

Editorial

Court ruling denies right to education

The U.S. Supreme Court sent the education of disadvantaged students reeling backwards last week with its decision that public schools cannot lease space in private schools for Title I federal programs for disadvantaged students. According to the decision, this practice violated the doctrine of separation of church and state.

The decision will affect remedial classes in reading, mathematics and English as a second language. The purpose of the federal programs offered in both public and private schools was to break the poverty cycle of poor academic performance by providing these remedial courses.

In his dissent of *Aguilar v. Felton*, Chief Justice Warren Burger said, "Under the guise of protecting Americans from the evils of an Established Church such as those of the Eighteenth Century and earlier times, today's decision will deny countless schoolchildren desperately needed remedial teaching services funded under Title I."

The general practice has been that public-school teachers provide remedial instruction in parochial or private schools in classrooms that have been leased by the public schools under the Title I program. The program is an attempt to provide equal educational opportunities to disadvantaged public school and private school students. All religious materials and decorations are removed from the room and the teacher is required to hang a sign in the room stating that it is a public classroom.

The decisions in the cases of *Grand Rapids School District v. Phyllis Ball* and *Aguilar v. Felton*, were based on three assumptions about ways in which public instruction on parochial school premises may advance religion.

First, state-paid instructors would be influenced by the religious nature of the parochial school and would subtly or overtly include religion in their instruction.

Second, state-paid instructors teaching in a parochial school would give the general public and the students the impression that the state supports religion.

Third, according to the decision, "the programs in effect subsidize the religious functions of the parochial schools by taking over a substantial portion of their responsibility for teaching secular subjects."

In effect, the court has decided that appearances are more important than the education of disadvantaged children. The mere sight of a public-school teacher entering a parochial school to provide instruction might give the impression that the state supports that religion.

The fact that a public-school teacher is providing instruction to private-school students was not found unconstitutional by the court. The decision leaves open the option of obtaining classroom space off the parochial school grounds.

However, in certain areas of the country, finding alternate classroom space may not be economically and logistically feasible, as stated by Justice Sandra Day O'Connor in her dissent of the *Aguilar v. Felton* decision.

O'Connor says not all children will be affected by this decision. Public-school students and parochial-school students in areas where the programs are offered off the premises of their schools may still benefit from the programs. However, the disadvantaged children in areas where the programs are not available off parochial school premises includes 20,000 New York City schoolchildren and uncounted others elsewhere in the country.

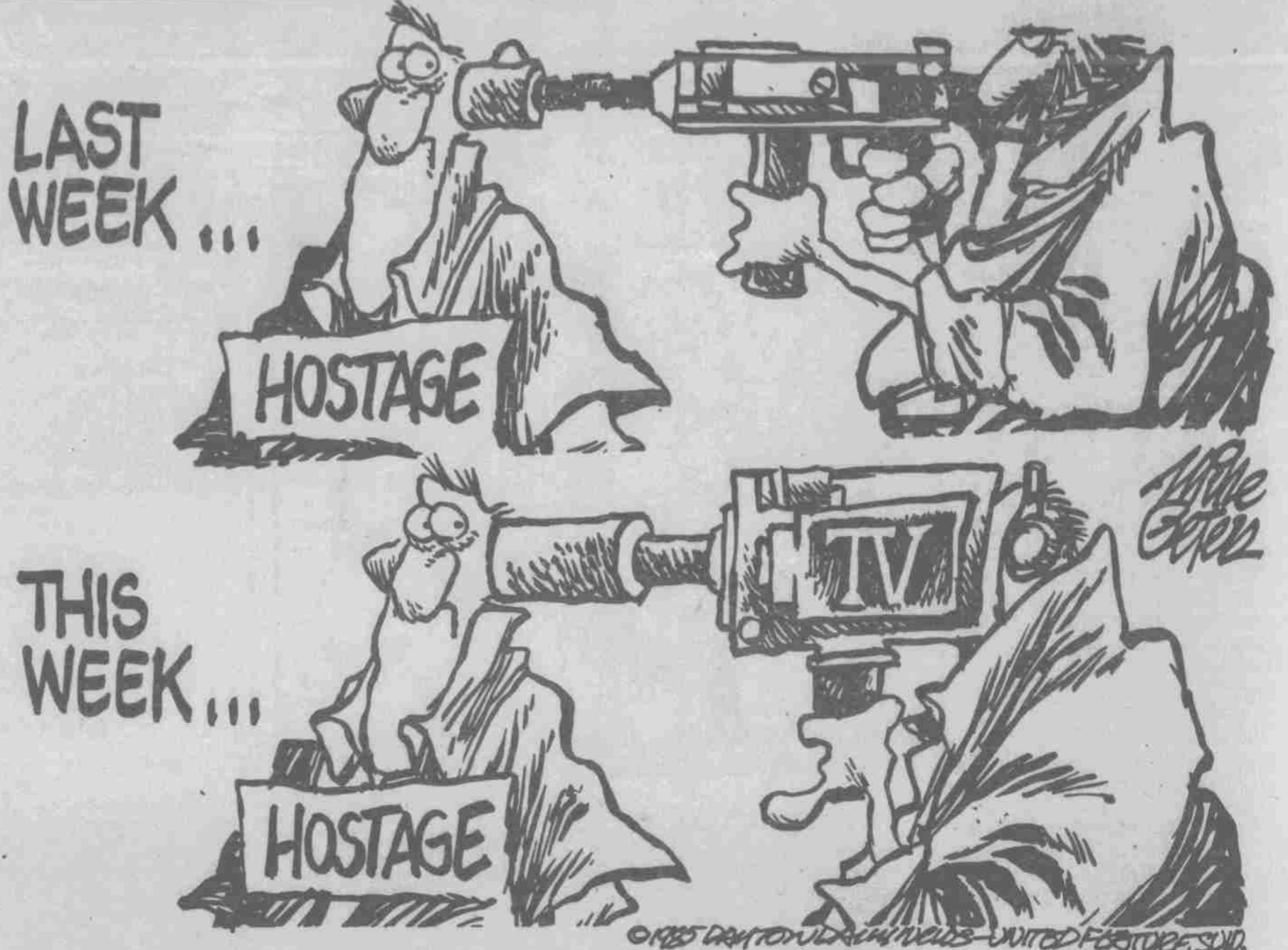
O'Connor also finds flaw in the Court's assumption that public-schoolteachers "who set foot on parochial school premises are likely to bring religion into their classes, and that the supervision necessary to prevent religious teaching would unduly entangle church and state."

O'Connor cites the 19-year-old Title I program in New York City. "The abstract theories explaining why on-premises instruction might possibly advance religion dissolve in the face of experience in New York," she wrote.

O'Connor says there has never been a single incident in which a Title I instructor attempted to include religion in the instruction. Instead, the programs have done a vast amount of good in the education of disadvantaged children.

"I cannot close my eyes to the fact that, over almost two decades, New York's public schoolteachers have helped thousands of impoverished parochial schoolchildren to overcome education disadvantages without once attempting to inculcate religion," she said. "Their praiseworthy efforts have not eroded and do not threaten the religious liberty assured by the Establishment Clause (of the First Amendment)."

It seems in this case the U.S. Supreme Court has spent its valuable time fixing something that was not broken.



Bonzo: leader of the pack Columnist reminisces about boyhood pal

I think I knew Ronald Reagan as a kid, but I obviously must be mistaken, because our ages are so different.

Let's see, I was about 8 or 9 years old and this kid I'm thinking of said he was about the same age, but he looked about seventy. All the guys thought so, not just me. But we let him hang around with us, even if he was kind of strange.

Bill Allen

The reason I can't be sure if it was Reagan is because I never knew his full name. Everyone in the gang had nicknames and when you're young last names aren't important.

They called me Slimbo, because I was fat. We all called this guy, Bonzo. I don't know why.

Bonzo was a strange kid. He always said he was Clint Eastwood and walked around looking tough and saying all kinds of weird things, like "I dare you to knock this chip off my shoulder," or "I dare you to step over this line."

Usually though, if you stepped over that line or knocked off that chip he would just shut up.

He also liked to do John Wayne impersonations. It was okay at first, but he would do it over and over again until it got really old. The rest of the guys didn't seem to mind though.

In school they asked us what we wanted to do when we grew up. We all wanted to be President of the United States, except Bonzo. He wanted to be an actor.

And Bonzo would do the weirdest things. Like everytime a team won the Superbowl, or the World Series, or something, Bonzo would call them to congratulate them. Of course, they never let him through but he would always try anyway.

Bonzo used to say things like, "if you guys make me head of the gang you can all come over to my house and have milk and cookies tomorrow."

So naturally, we made him head of the gang. Then the next day, I'd say, hey Bonzo, let's go over to your house for those milk and cookies.

And he'd say, "What? Milk and cookies? I don't have any milk and cookies. I don't know what you're talking about."

Then I'd say to the other guys, hey, don't you guys remember him saying that?

And they'd say, "yeah, but it's not important, Slimbo, just forget it."

It was the most amazing thing. Across the street from our clubhouse was another gang of guys, a little bit older, who were always calling us names. As head of the gang, Bonzo said we should "show 'em whose boss."

He made us work for days and days stockpiling rocks. After a week we had Freckles' whole front yard filled with rocks. Bonzo had convinced his dad it was for scaring off dogs or some ridiculous thing. I don't know how he did it.

Then we all gave Bonzo our allowance and he went off to buy something called strategic defense.

He came back and I said what did you do with my allowance?

He said "it's all going into research guys, don't worry."

Anyway, we had all these rocks piled up in Freckles' front yard and Bonzo stood on top of that pile and started yelling at those guys across the street. He called them "commies and reds," whatever that means, and said we were "freedom fighters," whatever that means.

Well, the guys across the street just laughed for a long time, and so did we. They would look at Bonzo, and say "There he goes again."

It was kind of like watching Archie Bunker on TV.

Only after awhile, those guys across the street started getting annoyed and started to stroll over to Freckles' front yard.

I thought, oh no, here they come. It's a good thing Bonzo is so tough, or otherwise we could be in trouble.

As they got closer we all said, "Come on, Bonzo, give it to 'em, show 'em whose tough."

But we looked on top of that pile of rocks and Bonzo was gone! He had climbed a tree!

"Ha ha, you guys can't get me, I'm in Air Force One," he said.

And Bonzo was right, those guys couldn't get to him. He was really out on a limb.

You know, I think that's where he's been ever since.

Eventually, the whole gang got fed up with Bonzo, and we let this kid named Fritz lead our gang. All he did was sit inside and read, so I became gang leader. I have to admit it wasn't as interesting as when Bonzo led us — all we did was chase girls, play baseball, steal candy and ride our bikes all over the place — but it sure beat politics. Still does.

The Nebraskan

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SEZ WHO?

The ink of the scholar is more sacred than the blood of the martyr.

Mohammed