PROPOSED AMENDMENTS TO PUBLIC LAW 874

ANALYSIS

The orderly planning of programs of instruction for all children in federally affected school districts, including federally connected children, makes mandatory the enactment of permanent legislation covering the government's responsibility for federally connected children.

It is impossible for local school boards to plan programs of instruction from year to year when they do not know what to expect from the federal government in the way of federal funds, necessary to the underwriting of normal maintenance and operating costs including teacher's salaries, from one year to the next.

Experience of local school districts concerned, State Department of Education and the Congress, in trying to deal with this situation, provides all the proof necessary to justify this action.

1. The 3 percent absorption feature of the present legislation is most unfair in that it forces local school districts to assume the added cost of providing an educational program for federally connected children without any additional wealth accruing to the district, and actually in many instances, this absorption is required even though a loss in taxable wealth has resulted from the government acquiring real property in the district.

The 3 percent absorption feature will completely eliminate hundreds of needy school districts in the country, as a whole, which are having a very difficult time providing a minimum program of instruction under present conditions.

2. Present legislation does not permit the local school district to count as eligible the children of uniformed personnel after the parent or guardian has been assigned to another installation, without the installation is within commuting distance of the district, or the family lives in government-owned housing.

This creates distinct injustice in many districts, especially where we have military installations from which personnel are reassigned from time to time to other installations, in many instances overseas; and leave their families behind until they return.

An example of this is noted at Fort Smith, Arkansas wherein some 500 children are currently enrolled in the Fort Smith Schools who came into the district with their parents when the parent was assigned to Camp Chaffee and who have remained in the District with the mother since the father has been assigned overseas.

It is proposed to make the children of uniformed personnel eligible for assistance so long as the parent remains in the uniformed service, all other eligibility requirements being met.
3. Present law requires the Commissioner to deduct from the amount of payment due a school district, any payment in lieu of taxes on federal property, regardless of whether the district claims the children as eligible in connection with the property concerned. This proposed amendment would not allow such deductions without the applicant district claimed as eligible, children whose parent or guardian worked or lived on such property — this feature already applies to National Forest, Taylor Land Grazing, and Flood Control Payments and it is herein proposed it be made applicable in like manner to all Federal properties.

4. Currently a district must experience a 5 percent growth in the average daily attendance of directly, federally connected children, and a 5 percent growth in the total average daily attendance of all school children over the average daily attendance of these children for the previous year, before the district can qualify for any assistance on a directly, federally connected child the first he is in the district. The purpose here is to allow the district payment on new directly-federally connected children without regard to any percentage increase; just so long as these children represent an actual increase in the total average daily attendance of all children in the district for the previous year, providing actual financial need for assistance is established by the district.

As an example of how the present law operates to the disadvantage of a district, experiencing an impact of new directly, federally connected children, the situation in Pulaski County for the school year 54-55 is cited:

This district experienced an actual increase in the average daily attendance of directly federally connected children during the school year 54-55 of 481. The district was unable to qualify for any assistance on these children, due to the 5 percent increase requirements, even though the district had to employ 21 additional teachers and experienced all the other additional maintenance and operating costs incidental to these additional children. These children came into the District when the parents moved into the district, either to work or as uniformed personnel, who were assigned to the Little Rock Air Force Base.

5. Present payments for section 3 children to school districts are based on the amount of funds spent by comparable school districts from local sources, with a proviso that no district will receive less than one-half the per capita state cost for maintenance and operating purposes for each 3A child and one-fourth of this amount for each 3B child.

A casual study of the annual reports published by the Commissioner of Education on the administration of Public Laws 815 and 874, will show that districts in those states with a high state-aid program and
a low local support program, have been penalized to the extent that the government is actually paying an average of $239.98 per child, whose parents lived on and worked on government property in New Hampshire, $237.50 in Illinois, and $234.25 in Vermont to as little as $67.07 in Alabama, $72. in Tennessee, and $78.88 in Arkansas for the same child.

To say that the Government has three to nearly four times as much responsibility for the same child in some states as in others, is asinine.

This proposal is to place a floor under all Section 3 payments so as to guarantee that any district will receive a payment, based on at least the National average payment in federally affected school districts for the second year preceding the year for which the payment is to be made.

6. Public Law 874 should be amended to provide for payments for the education of handicapped children, otherwise eligible for federal-impact assistance but who attend public institutions which carry on special training for the handicapped. At the present time, schools for the Deaf and Blind which in Arkansas are operated on state-appropriated funds are not eligible for assistance when they educate handicapped children of military personnel.