statistical survey of formal religious education programs, indicating that 6.6 million students had been involved over the ten year period 1965-1974
- Review of a House of Representatives proposal to extend unemployment insurance coverage to employees in nonpublic schools, including teachers

At the USCC Committee on Education held in June 1976, these matters were addressed:

- A proposal to assess each school district 10 cents per child to fund research programs.
- A decision to establish a joint committee with the USCC Committee on Social Development and World Peace to discuss a proposed statement on Teachers’ Organizations in Catholic Schools.
- Discussion of a position paper developed by CACE on early childhood education.
- A report that in the wake of the Meek decision, USCC had established a New Office of Government Liaison and an Internal Advisory Committee to take responsibility for leading political advocacy. There was much debate about this report because the Federal Assistance Advisory Commission had already been established within the USCC Office of Education to oversee implementation of federal legislation.
- Presentation of a paper on the philosophy of youth ministry.
- Continuing discussion of the relationship with Catholic colleges.
- Review of “A Plan of Action for Catholic School Aid”.

It should be emphasized that the discussion about the respective roles of the newly created Office of Government Liaison and the Federal Assistance Advisory Commission was an important moment in the evolution of advocacy about Catholic Schools and, concern had been expressed by Alan Davitt in 1975 about the need for greater collaboration. The group

that was to be formally established in 1976 as the Federal Assistance Advisory Commission to replace the Ad Hoc Committee on implementation of the ESEA amendments had met informally at the spring 1975 NCEA meeting, again in September and October 1975 and in February 1976.

In March 1976, Joseph McElligott, FAAC Chairman wrote to USCC expressing concern about the lack of responsiveness of USCC to CACE requests for advocacy support for tuition tax credit legislation and in relation to litigation, and expressed the need for better communication to Superintendents. It was clear that much work needed to be done to clarify an effective communication process between the Office of Government Liaison and FAAC.

At its meeting in January 1977, the USCC Committee on Education addressed these matters:

- A proposed statement on the handicapped
- A statement of principles proposed in the Joint Committee on Teachers' Organizations
- Guidelines for curriculum development in sex education
- Discussion of 22 resolutions emanating from the National Call to Action meeting
- A report that Monsignor Tom Cribbin from Brooklyn had been elected as Chairperson of the newly created USCC Advisory Committee on Handicapped Individuals
- Review of a proposed statement of the Advisory Task Force on School Aid
- Expression of opposition to the PEARL decision described above because services provided off-site to nonpublic school children could not be as effective as on-site services.

During the spring of 1977, the Office of Government Liaison and FAAC were active in addressing federal legislation and regulatory initiatives:

- In February 1977, in response to regulations to implement PL 94-142, the Education of All Handicapped Children Act passed in 1975, USCC commented that the provisions were inadequate in some areas with respect to the treatment of handicapped children attending nonpublic schools
- In April 1977, several recommendations were made to improve ESEA.
- In May 1977, USCC offered testimony on President Carter's Energy Efficiency Act

The June 1977 USCC Committee on Education meeting was Alan Davitt's last meeting as a member of the Committee on Education, although he would remain active with the Federal Assistance Advisory Commission. At this meeting, the following matters were addressed:

- The Committee adopted the Final Draft on Teachers' Organizations, recognizing three basic rights: the right to collective bargaining, to choice of agency to represent teachers and to choice of agency to supervise the election process.
- Heard a report from FAAC on the Indian Education Act and Copyright Revision Act
- Further discussed Call to Action recommendations
- Reviewed the Third Draft of the National Catechetical Directory
- Expressed concern that the *Wolman v. Essex* decision about on-site services would have a negative impact on the upcoming PEARL and Wample cases

This meeting, then, brought to an end the remarkable eight year involvement of Alan Davitt in the formative years of the work of the Committee of Education. It has been the purpose of this section to both give an overview of the activity of the Committee and also to highlight areas in which Alan Davitt had great influence.

D. Conclusion

Members of the State Council of Catholic School Superintendents and staff persons Charles Tobin Jr. and J. Alan Davitt played a key role at a critical time in the evolution of federal aid to education. While there were many controversies, concerns and disappointments, decisions made during this time provided a significant foundation which made possible other gains in subsequent years.

CHAPTER SEVEN

ADVOCACY AT THE STATE LEVEL

A. Introduction

As described in the first volume of this series, “*A History of the New York State Catholic Conference 1916-1968*”, this organization had been influential in the adoption of several measures which provided state aid in constitutional fashion to nonpublic schools.

The five most significant measures were:

- Section 323 of the Education Law of 1939, which provided transportation to nonpublic schools on “an equal basis” with transportation to public schools.
- Section 912 of the Education Law of 1940 which provided for provision of equivalent medical, dental and nursing services in nonpublic schools.
- Section 4001 of the Education Law of 1950 which provided for partial reimbursement for the costs of caring for children in orphanages and asylums.
- A series of measures enacted in the Education Law of 1957, providing for the opportunity for contracts with nonpublic organizations for educational services for the handicapped if no program was available in a public school, as well as allowing for nonpublic school participation in the school lunch program, and testing services programs.
- Section 701 of the Education Law of 1965, which provided for the loan of textbooks to pupils in grades 7-12 in the amount of \$10 per student.

During the 1968-1981 time period the Council of Catholic School Superintendents spearheaded continued advocacy for increased state aid for nonpublic education in conjunction with other Church entities, as described in Chapter Three. Some pundits describe this as a decade of struggle between the State Legislature which supported state funding for Parochial schools, and the Supreme Court which was opposed to such aid. In light of enrollment statistics and financial difficulties outlined in Chapter Four, this advocacy became even more important than in previous times.

Described here in chronological order from the time the subject was first introduced are advocacy efforts in relation to the following areas:

- Aftermath of the Constitutional Convention
- Mandated Services Legislation
- Dual Enrollment
- Transportation Legislation
- Parent Aid Legislation
- Fleischmann Commission
- Textbook Aid Legislation

While these seven issues are described separately for purposes of clarity, it must be remembered that much of the activity was occurring simultaneously and the Council took leadership in strategizing about the integration of these efforts.

Perhaps this notion of the coordinating role of the Council is best illustrated by testimony given on September 8, 1978 by Father Vincent Breen, Council Chairperson, at the Legislative Hearing of the State Board of Regents. He began by applauding the efforts of the State Education Department to strengthen relationships with the nonpublic sector, and asking the Regents to review the quality of federally funded programs and the integration of these programs with state programs. He then made specific recommendations and comments including:

- The need to include nonpublic schools in ESEA Title IV (c) funding.
- The need to include nonpublic schools in the development of programs for the gifted and talented.
- The Council's endorsement of legislative proposals being presented at the Hearing by other Catholic groups relating to transportation, health, physical fitness, and parental rights.
- The Council's continuing efforts to promote racial justice in education.

B. Aftermath of the Constitutional Convention

The events leading up to the 1967 Constitutional Convention, the decision to include the proposition to repeal the Blaine Amendment in the one single proposal for a new Constitution, the overwhelming defeat of the proposed Constitution, and the review of the situation in the aftermath of the defeat are all described fully in the first volume of this series.

Given this recent history, it was natural that the advocacy work of the Council at the state level would begin with a discussion of follow up steps in relation to this defeat. This discussion took place from 1968-1970.

At the October 24, 1968 meeting, the need was expressed to create an "Action Organization Committee" similar to that established in the summer of 1968 under the leadership of Father John Servididio to address the abortion issue. At the December 5, 1968 meeting, the Council considered Charles Tobin's request to develop a job description for the staff leadership position for such a position.

Meanwhile, the Council supported in the 1969 legislative session the Marchi-Gallagher Bill (S 4379, A 5714) for aid to parents of nonpublic school students. It was reported at the May 21, 1969 Council meeting that a meeting held earlier in the month with Assembly Speaker Duryea was generally positive but did not produce any specific commitments, and that the Council had been unable to arrange a meeting with Senator Bruno. At the same Council meeting, it was reported that the Institute for Catholic Education, which had been a helpful ally in the Constitutional Convention debate, had suspended operations.

Throughout 1969, efforts continued to implement local public relations efforts. Through the efforts of Syracuse Diocesan Superintendent Monsignor Thomas Costello, the Council

participated in two meetings with education leadership from public schools in the Big Six cities in the state to discuss possible areas of common advocacy.

Discussion at the Council level about the Blaine Amendment came to conclusion at the December 16, 1970 Council meeting when further decision-making about strategy was referred to the State Catholic Committee.

C. **Mandated Services Act**

Meanwhile discussion of Mandated Services legislation which would last throughout the entire decade of the 1970's had already begun.

The general thrust of such legislation was to provide reimbursement to nonpublic schools for services which the state required nonpublic schools to perform, e.g. testing and inspections.

Discussions about this proposed legislation began at the November 5, 1969 meeting when this concept had recently been proposed. At that meeting, because of the uncertainty about specifics and differing positions among Dioceses, the Council agreed to take no position on the bill.

In the 1970 legislative session, the Council did support the bill and Mandated Services legislation was enacted.

From the time of enactment, this legislation was to be controversial. At the February 17, 1971 Council meeting, concern was expressed about the proposal of Dr. Thomas Heath, Director of the Office of Nonpublic School Services, to evaluate the program, because it was felt that reporting the relatively high costs of implementation might prove to be politically damaging.

At the April 12, 1972 meeting, it was reported that the National Coalition for Public Education and Religious Liberty (PEARL) had brought suit about the constitutionality of the act. The Courts had imposed a temporary restraining order pending the outcome of what was to be known as the Levitt case. At its December 5, 1972 meeting, the Council approved submission of an amicus brief on the case. The decision rendered by the Supreme Court on June 29, 1973 declaring this act unconstitutional was a major blow to state aid to nonpublic education. The decision was by an 8-1 vote and was based on one of the three principles for consideration of constitutionality outlined in the landmark 1971 Lemon case described fully in the previous Chapter. The justices ruled that this act violated the third test principle and would result in "excessive entanglement" of government with religion. (The Court the same day announced its decision declaring unconstitutional the 1972 Omnibus Education Act in the Nyquist case, described in a subsequent section of this Chapter.)

These decisions led to a significant moment in the history of the Council.

Under the leadership of newly elected Council President Rochester Diocesan Superintendent, Father Dan Brent, the Council convened a special meeting in Albany on July 2, 1973 for the sole purpose of considering the impact of these two decisions and developing a strategy of responses.

The meeting began with Charles Tobin reviewing the Court decisions and their implications.

Alan Davitt reported on a meeting of the USCC Ad Hoc Committee, described in the previous Chapter, held on June 27-28 in Washington. Emphasizing that this committee was advisory to USCC, he indicated that the major advocacy approaches they recommended were:

- Urging continued congressional efforts toward a tax benefit approach with a much broadened base (e.g. tax credit at a lower rate for parents of both public and nonpublic school children, or tax deductions for the educational expenses of children of a family.)
- Possible phasing out of C.R.E.D.I.T. and developing another political advocacy structure.
- Suggestions on communications endeavors by the Bishops on the effects of the decision.

Father Brent then divided the remaining time between considerations of legal actions and those relating more to “in-house” actions or considerations.

Legal Actions

- Pursuing efforts to recover second payments on the mandated services program through Court of Claims suits.
- Immediately seeking to develop revised legislation to meet the Court’s requirement of the constitutionality of “reimbursable secular services”.
- Undertaking various actions with the State Education Department.
- Maintaining support for dual enrollment services of Education Law 912.
- Insisting upon proper implementation of existing laws.
- Investigating the possibility of “lottery” funds being allocated for nonpublic education.
- Relying on increased parental involvement.
- Awaiting clarification from the federal level on a tax credit approach.

“In-House” Concerns

There was agreement that in light of the Court decisions, since there was little likelihood of significant government aid “over the next few years or longer”, major emphasis should be placed on internal issues. Some suggested activities were:

- A definite program of information to Catholics and the general public.
- Revamping school budget procedures.
- The possibility of developing endowment funds through an insurance plan.
- Seeking funds from business and industry, possibly thorough a “matching funds approach”.
- Developing new organizational structures (clustering).
- Developing teacher training programs.

- Giving consideration to non-compliance with certain mandates, with agreement that this option needed to be studied more fully.

In many ways, this meeting set the agenda for the work of the Council for the remainder of the decade.

The first area in which the Council made progress on these recommendations came when it was reported at the February 14, 1974 meeting that a revised Mandated Services Law had been approved by the Regents and was included in the Governor's 1974-1975 budget. This legislation was passed and signed as Chapter 587 of the Laws of 1974.

Once again, however, political opponents brought suit challenging the constitutionality of the now-called Mandated Services II. When the decision in the new case *PEARL v Regan* was made "to vacate and remand for reargument with Wolman" was made in 1977, it became likely that this law would ultimately be found constitutional, and members were urged to continue to submit vouchers for reimbursement. That positive decision was made in February 1980.

As this time period was ending, the Council considered at its August 5, 1980 meeting whether to seek revision of the law to include costs of re-registration of schools.

D. Dual Enrollment

As described in the previous Chapter, discussion of "shared services" or "dual enrollment" as acceptable alternate approaches came out of early Court decisions on ESEA.

During this time period, the Council first formally considered the dual enrollment approach at its meeting on December 15, 1969. The Council adopted a position paper asserting that the disadvantages of this approach considerably outweighed any advantages. The paper recommended that it would be much preferable to have public school teachers come on-site to nonpublic schools to teach particular courses.

When, during 1970, it became ever more clear that this latter approach would not be acceptable, the Council began to modify its approach on dual enrollment. At its meeting held on October 15, 1970, the Council agreed to recommend to the Regents that they "delay" adopting a dual enrollment program. By the December 16, 1970 meeting, the Council position had evolved to one of support for dual enrollment if the following conditions were met:

- Science education was eliminated.
- Vocational and technical education was restricted to a limited number of BOCES schools.
- That it would be viewed as an experimental program for three to seven years.
- That the legislation would be introduced late in the 1971 legislative session, after there had been opportunity for consideration of other legislative proposals.

At its September 13, 1972 meeting, responding to a request from the Catholic Committee, the Council developed a recommendation that a nonpublic school student should have the right to participate in a public school and take advantage of shared time and shared services opportunities, as was done in an arrangement between a public school and a BOCES program.

In January 1974, the Council approved a “Position Statement on Dual Enrollment”. It began with a statement that despite the Nyquist and Levitt decisions the previous June, “government’s responsibilities for all education have not been definitively defined and implemented in both scope and domain.” The statement then set forth several principles which should guide implementation of any dual enrollment program:

- The right of a child enrolled in a nonpublic school to attend a public school on a part-time basis.
- That a dual enrollment program not be considered a response to financial difficulties, but rather as an educational enhancement.
- “Across the Board” programs are not educationally or administratively sound.
- Specialized programs should be the area of initial exploration.

In considering the statement, the Council urged enactment of the Margiotta Bill, A 3912.

It was reported at the February 14, 1974 meeting that the Regents had approved dual enrollment legislation and that the legislation had been introduced as a program bill.

In the wake of enactment of Dual Enrollment legislation as Chapter 593 of the Laws of 1974, there was a special meeting held on November 22, 1974 involving representatives from the Archdiocese of New York and the Dioceses of Rockville Centre and Brooklyn to talk about its implementation.

Despite the energy focused on advocacy about this legislation, it was reported at Council meetings in both November 1975 and November 1976 that there had been only minimal participation and the program was “not successful”.

E. Transportation Legislation

From the successful outcome of the 1938 Constitutional Convention and subsequent enactment of legislation in 1939 providing for equitable transportation of children to nonpublic schools, transportation legislation had been of major concern to the Council.

Consideration of such legislation continued during this time period.

At the December 1, 1971 Council meeting, it was reported that transportation legislation passed during the 1970 legislative session would take effect September 1, 1972. Chapter 755 of the laws of 1974 extended to 15 miles the maximum distance for transportation programs. During 1975-76, the Council was able to address administratively problems relating to definition of the nearest parochial school. Education transportation issues included in the 1978 Catholic Conference Legislative Agenda were: deadline dates for registration, definition of nearest available school, 15 mile maximum distance, and transportation for field trips.

With there having been so much discussion about transportation issues during the 1970's, the Council discussed at its May meetings in both 1979 and 1980 the need to study the entire body of transportation legislation with an eye toward developing an entirely restructured bill.

F. Parent Aid Legislation

While the Council was advocating on the specific areas of Mandated Services, Dual Enrollment, and Transportation, more general advocacy on parent aid legislation initiated in the late 1960's and described earlier in this Chapter, continued into the 1970's.

Discussion in the 1970's first focused on the Speno-Lerner parent assistance bill. It was listed as a major Catholic Conference priority in the 1970 and 1971 legislative sessions. Irene Tomczak, a former Catholic Conference staff member, was hired for the 1971 legislative session on a part-time basis to spearhead advocacy on parent aid legislation. On February 17, 1971 the Council issued a statement on the untimely death of Senator Speno. At the October 12, 1971 meeting, a public information campaign on parent aid legislation was included as a Catholic Conference Program Plan priority. Mr. Richard Dowd, who was assisting the Conference in the public relations area, met with Council leadership on this proposed plan on December 1, 1971 and at the January 12, 1972 Council meeting individual Diocesan representatives gave reports on progress in their Dioceses.

These efforts were one of several influences which led to the introduction by Governor Rockefeller, a strong supporter of nonpublic education, to introduce and the Legislature to pass the Omnibus Education Act, Chapter 414 of the Laws of 1972. Major provisions of this act included:

- Health and safety grants to nonpublic schools with a high percent of students in poverty.
- Tuition assistance to parents of nonpublic school children with incomes of less than \$5000.
- Siding scale tax allowances for parents of nonpublic school children with incomes between \$9,000-\$25,000.
- Aid to public schools when they had part-time enrollment of nonpublic school children.
- Allowance for purchase of existing specialized services.

As indicated above, this legislation was immediately challenged in what became known at the Nyquist case. It was struck down on June 29, 1973 on the grounds of one of the three tests of the 1971 Lemon case – that this law had the primary effect of advancing religion.

This was actually the most progress that has ever been made on a tuition tax credit or tax allowance bill in New York State.

G. Fleischmann Commission

Ironically, the Omnibus Education Bill was passed while the Fleischmann Commission on Nonpublic Education was finalizing its work, and would make recommendations antithetical to the spirit of this legislation.

This Commission had been established by Governor Rockefeller to develop a Report on Nonpublic Education in New York State.

It was first reported at the April 8, 1970 Council meeting that staff had been appointed to the Fleischmann Commission. At the October 15, 1970 Council meeting, it was reported that Fleischmann Commission staff had scheduled a conference with representatives of nonpublic education for October 30th. It was reported at the January 20, 1971 Council meeting that Commission staff and consultants were working on finalizing “The Report on Nonpublic Education.”

From October 1971 to February 1972, activity in relation to the work of the Commission intensified as the release of the Report came closer. At the October 12, 1971 Council meeting, there was generally positive reaction to the Gary Research Report described in the previous Chapter, and Council members were urged to convey their support of this document to Commission members. At the December 1, 1971 meeting, it was reported that the majority position presumably developed by Mr. Fleischmann in opposition to any type of aid and to the continuation of current aid programs had been reversed under pressure from Commission members and legislators.

This assessment was to prove to be inaccurate. The Fleischmann Commission Report was released on February 9, 1972 and took a very negative approach to funding for nonpublic schools. Initial reactions of Council members meeting that day were: “significant opposition, anti-climatic, disappointment in the work and procedures of the Commission, the likelihood of other issues predominating, and fundamentally a poor report.”

Two days later, the Council released a formal statement in response to the report, stating:

“The Council rejects strongly and without qualification each of the five major recommendations of the Fleischmann Commission on aid to the education of students in nonpublic schools. We find the conclusions biased, unsupported by research and totally unconcerned about nonpublic school children, especially those in the disadvantaged areas who were a particular charge to the Commission by the Governor and State Board of Regents.”

As evidenced by passage of the 1972 Omnibus Education Act, the subsequent adoption of the Report by the Regents in October 1972 was of little consequence in the short term, but did not help create a climate conducive to successful advocacy in the long term.

H. Textbook Aid

As indicated in the Introduction to this Chapter, the passage of Textbook Aid legislation in 1965 was a landmark achievement for aid for nonpublic schools. This legislation provided for the loan of textbooks to students in grade 7-12 in the amount of \$10.00 per student.

Advocacy for textbook aid continued into the 1970's.

A priority in the Council 1973 legislative agenda was to extend textbook aid to students in grades 1-6. At the May 16, 1973 meeting, it was reported that this legislation was then under consideration.

For the remainder of the decade, and indeed up until the present time, Council advocacy focused annually on gaining increases in the amount of aid.

In 1977, lottery funding made possible an increase in per pupil aid to \$15.00.

Together with mandated services aid, textbook aid continues to this day to be a major source of state aid to Catholic schools, along with other funding streams established in later years.

CONCLUSION

Perhaps the Alan Davitt era was the time of greatest challenge and productivity for the Council of Catholic School Superintendents.

The Davitt era began with the devastating defeat of the Constitutional Amendment to repeal the Blaine Amendment, thus making efforts to gain state financial support for Catholic education much more difficult. By 1968, it was also clear that, for a variety of reasons, Catholic school enrollment in the state and the country was declining rapidly.

The Council and Mr. Davitt responded aggressively to these challenges.

From publication of the seminal 1969 State of the Schools Document, through the Uniqueness Project, through productive Task Force efforts, through the creation of a Committee structure, to efforts at the end of the decade to revisit the 1969 statement, these leaders put forward a vision and approach for internal Church actions to address these challenges.

In conjunction with both national Catholic education organizations and a number of partner organizations within the state, the Council was able to achieve modest public policy successes which laid the foundation for further gains.

For all these efforts the Council is to be saluted.

PART II

DIOCESAN DIRECTORS OF RELIGIOUS EDUCATION/CCD

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INTRODUCTION

The 1960's and 1970's were a time of dramatic growth of parish Confraternity of Christian Doctrine (CCD) and religious education programs, fueled in part by the significant decline in enrollment in Catholic schools. This time was one of great creativity and innovation as Diocesan Directors sought to gain support from Bishops, establish stronger relationships with school staff, and respond to emerging needs and opportunities, especially in the wake of the Second Vatican Council. Specifically, changes in approaches to the sacraments of first Penance, first Eucharist and Confirmation presented new teaching opportunities. In these efforts, two giants among the Diocesan Directors were Father John Curry and Father Norbert Henry. They played a leadership role in uniting the statewide group that strengthened programs in all Dioceses.

The purpose of the second part in this volume on the New York State Catholic Conference and Catholic Education in New York State is to describe the work of the statewide organization of Diocesan leadership of these programs from 1968-1981.

In 1968, CCD Directors from the Dioceses had been meeting on a somewhat regular basis since early in the 1960's. A major leadership person in this development was Father John Russell, Diocesan CCD Director in Syracuse. By 1968, he was serving as the Chairperson of the Provincial (New York State) CCD Directors, and was their representative to both the State Catholic Committee and the National Conference of CCD Directors (NCCD). In 1969, he would become the first Executive Secretary of NCCD.

A seminal moment in the evolution of this group of leaders came on May 21, 1969 at a meeting held in Lake Placid when the group came together to adopt a constitution (modeled somewhat after that of the Council of School Superintendents) creating the New York State Confraternity of Directors (NYCD). This Constitution is attached as Appendix I of Part II of this volume. The group would operate basically in autonomous fashion, with some relatively infrequent communication with the Catholic Conference until it established a more formal relationship with the Catholic Conference in the summer and early fall of 1975. Chapter Two describes the work of the organization from 1969 until the formal affiliation with the State Catholic Conference.

Chapter One details organizational leadership and membership, as well as two major developments in organizational evolution. These two developments were the work that was done to establish the relationship to the Catholic Conference and then a series of activities which occurred between a facilitated retreat held on February 14, 1978 and the adoption of a new constitution in September 1979. This document is attached as Appendix II to this part.

In this 1979 constitution, the section on **PURPOSE** read as follows:

“The New York State Council of Diocesan Directors of Religious Education. – CCD (NYCDDRE – CCD) exists to foster the religious growth and development of the people of New York primarily by:

1. Supporting and nurturing the member directors. – The Council is to provide a forum for mutual support psychologically, morally, and professionally.
2. Participating as a constitutive body of NCCD, evaluating the activities of the NCCD, and implementing them as applicable to New York State. – To define and implement the relationships of the Directors with NCCD.

3. Addressing the needs and concerns of religious education to the New York State Catholic Conference and also to the educational components of the Conference's programs. – To define and implement the relationship of the Council with the New York State Catholic Conference.
4. Relating also to other religious and civic groups with whom the Directors share common concerns.”

These four purposes outlined in the Constitution provide the basis for organizing Chapter Three of this second part of this volume:

Supporting and Nurturing the Member Directors

Participating as a Constitutive Body of NCCD

Relationships with the New York State Catholic Conference

Relationships with other Religious and Community Groups

As is evidenced in the richness of activity described in these Chapters, by 1981, the Council had become an effectively functioning group, making significant contributions to the field of religious education at the national, state and diocesan levels.

CHAPTER ONE

LEADERSHIP, MEMBERSHIP, ORGANIZATIONAL EVOLUTION

A. Leadership

The Constitution adopted in 1969 provided for election of three officers of the organization: Chairman, Vice Chairman, and Secretary/Treasurer.

Those who served in these leadership positions from 1969-1981 were:

1969-1972

Chairman: Father John Curry

Vice-Chairman: Father John Dunne

Secretary/Treasurer: Father Stephen Nevin

1972-1975

Chairman: Father John Curry

Associate Chairman: Father Norbert Henry

Secretary/Treasurer: (1972-1973) Father Stephen Nevin

1975-1979

Chairman: Father Clyde Lewis

Vice-Chairman: (1975-1976) Sister Michael Lappetito

(1976-1977) Father Francis Maniscalco

Spring 1979

Acting Chairman: Father Francis Maniscalco

1979 – 1981

Chairman: Father Michael Meagher

Vice-Chairman and Treasurer: Father Dennis Duprey

B. Membership

The members who were present at the May 19, 1969 seminal meeting were:

Archdiocese of New York: Monsignor Eugene Richard, Brother Bernard Mark

Diocese of Albany: Father Richard E. Willson

Diocese of Brooklyn: Father John Curry, Father Howard Basler

Diocese of Buffalo: Sister M. Leocretia
Diocese of Ogdensburg: Father Steve Nevin, Sister Theophane
Diocese of Rochester: Father Dan Holland
Diocese of Rockville Center: Father John Dunne
Diocese of Syracuse: Father Norbert Henry, Mr. William O’Shea
(Diocese Unknown): Sister Ellen Joseph, Sister Mary Gregoria, and Sister Venard

For much of this time period, membership in the organization consisted primarily of Diocesan Directors. As the 1970’s evolved, however, and local Diocesan education structures became more complex, the participation of other Diocesan staff increased. At the June 6, 1972 meeting, it was agreed that Secretaries of Education appointed in three Dioceses (New York, Brooklyn and Rockville Centre) would be most welcome at meetings, and also that, despite his changing responsibilities within the Diocese, Father Howard Basler from Brooklyn would be asked to remain as a member of the organization because of his institutional memory and also because of his contributions, particularly in matters relating to released time programs. During the summer of 1979, Alan Davitt worked with the Council to clarify that membership “was open to Diocesan Directors of Religious Education – CCD, and in those Dioceses which have this particular structure, Secretary of Education (or Vicars of Education, or Diocesan Directors, Superintendents of Education) shall be members of the Council.”

Below, by Diocese, in roughly chronological order is a listing of Diocesan representatives who participated in meetings, with some indication of length of participation and designation of Diocesan Directors. Appendix III is a listing of Diocesan Directors for Religious Education /CCD during this time period.

Archdiocese of New York

Monsignor Eugene Richard (1968-1979) Diocesan Director
Monsignor Hugh Curran (1970-1973) Diocesan Director
Father Michael J. Wren (1974-1978) Diocesan Director
Father John Woolsey (1978-1981) Diocesan Director

Diocese of Albany

Father Richard Willson (1968-1971) Diocesan Director
Father Gerald Tierney (1971-1978) Diocesan Director
Father John Provost (1979-1981) Diocesan Director

Diocese of Brooklyn

Father John Curry (1968-1978) Diocesan Director
Father Howard Basler (1968-)
Father Gregory Smith (1979)
Father Michael Phillips (1980-1981) Diocesan Director

Diocese of Buffalo

Father Thomas Beasley (1968-1971) Diocesan Director
Father Loville Martlock
Father Eugene Kolb (1972-1973) Diocesan Director
Monsignor Paul Cronin (1974-1981) Diocesan Director

Diocese of Ogdensburg

Father Stephen Nevin (1968-1973) Diocesan Director
Father Clyde Lewis (1973-1979) Diocesan Director
Father Dennis Duprey (1980-1981) Diocesan Director

Diocese of Rochester

Monsignor Albert Schnacky (1968-1969) Diocesan Director
Father Al Shamon (1970-1971) Diocesan Director
Father Daniel Holland (1972) Diocesan Director
Father Robert Collins (1973) Diocesan Director
Sister Michael Lappetito (1974-1976) Diocesan Director
Father Donald Schwab (1977) Diocesan Director
Father Lewis Brown (1978-1981) Diocesan Director

Diocese of Rockville Centre

Father Frederick Schaefer (1968-1975) Diocesan Director
Father Francis Maniscalco (1975-1981) Diocesan Director

Diocese of Syracuse

Father John Russell (1968) Diocesan Director
Father Norbert Henry (1969-1978) Diocesan Director
Father Don Crosby (1972-)
Father Robert Kloster (1977-)
Father Michael Meagher (1978-1981) Diocesan Director

C. Organizational Evolution

1. Establishment of a Formal Relationship with NYS Catholic Conference

An informal relationship between the newly created New York Confraternity Directors and the State Catholic Conference began when Charles Tobin wrote to Father John Curry, the new organization's first Chairman, on June 25, 1969 that:

“We will be happy to assist in every way we can in the development of programs for Directors. Our resources are somewhat limited at present but we hope that we will have some expanded resources in the not too distant future”.

A key moment in the evolution of the relationship came with a presentation by NYCD to the State Catholic Committee on February 18, 1971. NYCD representatives began this presentation by speaking to the current status of religious education with the following observations:

- Only a small percentage of Catholic students were receiving religious instruction.
- Clearly, the presence of adult Catholics in “the public square” on issues of morality was not strongly evident.
- There needed to be research on the effects on a parish when a school was closed.
- There was a clear need for new models for religious education.

Within this context, the Catechetical Directors recommended four goals for the continuing evolution of religious education efforts:

- Within all statewide projects, there should be a catechetical perspective throughout.
- For all new projects, the expertise of religious education leadership should be utilized.
- There was need for better communication on inter-Diocesan projects.
- In general, there was need for better communication between NYCD and the State Catholic Conference.

These observations and recommendations led the members to propose:

“the establishment of the Diocesan CCD Directors Organization as the New York Council of Religious Education Directors, and the appointment of an Executive Secretary of the Council.”

They proposed that the responsibilities of the Executive Secretary be:

- 1) Act as liaison for Catholic Conference groups and the State Education Department.
- 2) Act as consultant on:
 - adult education
 - planning for a changing school system
 - assessing the effectiveness of religious education programs and materials
- 3) Act as coordinator for the organization:
 - work with others to plan meetings
 - handle all meeting logistics
 - communicate with other groups
 - organize statewide religious education leaders’ meetings

This proposal was not to come to fruition.

Discussion about the evolving relationship continued, however, in relation to an NYCD meeting planned for December 9-10, 1973. On December 4, 1973 Charles Tobin wrote to Albany Diocesan Bishop Edwin Broderick, Catholic Committee Chairperson, asking for advice on how to respond to a letter from Father Curry inquiring about the possible participation of Alan Davitt in the meeting. He wrote in part:

“I am not certain whether the CCD Directors are ready for this kind of relationship at the present moment, but we are hopeful that they will be able to correlate their work more closely with the Catholic Committee as their organization develops.”

He also pointed out that this discussion was related to the ongoing work of the Special Study Committee of the Catholic Committee that had established as a goal for the Catholic Conference:

“to service for the Bishops’ Conference the several elements that would make up an education office.”

At that meeting, Alan Davitt did in fact participate and reported that the recommendation of the Special Study Committee was that:

“The Diocesan Directors involvement in the Catholic Conference would become more formalized and their representative would be responsible for participation, and helping the Catholic Committee settle on items of common concern”.

At the December 20, 1973 Catholic Committee meeting, Alan Davitt and Father Howard Basler reported that the CCD Directors wanted to become more involved in discussions not only at the state level, but at regional gatherings.

Through an exchange of correspondence initiated on January 10, 1974, it was agreed that the State Catholic Conference should help convene Diocesan Coordinators for input into the National Catechetical Directory development.

At its June 10, 1975 meeting, the Catholic Committee considered a position paper which NYCD helped develop on “Religious Studies in Public Education”, outlining reasons for having such studies, the dangers in the development and guidelines for pursuing such a program.

The turning point in the establishment of a formal relationship with the Catholic Conference came in discussions over the summer of 1975 involving NYCD Chairman Father Clyde Lewis and Vice-Chairman Sister Michael Lappetito with Charles Tobin and Alan Davitt. It was confirmed in an internal Catholic Conference memorandum on October 25, 1975 that the Religious Education/CCD Directors had “accepted” services from the State Catholic Conference, but that they still wanted an Executive Secretary for their organization.

Further discussions led to the final formalization of the relationship with the State Catholic Conference when NYCD approved at its April 28, 1976 meeting the “Provision of Executive Secretary Services” by the New York State Catholic Conference to the New York State Council of Diocesan Directors of Religious Education/CCD.

The agreement read as follows:

“The New York State Catholic Conference will assign a member of staff to serve and assist in the following fashion:

- 1) inform and sensitize the Catholic Conference to the wide range of religious education issues.
- 2) Staff Council meetings.
- 3) Provide for exchange of information with other programs.
- 4) As determined by Council, serve as administrator for priorities.
- 5) Provide for review and evaluation of operations and relationships.”

2. Organizing for the Future

The formalization of relationships with the Catholic Conference provided the foundation which led to the further evolution of the working and effectiveness of the Council.

Between the formalization of the relationship during the 1975-76 program year, and the initiation of another significant moment in the evolution of the Council at a retreat held on February 14, 1978, there were a few modest steps taken in organizational development.

One example was that at the December 13, 1976 meeting, the group adopted a revised constitution, formally changing its name to the New York State Conference of Diocesan Directors of Religious Education/CCD.

There was first discussion of the need to better clarify the goals and objectives of the group at the June 8, 1977 meeting when it was agreed that Jesuit Father Lawrence Fisher would facilitate a meeting to help the organization identify common concerns and priorities.

This session, which finally occurred on February 14, 1978, was another significant moment in the evolution of the work of the Council.

Out of discussion at this session, it was agreed to establish three subcommittees to help the Council address four priority areas of activity:

- Father John Woolsey was appointed to serve as a Chairperson of a Committee, joined by Father Norbert Henry, Father Gerard Tierney and Father Dennis Duprey to address the goal of “the existence of the Council for the nurture and support of the Directors”.

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- Father Lewis Brown was appointed as Chairperson of a Committee, joined by Father Clyde Lewis, Father Howard Basler, and Father Francis Maniscalco, to address relationships with the State Catholic Conference.
- Father Paul Cronin was appointed as Chairperson of a Committee, joined by Monsignor Hugh Curran, Father John Curry and Father Mike Meagher to address relationships to NCCD and other organizations.

At the June 6, 1978 meeting, each of these Committees reported on progress to date.

The Committee on Nurturing raised these ideas:

- The need for communication outside of regular meetings.
- The importance of information sharing.
- The idea that at the first meeting in the fall there should be informal orientation of new members.
- That there should be examined the need for involving national level personnel to facilitate professional growth of members.
- That there should be set aside time at Council meetings for individual Committee meetings.

The Committee on Relationships with NCCD and other groups raised these ideas:

- The goal of the work of the Committee needed to be restated for clarity.
- There should be time set aside at each meeting for discussion of NCCD issues.
- The importance of sharing NCCD information with Bishops.

The Committee of Relationships with the New York State Catholic Conference raised these ideas:

- The Council should nominate annually a representative to serve on the State Catholic Committee.
- The Council should be involved annually with one major program objective of the Catholic Conference.
- It was important for the Council to collaborate with other groups on mutual concerns.
- The Council should be involved in efforts to educate about public policy.
- The Council should utilize fully publications and other information vehicles developed by the Catholic Conference.

There was further follow-up at the October 10, 1978 Council meeting when Committees reported as follows:

The Committee on Nurturing recommended that:

- The Council hold a social event connected to the February meeting.

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- The orientation be more formal.
- The Constitution again be reviewed.
- The Treasurer Chair a newly created Finance Committee.
- The importance of information sharing at each meeting.
- The notion of inviting national personnel to participate occasionally in a meeting.
- The reiteration of the importance of allowing Committees to meet at Council meetings when time permitted.
- With regard to assignments:
 - Fathers Brown, Lewis and Maniscalco would become the Committee on Goals and Objectives
 - Father Meagher would replace Father Henry as the representative on the USCC Committee on Adult Education
 - Father Basler would replace Father Henry as the Council's representative on the State Catholic Committee

The Committee on Relationships with New York State Catholic Committee raised the following matters:

- Happily, four of the seven 1979 Catholic Conference program objectives were related to the work of the Committee:
 - Family
 - Minority concerns
 - Urban policy
 - Education
- The importance of addressing sex education in schools' programs
- It was agreed that Father Basler would replace Father Henry on the Communications Committee of the Catholic Conference

The Committee on Relationships to NCCD and other groups reported that its goal had been restated properly, and that there was no need for further discussion at this time.

Based upon these discussions, at the June 4-5, 1979 meeting, Father Woolsey presented a slightly revised Constitution, which was adopted formally over the summer. Key consequences were:

- The addition of a purposes section which identified the four key goals of the Council which form the basis of organization of Chapter Three of this history
- As indicated above, clarification that membership would be Diocesan Directors, Associates/Assistants whom they designated, and Diocesan Secretaries of Education or the like
- Reaffirmation of the Committee structure
- Reaffirmation that the Catholic Conference would provide "services of staff"

With the adoption of this new Constitution, the Council was poised to continue to make significant contributions to the work of the State Catholic Conference during the 1980's.

CHAPTER TWO

THE FORMATIVE YEARS 1968 – 1975

A. Introduction

During this seven year period, much of the effort of the organization was directed toward formalizing its relationship with the State Catholic Conference, and “organizing for the future” as described in the previous Chapter.

Yet the NYCD was also engaged in other activities during this time. They are described here in chronological order.

B. October 29-30, 1968 Meeting

At the Provincial meeting of CCD Directors held on October 29-30, 1968, even before the formal organizational meeting in 1969, these matters were addressed:

- Father Basler gave a report on a recent meeting of the SED Commissioner’s Interfaith Advisory Committee.
- Fathers Beasley and Henry gave a report on released time.
- It was agreed that Fathers Holland and Willson would draft a response from the group to Bishop Greco, the Chairman of the USCC Department of Education Bishops’ Committee on CCD about the establishment of the National Conference of CCD Directors (NCCD).
- The group spent a good deal of time discussing adult education, first addressing the question “who is our audience”.

It was agreed that target audiences were:

- Parents of preschoolers and school children.
- Adults in an “interested, captive audience” such as those participating in teacher training.
- Churchgoers not already involved in religious education programs.

It was further agreed that there needed to be full discussion of adult education initiatives in each Diocesan CCD office. Finally, it was agreed that Father Dunne would develop a further presentation for the January meeting

Subsequent to this meeting, Father John Russell from Syracuse sent a memo to the group recommending in light of his many responsibilities (Diocesan Director, Provincial Chairman, and National Chairman), that there should be established an Executive Assistant to the Provincial Chairman who would also serve as the representative of the group to the State Catholic Committee.

C. May 20-21, 1969 Meeting

Beyond adopting the Constitution in the meeting at Lake Placid on May 20-21, 1969 as described above, the group also discussed these matters:

- Father Henry reported on responses of Superiors of Religious Communities to a letter from Sister Roberta informing them of job opportunities as parish or regional coordinators of religious education, indicating that they had expressed interest in these opportunities, that they would like a more specific job description for these positions, and that they were insistent that salaries for religious women be equivalent to lay salaries. In discussion, it was agreed that Diocesan Directors should have a role in developing hiring procedures and job descriptions for these positions.
- With regard to Adult Religious Education, Father Dunne reported that his survey of Diocesan programs was ongoing.
- There was no report from the Teacher Training Committee.
- With regard to CCD curricula, there was report that some Bishops and some pastors had expressed concerns about its orthodoxy.
- The group approved a paper on released time to be presented to the Catholic Committee, which outlined these recommendations:
 1. There should be one hour for instruction apart from travel time.
 2. There should be a staggered time program to warrant the cost of religious education centers.
 3. There should be no new instructional material introduced during released time.
 4. There should be adequate provision of busing and other instructional services.
 5. There should be formation of a “prestige committee” comprised of well-known Catholics to promote this program.
- Father Russell outlined his thoughts on the long-term goals of the organization identifying:
 1. Adult Education
 2. Involvement of Religious in CCD
 3. Released Time Programs
 4. Development of Parish Based and Staffed Programs
- These committees were established:
 1. Adult Education – Father Dunne
 2. Regional and Parish Coordinators – Sister Roberta, Fathers Henry and Nevin
 3. Released Time – Father Willson, Father Beasley, Monsignor Richard and Father Basler
- Finally, it was indicated that NCEA had proposed that CCD Directors participate in their meeting in Atlanta the subsequent spring

D. July 27, 1969 Meeting

This meeting was devoted to discussion of the newly established National Conference of CCD Directors. Just as Alan Davitt had been instrumental in strengthening the work of the State Council of Catholic School Superintendents, Father John Russell played the same role as the founding executive Secretary of NCCD. At this meeting, Father Russell described the

purposes of this national organization and outlined its relationship to the USCC Department of Education. (This relationship was to have its ups and downs, until NCCD became independent of USCC in 1982.)

E. Fall 1972 Developments

During the fall of 1972, there occurred two interesting developments related to the work of the Council:

- On August 21, 1972, Bishop Edwin Broderick issued a press release indicating that the Diocese of Albany was launching a licensing program for religious education teachers.
- On August 28, 1972, Charles Tobin appointed Father Howard Basler as liaison from the State Catholic Committee with USCC on the matter of the National Council on Religion and Public Ethics.

F. December 9-10, 1973 Meeting

In addition to the presentations given by Alan Davitt on the work of the Special Study Committee of the Catholic Conference as reported above, these other matters were addressed at this meeting:

- It was reported that Dioceses were in the initial stages of appointing Diocesan Coordinators to assist in development of the National Catechetical Directory.
- There was continuing discussion of released time concerns.
- There was discussion about a press release from the Catholic Schools Administrators Association of New York State (CSAANYNS) that reported that 35 religious educators from the eight Dioceses had met to share ideas and concerns, and to make recommendations to administrators for workshops in the spring.
- It was also reported that Father Michael Wren had been appointed Diocesan Director of the Archdiocese.

G. Additional Developments – 1974-1975

Although there are no materials available on any meetings held between December 1973 until the fall of 1975 after the establishment of the formal relationship with the State Conference, there is information on the following developments:

- The State Catholic Conference indicated to the Diocesan Directors in January 1974 that it was willing to play a role in convening Diocesan Coordinators of the National Catechetical Directory process.
- There were several developments relating to the question of Religious Studies in Public Education, an initiative that had begun with development by Father Norbert Henry in November 1973 of a proposal for the presence of representatives of major faith groups in public schools.

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- In January 1974, Father Henry sought consultation from the group when Syracuse City School District Superintendent Dr. Edwin Weeks denied a request for presence of a priest in public high schools.
- This event led to a series of discussions which led to presentation to the Catholic Committee on June 10, 1975 of a position paper on Religious Studies in Public Education. The position paper outlined the reasons for such presence, dangers inherent in this approach, and guidelines for action. It was later reported that the Bishops were in support of this approach if it were deemed constitutional. Bishop McCaffrey from Rochester, Bishop Mestice from New York and Bishop McGann from Rockville Centre were appointed as a committee to further explore the matter.

This concludes reporting on the work of the Council up until the establishment of a formal relationship with the Catholic Conference in fall 1975.

CHAPTER THREE

COUNCIL ACTIVITY 1975-1981

A. Introduction

As indicated in Chapter One, through a process which began at a retreat held on February 14, 1978, the Council adopted a new Constitution in the summer of 1979 which articulated four basic purposes of the work of the Council:

- Supporting and Nurturing the Member Directors
- Participating as a Constitutive Body of NCCD
- Relationship with the New York State Catholic Conference
- Relationships with other religious and civic groups

Although these purposes weren't formally articulated until 1978 and 1979, they provide an appropriate organizational structure for describing the work of the Council in the entire 1975-1981 time period. While minutes are not available for every meeting held during this time, there is critical mass to provide an overview of Council work.

B. Supporting and Nurturing the Member Directors

1. Introduction

This purpose was accomplished through informal conversation at Council meetings, and through discussion of common issues at formal meetings as follows.

2. December 10, 1975 Meeting

At the December 10, 1975 meeting:

- Father Henry reported on a pilot project in the Syracuse Diocese to evaluate religious education programs.
- Representatives of the Albany Diocese and New York Archdiocese gave presentations on the development of religious education curricula in their Dioceses.
- There was discussion about evangelization as a basis for Urban Ministry.
- It was agreed that Dioceses would share information about the administration of the Sacrament of Confirmation in their Dioceses.
- There was initial discussion about provision of religious education for handicapped children.

3. January 19-21, 1976 Meeting

At the January 19-21, 1976 meeting:

- There was lengthy discussion of issues relating to released time.
- There was shared information on guidelines Dioceses were publishing relating to the Sacrament of Penance.

4. December 13, 1976 Meeting

At the December 13, 1976 meeting:

- There was discussion of Father Howard Basler's paper on released time.
- In evaluating the full staff meeting held in 1976, it was agreed there was no need for such a meeting in 1977.

5. February 7, 1977 Meeting

At the February 7, 1977 meeting:

- The Council responded positively to a request that it be involved in developing programs for Cable TV.
- There was discussion about adult education as a parent program.

6. June 8, 1977 Meeting

At the June 8, 1977 meeting:

- There was discussion about a document issued by the Vatican Congregation of Clergy and Sacraments, giving instruction that first penance should precede first communion.
- In his role as a representative of the Council on the USCC Committee on Adult Education, Father Henry reported on a recent national Adult Education Conference.
- There was continuing discussion of Father Basler's position paper on released time.

7. June 6, 1978 Meeting

At the June 6, 1978 meeting:

- It was reported that the Regents were likely to adopt at their June meeting new regulations for released time, including:
 - ❖ Confirmation of the practice of providing ¼ credit for each course completed.
 - ❖ The provision that courses could be taught in non-public schools.

- ❖ Credit would also be offered for courses conducted outside normal school hours.
- ❖ Nonpublic schools could also conduct classes outside of normal school hours.
- There was discussion of the results of a survey asking parish religious education coordinators to identify their major concerns. They included:
 - ❖ Health insurance
 - ❖ Retirement programs
 - ❖ Contracts
 - ❖ Terms of position
 - ❖ Job security
 - ❖ Role of laity
 - ❖ Disparities in salaries: lay persons and women religious
- There was continuing discussion about sex education programs.

8. February 21, 1979 Meeting

At the February 21, 1979 meeting:

- There was review of the SED memo issued on the new guidelines for released time, in the context that the 1978-1979 academic year was to be a time of “clarification” of the guidelines, with full implementation in fall 1979.
- There was a brainstorming discussion on Cable TV and Religious Education.
- There was agreement that the group needed to focus more on religious education programs in special education.

9. June 4-5, 1979 Meeting

At the June 4-5, 1979 meeting:

- Concern was expressed about the evolving practice that staff from USCC were meeting directly with field staff, by-passing both the Council and Diocesan leadership.
- Father Brown distributed the first draft of a proposed statement on catechesis and liturgical celebrations for school-aged children.

10. September 27, 1979 Meeting

At the September 27, 1979 meeting:

- The Council heard a report that the PEARL organization (mentioned throughout this volume) had issued a legal challenge to the recently adopted revised released time guidelines.
- Sister Roberta Tierney updated the group on progress in drafting a statement on Sacramental Preparation.

11. January 8, 1980 Meeting

At the January 8, 1980 meeting:

- The Council approved a Joint Statement with the Council of Catholic School Superintendents on the Catechesis and Liturgical Celebration of the Sacraments of School-Aged Children. The major thrusts of the document were:
 - ❖ Every parish needed a coherent, well-integrated plan.
 - ❖ The entire parish community was responsible for the development of such a plan.
 - ❖ It was the responsibility of parish leadership to provide coordination.
 - ❖ Teachers were responsible for catechesis.
 - ❖ The parish was the usual place where receipt of the sacraments would occur.
- It was reported that the Coordinators of Religious Education for the Handicapped wanted to meet with the Diocesan Directors on a regular basis.

12. June 17, 1980 Meeting

At the June 17, 1980 meeting:

- There was lengthy discussion of issues relating to sex education.
- The Council was updated on the status of legal action by PEARL on the revised released time regulations.
- There was discussion about provision of benefits to employees, with recognition that practices among Dioceses were different, and there was need for clarification of what was legally allowed or legally required.

13. September 16, 1980 Meeting

At the September 16, 1980 meeting:

- There was clarification from the Diocesan Fiscal Officers that there was no legal prohibition to providing unemployment insurance benefits.
- It was reported that there had been no decision on the PEARL v Ambach case on released time.
- There was lengthy discussion on sex education programs, addressing these specific issues:
 - ❖ Reporting on developments in individual Dioceses;
 - ❖ Problems with this curriculum in public schools;
 - ❖ The opportunity to address these matters in coordination with other Catholic entities, because this matter was a priority objective in the Catholic Conference Program for 1980-81.

14. June 8, 1981 Meeting

At the June 8, 1981 meeting:

- It was reported that the Brockport (Rochester Diocese) PEARL organization had filed another suit in relation to released time.
- It was agreed that Father Mike Meagher, in addition to serving as Chairperson, would represent the Council on the USCC Adult Education Advisory Committee.

C. Participating as a Constitutive Body of NCCD

1. Introduction

Just as Alan Davitt and several members of the State Council of Catholic School Superintendents were extremely influential in the evolution of national Catholic education organizations, so were Father John Russell and several members of the New York Catechetical Directors influential in the evolution of the National Conference of Catechetical Directors (NCCD).

The history of creation of NCCD is interesting. Persons with or working toward a Master's Degree in Catholic Catechetical subjects had first come together informally in 1934 and had been meeting from time to time until 1968 when NCCD was formally established. It was established then as a professional association dedicated to advancing excellence in catechetical leadership at diocesan and parish levels.

Over these past forty years, the organization has become known as the National Conference for Catechetical Leadership which now also numbers among its 2700 members academics and members of the Catholic publishing community.

The current mission statement of the NCCL is:

“We, the National Conference for Catechetical Leadership, formed as an organization of diocesan, parish, academic, publishing and other catechetical personnel, strive to enrich and strengthen the ministry of catechesis throughout the Catholic dioceses of the United States, and seek to serve the Church by:

Promoting the Church's catechetical ministry in accord with the vision of Scripture, the wisdom of the Church, the expertise of our members, and the needs of the people we serve in our continually changing world;

Collaborating with the bishops of the United States, international, national, regional and local organizations, other leaders who relate to catechetical ministers, and one another in the development of catechetical ministry, religious education, and faith formation;

Nurturing the continual spiritual, professional, and personal development of religious educators and catechetical ministers in the Church;

Gathering with one another at the national, regional, provincial, and diocesan levels to challenge our vision, foster our unity, strengthen our ministry, grow in faith, deepen our

spiritual life, increase our understanding and broaden our perspective for catechetical leadership in the Church.”

As indicated above, Father John Russell from Syracuse became the first Executive Secretary of the nascent organization in January 1969. Throughout this time period, leadership from the state organization played key volunteer leadership roles in the national organization and reported regularly at state meetings on the activities of the national organization. Representatives included, in chronological order: Father John Curry, Father Clyde Lewis, Father Paul Cronin, Father Lewis Brown, Father Michael Meagher and Sister Lorraine Dougherty.

Reported here, roughly in chronological order of the meetings at which they were discussed are matters relating to NCCD addressed by the state organization.

It should be noted here that Father Robert Stamschorr, NCCD Executive Secretary, made a presentation at the Council’s December 13, 1976 meeting.

2. NCCD Issues

Addressed over this time period were the following issues relating to NCCD:

- Relationship of NCCD with USCC and NCEA
- Goals and objectives
- Research projects (one example – the Search Retreat Program, 1978)
- NCCD finances
- Resolutions
- National Catechetical Directory
- Cable TV and religious education
- NCCD organizational issues
- Relationship of NCCD to parishes
- Credentialing
- Textbook evaluation

Beyond the issues discussed over time, one interesting discussion occurred at the April 29, 1979 meeting when the Council was asked to make recommendations on suggested White Papers to be developed by NCCD. Possibilities included:

- Relationship of Catechetics and Social Morality
- Renewal of Parish
- Catechetics in a Pastoral Context
- Liturgy and Catechetics
- Development of Ministries
- Voluntarism – Spiritual Dimension
- Personal Growth of the Director of Religious Education
- The Word as the New Media
- Positive use of the National Media Collectively

D. Relationships with the New York State Catholic Conference

1. Introduction

Relationships with the New York State Catholic Conference can best be described in the following categories:

- Organizational Evolution
- Relationship to Bishops
- The Commissioner's Interfaith Advisory Committee
- Religion and Public Values
- Catholic Committee Communications Study
- Criminal Justice Advisory Committee
- Catholic Conference Program Objectives

2. Organizational Evolution

Throughout this time period, the Council continued to relate to the Catholic Committee on organizational matters. Recall that the principle had been established in the late 1960's that the organization would have a representative on the State Catholic Committee. First Father Russell, then Father Curry had represented the Council. As described above, Sister Michael Lappetito from Rochester played a significant role in the formalization of the relationship with the Catholic Committee and in developing a job description for provision of staff services to the Council. She served as Council representative on the Catholic Committee until she left her position in Rochester and was replaced as representative on the Catholic Committee by Father Francis Maniscalco from Rockville Centre in April 1976. He served until the spring of 1981 when Father Mike Meagher was elected as Council Chairperson and representative on the Catholic Committee.

Father Maniscalco made a significant contribution to the work of the Catholic Conference during 1979 through serving on the Special Study Committee of the Catholic Conference.

At the January 8, 1980 Council meeting, it was announced that the Bishops of the state had accepted the recommendation of the Special Study Committee with regard to restructuring the Conference and that what had been called the Catholic Committee would henceforth be called the New York State Catholic Conference Public Policy Committee. It was also reported that Alan Davitt had assumed the position of Executive Director of the State Catholic Conference, while Charles Tobin remained with the organization as Chief Counsel.

3. Relationship to Bishops

From time to time throughout this period, the Council had direct interaction with the Bishops of the state. Three examples were:

- The Council helped develop a continuing education program for priests in the fall of 1975 which was well received.
- At the February 25, 1976 meeting there was discussion at the request of the Bishops about employment opportunities for former priests with rescripts (appropriate except on seminary faculties).
- At the May 10, 1976 meeting, the Council reviewed a proposed Bishops' Statement on Early Childhood Education.

4. The Commissioner's Interfaith Advisory Committee

Throughout this time period, the Council also maintained a close relationship with the Catholic Committee through some of its members participating as Catholic Conference representatives on the Commissioner's Interfaith Advisory Committee. The work of the Interfaith Advisory Committee is described more fully in Part I of the volume. Two issues of great interest to the Council were released time and racial justice issues.

5. Religion and Public Values

In this time period, both Father Basler and Father Maniscalco were instrumental in advocating that the Catholic Committee address issues relating to Religion and Public Values:

- At the October 25, 1975 Catholic Committee meeting, there was discussion of Father Basler's paper on Religion and Public Values.
- At the June 6, 1979 meeting, there was discussion about proposals for promoting bible study and prayer in public schools.
- At the February 21, 1979 Council meeting, it was proposed by Father Maniscalco that there be discussed at the June 4-5, 1979 meeting Moral Values in Public Schools, and also that the notion of prayer in public schools be resurrected.
- In his paper presented at this June meeting, Father Maniscalco recommended:
 - ❖ That the Catholic Conference ask the State Education Department to provide information on the academic teaching of religion in public schools
 - ❖ That there be a future statement of the State Bishops on this topic.
 - ❖ That consideration be given to organizing groups of Catholic public school administrators to promote this discussion.

6. Catholic Committee Communications Study

When the Catholic Committee announced in fall 1976 that it was establishing a Study Committee on how it could better communicate, the Council asked for representation on the Committee. First, Father Henry, then Father Basler (in fall 1978) fulfilled this role.

7. Criminal Justice Advisory Committee

In the fall of 1978, the Council helped the Catholic Conference Criminal Justice Advisory Committee develop a training program for prison Chaplains.

8. Catholic Conference Program Objectives

One result of the adoption of the recommendations of the Special Study Committee was that beginning in 1980 the Catholic Conference would adopt annually Program Objectives as well as Legislative Objectives. At its September 16, 1980 meeting, the Council made three recommendations for 1981 Catholic Conference Program Objectives:

- The PEARL v Ambach suit on released time religious education
- Cooperative efforts with other Catholic Conference constituent groups on a study of youth moral practices
- A study of ways to help Catholic teachers in public schools

E. Relationships with Other Catholic Groups and Organizations

1. Introduction

While brief attention was given at the February 25, 1976 meeting to discussion of relationships with existing Diocesan Education Boards, most of the work of the Council in focusing on this purpose came in relation to:

- Youth Ministry
- Council of Catholic School Superintendents
- Campus Ministry

2. Youth Ministry

The late 1960's and 1970's were a time of dramatic change with the evolution of the concept of youth ministry and the impact that youth ministry had on religious education. During this time period, there were many initiatives and activities designed to help better define youth ministry and clarify relationships between religious education and youth ministry.

- During this time period, as early as the February 25, 1976 Council meeting there was discussion about a proposed spring convening on youth ministry.
- At its May 13, 1976 meeting, there was discussion about the proposed USCC statement of the Philosophy of Youth Ministry.
- At the December 13, 1976 meeting, there was discussion about the upcoming joint USCC Conference to be held in Milwaukee on January 4-6, 1977. At a New York State caucus held at that meeting, there was discussion about differing structural approaches in Dioceses, and discussion about a proposed meeting in Canandaigua in May.
- At the February 1, 1977 Council meeting, there was discussion about who should be invited from the different Dioceses to the May meeting.
- There was discussion at the October 16, 1978 Council meeting, about a youth ministry meeting that had been held on October 4-5, 1978, with agreement that representatives from the different constituent groups involved would meet to consider follow up steps.

- A subsequent meeting was held on November 28, 1978 at which youth ministry was defined as “the process of meeting young people’s needs, a process to, with, by and for young people”.
- At the June 4-5, 1979 Council meeting, there was again discussion about who should participate on the upcoming June 13, 1979 Youth Ministry meeting.
- At the September 21, 1979 and October 31, 1979 meetings, Father Duprey updated the Council on the progress on the development of a national statement on the Catechetical Dimensions of Youth Ministry.
- At the September 16, 1980 Council meeting, it was reported that the State Bishops had established a study Commission on Youth Ministry.
- A joint meeting of the Council of Catholic School Superintendents and Council of Diocesan Directors of Religious Education on Youth Ministry was held on November 19, 1979.
- At the June 1981 Council meeting, Father Meagher reported on a very successful meeting with Youth Directors in May which had focused on youth and human sexuality. Two results had been agreement that there would be developed a statement on this topic and there was agreement that these three way meetings (DDRE’s, Youth Directors and School Personnel) were very useful.

Obviously discussion about collaborative efforts with youth ministry would continue to be of major importance into the 1980’s.

3. Council of Catholic School Superintendents

In Part I of this volume, there was much discussion of the relationship of the DDRE's and the Council of Catholic School Superintendents from the perspective of the Superintendents. Here, this relationship is described from the perspective of the DDRE’s. Significant developments included:

- A first such meeting was held in the fall of 1975.
- At the December 13, 1976 meeting, there was discussion about the status of a Cooperative Planning and Program Endeavor between Religious Education and Schools which focused on:
 - ❖ What are problems
 - ❖ What are possibilities
 - ❖ What are rewards
- At the November 28, 1977 meeting, these matters were addressed:
 - ❖ It was affirmed that there was value in regular meetings.
 - ❖ There was discussion about the emergence of new ministries (e.g. youth ministry, young adult ministry, prayer groups).
 - ❖ There was discussion about reverse dual enrollment, released time and high school Chaplaincy.
 - ❖ There was discussion about relationships between school and religious education personnel.
 - ❖ There was discussion about sacramental programs.
- A very productive meeting of eight DDRE’s with eight Superintendents was held on February 22, 1979. Among the many issues discussed were:

- ❖ Possible programs of cooperation on implementation of the National Catechetical Directory, in which it was agreed that Fathers Breen and Lewis would appoint a joint committee, that the Committee would meet after publication of the NCD on March 6, 1979, and that there would be sharing of individual Diocesan Plans.
- ❖ Discussion of common issues and interests on the matter of Programs in Human Sexuality.
- ❖ Discussion of current developments in youth ministry, including an upcoming joint November 29, 1979 meeting in Canandaigua.
- ❖ Concern was expressed that USCC staff were contacting field staff directly, rather than communicating through state or Diocesan structures.
- ❖ It was agreed to develop a draft statement on models of cooperation.
- ❖ Discussion of implementation of the released time procedures.
- ❖ Discussion about education as a process.
- At its January 8, 1980 and June 17, 1980 meetings, the Council reviewed Father Basler's Statement on Support for Catholic Schools.
- At the joint meeting of the Council and Superintendents held on December 10, 1980, these matters were addressed:
 - ❖ A presentation by Charles Tobin and Alan Davitt on the overall work of the State Catholic Conference.
 - ❖ The NCCD Statement on DDRE's.
 - ❖ Personnel issues, including unemployment insurance, retirement plans and TSA's.
 - ❖ The Bishops' Youth Ministry Study Committee.

By the end of this time period, much progress had been made in establishing an effective working relationship between the Council and Superintendents.

4. Campus Ministry

An even more recent development as this time period neared an end was the evolution of Campus Ministry in the late 1970's. The first recorded formal meeting of a statewide group of Campus Ministers came when Bishop Theodore McCarrick convened them on March 19, 1979. It was agreed that it would be beneficial for this group to meet annually.

This session led to a planning session held on July 6, 1979 involving Monsignor Thomas Costello and Father Charles Borgognoni from Syracuse and Father Gerry Appleby from Rochester, along with Alan Davitt to discuss the problem of "religious illiteracy" present on the campuses of colleges and universities.

An initial larger meeting on Campus Ministry was held on September 13, 1979. This meeting resulted in a joint meeting on January 7, 1980. It was reported subsequent that since there had been "no clear objective for this meeting, there was no positive outcome".

The Bishops' Provincial meeting held on April 24, 1981 also focused on Campus Ministry.

CONCLUSION

As indicated at the outset, the 1970's were a time of dramatic growth and change in the field of religious education not only at the Diocesan level, but also at the state level.

For a state group that was only formally organized in 1969, there was significant organizational development during the 1970's. First, the group found common purposes, and established a relationship to the national organization. Then came establishment in mid-decade of a formalized relationship with the State Catholic Conference and an understanding about the provision of staff services from the Conference to the Council. Then through a process that began in early 1978, and concluded with adoption of a new constitution in summer 1979, came a formal recognition of the purposes and focus of the Council.

It is safe to say that by 1981, the Council had "come into its own."

APPENDICES

PART I

- I. **The Constitution of the Council of Catholic School Superintendents (adopted 5/15/68)**
- II. **Diocesan Catholic School Superintendents (inception-present)**
- III. **Council Membership 1968-1981**
- IV. **Council 1977-78 Committee Membership**
- V. **USCCB Pastoral Statement on Handicapped People**
- VI. **Catholic School Enrollment Statistics 1963-1981**
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PART II

- I. **1969 Constitution of NYCD**
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FINAL APPENDIX

A TRIBUTE TO J. ALAN DAVITT

PROPOSED CONSTITUTION
Draft: #4 - 1/15/68

Finally Adopted
5/15/68

CONSTITUTION

PREAMBLE

In order to maintain and strengthen Catholic education in all its variant forms, especially elementary and secondary schools, as a valid and effective means of contributing to the moral and spiritual development of children and to the well-being of society in general, and in order to guide and direct itself in contributing to and improving the standards of educational excellence in New York State, this Council hereby establishes this Constitution.

ARTICLE 1: Name

The name of this organization shall be the New York State Council of Catholic School Superintendents.

ARTICLE: Purposes

The purposes of this Council shall be to:

- (1) Provide a Forum for the communication and exchange of ideas affecting education in New York State.
- (2) Provide liaison with the State Education Department.
- (3) Serve as an agency for informing Catholic school personnel about State Education Department for policies and programs.
- (4) Provide liaison with colleges and universities, especially with regard to the research needs of Catholic education.
- (5) Plan long-range goals and policies for Catholic education in the State.
- (6) Serve as a resource agency in the determination and compilation of significant statistical data relating to Catholic education in this State.
- (7) Serve as a representative of the New York State Catholic schools to the United States Catholic Conference, the National Catholic Educational Association, the New York State Catholic Committee, and other professional associations and organizations.
- (8) Plan and sponsor research studies and experimental projects in all areas touching the administrative, instructional, and auxiliary operations of the schools.
- (9) Define and recommend educational standards and practices which are necessary for and consistent with the needs of children, the current and future requirements of society, and the educational philosophy and practice necessities of the Church.

ARTICLE III: Membership

Section 1: Membership

Membership in the Council will be open to any diocesan educational official appointed by the Ordinary of the respective diocese and holding the title of superintendent of schools, associate or assistant superintendent, secretary of education, or any other office equivalent in the judgment of the superintendent of that diocese to the preceding.

Section 2:

Any question of eligibility for membership will be determined by the President and Vice-President of the Council who will consult on this matter with the educational officials of the diocese concerned and, if necessary, with the Ordinary of that diocese.

Section 3:

Membership in the Council ceases when an individual member no longer exercises that authority or holds that position in Catholic educational administration whereby he became eligible for membership.

ARTICLE IV: Episcopal Moderator

The activities of the Council shall be under the general supervision and direction of an Episcopal Moderator as the representative of the Ordinaries of the diocese which are members of the Council. The selection and appointment of such an Episcopal Moderator shall be according to whatever procedures are established by the Ordinaries of the State of New York. The Episcopal Moderator shall preside at all meetings of the Council which he attends unless he delegates that responsibility otherwise.

ARTICLE V: Officers and Elections

Section 1:

The officers of the Council shall be a president and a vice-president whose respective duties are described in the bylaws.

Section 2:

Officers of the Council shall be elected at the May meeting of the Council and shall assume office at the close of said meeting; officers shall be elected for a one-year term and may not serve again in the same office until after a lapse of two years.

ARTICLE VI: Meetings

Section 1:

Regular meetings of the Council shall be held at least every other month during the school year: September, November, January, March, and May.

Section 2:

Meetings of the Council membership may be convened during the months of the school year not specified above (i.e., October, December, February, April, and June) or during the summer months by determination of the members present at a regular meeting in the month preceding that to be called.

Section 3: Other special meetings may be called by the President of the Council.

ARTICLE VII: Amendments

Section 1: An amendment to the Constitution may be introduced at any regular meeting of the Council, and it shall be presented in writing with sufficient copies for all members of the Council whether present or not.

Section 2: Discussion of any proposed amendment may take place no sooner than at the next regular meeting of the Council following that at which it was presented in writing for distribution to the members.

Section 3: Voting on any proposed amendment may take place no sooner than the second regular meeting after its proposal. Prior to that meeting the Executive Secretary of the Council shall mail to all members ballots to be submitted at the meeting when requested by the President or to be returned by mail, postmarked no later than midnight two full days before the meeting.

Section 4: Amendments, when approved by a two-thirds vote of the total membership, shall become part of this Constitution, effective immediately following the conclusion of the meeting unless the amendment itself should specify otherwise.

BYLAWS

BYLAW 1: Qualifications of Officers

Section 1: Any member of the Council may be elected to office in this Council as long as he has been a member for at least two full years preceding such election.

Section 2: Candidates for election must be notified beforehand and must consent to stand.

BYLAW 2: Election Procedures

Section 1: As stated in Article V, Section 2, of this Constitution, election of officers will take place at the annual May meeting of the Council; nominations, therefore, will be entertained at the March meeting. Any member may submit a nomination by mail prior to the March meeting or orally at the March meeting itself. It will be the responsibility of the Executive Secretary to notify each nominee, obtain his consent, and in accordance with his response either include or omit his name from the ballot.

Section 2: Nominations may not be made at the meeting at which the voting is to take place; nominations will be considered closed with the adjournment of the March meeting.

Section 3: Election will be by written ballot previously prepared by the Executive Secretary and distributed by mail to each member of the Council at least fifteen days prior to the May meeting.

Section 4: Election to office will be on the basis of a majority of ballots cast.

Section 5: Ballots will be counted by the Executive Secretary and verified by the outgoing officers. Results will be announced by the presiding officer of the meeting.

BYLAW 3: Duties of the Officers

Section 1: The President of the Council shall:

- a. Preside at all meetings of the Council except when the Episcopal Moderator is present.
- b. Convene other than regular meetings in accordance with the provisions of Article VI of the Constitution.
- c. Appoint all committees and chairmen thereof and shall be an ex officio member of all such committees.
- d. Serve as the Council's representative with the New York State Catholic Committee and shall be responsible for the submission of all Council reports and recommendations.
- e. Direct and work with the Executive Secretary in carrying on the business of the Council.
- f. Serve with the Vice-President and one other member of the Council, appointed by the President, as an auditing committee of the financial accounts of the Council within one month after the close of the Council's fiscal year.

Section 2: The Vice-President of the Council shall:

- a. In the absence of the Episcopal Moderator and the President, preside at all meetings.
- b. Assume the office of President in the event that the President becomes incapacitated, resigns, or becomes ineligible for membership by reason of a change in qualifying position.
- c. Fulfill those responsibilities assigned him by the President
- d. Serve with the President and one other member of the Council as an auditing committee of the financial accounts of the Council within one month after the close of the Council's fiscal year.

Section 3: It shall be the responsibility of the President to appoint a Vice-President for completion of the term when that office becomes vacant.

BYLAW 4: Voting

Section 1: In all routine matters each member of the Council will be eligible to vote individually.

Section 2: At the request of any two dioceses the routine manner of voting may be changed on a particular issue to a single vote per diocese or to a weighted vote based upon elementary and secondary school enrollments.

BYLAW 5: Committees and Organizations

Section 1: Standing Committees may be established by the Council according to the following norms:

- a. Establishment of any standing committee requires a two-thirds vote of total membership obtained at any meeting of the Council or by mailed ballots.
- b. Members and number for each such committee shall be determined by the President on the basis of Council consensus.
- c. The chairman of each such committee, appointed by the President, shall be responsible for convening necessary meetings of the committee, submitting oral and written reports to the Council, and maintaining proper committee records.
- d. The purpose and scope of each such committee shall be defined in the minutes of the Council meeting at which it was established or, in the case of mailed ballots, in an explanatory memorandum accompanying such ballots.
- e. Continuance of each standing committee must be reviewed three years after its establishment and shall be voted upon by the members present at the meeting at which continuance is considered.
- f. Members of such committees shall be appointed for a three-year term, renewable by appointment of the president; initial members, however, may be cycled for terms of one, two, and three years to avoid possible total turn-over of members at a given time.

Section 2: Ad Hoc Committees may be established by the Council according to the following norms:

- a. The establishment of any ad hoc committee shall be determined by the President on the basis of Council consensus or by specific motion of any member and vote thereon.
- b. Members and number for each such committee shall be determined by the President on the basis of Council consensus.
- c. The chairman of each such committee, appointed by the President, shall be responsible for convening necessary meetings of the committee, submitting oral and written reports to the Council, and maintaining proper committee records.
- d. The purpose and scope of each such committee shall be defined in the minutes of the Council meeting at which it was established.
- e. The committee shall be dissolved with the accomplishment of its specific purpose.
- f. Term of committee members shall be the same as the term of the committee itself.

Section 3: The Auditing Committee, specified in Bylaw 3, 1f and 2d, shall be considered an Ad Hoc Committee

Section 4: No committee shall act in the name of the Council or bind the Council to any decision, commitment, or undertaking.

Section 5: Membership on the Council's standing and ad hoc committees shall be restricted to members of the Council.

Section 6: According to need and other circumstances, the Council may also establish Advisory Committees for the purpose of rendering some specific assistance to the Council; these shall be met up according to the following norms:

- a. Members need not be members of the Council.
- b. The chairman should be a member of the Council, appointed by the Council President
- c. Appointment of members, length of terms, meetings, reports, and all other details shall be the responsibility of the chairman of the committee.

Section 7: Affiliated Organizations

Section 1: By a two-thirds vote of the membership the Council may authorize the confirmation or establishment of organizations in the interest of Catholic elementary and/or secondary schools of the State. These shall be called affiliated organizations and shall be autonomous except that:

- a. Their constitution and bylaws must be approved by the Council
- b. They may be dissolved by three-fourths vote of the Council's whole membership, and
- c. They shall present to the Council an annual report of their activities. This report shall be in writing and may, at the request of the President of the Council, be required to be presented by an officer of the affiliated organization.

BYLAW 6: Council Relationships

Section 1: The Council shall maintain membership in such organizations as the Council selects and decides upon by vote.

Section 2: The Council shall be represented by the Executive Secretary in such professional associations and organizations where membership will benefit directly or indirectly the purposes of the Council.

BYLAW 7: Executive Secretary

Section 1: The Executive Secretary will be the chief administrative officer of the Council.

Section 2: As such, his responsibilities will include the following:

- a. Supervision and administration of the Council's officer, employees, records, equipment and materials.
- b. Preparatory and follow-up procedures for all meetings of the Council, including all necessary minutes and other such records.
- c. Preparation and administration of the annual Council budget and submission of annual financial accounting of expenditures.

- d. Liaison with the State Education Department, professional educational associations and organizations, and any other group at which Council representation would be in the best interests of Catholic education and the Council itself.
- e. General administration, unless structured specifically in a different fashion, of activities and projects undertaken by the Council.
- f. Development of the Council as a channel of communication information center; public relations and public information source; agency for the promotion of research, professional activities and standards, and religious education.
- g. Exploration of undertakings and activities which are consonant with the objectives of the Council.

Section 3: The selection, hiring, and dismissal of the Executive Secretary, as well as the term and other details of his employment shall be according to such procedures as determined by the Council and approved by a two-thirds vote of the membership.

Section 4: The Executive Secretary will function under the immediate jurisdiction of the President of the Council, while the position itself is subject to the Council as a whole. He will operate independently of any individual diocesan department of education.

Section 5: The authority of the Executive Secretary will not include voting privileges in the Council, commitment of the Council to any activity or undertaking unless previously approved specifically or by a general policy, or any responsibility or authority specifically withheld from the office of Executive Secretary by vote of the Council.

BYLAW 8: Legal Counsel

Section 1: The legal counsel of the New York State Catholic Committee will be ex officio the legal counsel for the Council

Section 2: It shall be the responsibility of each diocese to see to it that where attendance by all duly qualified members is not possible for any particular meeting, there is representation by at least one member from that diocese.

BYLAW 9: Responsibilities of Membership

Section 1: All members shall be responsible for attendance at all meetings of the Council except when sufficient cause requires otherwise.

Section 2: It shall be the responsibility of each diocese to see to it that where attendance by all duly qualified members is not possible for any particular meeting, there is representation by at least one member from that diocese.

BYLAW 10:

Quorum

A quorum for all meetings of the Council shall consist in representation by five of the eight dioceses.

BYLAW 11:

Amendments

These bylaws may be amended by a two-thirds vote of the members present and voting at any regular meeting, providing that notice of the proposed amendment had been submitted in writing no later than the previous meeting of the Council and distributed.

Appendix II

DIOCESAN SCHOOL SUPERINTENDENTS

Archdiocese of New York

	<u>Years Served</u>
Reverend William Degnan	1888 – 1890
Reverend Michael Considine (Inspector)	1890 – 1897
Reverend Michael Considine (Superintendent of Schools)	1897 – 1900
Reverend Thomas Thornton	1903 – 1908
Right Reverend Monsignor Joseph Smith	1908 – 1927
Reverend Matthew Delaney	1927 – 1929
Very Reverend Monsignor William Kelly (Executive Secretary Catholic School Board)	1929 – 1936
Very Reverend Monsignor William Kelly (Superintendent of Schools)	1936 – 1944
Very Reverend Monsignor Edward Waterson	1944 – 1945
Very Reverend Monsignor John Voight	1945 – 1953
Right Reverend Monsignor John Paul Haverty	1953 – 1964
Right Reverend Monsignor Raymond Rigney	1964 – 1968
Right Reverend Monsignor Edward Connors	1968 – 1972
Sister Eleanor Ford, OP	1972 – 1976
Reverend Monsignor James Feeney	1976 – 1977
Brother James Kearney, FMS	1977 – 1989
Doctor Catherine Hickey	1989 – Nov. 2007
Sr. Marie Pappas, CR	Nov. 2007 – present

Diocese of Albany

	<u>Years Served</u>
Reverend James P. Hanrahan	1937 – 1955
Monsignor John F. Bourke	1955 – 1967
Reverend Thomas Maloney	1967 – 1973
Mr. Amato Semenza	1973 – 1978
Mr. Jerome Porath	1978 – 1985
Ms. Gail West	1985 – 1988
Reverend Dominick Ingemie	1988 – 1989
Sister Ann McCarthy, CSJ	1989 – 1997
Sister Jane Herb, IHM, Ph.D.	1997 – present

Diocese of Brooklyn

	<u>Years Served</u>
Right Reverend Monsignor Joseph McClancy	1915 – 1954
Right Reverend Monsignor Henry Hald	1955 – 1963
Very Reverend Eugene Molloy	1963 – 1966
Reverend Franklin Fitzpatrick	1966 – 1973
Reverend Joseph Bynon	1973 – 1976
Reverend Monsignor Michael Dempsey (Secretary for Education)	1971 – 1978
Reverend Vincent Breen	1978 – 1994
Reverend Monsignor Guy Puglisi, Ph.D.	1994 – 2003
Thomas Chadzutko, Ed.D.	2004 – present

Catholic School Superintendents
Appendix II

Diocese of Buffalo

	<u>Years Served</u>
Reverend John W. Peel	1922 – 1941
Reverend Sylvester J. Holbel	1941 – 1961
Reverend Monsignor Leo H. Hammerl	1961 – 1975
Reverend John M. Ryan	1975 – 1980
Reverend James Campbell	1980 – 1984
Reverend Monsignor Paul T. Cronin	1984 – 1989
Mr. Ronald J. Cook	1989 – Jan. 1995
Ms. Dorothy Blake (Acting Superintendent)	Jan. 1995 – Dec. 1995
Brother Robert Bimonte	Dec. 1995 – June 2002
Ms. Denise McKenzie (Acting Superintendent)	June 2002 – July 2003
Ms. Diane Vigrass	July 2003 – Oct. 2007
Ms. Carol A. Kostyniak (Secretary of Education)	Oct. 2007 – July 2008
Doctor Rosemary Henry	July 2008 – present

Diocese of Ogdensburg

	<u>Years Served</u>
Reverend Arthur Leary (Secretary for Education)	1944 – 1951
Reverend Floyd Brown	1958 –
Reverend William LaVallee (Assistant Secretary for Education)	1962 – 1964
Reverend John Stone (Secretary for Education)	1962 – 1964
Reverend Arthur Leary (Secretary for Education)	1964 – 1967
Reverend William LaVallee (Superintendent)	1968 – 1971
Reverend Monsignor Lawrence Deno (Superintendent)	1971 – 1996
Sister Kathleen Murphy, OFM (Superintendent)	1996 – 2004
Sister Ellen Rose Coughlin, SSJ (Superintendent)	2004 – present

Diocese of Rochester

	<u>Years Served</u>
Reverend Joseph S. Cameron	1917 – 1925
Reverend Monsignor John Duffy	1926 – 1944
Reverend Charles J. Mahoney	1945 – 1954
Reverend Monsignor Charles Boyle	1955 – 1960
Reverend Monsignor William Roche	1961 – 1969
Reverend Daniel Brent	1970 – 1978
Mr. Timothy Leahy	1979 – 1980
Sister Roberta Tierney, SSND (interim)	1981
Sister Edwardine Weaver, RSM	1982 – 1986
Brother Brian Walsh, CFC	1987 – 1991
Sister Mary Ann Binsack, RSM (interim)	1991 – 1992
Mr. Timothy Dwyer	1992 – 2001
Sister Elizabeth Meegan, OP	2001 – 2006
Sister Elaine Poitras, CSC	2006 – Jan. 2008
Sister Janice Morgan, SSJ (interim)	Jan 2008 – Aug 2008
Ms. Anne Willkens Leach	Aug 2008-present

Catholic School Superintendents
Appendix II

Diocese of Rockville Centre

	<u>Years Served</u>
Reverend Monsignor Edgar P. McCarren	June 1957-Sept. 1965
Reverend David G. Farley	Sept. 1965-June 1969
Reverend Patrick E. Shanahan	June 1969-Sept. 1975
Reverend Thomas G. Gallagher	Sept. 1975-Nov. 1979
Dr. Hugh F. Carroll	Feb. 1980-June 1989
Sister M. Kieran Hartigan, RSM	July 1989-July 1993
Sister Joanne Callahan, OSU	July 1993 – present

Diocese of Syracuse

	<u>Years Served</u>
Reverend Charles McAvoy	1918 – 1925
Reverend Charles Cooney	1925 – 1931
Reverend David Gildea	1931 – 1951
Reverend James Calaghan	1951 – 1960
Reverend Thomas J. Costello	1960 – 1975
Reverend James O'Brien	1975 – 1983
Dr. Mark DeSanctis	1983 – 1986
Brother John McGovern	1986 – 1990
Sister Mary Anne Heenan	1990 – 2004
Dr. John Cataldo	2004 – 2005
Reverend George Sheehan (interim)	2005 – 2006
Mr. Michael Colabufo	Jan. 2006 – present

Appendix III

NEW YORK STATE COUNCIL OF CATHOLIC SCHOOL SUPERINTENDENTS MEMBERSHIP LIST

1968 – 1974

Archdiocese of New York

Monsignor Raymond Rigney
Monsignor James Cox
Monsignor Edward Connors
Monsignor John Dougherty
Monsignor George Kelly
Monsignor Theodore McCarrick
Sister Elinor Ford, OP
Reverend Monsignor James A. Feeney
Reverend John J. Farley
Brother James Kearney, FMS
Brother Robert Kealey, FSC
Dr. Paul Ward
Reverend John T. Shields
Reverend Daniel J. Peake
Sister Marilyn O'Brien, PBVM
Reverend Monsignor Robert J. Kane
Brother James Corcoran, FSC
Reverend Monsignor Joseph T. O'Keefe
Reverend Monsignor Donald Pryor
Reverend Monsignor John J. Healy
Reverend Michael J. Wrenn

Diocese of Albany

Monsignor John F. Bourke
Father Thomas Maloney
Father William Turnbull
Father John Mulqueen
Father Richard Gilbert
Mr. Matty Semenza
Father John A. Keefe
Reverend Erwin Schweiqardt
Mr. Fred Carvalho

Diocese of Brooklyn

Monsignor Eugene Molloy
Father Frank Fitzpatrick

Brother Peter Clifford
Father James Hunt
Mr. George Duffy
Reverend Joseph P. Bynon
Reverend Vincent D. Breen
Reverend Michael J. Phillips
Brother Patrick Ohmann, OSF
Ms. Mary L. Wolfe
Reverend Michael J. Dempsey

Diocese of Buffalo

Father Norman McLaughlin
Mr. Raymond Forton
Father Theodore Berg
Father Charles Schoy
Father Francis J. Christian
Reverend Monsignor Leo E. Hammerl
Sister M. Angela, RSM
Reverend James Augustyn
Mr. Joseph Caligiuri
Reverend Monsignor Sylvester J. Holbel

Diocese of Ogdensburg

Father William LaVallee
Reverend Lawrence M. Deno

Diocese of Rochester

Monsignor William Roche
Father Richard Hart
Father Al Shamon
Reverend Daniel Brent
Mr. Salvatore G. Musso
Sister James Lynch, SSJ

Diocese of Rockville Centre

Reverend Patrick E. Shanahan
Reverend Thomas Gallagher
Mr. John J. Denniston
Mr. Frank Gallagher
Sister Dorothy Anne Fitzgibbons, OP
Dr. Francis Ryan

Diocese of Syracuse

Reverend Monsignor Thomas J. Costello
Reverend Monsignor James D. Kane
Mr. William Gallagher

Reverend Thomas McGrath
Sister Joan Arnold
Reverend Monsignor Peter J. Owens
Reverend James C. Hayes

Counsel

Mr. Charles J. Tobin

Executive Secretary

Mr. J. Alan Davitt

1975 - 1979

Archdiocese of New York

Sister Helen O'Neill
Father Peter Finn
Sister Frances Heerey
Father James Vaughey
Sister Marilyn O'Brien
Sister Catherine Keating

Diocese of Albany

Mr. John Manning
Father Lawrence Barry
Sister Maria Faina
Sister Helen Ann Schlieger
Mr. Gerald Silver
Mr. Jerome Porath
Sister Margaret Sickles

Diocese of Brooklyn

Sister Ann McCarthy
Father Howard Basler
Mr. Robert Muccigrosso

Diocese of Buffalo

Monsignor John Ryan
Dr. Patrick Hughes
Sister Anne Soukup
Mr. James Quigley
Father James Campbell

Diocese of Ogdensburg

Sister Mary Williams

Diocese of Rochester

Sister Roberta Tierney
Mr. Timothy Leahy
Father Richard Kinsky

Diocese of Rockville Centre

Brother Kenneth Tracey
Sister Helen O'Neill
Mr. Hugh Carroll
Sister Mildred Meany
Sister Margaret Joseph
Father Francis Costello

Diocese of Syracuse

Sister Marie Deegan
Sister Madeline Powers
Father Thomas Zedar
Sister Frederick Boltmann
Sister Eloise Emm
Father William Lorenz
Mr. Richard Lawler
Mr. Mark DeSantis

1980 – 1981

Archdiocese of New York

Brother James Kearney, FMS
Reverence Terence Attridge
Reverend Monsignor Thomas J. Gartland
Reverend Thomas E. Gilleece
Sister Frances Heerey, SC
Brother Robert Kealey, FSC
Sister Helen O'Neill, SC
Reverend James K. Vaughey
Dr. Paul Ward
Mr. James Mahoney
Sister Rita Nowatzki, SC
Sister Dominica Rocchio, SC
Reverend Monsignor John J. Healy
Reverend Peter Finn
Sister Bernadette Hannaway, OSU
Sister Catherine Keating, OSU
Sister Maria Goretti Mannix, FHM
Sister Kathleen Sullivan, SC
Sister Marilyn O'Brien, PBVM
Brother Joseph Shields, CFC

Diocese of Albany

Mr. Jerome Porath
Mr. Robert D. Agone
Sister Claire Frances Fitzgerald, CSJ
Mr. John F. Manning
Sister Helen Ann Schleiger, CSJ
Sister Margaret Sickles, RSM
Mr. Joseph McTighe
Mr. Leonard Stan

Diocese of Brooklyn

Reverend Vincent D. Breen
Mr. Robert Annucci
Reverend Howard Basler
Mr. Robert Muccigrosso
Sister Angela Gannon, CSJ
Brother Medard Shea, CFX

Diocese of Buffalo

Reverend Monsignor John M. Ryan
Sister Mary Angela, RSM
Reverend James Augustyn
Mr. Joseph Caligiuri
Dr. Patrick Hughes
Mr. James Quigley
Sister Anne Soukup, OSF

Diocese of Ogdensburg

Rev. Lawrence M. Deno

Diocese of Rochester

Reverend Richard C. Kinsky, CSB
Sister Roberta Tierney, SSND

Diocese of Rockville Centre

Mr. High Carroll
Mr. Frank Gallagher
Sister Margaret Joseph, SCH
Sister Marie Chaminade, OP

Diocese of Syracuse

Reverend James T. O'Brien
Sister Eloise Emm
Sister Maryanne Heenan
Dr. Richard M. Lawless

Assistant Superintendents

Mr. Mark DeSanctis

Sister Mary Edwin

Sister Madeline Powers, CSJ

Reverend Thomas Zedar

Appendix IV

NEW YORK STATE COUNCIL CATHOLIC SCHOOL SUPERINTENDENTS COMMITTEES LIST 1977-78

INSTRUCTION

Sr. Anne Soukup, Chairperson
Sr. Ann McCarthy
Fr. John Ryan
Sr. Helen O'Neill
Br. James Kearney
Br. Robert Kealey
Sr. Frances Heerey (Relig. Ed.)
Sr. Maria Goretti
Fr. Lawrence Deno
Sr. Mary Timothy
Mr. Hugh Carroll
Sr. Frederick Bultmann
Fr. Erwin Schweigardt
Mr. John Manning

P. R. & COMM.

Sr. Marilyn O'Brien, Chairperson
Dr. Patrick Hughes
Sr. Bernadette Hannaway
Br. Joseph Shields
Sr. Roberta Tierney
Mr. Frank Gallagher
Fr. James Hayes
Fr. James Augustyn
Mr. Timothy Leahy
Sr. Helen Schleiger

PERSONNEL

Br. Medard Shea, Chairperson
Sr. Angela
Mr. Joseph Caligiuri
Dr. Paul Ward
Sr. Catherine Keating
Sr. Mildred Meany
Sr. Maureen O'Donnell
Sr. Rosemarie Kutsko
Fr. Vincent Breen
Sr. Claire Francis

FINANCES

Br. Kenneth Tracey, Chairperson
Fr. Michael Dempsey
Mr. James Quigley
Fr. Thomas Gallagher
Mrs. Mary Murphy
Fr. James O'Brien
Sr. Marie Deegan
Fr. Thomas Zedar
Mr. Matty Semenza
Mr. Gerald Silver

TRANSPORTATION

Sr. Roberta Tierney, Chairperson
Dr. Mary Wolfe
Sr. Helen Schleiger
Mr. Timothy Leahy
Br. Kenneth Tracey
Fr. Lawrence Deno
Sr. Madeline Powers
Fr. Peter Finn

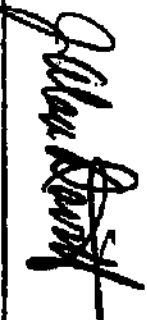
Appendix V

PASTORAL STATEMENT OF
UNITED STATES CATHOLIC BISHOPS
ON
HANDICAPPED PEOPLE

NEW YORK
STATE CATHOLIC CONFERENCE
FOR YOUR INFORMATION

ISSUED NOVEMBER 16, 1978

Date: 12/21/78



78-763
1-7-12-13-
18-47

PASTORAL STATEMENT ON HANDICAPPED PEOPLE

The same Jesus who heard the cry for recognition from the handicapped of Judea and Samaria two thousand years ago calls us, his followers, to embrace our responsibility to our own handicapped brothers and sisters in the United States. The Catholic Church pursues its mission by furthering the spiritual, intellectual, moral and physical development of the people it serves. As pastors of the Church in America, we are committed to working for a deeper understanding of both the pain and the potential of our neighbors who are blind, deaf, mentally retarded, emotionally impaired, who have special learning problems, or who suffer from single or multiple physical handicaps—all those whom disability may set apart. We call upon people of good will to reexamine their attitudes towards their handicapped brothers and sisters and promote their well-being, acting with the sense of justice and the compassion that the Lord so clearly desires. Further, realizing the unique gifts handicapped individuals have to offer the Church, we wish to address the need for their fuller integration into the Christian community and their fuller participation in its life.

Prejudice starts with the simple perception of difference, whether that difference is physical or psychological. Down through the ages, people have tended to interpret these differences in crude moral terms. "Our" group is not just different from "theirs"; it is better in some vague but compelling way. Few of us would admit to being prejudiced against handicapped people. We bear these people no ill will and do not knowingly seek to abrogate their rights. Yet handicapped individuals are visibly, sometimes bluntly different from the "norm," and we react to this difference. Even if we do not look down upon handicapped people, we tend all too often to think of them as somehow apart—not fully "one of us."

What the handicapped individual needs, first of all, is acceptance in this difference that can neither be denied nor overlooked. No act of charity

or justice can be of lasting value to handicapped people unless it is informed by a sincere and understanding love that penetrates the wall of strangeness and affirms the common humanity underlying all distinction. Scripture teaches us that "any other commandment there may be [Is] all summed up in this: 'You shall love your neighbor as yourself.'" (Rom. 13, 9) In his wisdom, Jesus said, "as yourself." We must love others from the inside out, so to speak, accepting their difference from us in the same way that we accept our difference from them.

The Church's Response to the Handicapped Person

Concern for handicapped people was one of the prominent notes of Jesus' earthly ministry. When asked by John's disciples, "are you 'He who is to come' or do we look for another?" Jesus responded with words recalling the prophecies of Isaiah. "Go back and report to John what you hear and see; the blind recover their sight, cripples walk, lepers are cured, the deaf hear, dead men are raised to life, and the poor have the good news preached to them." (Mt. 11, 3-5) Handicapped persons became witnesses for Christ, his healing of their bodies a sign of the spiritual healing he brought to all people. "Which is less trouble to say, 'Your sins are forgiven' or 'Stand up and walk?' To help you realize that the Son has authority on earth to forgive sins--he then said to the paralyzed man-- 'Stand up! Roll up your mat, and go home.'" (Mt. 9, 5f.)

The Church that Jesus founded would surely have been derelict had it failed to respond to his example in its attention to handicapped people. It remains faithful to its mission when its members become more and more a people of the Beatitudes, a people blessed in their meekness, their suffering, their thirst for righteousness. We all struggle with life. We must carry on this struggle in a spirit of mutual love, inspired by Christ's teaching in serving others we serve the Lord himself. (cf. Mt. 25, 40) In doing so, we build a community of interdependent people and discover the Kingdom of God in our midst.

The Church, through the response of its members to the needs of their neighbors and through its parishes, health care institutions and social service

agencies, has always attempted to show a pastoral concern for handicapped individuals. However, in a spirit of humble candor, we must acknowledge that at times we have responded to the needs of some of our handicapped people only after circumstances or public opinion have compelled us to do so. By every means possible, therefore, the Church must continue to expand its healing ministry to these persons, helping them when necessary, working with them, and raising its voice with them and with all members of society who are their advocates. Jesus revealed by his actions that service to and with people in need is a privilege and an opportunity as well as a duty. In extending our healing hands to others, we are healed ourselves.

On the most basic level, the Church responds to handicapped individuals by defending their rights. Pope John XXIII's encyclical, Pacem in Terris, stresses the innate dignity of all men and women. "In an ordered and productive community, it is a fundamental principle that every human being is a 'person' . . . [One] had rights and duties . . . flowing directly and spontaneously from [one's] very nature. These rights are therefore universal, inviolable and inalienable." (9)

The word "inalienable" reminds us that the principles on which our democracy is founded also guarantee certain rights to all Americans, regardless of their circumstances. The first of these, of course, is the right to life. We have spoken out on this issue on many occasions. We see defense of the right to life of handicapped persons as a matter of particular urgency, however, because the presence of handicapping conditions is not infrequently used as a rationale for abortion. Moreover, those severely handicapped babies who are permitted to be born are sometimes denied ordinary and usual medical procedures.

All too often, abortion and post-natal neglect are promoted by arguing that the handicapped infant will survive only to suffer a life of pain and deprivation. We find this reasoning appalling. Society's frequent indifference to the plight of handicapped citizens is a problem that cries aloud for solutions based on justice and conscience, not violence. All people have a clear duty

to do what lies in their power to improve living conditions for handicapped people, rather than ignoring them or attempting to eliminate them as a burden not worth dealing with.

Defense of the right to life, then, implies the defense of other rights which enable the handicapped individual to achieve the fullest measure of personal development of which he or she is capable. These include the right to equal opportunity in education, in employment, in housing, as well as the right to free access to public accommodations, facilities, and services. Those who must be institutionalized deserve decent, personalized care and human support as well as the pastoral services of the Christian community. Institutionalization will gradually become less necessary for some as the Christian community increases its awareness of disabled persons and builds a stronger and more integrated support system for them.

It is not enough merely to affirm the rights of handicapped people. We must actively work to make them real in the fabric of modern society. Recognizing that handicapped individuals have a claim to our respect because they are persons, because they share in the one redemption of Christ, and because they contribute to our society by their activity within it, the Church must become an advocate for and with them. It must work to increase the public's sensitivity toward the needs of handicapped people and support their rightful demand for justice. Moreover, individuals and organizations at every level within the Church should minister to handicapped persons by serving their personal and social needs. Many handicapped persons can function on their own as well as anyone in society. For others, aid would be welcome. All of us can visit the homebound, offer transportation to those who cannot drive, read to those who cannot read, speak out for those who have difficulty pleading their own case. In touching the lives of handicapped men, women and children in this way, we come closest to imitating Jesus' own example, which should be always before our eyes. (cf. Lk. 4, 17-19. 21)

The Handicapped Person and the Ecclesial Community

Just as the Church must do all in its power to help insure handicapped people a secure place in the human community, so it must reach out to welcome gratefully those who seek to participate in the ecclesial community. The central meaning of Jesus' ministry is bound up with the fact that he sought the company of people who, for one reason or another, were forced to live on the fringe of society. (cf. Mk. 7, 37) These he made the special object of his attention, declaring that the last would be first and that the humble would be exalted in his Father's Kingdom. (cf. Mt. 20, 16; 23, 12) The Church finds its true identity when it fully integrates itself with these "marginal" people, including those who suffer from physical and psychological disabilities.

If handicapped people are to become equal partners in the Christian community, injustices must be eliminated, and ignorance and apathy replaced by increased sensitivity and warm acceptance. The leaders and the general membership of the Church must educate themselves to appreciate fully the contribution handicapped people can make to the Church's spiritual life. Handicapped individuals bring with them a special insight into the meaning of life; for they live, more than the rest of us perhaps, in the shadow of the Cross. And out of their experience they forge virtues like courage, patience, perseverance, compassion, and sensitivity that should serve as an inspiration to all Christians.

In the case of many handicapped people, integration into the Christian community may require nothing more than issuing an invitation and pursuing it. For some others, however, full participation can only come about if the Church exerts itself to devise innovative programs and techniques. At the very least, we must undertake forms of evangelization that speak to the particular needs of handicapped individuals, make those liturgical adaptations which promote their active participation, and provide helps and services that reflect our loving concern for those with serious problems.

This concern should be extended also to the families, and especially the parents, of handicapped people. No family is ever really prepared for the birth of a handicapped child. When such a child does come into the world, families often need strong support from their faith community. That support must remain firm with the passage of the years. The path to independence for handicapped individuals can be difficult. Family members need to know that others stand with them, at least in spirit, as they help their children along this path.

The central importance of family members in the lives of all handicapped people, regardless of age, must never be underestimated. They lovingly foster the spiritual, mental and physical development of the handicapped person and are the primary teachers of religion and morality. Ministers working in the handicapped apostolate should treat them as a uniquely valuable resource for understanding the various needs of those they serve.

Full participation in the Christian community has another important aspect that must not be overlooked. When we think of handicapped people in relation to ministry, we tend automatically to think of doing something for them. We do not reflect that they can do something for us and with us. As noted above, handicapped people can, by their example, teach the non-handicapped much about strength and Christian acceptance. Moreover, they have the same duty as all members of the community to do the Lord's work in the world, according to their God-given talents and capacity. Because handicapped individuals may not be fully aware of the contribution they can make, Church leaders should consult with them, offering suggestions on practical ways of serving.

Parish Level

For most Catholics the community of believers is embodied in the local parish. The parish is the door to participation for handicapped individuals, and it is the responsibility of the pastor and lay leaders to make sure that

this door is always open. We noted above that the task, on occasion, may not be an easy one; involving some handicapped people in parish life may challenge the ingenuity and commitment of the entire congregation. Yet, in order to be loyal to its calling, to be truly pastoral, the parish must make sure that it does not exclude any Catholic who wishes to take part in its activities.

If the participation of handicapped persons and their families is to be real and meaningful, the parish must prepare itself to receive them. This preparation might begin with a census aimed at identifying parishioners and those with no church affiliation who have significant disabilities. Parish leaders could then work with individuals and their families to determine what steps, if any, are needed to facilitate their participation in parish life.

It may be necessary at this initial stage to place considerable emphasis upon educating the members of the parish community on the rights and needs of local handicapped people. All too often, one hears that there are too few persons with disabilities in a given parish to warrant ramped entrances, special liturgies, or education programs. Some say that these matters should be handled on the diocesan level. Although many parishes have severely limited resources we encourage all to make the best effort their circumstances permit. No parishioner should be excluded on the basis of disability alone.

The most obvious obstacle to participation in parish activities faced by many handicapped people is the physical design of parish buildings. Structurally inaccessible buildings are at once a sign and a guarantee of their isolation from the community. Sometimes all that is required to remedy the situation is the installation of outside ramps and railings, increased lighting, minor modification of toilet facilities, and, perhaps, the removal of a few pews and kneelers. In other cases, major alterations and redesign of equipment may be called for. Each parish must examine its own situation to determine the feasibility of such alterations. Mere cost must never be the exclusive consideration, however,

since the provision of free access to religious functions for all interested people is a clear pastoral duty.

Whenever parishes contemplate new construction, they should make provision for the needs of handicapped individuals in their plans. If both new construction and the adaptation of present buildings are out of the question, the parish should devise other ways to reach its handicapped members. In cooperation with them, parish leaders may locate substitute facilities, for example, or make a concerted effort to serve at home those who cannot come to church.

It is essential that all forms of the liturgy be completely accessible to handicapped people, since these forms are the essence of the spiritual tie that binds the Christian community together. To exclude members of the parish from these celebrations of the life of the Church, even by passive omission, is to deny the reality of that community. Accessibility involves far more than physical alterations to parish buildings. Realistic provision must be made for handicapped persons to participate fully in the Eucharist and other liturgical celebrations such as the Sacraments of Reconciliation, Confirmation and Anointing of the Sick. The experiences and needs of handicapped individuals vary, as do those of any group of people. For some with significant disabilities, special liturgies may be appropriate. Others will not require such liturgies, but will benefit if certain equipment and services are made available to them. Celebrating liturgies simultaneously in sign language enables the deaf person to enter more deeply into their spirit and meaning. Participation aids such as Mass books and hymnals in large print or Braille serve the same purpose for blind or partially sighted members.

Handicapped people can also play a more active role in the liturgy if provided with proper aids and training. Blind parishioners can serve as lectors, for example, and deaf parishioners as special ministers of the Eucharist. In this connection, we look forward to the day when more handicapped individuals are active in the full-time, professional service of the Church, and we applaud

recent decisions to accept qualified candidates for ordination or the religious life in spite of their significant disabilities.

Evangelization and catechesis for handicapped individuals must be geared in content and method to their particular situation. Specialized catechists should help them interpret the meaning of their lives and should give witness to Christ's presence in the local community in ways they can understand and appreciate. We hasten to add, however, that great care should be taken to avoid further isolation of handicapped people through these programs which, as far as possible, should be integrated with the normal catechetical activities of the parish. We have provided guidelines for the instruction of handicapped persons and for their participation in the liturgical life of the Church in, Sharing the Light of Faith: National Catechetical Directory for Catholics of the United States.

Finally, parishes must be sensitive to the social needs of handicapped members. We have already touched on some ways in which Christians can express their concern for their handicapped brothers and sisters. These actions and others like them can help solve some of the handicapped individual's practical problems and dispel a sense of isolation. They also create an opportunity for handicapped and non-handicapped people to join hands and break down the barriers that separate them. In such an interchange, it is often the handicapped person who gives the gift of most value.

Diocesan Level

Efforts to bring handicapped people into the parish community are more likely to be effective if the parishes are supported by offices operating at the diocesan level. At present, the social service needs of handicapped individuals and their families are usually addressed by established diocesan agencies. The adequacy of this ministry should be reevaluated in the light of present-day concerns and resources. Where it is found to be inadequate, the program should

be strengthened to assure that specialized aid is provided to handicapped people. In those cases where there is no program at all, we urge that one be established.

The clergy, religious and laity engaged in this program should help the parish by developing policy and translating it into practical strategies for working with handicapped individuals. They should serve as advocates for handicapped people seeking help from other agencies. Finally, they should monitor public policy and generate multi-faceted educational opportunities for those who minister to and with handicapped people.

Many opportunities for action at the diocesan level now exist with regard to public policy. Three pieces of federal legislation that promise significant benefits to handicapped individuals have been passed within the past few years; each calls for study and possible support. We refer to the Rehabilitation Act of 1973, the Rehabilitation Amendments of 1974, and the Education for All Handicapped Children Act of 1975. Enforcement of the regulations implementing Section 504 of the Rehabilitation Act, which forbids discrimination on the basis of handicapping conditions, is a matter of particular interest. In response to the Rehabilitation Amendments, the Executive Branch of the federal government has also taken recent action, sponsoring a White House Conference on Handicapped Individuals in 1977. This conference was attended by official state delegations, and there would be value in determining which of its recommendations are being applied in the state or states where a given diocese is located. Diocesan offices will also wish to keep abreast of general public policy and practice in their states.

Dioceses might make their most valuable contribution in the area of education. They should encourage and support training for all clergy, religious, seminarians and lay ministers, focusing special attention on those actually serving handicapped individuals, whether in parishes or some other setting. Religious education personnel could profit from guidance in adapting their curricula to the needs of handicapped learners, and Catholic elementary and secondary school

teachers could be provided in-service training in how best to integrate handicapped students into programs of regular education. The diocesan office might also offer institutes for diocesan administrators who direct programs with an impact on handicapped persons.

The coordination of educational services within the dioceses should supplement the provision of direct educational aids. It is important to establish liaisons between facilities for handicapped people operating under Catholic auspices (special, residential and day schools; psychological services, and the like), and usual Catholic school programs. Only in this way can the structural basis be laid for the integration, where feasible, of handicapped students into programs for the non-handicapped. Moreover, in order to ensure handicapped individuals the widest possible range of educational opportunities, Catholic facilities should be encouraged to develop working relationships both among themselves and with private and public agencies serving the same population.

National Level

As the most visible expression of our commitment, we the Bishops now designate ministry to handicapped people as a special focus for the National Conference of Catholic Bishops and the United States Catholic Conference. This represents a mandate to each office and secretariat, as it develops its plans and programs, to address the concerns of handicapped individuals. Appropriate offices should also serve as resource and referral centers to both parochial and diocesan bodies in matters relating to the needs of our handicapped brothers and sisters.

Concluding Remarks

Handicapped people are not looking for pity. They seek to serve the community and to enjoy their full baptismal rights as members of the Church. Our interaction with them can and should be an affirmation of our faith. There can be no separate Church for handicapped people. We are one flock that follows a single shepherd.

Our wholeness as individuals and as the people of God, we say again, lies in openness, service and love. The Bishops of the United States feel a concern for handicapped individuals that goes beyond their spiritual welfare to encompass their total well-being. This concern should find expression at all levels. Parishes should maintain their own programs of ministry with handicapped people, and dioceses should make every effort to establish offices that coordinate this ministry and serve as resource and referral centers for parish efforts. Finally, the National Conference of Catholic Bishops and the United States Catholic Conference will be more vigilant in promoting ministry with handicapped persons throughout the structure of the church.

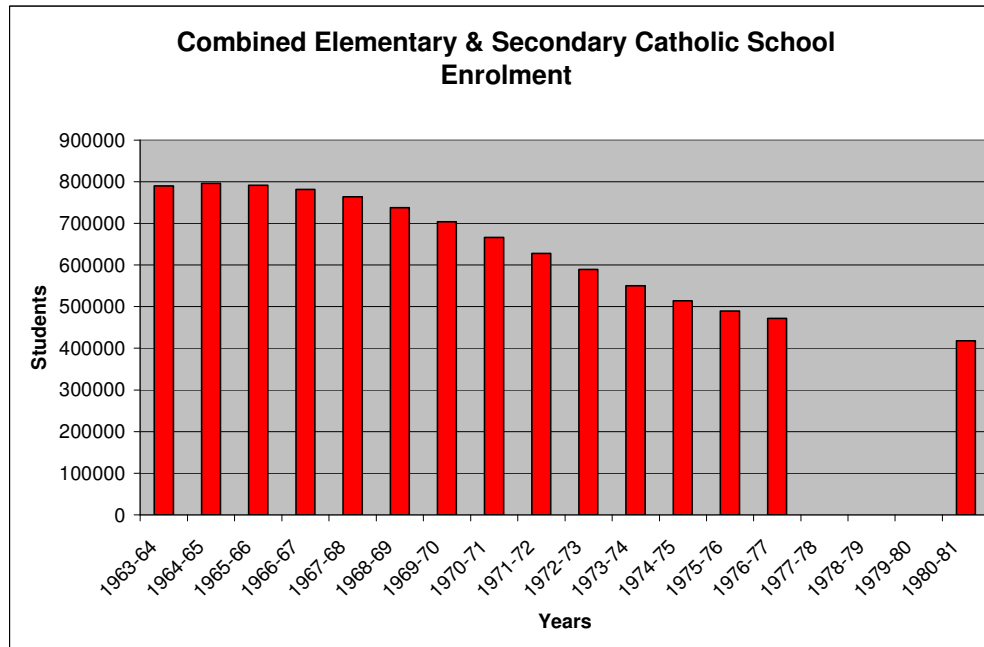
We look to the future with what we feel is a realistic optimism. The Church has a tradition of ministry to handicapped people, and this tradition will fuel the stronger, more broadly-based efforts called for by contemporary circumstances. We also have faith that our quest for justice, increasingly enlisted on the side of handicapped individuals, will work powerfully in their behalf. No one would deny that every man, woman, and child has the right to develop his or her potential to the fullest. With God's help and our own determination, the day will come when that right is realized in the lives of all handicapped people.

Appendix VI

COMBINED ELEMENTARY & SECONDARY CATHOLIC SCHOOL ENROLLMENTS

Diocese	1963-64	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81
Albany	49670	49202	47849	45902	44626	42483	40461	37635	34972	31982	29265	27114	25883	25370	0	0	0	21144
Brooklyn	219097	222237	223502	220741	217103	212716	206387	195993	184884	172835	158482	145976	137743	132266	0	0	0	115937
Buffalo	98987	99481	96929	94070	90892	85549	78637	73360	67924	64703	61263	57371	53758	51206	0	0	0	42529
New York	220852	222090	221615	219758	215372	208909	200623	192813	183098	173766	164584	156399	151344	147863	0	0	0	135245
Ogdensburg	16390	16262	15635	14667	13891	12833	11161	10137	9258	8857	8435	8218	7534	7325	0	0	0	6472
Rochester	56983	56986	55767	54116	51485	47798	44571	41733	40222	36820	34754	32831	31499	30288	0	0	0	26083
Rockville Centre	85795	88046	88792	91325	91057	88810	85127	79981	74463	69398	64682	59644	55819	54054	0	0	0	50332
Syracuse	41840	42023	41551	40848	39337	38692	36898	34836	32781	30529	28598	26847	25333	23779	0	0	0	20132
Totals	789614	796327	791640	781427	763763	737790	703865	666488	627602	588890	550063	514400	488913	472151				417874
Difference from previous year		6713	-4687	-10213	-17664	-25973	-33925	-37377	-38886	-38712	-38827	-35663	-25487	-16762				
% Difference from previous year		0.85%	-0.59%	-1.29%	-2.26%	-3.40%	-4.60%	-5.31%	-5.83%	-6.17%	-6.59%	-6.48%	-4.95%	-3.43%				
Cumulative difference		6713	2026	-8187	-25851	-51824	-85749	-123126	-162012	-200724	-239551	-275214	-300701	-317463				
% Difference from 1963-64		0.85%	0.26%	-1.04%	-3.27%	-6.56%	-10.86%	-15.59%	-20.52%	-25.42%	-30.34%	-34.85%	-38.08%	-40.20%				-47.08%

Source: Annual Council Survey



Appendix VII

ANOTHER ASPECT
OF THE

FINANCIAL CRISIS IN EDUCATION

The Current Problem of Support
For the Education of

Catholic Elementary and Secondary School Children

New York State Council
of
Catholic School Superintendents

September 3, 1969

INTRODUCTION

This Report consists of two parts. The first reviews various facets of Catholic education at the elementary and secondary grade levels in New York State. Each in its own way has some bearing on the mounting financial problems of this sector of American education. The second part presents some remedies toward solving, or at least alleviating, this fiscal crisis which has implications for all of education.

Particular note should be taken of the responsibility of government in this situation. It must equitably assure the proper education of all children while preserving a viable exercise of the parental right of freedom of choice. It must also safeguard to the highest extent possible the financial benefit to the taxpayer which the supporters of Catholic education have voluntarily contributed for so many years by maintaining such a significant number of non-public schools. Economic foresight urges immediate and effective action by civic and government leaders.

We are releasing this report at this time in order that all concerned with the current financial problems of the public schools in this State may realize that those difficulties cannot be resolved without also responding to the needs of three-quarters of a million Catholic school children beset by the very same crisis.

New York State Council
of
Catholic School Superintendents

Sept. 3, 1969

PART I

Section A: PUPILS

I. Enrollments

Presented immediately below is a chart of the total enrollments reported by the eight dioceses for the past five school years and the present one, 1968-69.

Catholic Elementary and Secondary Enrollments

<u>Diocese</u>	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>
Albany	50,024	49,605	48,209	46,263	45,024	42,845
Brooklyn	219,298	222,452	223,718	221,010	217,366	212,797
Buffalo	100,100	100,565	97,902	95,423	92,133	86,756
New York	221,021	222,328	221,615	220,026	215,627	209,210
Ogdensburg	16,390	16,262	15,635	14,667	13,891	12,833
Rochester	57,147	57,159	55,946	54,286	51,661	47,973
Rockville Centre	85,795	88,046	88,792	91,325	91,057	88,810
Syracuse	41,840	42,023	41,551	40,848	39,337	38,692
TOTALS	791,615	798,440	793,368	783,848	766,066	739,916
PERCENTAGE CHANGE	-	+0.86%	-0.63%	-1.19%	-2.26%	-3.41%

2. Major Conclusions

- (a) A trend of declining enrollments is developing.
- Given the declining number of religious, rising costs - increasing salaries of both religious and lay personnel - continued reduction of class size by policy, consolidation of schools, no expansion of facilities, and projected school closings, the trend will undoubtedly continue.
- (b) Declining enrollments, distributed state-wide through more than 1,400 elementary and secondary Catholic schools, do not allow for substantial reduction of costs in so far as total school plants have to continue to operate.
- (c) Implications for public schools:
- (i) that public schools will be absorbing our transfers for pupils with a concomitant increase of costs for public education.
- (ii) that non-public schools will not be absorbing any proportionate share of increasing school-age population as in the past; public schools will have to enroll these additional children as well.
- (iii) that up till the 1966-7 school year the increasing enrollments of other non-public schools in New York State had offset the decline in ours; for the first time in 1967 the net total enrollments of all non-public elementary and secondary schools showed a decline, repeated again this year.
- (d) Research will have to be undertaken on the degree to which other factors may be contributing to this decline; e.g., parental attitudes, diversification of apostolates in religious communities, recognition of the role of Catholic schools by Church structures and personnel, etc.

PART I

Section B: TEACHERS

That the vast complex of Catholic schools became the inspiring reality it is must be credited in major measure to the dedication and service of thousands of religious men and women. The religious sister has been and is rightfully an honored symbol of the Catholic school.

Special tribute must also be rendered to religious communities as such, much is owed in the development of Catholic education to their initiative.

Recognition must also be given to the sacrifice of those lay teachers, who for decades have chosen this apostolate over the professional rewards of public school service.

The existence and growth of the Catholic schools has been predicated, therefore, on the low cost of personnel. For example, estimated per pupil costs in Catholic elementary schools for the current year, 1968-69, would average from \$150 to \$250. This low per pupil expenditure has been made possible by a high ratio of religious teachers, whose salaries range from \$1,200 to \$2,500, and by lay teacher salary schedules which are well below the public school scale.

The impossibility of a continued low cost-high return program is the more apparent when the following statistics are examined.

1. Decreasing Numbers of Available Religious Teachers

Presented immediately below are statistics for the past five years and the current school year showing the number of full-time religious and clerics staffing elementary and secondary schools in the eight dioceses of this State.

Clerical & Religious Full-Time Staffs

Diocese	1963		1964		1965		1966		1967		1968	
	Elem.	Sec.	Elem.	Sec.	Elem.	Sec.	Elem.	Sec.	Elem.	Sec.	Elem.	Sec.
Albany	826	381	844	423	823	402	795	429	790	411	745	378
	Total		Total		Total		Total		Total		Total	
Brooklyn	2,729	1,182	2,739	1,158	2,841	1,206	2,607	1,163	2,441	1,156	2,222	1,131
	Total		Total		Total		Total		Total		Total	
Buffalo	1,387	638	1,387	632	1,358	640	1,337	629	1,314	624	1,246	587
	Total		Total		Total		Total		Total		Total	
New York	2,743	1,586	3,021	1,569	2,967	1,625	2,908	1,599	2,785	1,602	2,583	1,605
	Total		Total		Total		Total		Total		Total	
Ogdensburg	317	117	306	115	301	133	300	99	284	111	264	96
	Total		Total		Total		Total		Total		Total	
Rochester	722	378	691	394	736	396	712	410	655	397	601	394
	Total		Total		Total		Total		Total		Total	
Rockville Centre	1,093	281	1,114	308	1,169	314	1,126	403	1,128	465	1,016	516
	Total		Total		Total		Total		Total		Total	
Syracuse	589	273	656	280	650	288	622	301	611	316	594	308
	Total		Total		Total		Total		Total		Total	
TOTALS	Elementary	Sec.	Elementary	Sec.	Elementary	Sec.	Elementary	Sec.	Elementary	Sec.	Elementary	Sec.
	#	Change	#	Change	#	Change	#	Change	#	Change	#	Change
	10,406	+352	10,758	+87	10,845	+87	10,407	-438	10,008	-399	9,271	-737
	4,836	+43	4,875	+125	5,004	+125	5,033	+29	5,084	+51	5,015	-69
TOTALS	#	%	#	%	#	%	#	%	#	%	#	%
	15,242	+2.6%	15,637	+1.4%	15,849	+1.4%	15,440	-2.6%	15,092	-2.3%	14,286	-5.3%

2. Decreasing Number of Lay Teachers

Correlated with the decreasing number of religious teachers, particularly Sisters, is the increased number of lay teachers. The increase has been necessary, despite substantially decreasing enrollments, because pupil-losses have until now been spread (requiring the continued operation of classrooms and plants) and because programs and courses have increased both in specialization and number.

Full-Time Elementary & Secondary Lay Teachers

Diocese	1963	1964	1965	1966	1967	1968
Albany	Elem.	210	214	215	230	289
	Sec.	47	71	69	84	96
	Total	257	285	284	314	385
Brooklyn	Elem.	1,002	1,081	1,245	1,363	1,550
	Sec.	492	548	568	661	687
	Total	1,494	1,629	1,813	2,024	2,237
Buffalo	Elem.	815	865	912	967	1,019
	Sec.	288	345	352	384	427
	Total	1,103	1,210	1,264	1,351	1,446
New York	Elem.	1,563	1,914	2,066	2,181	2,312
	Sec.	730	806	921	984	1,098
	Total	2,293	2,720	2,987	3,165	3,410
Ogdensburg	Elem.	68	79	84	79	90
	Sec.	22	26	25	24	28
	Total	90	105	109	103	118
Rochester	Elem.	451	516	545	592	634
	Sec.	124	135	149	155	165
	Total	575	651	694	747	799
Rockville Centre	Elem.	595	639	794	868	909
	Sec.	117	132	141	174	233
	Total	712	771	935	1,042	1,142
Syracuse	Elem.	158	166	172	202	221
	Sec.	63	81	96	117	135
	Total	221	247	268	319	356

TOTALS	Elementary # Change	Secondary # Change	TOTALS #	Change %
	4,852	1,883	6,745	
	5,474	2,144	7,618	+12.94%
	6,033	2,321	8,354	+9.66%
	6,482	2,583	9,065	+8.51%
	7,024	2,869	9,893	+9.13%
	7,729	3,288	11,017	+11.36%
	+612	+261	+873	
	+559	+177	+736	
	+449	+262	+711	
	+542	+286	+828	
	+705	+419	+1,124	

3. Ratio of Religious and Lay

Relating the two previous trends, we note also that the relig-ious lay ratio of staffing is also changing at an increasing rate.

Lay Teachers as Percentages of Staffs

Diocese		1963	1964	1965	1966	1967	1968
Albany	Elem.	20.3%	20.2%	20.7%	22.4%	26.8%	28.1%
	Sec.	11.0	14.4	14.6	16.4	18.9	22.7
	Total	17.6	18.4	18.8	20.4	24.3	26.4
Brooklyn	Elem.	26.9	28.3	30.5	34.3	38.8	44.7
	Sec.	29.4	32.1	32.0	36.2	37.3	38.5
	Total	27.6	29.5	30.9	34.9	36.3	42.8
Buffalo	Elem.	37.0	38.4	40.2	42.0	43.7	46.2
	Sec.	31.1	35.3	35.5	37.9	40.6	45.0
	Total	35.3	37.5	38.7	37.7	42.7	45.8
New York	Elem.	36.3	38.8	41.0	42.9	45.4	49.4
	Sec.	31.5	33.9	36.2	38.1	40.7	44.3
	Total	34.6	37.2	39.4	41.3	43.7	47.6
Schenesburg	Elem.	17.7	20.5	21.8	20.8	24.1	27.7
	Sec.	15.8	18.4	15.8	19.5	20.1	24.4
	Total	17.2	20.0	20.1	20.5	23.0	26.8
Rochester	Elem.	38.4	42.8	42.5	45.4	49.2	53.7
	Sec.	24.7	25.5	27.3	27.4	29.4	30.0
	Total	34.3	37.5	38.0	40.0	43.2	46.5
Rockville Centre	Elem.	35.2	36.5	40.4	43.5	44.6	49.5
	Sec.	29.4	30.0	31.0	30.2	33.4	41.0
	Total	34.1	35.2	38.7	40.5	41.8	47.0
Syracuse	Elem.	21.2	20.2	20.9	24.5	26.6	29.4
	Sec.	18.6	22.4	25.0	28.0	29.8	33.0
	Total	20.4	20.9	22.2	25.7	27.7	30.7
TOTALS	Elementary	31.8%	33.7%	35.7%	38.4%	41.2%	45.5%
	Secondary	28.0%	30.5%	31.7%	33.9%	36.1%	39.6%
TOTALS		30.7%	32.6%	34.5%	37.0%	39.6%	43.5%

4. Conclusions

1. A state-wide decrease of some 5.3% religious in the current school year against last year's 2.3% and the previous year's 2.6% indicates that a downward trend is developing in the number of religious staffing the schools.

This conclusion can also be verified by projected closings of some schools at the end of this school year because of withdrawal of personnel by religious communities and by reported probabilities of those leaving religious life. No evidence to the contrary is currently available which would indicate either increase or stabilization in the number of religious teachers for the foreseeable future.

2. The correlative increase in lay staffing follows conclusively from the prior point as well as from the apparent trend. Between the 1963 and 1968 school years religious staffing declined by some 956 teachers or 6.3% (from 15,242 to 14,286); in that same period lay teachers increased 4,272, up 63.3% (from 6,745 to 11,017).

3. At present rates, within one or two years the majority of staff members will be lay for state-wide totals and for several individual dioceses.

4. Since personnel costs are the major item in schools' operational budgets, costs will increase each year at a drastic rate. This will be caused not simply by the increase of lay teachers replacing religious, but also by increasing salary levels for both religious and lay. This increase is definitely foreseeable for a number of reasons: decline in the numbers of religious has impact on religious community income and substantial salary increases for religious teachers are now being sought; we will have to enter more into the general market of teachers and will, therefore, have to become more competitive in salary schedules; cost of living increases (4.7% in 1968 alone) will push salary needs higher; and the current turmoil in ranks of professional education (salary demands and strikes; collective bargaining, and growth of power of teacher organizations) are already or will soon be affecting Catholic schools.

PART I

Section C: PARENTS OF CATHOLIC SCHOOL PUPILS,
CATHOLIC LAITY, AND GENERAL PUBLIC

1. Parents of Catholic School Pupils

The major question at the present time relative to parents appears to be their general attitude toward Catholic schools.

Instances of attempted school closings in some areas have resulted in parental protests, willingness to increase financial support, and acceptances of total staffing by lay teachers.

Consensus among the dioceses on this point indicates:

- (a) Parents, in general, want Catholic schools to continue; their commitment to Catholic schools is still operative. This conclusion has been verified by the limited research undertaken on parental attitude toward Catholic schools; e.g. the attitudinal survey undertaken in the Archdiocese of Indianapolis and the Dioceses of Evansville and Louisville by the Catholic Education Research Center at Boston College.
- (b) Parents are not significantly aware, in general, of the critically increasing problem of financial and personnel resources.
- (c) Until now, parents generally have not been involved in the decision-making process affecting the operation of the schools. Hence, they have not felt responsibility for seeking solutions for the schools' economic problems.
- (d) Reasons for parents withdrawing children are so varied that no common significant pattern of parental attitudes emerges. Major reductions in enrollments appear to be caused by increasing tuition costs, reduction in class sizes and mobility of population. No significant evidence is now available on the degree or extent to which other factors might be operative: attractiveness of public school "extras"; increase of lay teachers; loss of confidence in the future of Catholic schools; need for special services available in public schools; and lack of understanding of the "uniqueness" of Catholic schools.

2. Catholic Laity

The laity continue to contribute to the support of Catholic schools via their parish weekly donations.

This tacit approval in the continuance of a standard practice does not imply a positive attitude. Despite rising costs, contributions have continued at a stable rate; i.e., contributions tend to remain the same or vary only slightly despite significant changes upward in per capita income and downward in purchasing value of the dollar.

In general, this type of giving is relatively detached and unconcerned with the use of the funds.

Attempts to induce greater support from the laity have not significantly raised the level of support. This is understandable in the light of continually rising taxes and costs of living.

3. General Public

Both the consensus of the Council members and a survey of public opinion on Catholic schools conducted in New York State verify that the general attitudes of the public toward Catholic schools may be described as follows:

- (a) Non-Catholics do not feel very familiar with Catholic schools. They lack an understanding of Catholic schools as truly educational institutions, seeing them rather as doing a good job of instilling spiritual values, satisfying parents on religious education, and providing effective discipline.
- (b) Those who tend toward strong opposition to Catholic schools are a relatively small minority and do so by associating or transferring their feelings toward the Catholic Church to the schools.
- (c) The general public is quite vague in its concept of the proportionate size of non-public education in New York State. People tend, therefore, to be significantly unaware of the economic importance of non-public schools for educational cost savings to the taxpayer.
- (d) A vast majority of the public endorses the basic principle of having religiously affiliated schools along with public schools. They recognize the essential need of pluralism and the right of an operable freedom of choice in education.

(e) A significant portion of the general public would be in favor of some type of state aid to non-public school pupils. Given better knowledge of these schools, of the extent of their current fiscal crisis and the impact on parents, and of the economic implications in their decisions for the cost of public education, the ratio in favor of assistance would increase substantially.

The public image of our schools and the public's understanding of them and their significance will needs clarification and improvement.

PART I

Section D: CHURCH STRUCTURES1. Diocese

Statements by the Bishops both nationally and within the State have reaffirmed their belief and support of Catholic schools as a legitimate and effective apostolate of the Church in the temporal and spiritual concerns of this era.

In general, therefore, the Bishops of the State . . .

- (a) Are committed to Catholic schools at the elementary and secondary levels.
- (b) Endorse the need for research and experimentation in order to make such schools more effective educationally.
- (c) Endorse the need for coordination of efforts in the total field of religious education.
- (d) Are studying changes in administrative structures, consonant with their own responsibilities, which would contribute to the resolution of some of the difficulties currently facing the schools and the dioceses.

2. Parishes

General observations on present relationships of schools to the parishes:

- (a) The parish elementary schools each year are using up a proportionately greater share of ordinary parish income, which is remaining stable while school costs increase.
- (b) There is need for more information on the actual cost of Catholic school operation. Present estimates vary widely depending on the cost factors considered.
- (c) Pastors are finding it more difficult to recruit and retain religious teachers for staffing schools.

- (d) Teachers' salaries are a source of increasing concern.
- (e) New parishes are not opening schools or are doing so with reluctance because of the prospect of enormous costs.

General Conclusion:

The relationship of school to parish calls for redefinition - both to strengthen the school's role in contributing to the effective operation of the total parish and to reaffirm the image of the school as an effective instrument in promoting the moral and spiritual welfare of both the civic and parish community.

3. Religious Communities

- (a) Teaching sisters, brothers and priests in the majority (estimates run as high as 75%) are still committed to the educational apostolate, and to school work in particular.
- (b) Their level of professional ability and training is increasing through more selective admission-screening procedures and improved programs of preparation and religious formation.
- (c) Desirous of excellence in their school work, some are experiencing frustration and somewhat low morale, since they find the present system not conducive to such attainment. There is often a lack of opportunity to exercise professional responsibilities in accord with their training. Furthermore, financial pressures are curtailing the range of effective programs and services available to them in meeting the needs of individual children.

PART I

Section E: FINANCES

Contrary to some popular impressions, the financial operators of Catholic schools are not centrally controlled. Too often people view the Church as some type of corporate operation similar to a General Motors or a U.S. Steel in its financial management; they then transfer that image to the schools as if they were systematized in the same fashion as those of a public school district.

By way of background to this section, the following details on the financial aspects of Catholic elementary and secondary school operation should be understood.

- a. Catholic elementary schools and most secondary schools have traditionally been the financial responsibility of the local unit, i.e., of the parish or of the school itself.
- b. With this long-established practice of local financing and management, in past years it was not necessary to develop centralized procedures.
- c. The absence of a broad-scale collection of cost data made it difficult in recent years to forecast or assess directly the growth of the financial squeeze on school operations. Growing individual instances, however, is now developing cumulative evidence which spells general financial crisis in bold and unequivocal terms.
- d. Within the past two years three dioceses have initiated uniform reporting procedures on school operations, and the others are instituting or preparing for such at the present moment.
- e. Some dioceses have already initiated studies on the school costs data that are available to them. One, the Archdiocese of New York, has undertaken this on a major scale as part of its research for its blue-ribbon Committee on Education.
- f. Some dioceses sponsor diocesan high schools. Administered as a system, these do allow for coordinated fiscal analysis. Charging tuition, they are financed by additional subsidies of assessments against parish units or by special appeals for additional funds to meet operational deficits. Capital expenditures and debt service are also covered by the latter two methods and by special fundraising drives. In all of these methods, the burden of system costs is shared by all the laity, again at the local level.

In summary, therefore, two points must necessarily be underlined: (1) the de-centralized system of Catholic education does not make immediately available or easily retrievable complete, broad-scale data on our schools' financial operations at the present time; (2) with the custom of local control and local financing, the schools, whether of the parish or of the diocese, are supported totally by the laity on a year-by-year basis through tuitions, weekly donations, special collections for assessments, and fund-raising campaigns. The current fiscal crisis, therefore, is essentially that of the laity and, more so, of the parents of children in Catholic schools.

1. Instances of Cumulative Evidence of Financial Crisis

a. Where there is some degree of centralized fiscal management, as with diocesan secondary schools, reports indicate mounting deficits and net losses despite catapulting tuitions.

- (1) Though continually increasing secondary tuition rates from \$50 to a current level of \$300 (up 600%), the Diocese of Brooklyn had a \$1,700,000 deficit for 1967-68 and \$2,517,149 for 1968-69.
- (2) For the high schools in the Diocese of Syracuse operating deficits rose from \$138,000 in 1964-65 to \$596,000 in 1968-69, over 400% in just five years.
- (3) After five straight years of raising tuitions from \$90 to \$250, the Diocese of Buffalo will increase it again for 1969-70 to \$350 to ward off a predicted net loss (after all tuition and subsidies) of \$1,400,000 for its twenty-one high schools.
- (4) The four large diocesan high schools of Rockville Centre had an estimated cash deficit of some \$897,000 for 1968-69. For the coming year tuitions will be increased from \$250 to \$300, presuming no decline in enrollments the deficit is expected at a minimum of \$600,000.
- (5) For its twelve high schools with over 14,000 pupils the Archdiocese of New York incurred a 1968-69 deficit of some \$2,160,000.

b. In local parish elementary schools and in private Catholic schools (those operated and financed by religious communities), the picture is the same.

- (1) In one parish operating a school for grades K through 12, costs increased from 1961 (828 pupils) to 1968-69 (595 pupils) by 149.8% (from \$57,177.18 to 127,946.38). At the same time its total income went up in the same period only some 54.6%. The school will not open in September 1969.

- (2) In all of the elementary parochial schools of the Diocese of Rochester lay teacher costs jumped 24% in one year with only a 7% increase in number between 1967-68 and 1968-69.
- (3) A private high school in a relatively sound economic area experienced two successive years of losses of \$30,000 and then \$45,000. These were offset each time only by special activities and support by parents and friends. It is now operating on a year-to-year basis to remain open or close, the school enrolls 575 pupils in grades 9-12.
- (4) The Committee on Education for the Archdiocese of New York reported that the elementary schools of the Archdiocese will be \$30 million in the red by 1972. Cash operating costs per pupil jumped from \$55 in 1958 to \$133 in 1968 and are projected to be somewhere between \$179-\$238 by 1970, between \$255-\$379 by 1972. These costs exclude contributed services, depreciation, and other non-cash costs. Including the latter, the real per pupil costs for 1968 would be \$396.

(5) An accounting firm's financial analysis of another private high school reveals four straight years of operating losses. Previously covered by cash reserves the school was finally forced to borrow \$30,000 to meet its 1967-68 loss and maintain operations in order to open for 1968-69. With a tuition increase from \$200 to \$300 in September 1968, enrollments declined from 666 to 578. Repayment of loan, increased costs, and drop in projected possible revenues has resulted in another net loss and forced the school to obtain another bank loan this time higher, to complete its school year. Its officials are now reviewing its continuance of operations, though only thirteen years in existence.

2. Conclusions

a. Just as vulnerable to rising costs and inflationary effects on income purchasing power, Catholic schools are experiencing financial difficulties similar to the public schools. Indeed public school expenditures have a real relation to non-public education; the teacher wage spiral in public education has a direct effect on our own wage scales which attempt to maintain a just and reasonable proximity to theirs.

b. Likewise affected by inflation and higher costs, the Catholic parent and laity are more than ever experiencing real difficulty in supporting both public schools through rising taxes and their own schools through tuition and voluntary contributions. Declining enrollments after substantial tuition increases as well as the slowing down of any increase of contributions in recent years point to "the well going dry."

c. Superseeded by tuition and voluntary contributions, the financial crisis of Catholic education is much more serious and far-reaching in its possible effects than the public schools whose existence and income are legally maintained and reinforced.

d. Continued operation of the schools anywhere near present levels of enrollments and staffing will prove economically impossible for parents and laity within one to two years without government financial aid.

e. Discontinuance of Catholic schools on any major scale will compound public school financial problems by greatly increased costs. For the necessary additional income, taxes will have to be raised drastically.

PROPOSALS TO THE FISCAL CRISIS

Of major and immediate importance is the present fiscal crisis of Catholic elementary and secondary education. Its immediacy of need is reinforced by the fact that delay could only aggravate the problem and make any solution that much more difficult and costly.

The present situation warrants, indeed requires, that the total method of financing education for children in Catholic schools be redesigned. Three major approaches should be taken.

1. Internal Procedures

(a) We recommend that our schools and their respective dioceses institute as soon as possible a state-wide uniform accounting system toward more effective use of the financial resources already available to the schools. We urge the institution of such procedures in order that a more accurate picture may be obtained of the fiscal state of the schools.

We urge that all schools be required to prepare an annual budget and a three-year projection of costs and income. We suggest centralized purchasing procedures in those dioceses where this practice has not been instituted and, according to circumstances within individual dioceses, centralized financing so that the total available resources for education in a diocese may equitably serve the total needs of all children.

(b) Without projecting ourselves into the much larger field of the total financial concerns of the Church in all its various activities, we feel strongly that we must establish in the minds of our Catholic people and the general public the credibility of two points: the actuality of our financial need in education and the inadequacy of our own financial resources to meet those needs.

The processes we have recommended above will go far in assisting to establish both these points.

We recommend that the principle of financial accountability in school operations be endorsed by parishes and dioceses. We believe that financial accountability will ensure that the financial needs of our schools are real, that the dioceses and individual parishes have extended themselves for education while carrying on a variety of charitable and social welfare works.

2. Responsibility of the Laity

The history of the Catholic schools in this state stands as an irrefutable testament to the generosity and sacrifice of the Catholic people. Adults of this era attest time and again to the sacrifices made by their parents in days of less affluence to send their children to Catholic schools. We are certain that, were Catholic schools in America to cease tomorrow, the record of their phenomenal growth would have to be recorded as one of the most outstanding accomplishments in the history of education, be it of this state or of the nation.

But as our parents and their parents and the total laity responded to the needs of the schools and the Church in their times, the challenge or rather the appeal, must now be presented to all the people of God in this day to respond to the needs of today.

Given the need for the continuation of our schools, two responsibilities must be assumed by the laity:

(a) All of the laity must recognize that Catholic education in all its variant forms, including the elementary and secondary schools, requires their support. In unequivocal terms we now call upon them in this era not only to continue, but even to increase their financial support of Catholic education. And we say this in full knowledge of all the economic demands of our age. The Church and its schools are now in need of support and assistance; we turn to our laity, confident that they will respond if they are aware of the need.

(b) Parents of children in our schools have a special obligation. They bear a responsibility for the education of their children; indeed, they have the primary responsibility to see to it that their children receive an education which will fit them to develop their full potential for this world and the next.

In accord with this obligation we recommend that in each diocese a stated policy on tuition be instituted. We recognize that for many years the Church has felt that support of the schools was the responsibility of all Catholics, whether parents of school-age children or not. We do not deny the continued applicability of such a principle, but we urge that parents who may reasonably afford it participate more concretely in the fulfillment of their responsibility for the proper education of their children by paying tuition according to their means.

3. Governmental Support

With the knowledge of the extent to which the Catholic laity have extended themselves in support of both Catholic schools and public education and with the knowledge that even increased support from them will not adequately meet the needs of the schools, we believe that parents must now turn to the State and Federal governments for assistance. They can do so without hesitation and with full understanding of the limitations imposed by our principle of separation of Church and State. For they recognize, and would now urge others to recognize, the contributions which our schools render to the social, economic, moral, and democratic life of our country.

Despite opinions to the contrary, research has established that Catholic education, rather than being divisive, contributes no less to the social well-being of communities than the public schools.

The significance of Catholic education to the economic well-being of New York State can be simply stated. Three-quarters of a million children in Catholic schools saved this State and its taxpayers approximately \$750,000,000 in operational expenditures this year alone. If we were to add a capital investment in additional facilities, school district indebtedness would have to be increased by substantially more than two billion dollars. If the present trend of declining enrollments in Catholic schools were hastened by a policy of closing schools, there would be disastrous consequences for hundreds of school districts.

Public school authorities are deeply concerned about the effectiveness of their institutions in the teaching of moral and spiritual values. This is not intended to demean the efforts of public school educators, for whom we have the highest respect for their dedication to the children of this State. Nor is it meant to imply that some public institutions are not extending themselves to educate their pupils to the moral obligations which the preservation of the blessings of this country requires of them. We do state that, given the current sense of values of society in general, given the wide range of problems facing public education in the moral sphere of rightful authority, reasonable freedom, personal and community health and safety, and social responsibilities, the need of present-day society for men and women educated theocentrically, committed to moral and spiritual values based upon a religiously-supported philosophy of life, is without parallel in our history.

The absence of our schools from the American education scene would leave us with a monolith where "freedom of choice" in a democratic society would be destroyed because the opportunity to exercise that right would be non-existent. Recognition should be given to the contribution of sound and effective non-public schools to principles long recognized as essential to our democratic way of life: pluralism, competition, and, above all, the freedom and rights of the individual.

We firmly believe that the preservation of good non-public schools, sectarian and secular, is in the best interests of our American way of life. Fully aware of the legal questions and of the solutions possible through the interpretations of the courts of both our State and our nation, we call upon our State government in both its executive and legislative branches to effect the following proposals:

- (a) To recognize that Catholic education, even if supported to a yet greater degree by laity and parents of children in the schools, cannot continue for much longer without governmental assistance in a significant manner.
- (b) To accept our sincerity when we say that
 - (1) no funds are sought for religious purposes, since we fully accept the First Amendment of the Federal Constitution. Therefore, all safeguards must be used to prohibit the use of public funds for specifically religious purposes, or for any program of religious instruction in the tenets or doctrines of our faith or any other.
 - (2) we support, and indeed demand, not only the preservation of sound public schools, but the development of methods whereby assistance to non-public schools will not diminish State assistance to public schools, but rather reinforce it. We cannot accept arguments that assistance to the education of children in non-public schools will harm public schools; rather in the present fiscal crisis of public education we see viable, non-public schools as a remedy for the increasing costs of public schools. If the Catholic schools in one of the twelve largest urban areas of the State were to close, public education would suffer disastrous effects. Why then is not the converse also true? Public schools costs are rising not simply because of increased costs of living and legally mandated increments; but because non-public schools are no longer absorbing even a proportionate share of the increasing school-age population.

Between June and September, 1968 Catholic elementary and secondary school enrollments in New York State declined by over twenty-six thousand, in terms of per pupil costs (at \$1,140) this decline added some \$29.5 million to public school budgets. And this occurred when all school enrollments were projected to increase by some seventy-five thousand pupils. If the non-public schools had absorbed even ten percent of that increase, the cost to public schools due to enrollment growth would have been about \$77 million. Instead, including the decline of Catholic school enrollments adding \$29.5 million (transfer pupils are unlikely to go to other private schools), public schools had to assume their own share of increase in enrollments (\$77 million) plus the share of non-public schools (\$8.5 million) for a total of some \$115 million! This represents a \$38 million tax problem for New Yorkers this year!

And what about next year or the year after if current Catholic school enrollment trends continue, or if a policy of cut-back is instituted in any diocese?

(c) To institute a program of financial assistance for pupils in elementary and secondary non-public schools in those fields wherein the schools meet the legal requirements of instruction and services.

(1) We urge that this assistance be rendered toward those elements of a child's education which are recognizably secular and contributive to the common good.

(2) We recognize the legitimate right and responsibility of the State to insure that such assistance shall be rendered only where specified standards of quality education are met and where the institution must render full accountability that the funds were expended solely for the purposes specified.

While we acknowledge the benefits to our pupils of the supplementary services already provided by the State in the forms of transportation, textbooks, and limited health services, we must also indicate that these are not serving the critical needs of the educational process of these children. Indeed our assistance to local public school agencies in providing for the administration of these programs, especially the Textbook Act, has actually been a cost to Catholic education in both financial and personnel resources.

(d) To consider seriously the following forms of financial assistance to non-public school pupils and to institute them without delay.

- (1) Some type of non-public educational legislation which would
 - guarantee to parents a freedom of choice consonant with the State's responsibility in education.
 - provide fiscal relief for parents and pupils in non-public elementary and secondary schools, adequate to meet their mounting financial problems, in the provision of secular education.
 - take effect for the 1970-71 school year.
 - permit the use of such funds toward any legally required instructional programs and services.
 - provide for State supervision and school accountability within the recognized rights and responsibilities of both.
 - be designed so as to take into consideration the economic needs and status of the community and families of the children served by the schools.
 - assume equality of education for all.

(2) Immediate Enactment of Legislation which would permit the State Education Department to include the participation of non-public school pupils in services and benefits of the Urban Education Program.

- (a) Since Catholic education is more committed proportionately to urban schools than is public education (55 percent of our enrollments are in the major urban centers vs. 47 percent of public schools), it is unreasonable and discriminatory on the part of the State to restrict children who meet the qualifications for State assistance from participation by reason of the school they attend.

(b) Furthermore, in view of the precedent established by the federal government in the provisions of the Elementary and Secondary Education Act of 1965 and its subsequent amendments, we challenge as prejudicial and unjust the State's rigid interpretation of Article XI, Section 3. The State's Court of Appeals by reversing the Judd decision in its majority opinion for the Textbook case has provided ample grounds for validating the inclusion of non-public school children in the services of the Urban Education Program.

- (3) The establishment of a permanent Commission for Non-public Education which would
- (a) evaluate the needs of the non-public education of children for financial assistance from the State;
 - (b) supervise the provision of such financial assistance to qualified institutions;
 - (c) supervise the expenditure of such funds;
 - (d) in general, oversee the rights of non-public education in relation to the State and the rights of the State in relation to the private institution.

It should be noted that such a Commission would not replace the educational authority of the Board of Regents or the State Education Department. Its responsibilities would be limited to determination of legitimate financial needs and to proper fulfillment of legal requirements in the expenditure of State funds.

It is recommended that this Commission function under the authority of the Board of Regents, but not within the present structure of the State Education Department. The State Education Department has primary responsibility toward the financial welfare of public education in the use of State Funds. It would be ambivalent to require the State Education Department to assess the needs of both segments of education in this State for presentation of budget requirements to the legislature. Such a presentation would expose itself to assisting one segment at the expense of the other. Both should be considered independently, and neither should fear that the provision of services might have to suffer were the needs of others to be included.

Appendix VIII

Mr. J. Alan Davitt, Executive Secretary, New York State Council of Catholic School Superintendents

Candidate for President of the Department of Chief Administrators of Catholic Education

J. Alan Davitt, Executive Secretary, NYS Council of Catholic School Superintendents, since 1967, after 1954-67 as Director of Secondary Education, Diocese of Buffalo.

Besides diocesan and state administrative experience, he has taught high school, college, and graduate school. Two Masters (Education, Woodstock College; English, Canisius); graduate work in educational administration: Ottawa University and State University of New York at Buffalo (doctoral program).

Some NCEA activities: has attended every Convention (except one) since 1955 and Superintendents-CACE meetings since laymen first participated; Problems and Plans 1964-67; Secondary English Curriculum; 1969 Service and Expansion Committee which developed Data Bank Program; Washington Symposium; past secondary regional officer; house of delegates; currently Secondary Executive Board. For USCC chaired 1972-73 ESEA Task Force and participates in Ad Hoc Committee on School Aid.

In New York State Mr. Davitt is a member of Education Commissioner's Advisory Council of School District Administrators (first nonpublic school representative appointed) and Interfaith Advisory Committee; also ESEA II SAC and numerous ad hoc committees.

Dossier lists: chairman, NYS Conference for Nonpublic Education; executive board, NYS Federation of Catholic School Parents; executive secretary, NYS Catholic High School Athletic Association; trustee, Lemoyne and Maria Colleges; advisory boards, civic and church-related; various professional memberships, including AASA, NASSP, Phi Delta Kappa.

Mr. Davitt's work with NYS Catholic Committee and Bishops' Conference brings him into contact with the whole span of Church's educational apostolate.

Present member, St. Thomas School Board, he has also served parish as lector and extraordinary minister. He and wife Mary have six children, five school-aged attending Catholic schools.

Appendix I

PREAMBLE

We, the diocesan directors of the Confraternity of Christian Doctrine of the State of New York, recognizing the need for close collaboration in our work of promoting sound and effective programs of religious education, wish to consolidate and strengthen the pattern of co-operation and community achieved by the directors of the C.C.D. in the State of New York and their staffs by giving this organization the following provincial constitutional form.

NAME

In this constitution, the New York Province of the Confraternity of Christian Doctrine directors will be known as the New York Confraternity Directors (NYCD).

PURPOSE

1. To promote communication and collaboration among the C.C.D. Directors and their staffs in the Dioceses of the State of New York.
2. To provide a strong New York State Provincial Unit for the National Conference of Diocesan Directors.
3. To identify the needs and present the goals of the C.C.D. in the State of New York to the Bishops, to the New York State Catholic Committee and to the Community at large.

MEMBERSHIP

The Diocesan Directors of the C.C.D., their assistants and associate directors and their executive staff members shall be members of the NYCD.

OFFICERS

1. Officers of the NYCD shall be the chairman, the vice-chairman and the secretary-treasurer.
2. The Chairman shall select the nominating committee. Officers will be elected by the members according to the voting procedure described later in the constitution.
3. Elections are to be held at the December meeting on alternate years.
4. The terms of office for the Chairman and Vice-Chairman shall be two years, for the Secretary-Treasurer, one year. Officers may be reelected.

5. The Chairman is to preside at all meetings, to represent the New York State Province at the National Conference of Diocesan Directors meeting and activities, to call special meetings, to establish committees and to appoint members to committees, to call a special election when necessary.
6. The Vice-Chairman shall fulfill the duties of the Chairman in his absence and be responsible for the preparation of the Agenda for the meetings, in collaboration with the Chairman.
7. Diocesan Directors, assistant and associate directors only are eligible for nomination as chairman and vice-chairman.
8. The Secretary-Treasurer shall keep minutes of all meetings collect assessments, make a financial report to the membership and serve as public relations officer for the group.

MEETINGS

1. The NYCD shall meet on the first Tuesday and Wednesday of October, December, February and May. The directors shall meet also at the annual meeting of the national directors meeting.
2. The October and February meetings are intended primarily for directors.
3. The place for each meeting will be determined by the membership. Whenever possible the sites will be rotated.
4. Minutes of each meeting shall be mailed to members within two weeks after the meeting.

COMMITTEES

1. Committee members shall be appointed by the Chairman.
2. Members of the NYCD shall be free to take an active part in the work of any Committee and to attend any meetings of Committees.

STANDING COMMITTEES

1. The Chairman and Vice-Chairman (or alternate) shall represent the NYCD on the New York State Catholic Committee. They shall attend the NYCC meetings, and report on these meetings.
2. A Religious Committee, made up primarily of religious, shall be appointed to concern itself with establishing and maintaining communication and co-operation between the NYCD and religious communities whose members are involved in C.C.D. work in New York State.

FINANCES

1. Participants shall share the cost of provisional meetings.
2. The Secretary-Treasurer shall present the membership with a budget at the February meeting, prepared on the basis of incurred and anticipated expenses as submitted by officers of the organization. The secretary will accept as official expenses only those expenditures previously approved by the chairman.
3. Expenses of the NYCD shall be pro-rated to the dioceses on the basis of the schedule drawn up by the National Conference of Diocesan Directors.
4. The Secretary-Treasurer shall submit a financial report at the annual February meeting.

VOTING PROCEDURE

1. Each diocese shall have two votes on any matter presented to the organization.

QUORUM

1. The presence of representatives, qualified to vote, from five dioceses of the state shall constitute a quorum.

CONSTITUTIONAL AMMENDMENTS

1. 12 votes are necessary for a constitutional amendment.

adopted at Lake Placid
May 21, 1969

NEW YORK STATE COUNCIL OF DIOCESAN
DIRECTORS OF RELIGIOUS EDUCATION - CCD

PREAMBLE

We the New York State Council of Diocesan Directors of Religious Education - CCD, recognizing the need for close collaboration in our work of promoting sound and effective programs of religious education thereby giving this organization the following provincial constitutional form.

NAME

In this constitution the New York Province of Directors will be known as the New York State Council of Diocesan Directors of Religious Education - CCD (NYCDDRE-CCD)

PURPOSE

The New York State Council of Diocesan Directors of Religious Education - CCD (NYCDDRE-CCD) exists to foster the religious growth and development of the people of New York primarily by:

- (1) Supporting and nurturing the member directors.
 - The Council is to provide a forum for mutual support psychologically, morally, and professionally.
- (2) Participating as a constitutive body of NCDD, evaluating the activities of the NCDD, and implementing them as applicable to New York State.
 - To define and implement the relationships of the Directors with NCDD.
- (3) Addressing the needs and concerns of religious education to the New York State Catholic Conference and also to the educational components of the Conference's programs.
 - To define and implement the relationship of the Council with the New York State Catholic Conference.
- (4) Relating also to other religious and civic groups with whom the Directors share common concerns.

MEMBERSHIP

The Diocesan Directors of Religious Education - CCD, and their Assistants (Associates), as proposed by the respective Directors, shall be members of the NYCDDRE-CCD; in those dioceses which have this particular structure, Secretaries

of Education (or Vicars of Education, or Diocesan Directors/ Superintendents of Education) shall be members of the Council.

OFFICERS

- (1) Officers of the Council shall be the chairperson and the vice-chairperson, who shall also serve as treasurer.
- (2) The terms of office for the chairperson and vice-chairperson/treasurer shall be two years; officers may be re-elected once after having completed a full term initiated by election.
- (3) The chairperson is to preside at all meetings of the Council, is authorized to call special meetings, is empowered to establish committees and to appoint members to committees, and to call for special elections when necessary.
- (4) The vice-chairperson shall fulfill the duties of the chairperson in his absence; as treasurer he will collect assessments, make disbursements, and present financial reports at least annually to the membership.

ELECTIONS

- (1) Officers shall be elected by the members according to the procedure described later in this constitution.
- (2) Elections are to be held at the June (or final) meeting of alternate years.
- (3) Elections shall be by simple voice vote unless a closed written ballot is requested.

LIAISON REPRESENTATION

- (1) A Council member shall be elected to represent the Council by serving on the Board of Directors of the NCDRE-CCD. He shall be elected for a term of two years, renewable for a second term.
- (2) The Council members shall endorse for presentation to His Eminence Cardinal Cooke the name of a member who might serve as an at-large member of the New York State Public Policy Committee of the State Catholic Conference.

- (3) United States Catholic Conference advisory committees: The Council reserves the right to designate by request the names of specific persons from Region II who might serve on various advisory committees of the desks of USCC.

MEETINGS

- (1) The NYCDDRE-CCD shall meet annually according to a schedule adopted by the membership. The meetings of the NYCDDRE-CCD shall take place no less than four meetings per year, one of which shall take place at the annual convention of the National Conference.
- (2) The place for each meeting will be determined by the membership. Whenever possible, the sites will be rotated.
- (3) Minutes of each meeting shall be prepared by the executive secretary and mailed to the members within approximately two weeks after the meeting.

COMMITTEES

- (1) The Council has the right to establish whatever standing committees and ad hoc committees are deemed appropriate for the accomplishment of its objectives; all committees shall be established by vote of the Council, and the membership shall be named by the chairperson.
- (2) Committee chairpersons shall be appointed by the Council chairperson.

FINANCES

- (1) Participants shall be responsible for the cost of provincial meetings.
- (2) The New York State Catholic Conference shall cover other appropriate costs as may relate to the convening of the Diocesan Directors.
- (3) Expenses of the NYCD shall be shared by the member dioceses on the basis of the annual assessment set by the members.
- (4) The treasurer shall submit an annual report.

VOTING PROCEDURES

- (1) The ordinary business of the Council shall be conducted by consensus; votes will be instituted by the chair upon the request of any member.
- (2) Each diocese shall have two votes on any matter presented to the organization for formal vote.

QUORUM

- (1) The presence of members from five dioceses shall constitute a quorum.

CONSTITUTIONAL AMENDMENTS

- (1) Twelve votes are necessary for a constitutional amendment.

STAFF

- (1) In accordance with the staffing procedures of the New York State Catholic Conference, the services of a staff person shall be made available to the Council.
- (2) The staff person shall carry out those responsibilities assigned to him by either the executive director of the Conference or by the president of the Council. These responsibilities shall consist of preparing the agenda for meetings in consultation with the chairperson; making arrangements for the meetings; providing information and data as requested by the Council; compiling and distributing the Minutes of each meeting; and fulfilling such other functions as advanced the objectives of the New York State Council of Diocesan Directors of Religious Education.

Revised
September 27, 1979

Appendix III

DIOCESAN DIRECTORS OF CCD/RELIGIOUS EDUCATION/FAMILY LIFE

1969 – 1981

Archdiocese of New York

Monsignor Eugene F. Richard	1968-1969
Monsignor Hugh B. Curran	1970-1973
Father Michel J. Wren	1974-1978
Father John Woolsey	1979-1981

Diocese of Albany

Father Richard E. Willson	1968-1971
Father Gerard Tierney	1971-1978
Father John Provost	1979-1981

Diocese of Brooklyn

Father Kenneth Morgan	1968
Father John F. Curry	1969-1979
Father Gregory Smith	1979
Father Michael Phillips	1980-1981

Diocese of Buffalo

Father Thomas J. Beasley	1968-1971
Father Eugene F. Kolb	1972-1973
Father Paul Cronin	1974-1981

Diocese of Ogdensburg

Father Stephen C. Nevin	1968-1972
Father Clyde A. Lewis	1973-1979
Father Dennis Duprey	1980-1981

Diocese of Rochester

Monsignor Albert Schnacky	1968-1969
Father Albert Shamon	1970-1971
Father Dan Holland	1972-1973
Father Robert Collins	1973
Sister Michael Lappetito	1973-1976
Father Don Schwab	1977
Father Lewis Brown	1978-1981

Diocese of Rockville Centre

Father Frederick E. Schaefer	1968-1975
Father Francis Maniscalco	1975-1981

Diocese of Syracuse

Father John Russell	1968
Father Norbert Henry	1969-1978
Father Michael Meagher	1978-1981

In the beginning...



...after thirteen years as Director of Secondary Education for the Diocese of Buffalo, J. Alan Davitt was selected to become the first Executive Secretary of the New York State Council of Catholic School Superintendents, a division of the "State Catholic Committee," predecessor of the State Catholic Conference. That was in 1967. In his new statewide position, Alan became a liaison for the eight dioceses to interact with the State Education Department, the Legislature, the U.S. Catholic Conference and a variety of other organizations. It was a pioneering move, as Alan became one of the first laymen in the nation to assume such a post.



And on that first day, Alan immediately began work to repeal the Blaine Amendment to the 1894 New York State Constitution, a provision which denied any state or local aid to religiously-affiliated schools. Alan said,

"Let there be assistance to the over one million children in religious schools. Let us strengthen pluralism in education. Let us foster cooperation between Church and State."

The effort laid the groundwork for future assistance to nonpublic school children, and people saw that his work was good.

And on the 1,095th day, Alan continued his advocacy efforts by educating the Fleischmann Commission, a creation of Governor Nelson Rockefeller and the State Board of Regents charged with studying the future of

nonpublic schools in New York State. Alan made all kinds of testimony, all kinds of private meetings and all kinds of public announcements to raise awareness of the needs, the effectiveness, the quality and the benefits of nonpublic schools.



Alan enjoys laughs with colleagues at NCEA Convention

At the same time he became a chief proponent of the "Mandated Services Act," providing state funds to nonpublic schools for reimbursement of costs incurred in meeting mandates like school testing, evaluating and reporting. Everyone saw that it was good. And so it happened.

On the 3,650th day, Alan was elected President of the Chief Administrators of Catholic Education (CACE) of the National Catholic Education Association (NCEA), the first layman ever to hold that prestigious national position. So began Alan's steadfast, dedicated and generous service on many state and federal education panels, boards, advisory and executive committees. He was selected for all kinds of State Commissioners' appointments, Presidential appointments and U.S. Bishops' appointments.



On the 4,380th day, Alan helped develop a landmark report on the relationship between the State Education Department and nonpublic schools. And he said,

"Let there be a new Education Department position to assist nonpublic schools, to ensure these schools are served by the state and have the opportunity to participate in all appropriate programs. And let it be called the 'Office of Assistant Commissioner for Nonpublic Schools'."

And Commissioner Gordon Ambach saw that it was good. And so it happened. The post continues today -- built on the foundation of Alan's bold, effective leadership -- withstanding major reorganization of the Education Department in recent years.



Alan, wife Mary, and former Education Commissioner Gordon Ambach

On the 4,684th day, Alan assumed the awesome responsibilities of Executive Director of the New York State Catholic Conference, taking under his wing, together with Catholic schools, Catholic Charities, Catholic hospitals and nursing homes, chaplains, human life directors, and all their array.



Alan at bill signing with former Governor Hugh Carey

During his tenure he significantly developed Catholic Conference relationships with the Executive and Legislative branches of government, establishing regular meetings with the Governor and legislative leaders. He presided over the Conference

and guided public policy efforts resulting in welfare increases for the poor, prenatal care assistance for pregnant women, and the prompt payment law for voluntary agencies in receipt of state funds. He developed ecumenical efforts statewide, working cooperatively with the State Council of Churches and State Board of Rabbis on many projects.

On the 4,745th day, Alan said,

"Let there be a NYSCC Committee on the State Catholic Chaplaincy Apostolate to provide the Bishops with advice on concerns unique to chaplain ministry in institutions, hospitals and prisons."

And so it was. The Bishops saw that it was good and Alan has convened the state chaplains every year since.

On the 6,570th day, Alan moved the New York State Catholic Conference to its new location, established current staff and operations, and saw that it was good.



Alan, wife Mary, and Albany Bishop Howard Hubbard

On the 6,935th day, Alan said,

"Let there be a pro-life commission of the Bishops, to educate and raise consciousness of the sanctity of human life and the many threats to life in our society today."

And so the Cardinal Cooke Pro-Life Commission was born.

On the 7,300th day, Alan said,

"Let there be a yearly statewide advocacy day for the social justice issues espoused by the Catholic Church in New York State, putting those concerns into the spotlight."



John Cardinal O'Connor presents award to Alan at 1992 Public Policy Forum

And so an historic event occurred, the first annual "Public Policy Forum," convening almost 2,000 Catholics in the state's capital. And everyone saw that it was good.

On the 8,030th day, Alan, together with representatives of many faiths, participated in the cornerstone laying for the first-ever "Inter-Faith Center" at a state prison, providing religious worship, study and meditation for inmates.



Alan at Inter-Faith Center

On the 8,760th day, Alan stepped down from the position of Executive Director, becoming a part-time consultant to the New York State Catholic Conference, and soon after was named to a state "Blue Ribbon Panel on Catholic Schools," chaired by former Governor Hugh Carey, a position Alan retains today.

Thus the solid foundations for advocacy efforts on behalf of Catholic teaching and values, Catholic dioceses, parishes, agencies and institutions were built. And the groundwork was completed for the ongoing work of the Public Policy

Committee, the Catholic School Superintendents, the Catholic Charities Directors, the Catholic Healthcare Council, the Directors of Religious Education, the human life directors, the chancellors and fiscal officers, the cemetery directors, the chaplains, the diocesan attorneys, the editors and communication directors, the advisory committees, ad hoc committees, subcommittees and task forces.

And on the 9,490th day, he rested.



Alan relaxes with wife Mary and grandson Daniel

EVENING PROGRAM June 14, 1993

7:00 pm DINNER BLESSING	<i>Most Rev. Edward Head Bishop of Buffalo</i>
TOAST	<i>Most Rev. Thomas Costello Auxiliary Bishop of Syracuse</i>
DINNER	
FORMAL PROGRAM BEGINS	<i>Joseph McTighe Master of Ceremonies</i>
LEGISLATIVE RESOLUTION	<i>Howard Nolan, Jr. NYS Senator</i>
"REMEMBERING"	<i>Mary Davitt</i>
REMARKS	<i>Most Rev. Howard Hubbard Bishop of Albany</i>
"A TRIBUTE TO DAD"	<i>The Davitt Family</i>
COMMENTS	<i>John Kerry NYSCC Executive Director</i>
REMARKS	<i>John Cardinal O'Connor Archbishop of New York</i>
RESPONSE	<i>J. Alan Davitt Honoree</i>
BENEDICTION	<i>Most Rev. Stanislaus Brzana Bishop of Ogdensburg</i>

State of New York Legislative Resolution

Senate No. 801

BY: Senator Nolan



HONORING J. Alan Davitt for his many years of service to the New York State Catholic Conference on Monday, June 14, 1993

WHEREAS, Individuals who give of their time and energies and serve the best interests of their communities are an asset beyond remuneration and cannot be sufficiently extolled; and

WHEREAS, J. Alan Davitt has given not only of his time and energies but also of his competence, intelligence and leadership and consequently has been designated for special honor; and

WHEREAS, J. Alan Davitt will be honored for his many years of service to the New York State Catholic Conference by His Eminence John Cardinal O'Connor and the bishops of New York State at a Testimonial Dinner to be held on Monday, June 14, 1993; and

WHEREAS, Born in Springfield, Massachusetts and raised in New York City, J. Alan Davitt has been a consultant for the New York State Catholic Conference since July 1, 1991; and

WHEREAS, He was employed by the Department of Education, Diocese of Buffalo as the Assistant Superintendent for Secondary Education from 1954-1967; the New York State Council of Catholic School Superintendents, Executive Secretary from 1967-1979 and the New York State Catholic Conference, Executive Director from 1979-1991; and

WHEREAS, He attended Regis High School, New York City and graduated in 1942; Woodstock College, Woodstock, Maryland and earned his A.B., 1949, his Ph.L., 1950 and his M.A.T., 1956; Canisius College, Buffalo, New York, M.A. in English, 1958; and completed graduate studies in Educational Administration from Ottawa University, Canisius College and the State University of New York at Buffalo; and

WHEREAS, J. Alan Davitt is a member of the National Association of State Catholic Conference Directors; the National Catholic Educational Association; the New York State Education Department and a representative of the State Catholic Conference with the New York City Board of Rabbis and the State Council of Churches for the Interreligious Governmental Liaison Committee; and

WHEREAS, He is also a past ex officio member of the National Diocesan Attorneys Association; past member by Presidential appointment, National Advisory Council on the Education of Disadvantaged Children; and past member of the Education Committee as well as various ad hoc committees for the United States Catholic Conference; and

WHEREAS, J. Alan Davitt has been called upon to contribute his time and talents to countless civic and charitable endeavors and has always given of himself unstintingly; and

WHEREAS, Throughout the entire period of his community service, a period of constructive involvement, J. Alan Davitt has stood constant in dignity, good grace and humor; and

WHEREAS, J. Alan Davitt is an Emeritus member, Board of Trustees LaSalle School, Albany, New York; past member Board of Trustees, LeMoyne College, Syracuse, New York, and Maria College, Albany, New York; and

WHEREAS, With him throughout have been his wife, Mary, his six children, and their spouses, as well as his one grandson, Daniel, all of whom feel privileged to be a part of his life and rejoice in his achievements; and

WHEREAS, Rare indeed is the impressive dedication shown by an individual for the benefit of others which J. Alan Davitt has displayed throughout his life; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to honor J. Alan Davitt for his many years of service to the New York State Catholic Conference on Monday, June 14, 1993; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to J. Alan Davitt, 39 Huntersfield Road, Delmar, New York 12054.

ADOPTED IN SENATE ON
March 23, 1993

By order of the Senate,

Howard C. Nolan
Stephen F. Sloan
Stephen F. Sloan, Secretary

