

Education: A Show of Power over Funds for Innovation

In 1965, at the time when Lyndon Johnson was rushing through his "Great Society" legislation at full tilt, Congress passed the Elementary and Secondary Education Act (ESEA). The idea behind ESEA, which came out of the President's Task Force on Education, was to pump sorely needed federal funds into the nation's school systems and perhaps to put a federal foot in the schoolhouse door, traditionally the domain of the states.

Like much of Johnson's legislation at that time, ESEA was conceived as part of a general war on poverty. In fact, the lion's share of ESEA money, allocated under Title I of the Act, was earmarked to benefit children of low income families through remedial reading, preschool, paraprofessional, and lunch programs. But ESEA was also intended to have a wider scope, and additional, though lesser, funds were earmarked for a variety of programs designed to inspire and subsidize state efforts to expand needed educational services which the budget-conscious states had neglected or which were only peripheral to their normal school activities.

Money Allotted to States

Because State Education agencies (SEA's) were often underfinanced and understaffed there was some question as to their ability to make the best use of the ESEA funds. To ensure that programs would be wisely and efficiently implemented, in Title V of the Act the lawmakers sought to "strengthen" the SEA's by providing money for them to hire additional administrative and research personnel. Under all titles of the Act, except one, money was to be allotted directly to the SEA's which would then dispense it according to federal guidelines to the appropriate education agencies.

The exception was Title III, called "Supplementary Educational Centers and Services," and it embodied a bolder idea and carried the logic of "federal aid to education" to a more radical conclusion. The intent of Title III was to give federal aid directly to local school districts (local education agen-

cies—LEA's) for "innovative" projects locally initiated and independent of the SEA's. Behind this section of ESEA was the inspiration of the educational reformers on the President's Education Task Force. These reformers believed that America's education establishment—the SEA's, the professional education associations, the conventional teacher training schools, and others—were becoming stagnant and inflexible and that it was time to give local school boards the opportunity to use their own talents to solve their own problems and disseminate their knowledge to other local school agencies. One Title III official at the U.S. Office of Education put it bluntly: "We wanted local school districts to originate and conduct programs that they had been wanting for a long time. It was felt that many local school agencies were more progressive than the state education departments."

In order for local school agencies to receive Title III grants for their projects, they had to meet certain key requirements. Primarily, the projects had to be "innovative"; that is, the LEA had to prove that no similar program was being conducted with public money not only in the immediate vicinity but throughout the state and even the national region. In addition, a "commingling" clause forbade the LEA from indulging in the temptation to use Title III money to subsidize already existing or otherwise funded programs.

Reflecting the "grassroots" attitude of the reformists on the Task Force, the school boards, in planning their projects, had to consult and use representatives of "broad cultural areas" in the community, including civic groups, religious groups, museums, cultural clubs, and minority groups. Because Title III projects were intended as pilot programs, it was also mandatory that they be evaluated to determine both their educational validity and the feasibility of their later being incorporated in the normal school curriculum. Likewise, the LEA's were required to disseminate their evaluations throughout their states. Each project could be funded for one year at a time. Upon favorable evaluation it could receive

two more years of funding, after which it hopefully would be taken over by the LEA and the state.

Significantly, the state education departments had only a formal "advisory" role in Title III project funding. Education required state "concurrence" on all proposals. But concurrence was not mandatory, and some projects (1 percent) were funded despite the formal objections of the states. A U.S. Office of Education official contends, "We had a good cooperative relationship with most states." In light of subsequent events that seems doubtful.

2500 Innovative Programs

By modern standards, Title III is certainly no giant "war-on-poverty" handout. Compared with the \$4.3 billion that Congress appropriated for Title I of ESEA since fiscal year 1966, the allotment of \$561 million for Title III grants since that time seems a comparatively modest sum. Yet, in the 4 years of its operation, the USOE has been able to dispense money to local school districts to finance some 2500 "innovative" programs in education.

One naturally asks what sort of educational services have been innovated in the past 4 years. The answer seems to be, "every conceivable kind." As one USOE staffer succinctly put it, "We have run the gamut." A look at even a partial list seems to support that conclusion. There have been projects for the demonstration of computer-assisted instruction, for summer camps for musically talented children, and for summer camps for "disruptive" children as well. There have been traveling museums, traveling libraries, and traveling guidance counselors. "Supplementary centers" have been funded to supply several schools in an area with audiovisual equipment. They have diagnostic programs for children with learning disabilities and projects for "individually prescribed instruction," as well as a myriad of "curriculum revision" experiments.

The list could be extended, but it will not answer the all-important questions of whether the projects are truly "innovative," and whether they do, in fact, represent the grassroots participation of a community's "broad cultural areas."

One school district that conducted Title III projects as a "local education agency" was the New York City school system with a thousand schools and more than a million pupils. One of its projects consisted of bringing a couple

of thousand pupils in the course of a year to lectures on the "performing arts" at Lincoln Center for The Performing Arts. The participant from a "broad cultural area" was of course Lincoln Center—a reflection of grass-roots participation if ever there wasn't one. In fact, the project was not even

FDA Wins Round in Panalba Fight

Panalba, a combination of tetracycline and novobiocin, is off the market. The Food and Drug Administration (FDA) has won a round in its long battle to remove drugs officially declared dangerous or ineffective from the market.

The Sixth District Court of Appeals in Cincinnati on 27 February upheld the FDA's authority to force such drugs off the market without granting the manufacturer a public hearing. Even when the issue is efficacy alone, the court said, the hearing is still optional; the manufacturer must show reasonable grounds for requesting one before the FDA must grant it.

The Court gave Upjohn Company, makers of Panalba, a deadline of 9 March for appeal to the Supreme Court, after which Panalba had to be removed from the market. The Supreme Court recently refused to stay this ruling, although it may still decide later to hear Upjohn's appeal.

The ruling gave the FDA a green light on removing Panalba and about 90 other drugs found hazardous or ineffective by investigative panels formed by the National Academy of Sciences—National Research Council.

The NAS-NRC had reviewed anti-infective agents that combine one antibiotic with another in fixed ratios, or antibiotics with sulfonamides. In addition to finding about 40 of these drugs to be ineffective, the review panels judged about 50 to be dangerous. The mixtures held hazardous as well as ineffective are the "pen-sulfas" (penicillin and sulfa), the "pen-streps" (penicillin and streptomycin), and Panalba (tetracycline and novobiocin). The FDA initiated action against Panalba in May 1969, after receiving the NAS-NRC reports.

A long series of hearings, writs, and court actions began (*Science*, 29 August 1969). The drugs at issue in the suit were four preparations of Panalba and three versions of the antibiotic called Albamycin. Upjohn said about \$30 million a year in sales was involved, 12 percent of its domestic gross income.

Upjohn's main contention was that it had a "right" to an administrative hearing before the drug was removed, and that the physician had a "right" to prescribe as he wished.

The FDA argued that a hearing is available so long as the issue is efficacy alone, but that, in a case such as Panalba, a hearing would be considered only if Upjohn could supply reasonable grounds for requesting one.

FDA counsel argued that, while such hearings were being sought and conducted, the maker would be free to continue selling the drug. And Panalba was sold throughout 1969; on 11 March 1970, Upjohn recalled it and sales were stopped at the wholesale level.

The way is now open for the FDA to deal with other combination drugs. Its next legal step, to be taken within about 2 weeks, is to issue a final ruling on manufacturers' objections to its pen-strep and pen-sulfa order and on the request for a hearing. It is expected that the FDA will deny the request for a hearing and will demand immediate removal of the drugs.

Upjohn has told the FDA it will remove its pen-streps and pen-sulfas from the market in advance of final FDA action.

Charles Edwards, FDA Commissioner, expressed himself pleased with the promptness with which Upjohn acted to remove Panalba and the other tetracycline-novobiocin drugs from the market. "Upjohn's action, taken on their own volition, is a very responsible corporate action in the public interest," he said.—NANCY GRUCHOW

an innovation since Lincoln Center had been conducting the same program with its own money before the advent of ESEA and, after 3 years of Title III funding, repaired to its own finances again. Another project that received a Title III grant in New York City was a nature course for elementary school children, which was conducted by a society called Nature Trails for Youth. Whether Nature Trails for Youth reflects community participation or not is questionable; moreover, as it turns out, the society had been taking school children on nature walks in conjunction with a program within the Board of Education for some 40 years before the passage of ESEA.

The Lincoln Center and the nature walk projects are typical of what happened to Title III money in New York City. The bulk of it went to operate programs that a handful of prestigious and well-endowed organizations had previously conducted with their own money. The rest of the money was divided among about a dozen tiny experiments with exalted names, but which usually petered out after a year and were not picked up by any other education agency.

How well Title III in New York City reflects the nationwide experience is hard to determine, since in fact, no national evaluation of Title III has been made.

One Title III project which USOE officials single out among those which proved "very successful" was conducted by the Board of Education of Montgomery County, Maryland, an affluent suburb of Washington, D.C. The project was a "Summer Music Camp" designed to give musically talented students 2 weeks of concentrated music instruction in rural surroundings.

Although the "Summer Music Camp" received a grant in 1966, the first year of Title III's operation, it had actually been established in 1965 and financed by the parents of the participants. More importantly, because the "camp" was exclusively for already well-trained music students, it was primarily a program for middle- and upper middle-class children. Aware of the antipoverty thrust of ESEA, the USOE approved the project with the proviso that Montgomery County not ask for a second-year "continuation" grant. They didn't.

Instead, they submitted a proposal and received a grant for a project entitled "A Maryland Regional Center for the Arts." The center turned out to be the summer music camp expanded

to include instruction in dance, drama, painting, and "other arts." To ensure against any eyebrow raising, 50 percent of the campers came from other, less affluent sections of the state.

Deemed successful by the USOE, the "Arts Center" received federal money for the full 3-year limit. By 1969, the final year of federal funding, the program had become such a "recognized success" that some \$22,000 was donated by other organizations, including the Maryland Department of Education. Statewide recognition has ensured the continuation of the "Arts Center." Beginning with 1970, the state will take over its financing. Moreover, similar camps have been planned at Maryland's Frostburg State College and at other parts of the state. As the programs director says, "We believe the idea has taken root in Maryland."

Perhaps so, but whether it will have much of an impact on American public education is another question.

Ironically, the title of ESEA most specifically dedicated to innovation has lost its most innovative provision. The novel feature of Title III was that federal grants were made directly to local school districts and that no strings were attached by the state education departments. In 1967, Representative Edith Green (D-Ore.) introduced an amendment that Congress subsequently enacted and that put authority back in the hands of the state education establishments. The amendment transferred all authority over the administration and allocation of Title III funds from the U.S. Commissioner of Education to the state education departments; or, in the words of one of its outspoken critics, "... the Green amendment essentially wiped out Title III."

If indeed, the intent of Title III was to liberate the "innovative" genius of local communities from the restrictions imposed by overburdened SEA's, there may be some truth in the statement quoted above.

One effect of the amendment may be described as a virtual reversal of roles between the USOE and the SEA's. Before the amendment, the USOE approved and allocated money to local projects and the states would merely verify their legality. Since the amendment the states receive local proposals and approve and allocate money, so that now USOE merely verifies their status within the framework of federal law.

The impact of the amendment on the USOE may be emphasized by noting

that the Title III bureau staff has been reduced from 70 to a skeleton crew of 9. In 1969, the bureau staff was permitted to administer 25 percent of the total appropriation; beginning with the current fiscal year the total appropriation is to go directly to the states.

What the amendment will mean for ambitious LEA's seems fairly clear. In terms of local initiative, the LEA's are pretty much back to where they were before 1965 when they had no recourse but to beg money from state education departments, which as often as not were more concerned with expanding existing facilities than with testing computer assisted instruction, for example.

What makes this all the more true is an additional feature of the amendment that loosens up the language forbidding the "commingling" of Title III money with funds for other programs. Thus, the states get the same Title III money package to allocate to the LEA's, but there is less guarantee that the LEA's will get the types of innovative projects they may want.

As to the amendment's long-range consequences for the Title III program in general, it may be too early to tell. The U.S. Office of Education has neither the funds nor the legal mandate to evaluate individual Title III projects. They have tried to persuade the states, as one USOE official put it, "to make hard and honest" evaluations, but they are powerless to press the issue. The same official admitted, "We haven't even the vaguest idea how many state-run programs are being funded."

The National Education Association, which supported the amendment, hasn't taken much of a look either: "We are so busy with funding we haven't had time to evaluate Title III programs." Thus, Title III and its evaluation have become pretty much affairs of the states, and no one as yet seems to be interested in bothering about it.

What makes the short history of Title III such a curious phenomenon is that no member of the educational establishment found fault with the original program as such. As one old-time staffer of the House Labor and Education Committee states, "Prior to the amendment, Title III was no burning issue."

What did, in fact, disturb the educators was the way Title III was being administered. The sight of local school districts getting money and doing business without their advice and consent seems to have raised the ire of almost every organized group of educators. Leading the fight for the amendment

were the state education departments (CSSO) who saw in Title III what the same committee staffer called "a challenge to their paramount authority over state education." Behind the states stood the National Education Association and its affiliate the National School Boards Association.

Opposition to the amendment was comparatively slight. The Greater Cities Research Association, representing 27 large-city school systems, lobbied to defeat the measure. The big-city school systems, LEA's in name only, had been getting larger and larger portions of federal money and were not happy to give any of it up to the states. The individual local school districts across the country stood most to lose by the amendment, but they didn't put up much of a fight. The LEA's were in no position to openly oppose the wishes of their state authorities.

With the passage of the amendment another chapter in American education reform closed. In the old controversy of who will most influence the future of American education, the states, the localities, or the federal government, this latest battle has been won decisively by the states.—RICHARD KARP

A free-lance writer, Richard Karp has reported on education affairs in New York City.

RECENT DEATHS

G. William Holmes, 47; chairman, department of geology, Beloit College, 7 January.

Charles G. Johnson, 55; geologist, U.S. Geological Survey, Denver; 1 December.

Norman Osher, 66; professor emeritus of medicine, Marquette University; 26 December.

David Rittenberg, 63; professor of biochemistry, Columbia University College of Physicians and Surgeons; 24 January.

William E. Smith, 78; former dean, Graduate School, Miami University; 12 December.

Walter E. Spahr, 78; former chairman, economics department, New York University; 19 January.

Margaret Watkins, 42; chairman, biology department, Western College, Ohio; 18 December.

Philip F. Williams, 85; former professor of obstetrics and gynecology, University of Pennsylvania; 13 January.