

Rarely Have So Many Done So Much with So Little, Study Says of P.L. 94-142

State and local education agencies have worked aggressively to carry out provisions of the Education for All Handicapped Children Act, Public Law 94-142, even though the federal government contributed only 5% of the extra costs of special education, according to Education Turnkey Systems. The Washington-based firm studied performance of three state and nine local education agencies under P.L. 94-142. Its report noted that, when compared with activity initiated under other recent legislation, a great deal has been accomplished under the handicapped children act.

Turnkey conducted over 800 interviews with central office and building-level staff and observed more than 100 meetings ranging from small placement conferences to large community meetings in each of the three states, which varied considerably in level of special education programming.

Districts identified large numbers of handicapped children who had not been enrolled in school, which resulted in backlogs of children on waiting lists for testing and placement, the report says. The backlog in urban areas was more a result of bureaucratic and organizational barriers than a lack of available services, while the major problem in rural districts was lack of services.

Preliminary findings indicate that provisions in the law requiring states to identify handicapped children and draft an in-

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Books (concluded)

given a nod. These omissions are a major fault in *The Silent Pulse*, I believe, not so much because they detract from Leonard's work but simply because they make it incomplete. The book whets one's appetite to know about these new approaches but does not satisfy it. One must look elsewhere.

Readers who liked Leonard's *Education and Ecstasy*, *The Ultimate Athlete*, and *The Transformation* may well like *Pulse* even more. It is more tightly organized and more clearly written than his earlier works. Leonard's ability to use appropriate images, instances, and analo-

gicalized education program (IEP) for each child "consumed relatively large amounts of building staff time," especially during the first half of the school year in 1977-78.

A provision requiring districts to mainstream handicapped youngsters to the maximum extent possible was not a high priority in the three states last year, although there are indications that this priority may change in the current year.

Meanwhile, "parents' rights were a major concern in all three states, with parent/school contacts increasing as a result of P.L. 94-142 requirements for parent/staff IEP conferences." However, that will probably change, predict Turnkey officials, who believe that while the 1977-78 school year was "the year of the IEP," the current school year is "the year of the lawyer," with increased parental challenges to placement decisions by schools.

For further information, contact Education Turnkey Systems, Inc., 1030 15th St., N.W., Washington, DC 20005. Ph. 202/293-5950.

Beginning of the Decline: School Population Drops

The number of school-age children in the U.S. dropped by 3.5 million between 1970 and 1977, according to the Census Bureau.

The decline in the number of children ages 5 to 17 reverses a pattern set in the

period from 1950 to 1970. The number of school-age children grew by 8.6 million during the 1950s and by 13.2 million during the 1960s.

In 1950 school-age children made up 20.3% of the population, the report said. In 1970 it was 25.8%, but by 1977 it had fallen to 22.7%, and census experts predict a continued decline.

The annual rate of decline in school-age population in the North was 1.5% during the 1970-77 period, more than three times the rates in the South and West.

gies to express scientific concepts is extraordinarily helpful. The appendix of exercises for "centering" and for "tuning in to the pulse" is masterfully written.

If knowledge, moral development, and social responsibility result from experiencing the nonindividual parts of our being, as Leonard claims, then as educators we owe it to ourselves, to our students, and to society to tune in to the rhythm of the silent pulse in ourselves and to teach others to do so in themselves. By citing recent research consistent with this view, by giving an appendix full of exercises, and by citing examples of the holistic-transcendent point of view in daily life, *The Silent Pulse* helps set the stage for the New Education.

Private Talk Is Still Free Speech, High Court Rules

The U.S. Supreme Court has ruled unanimously that a public school teacher cannot be dismissed for complaints made in private to his/her supervisor. The court said that such comments are free speech protected by the First Amendment to the U.S. Constitution.

"The First Amendment forbids abridgement of the 'freedom of speech,'" Justice William Rehnquist wrote for the court. "Neither the amendment itself nor our decisions indicate that this freedom is lost to the public employee who arranges to communicate privately with his employer rather than to spread his views before the public."

The court's decision came in the case of *Givhan v. Western Line Consolidated School District*, filed by teacher Bessie Givhan after her dismissal at the end of the 1970-71 school year. Givhan, who had been a teacher since 1963, charged she was terminated because she criticized school policies she considered racist.

During a two-day trial, the school district tried to defend its action by charging, among other things, that Givhan harassed her principal with a series of petty and unreasonable complaints. The trial court concluded that Givhan's complaints were neither petty nor unreasonable and did not amount to harassment. The court ruled that Givhan had been dismissed for criticizing the school, which constituted a violation of her rights.

The Fifth U.S. Circuit Court of Appeals, however, reversed the trial court, saying Givhan's comments to her principal were not constitutionally protected free speech because they were made in private rather than in public.

Rehnquist's opinion said the Fifth Circuit erred in reasoning that Givhan did not have a constitutional right to hold her