

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 157

EFFECTIVE: ~~XXXXXX~~ ~~Approved~~ MARCH 31, 1980

WHEREAS, Speaker of the House of Representatives Matthew J. Smith and Representative William P. McKenna have introduced in the General Assembly a Bill that would require reimbursement to non-public schools for costs incurred in performing various services mandated by the State in order to comply with State Law, and

WHEREAS, The United States Supreme Court in the case of Committee for Public Education and Religious Liberty, et al, vs. Edward V. Regan, et al, decided on February 20, 1980, (on an appeal from a decision issued by the United States District Court for the Southern District of New York) that it was constitutional for such schools to be reimbursed by the State out of State Funds for the costs of providing such services, and

WHEREAS, Non-public schools are teaching the meaning of moral, ethical and religious values, the teaching of which encourages our youth to develop a high standard of values and self discipline in order to enable them to become good, law-abiding citizens, and

WHEREAS, Because of the high standards observed by non-public schools in teaching both scholastic matters and ethical values to our youth, upon whom the future of our Community and Nation depends, are a great asset to our Community,

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council make known its support and commendation for and hereby urges the approval of, the said Bill being sponsored in the General Assembly by Speaker of the House of Representatives Smith and Representative McKenna, and

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to Governor Garrahy, Speaker of the House of Representatives Smith, Representative McKenna and such other Federal, State and Municipal Officials as may be deemed appropriate.

IN CITY COUNCIL
MAR 20 1980
READ AND PASSED

Polish Larmoli
Rose M. Mendonca

Effective without Mayor's
signature March 31, 1980.

Rose M. Mendonca
Rose M. Mendonca, City Clerk

Bill would reimburse private schools

By PHIL KUKIELSKI

Journal-Bulletin Education Writer

PROVIDENCE — A bill that would have the state reimburse private and parochial schools for the cost of meeting state testing and record-keeping requirements was introduced yesterday by House Speaker Matthew J. Smith, D-Providence, and Rep. William P. McKenna, D-Cranston.

The bill is modeled on a New York law that was ruled by the U.S. Supreme Court last month to provide a constitutional form of state aid to religious schools.

"Now not only do we have logic and the framers of the Constitution behind us, but the U.S. Supreme Court as well," said McKenna, a member of the state Board of Regents who is an outspoken supporter of increased public aid to nonpublic schools.

McKenna had no immediate estimate of how much the bill would cost, but noted that General Assembly rules require that an estimate of its financial impact be made and be attached to the bill. The measure was referred to the Finance Committee.

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THE NEW YORK BILL it is modeled

on provides \$10 million in aid to 2,000 nonpublic schools.

Rhode Island has 121 private and parochial schools and is believed to make less paperwork demands on them than New York makes on its nonpublic schools.

Under the bill, private and parochial schools would be reimbursed annually by the state for the "actual cost" of record-keeping services they provided in the previous school year.

These services include grading and compiling results of state-mandated tests, keeping enrollment and student health records, and preparing other reports the state requires by law or regulation.

Schools seeking this reimbursement would have to keep separate records of the cost involved in rendering these services that would conform to whatever reporting regulations the commissioner of education set.

The bill is expected to win strong support from legislators because about one in every six students in Rhode Island attends a nonpublic elementary or high school. Most such schools are Catholic-affiliated.

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OFFICIALS of two statewide teacher

unions expressed some reservations about the bill.

Sherwin J. Kapstein, executive secretary of the National Education Association/Rhode Island, said the bill appeared to clash with his organization's belief that public assistance should be directed exclusively toward public schools. But he said the NEA/RI would want to study the bill before reaching a final judgment.

Edward J. McElroy, president of the Rhode Island Federation of Teachers, said he wants more information about the intent and financial impact of the bill and the type of services nonpublic schools are required to perform for the state.

McElroy indicated that his group would probably oppose the bill if it was intended as a form of state-subsidized tuition relief. But he said he might view it differently if the bill would give raises to clerical workers in nonpublic schools.

Another public school leader suggested that opposition might be futile.

"If they've got the money to do it and it's legal, then I don't know what we can do about it," said Aaron J. Slom, president of the Rhode Island Association of School Committees.

THE BILL would take effect on passage but the first payment by the state would not be made until July, 1982.

Both of the bill's sponsors work for Catholic schools. Smith is a history lecturer and archivist at Providence College, and McKenna is a counselor at Our Lady of Providence High School.

But McKenna dismissed the suggestion that his sponsorship involved a conflict of interest.

"I won't derive any monetary benefit from this bill," McKenna said.

Smith and McKenna were also co-sponsors of the so-called tuition tax-deduction bill that breezed through the General Assembly last session only to run afoul of a constitutional challenge by a coalition of public school groups.

Under that bill, nonpublic-school parents would have been granted a state tax deduction for school costs of up to \$500 per child for students in kindergarten through grade 6 and \$700 per student in grades 7 through 12.

That law was ruled unconstitutional in November by Chief U.S. District Judge Raymond J. Pettine, whose decision is on appeal to the U.S. Court of Appeals in Boston.

April 2, 1980

His Excellency J. Joseph Garrahy, Governor
222 State House
Providence, Rhode Island 02903

Dear Governor,

At a meeting of the Providence City Council held
March 20, 1980, the enclosed Resolution was presented
and Passed.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure

April 2, 1980

Representative William P. McKenna
79 Norwood Avenue
Cranston, Rhode Island 02905

Dear Representative,

At a meeting of the Providence City Council held
March 20, 1980, the enclosed Resolution was presented
and Passed.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure

April 2, 1980

Speaker of the House
Matthew J. Smith
86 Pontiac Avenue
Providence, RI 02907

Dear Mr. Speaker,

At a meeting of the Providence City Council held March 20, 1980, the enclosed Resolution was presented and Passed.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure