



School Library Legislation at the Federal Level

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WHEN THE MONUMENTAL Elementary and Secondary Education Act (ESEA) was passed in April 1965, it seemed that the school library would at last have its day in the sun. Long the stepchild of the library profession, and regarded by some school administrators as an appendage to the educational process rather than an integral part, the existence of the school library was formally recognized by the wording of Title II of the act which made possible "a program for making grants for the acquisition of school library resources, textbooks and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools."¹ This recognition was expressed in a more concrete form by the appropriation of \$100 million to carry out the purposes of the program for the first fiscal year.

It is true that the proportion of funds allowable under Title II was small in relation to the total amount of money in the act. Also, the program was limited in its application since it would not pay the salary of a librarian, would not provide for the professional training of a librarian, and would not remodel a classroom and equip it for library use. But it did begin to make possible the immediate purchase of books, periodicals, films, filmstrips, recordings, microfilm, slides, tapes, transparencies, and any other type of printed and published material that would be used in classroom instruction. These materials were for the use of children and teachers in both public and non-public schools in the fifty states, the District of Columbia and the outlying areas—Guam, Puerto Rico, the Virgin Islands and the Trust Territory of the Pacific. Funds were allocated to states on the basis of the number of children enrolled in public and private schools in relation to the total number

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of children enrolled in such schools in all of the states. Each state submitted to the Office of Education for approval a plan for the operation of the program within that state. The plan designated the state agency responsible for administering the plan, and funds were distributed within the state according to a relative need formula spelled out in the plan.

While there was of necessity considerable variance in the plans submitted, the relative need formulas generally were based on such factors as the number of children enrolled, the economic status of the children, the existing library resources, the ability and effort of the localities to provide such resources, the exceptional requirements of children and teachers because of special instructional programs, cultural and linguistic needs of children and teachers, and available staff to organize collections and provide services.

Only public agencies could hold title to materials, which must be loaned to public and private schools in an equitable manner. In states where loans to private schools from public agencies are not allowed, arrangements to serve children and teachers in these schools would be made through the U.S. commissioner of education. Selection was a matter of state and local concern. Qualifications from the federal government were that materials should be suitable for children and teachers in elementary and secondary schools, that with reasonable care and use they should be expected to last more than one year, and that they would not be used in religious instruction or worship.

Each state was to develop criteria to insure the purchase of quality materials which were categorized as "school library resources," "text-books," and "other instructional materials." "School library resources" and "other instructional materials" differed from each other only in the method of handling within the school. Those materials completely cataloged and processed were considered "school library resources"; the same materials, not completely cataloged and processed were considered "other instructional materials." Each state set its own percentage of materials to be purchased in each category. The costs of ordering, processing, cataloging and delivering the materials were later allowed as a part of the total acquisition cost. Finally, Title II funds were to be used to supplement existing state and local funds, and by no means to supplant them.

The Title II program has been relatively free from some of the headaches that may plague federal programs. The program limitations built into the act which allow the acquisition of only printed and pub-

lished materials have at the same time protected it from the administrative errors which sometimes arise because of legislative ambiguities. The clear definition of eligible items has been a help. From an educational viewpoint it is difficult to explain why an art print is an eligible expenditure and a piece of sculpture is not; however, the fact that the sculpture does not fall into the realm of "printed and published materials" eliminates it as a possible purchase.

At the onset of the program it was thought that the participation of private school children and teachers as beneficiaries of the program might become a problem, but it did not. On the contrary, for the first time in many states it has brought representatives of public and non-public schools together in a planning and sharing situation; it has made both sectors aware of mutual needs, and has brought about an aura of understanding that can only come from sharing a common goal, which in this case is making an abundance of materials available for the use of children and teachers. Only two states did not accept the responsibility for administering the program for the private schools and, as directed by the legislation, the participation of the children and teachers in these schools was insured by arrangements made by the U.S. commissioner of education. The major administrative problems have been due to late funding and financial uncertainties. While the regulations specify that periodic reviews of the state's administration of the program by the Office of Education is necessary, budgetary limitations at the federal level have curtailed visits to states to confer with program coordinators. At the state level it has been difficult to maintain staff without the positive assurance of continued financial support. The "five percent of the total amount obligated under projects approved . . . or \$50,000, whichever is greater"² provision for state administration has been termed inadequate by the states even in the years of greater funding. The saving factor for many states was that they already had in operation well-designed programs headed by experienced library consultants and were able to use the 5 percent administrative money to add additional needed personnel with specific competencies, such as graphic artists and audio-visual specialists. Some states used very little of their portion for administration, preferring to divert even those funds to the acquisition of materials.

The act was a five-year measure. The authorization for Title II for the first year was \$100 million with an increase in each of the next four years to reach \$200 million for fiscal 1970. The actual appropriation for the first year was \$100 million, the same amount as the authori-

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zation. Funds were increased slightly in the following year (fiscal year 1967) to \$102 million and decreased slightly in the third year (fiscal year 1968) to \$99,234,000. Available figures for the first three years of the program show 11,680 new public school libraries were established which served 5,598,541 school children. Of the new libraries 10,277 were in elementary schools, and 1,403 were in secondary schools. New libraries as such cannot be established in private schools with Title II funds, but over 5 million private school children participated in each of three years on a loan basis. The total number of participating elementary and secondary children in both public and private schools rose each year, with 43,425,773, 44,638,011 and 45,320,552 benefiting in 1966, 1967, and 1968 respectively.

Fiscal year 1968 saw 181 personnel in administrative or supervisory positions in state departments of education with full-time responsibilities for the Title II program, plus 275 full-time supportive non-professional staff members. For the three years the total sum of \$280,177,903 was spent for 71,132,544 books, periodicals, textbooks, audio-visual and other printed materials.³

Through an amendment which was added in November 1966, Indian children and teachers in elementary and secondary schools operated by the Department of the Interior became eligible beneficiaries of Title II. As a result, at the end of the first year of participation all existing libraries in schools operated for Indian children had been expanded, eight new elementary libraries had been established, and approximately 47,000 children in 231 schools had benefited. The allocation for the first year was \$125,161.⁴

The most spectacular feature of the Title II program has been the special purpose grant portion which thirty-two states have employed during the four years of program operation. Its goal was to demonstrate the effect that a sufficient quantity of suitable instructional materials of all types made available and accessible to children and teachers by a creative librarian would have on the quality of instruction that the children receive. The form of the special purpose grant varied from state to state, and in some cases within the state. The most usual was a pilot or demonstration program which was open to visitors in the hope that they would receive inspiration and direction in planning their own programs.

Since Title II could provide only materials, other features of an exemplary instructional materials program such as an adequate facility, a sufficient competent staff, and equipment necessary for the use of

audio-visual materials were furnished by the local education agency. Other programs focused on special groups of children such as the handicapped, the academically talented, the emotionally disturbed, children in state institutions, children in early childhood programs which were a part of the regular state-supported education program, and children to whom English was a second language. Still other programs were built around in-depth collections of special subject matter material, such as local history, or culture of another country, and around newer types of media such as microfilm or film loops. There were enrichment programs featuring the humanities, or sometimes specifically art or music. Many of the programs focused on reading and reading problems.

The special purpose programs have received much publicity and have attracted observers from a wide geographic area. These visitors run the educational gamut from personnel of the state department of education, local school superintendents, curriculum supervisors, principals, and media specialists, to technicians and aides; they have also included members of lay groups serving on advisory committees, and parents interested in improving the educational opportunities of their own children. The wealth of materials provided by these projects has made true individualized instruction possible in many cases. The materials center concept has been strengthened and expanded. An additional benefit is that the librarian has been drawn into the instructional picture where all too often she has not found a place.⁵

Other federal programs have contributed greatly to the success of the special purpose grant programs. Title I of ESEA which gives assistance to educationally deprived children has been a heavy investor in reading programs and has provided facilities and personnel in many projects while Title II has provided materials. Title III of ESEA which provides supplementary centers and services to develop imaginative and exemplary instructional programs has funded media projects each year, some of which have included dial-access information programs, film and tape programs, and resource centers to which Title II has contributed special purpose funds.⁶

In other areas of cooperation, Title V of ESEA which strengthens state educational agencies has provided additional supervisory personnel to aid in implementing the program. The earliest form of assistance comes from Title III of the National Defense Education Act which has for a number of years provided equipment and materials for educational programs and continues to do so. Training of library

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personnel has been greatly assisted by short- and long-term institutes funded first under NDEA XI and, since 1968, under Title II-B of the Higher Education Act. These institutes have been administered by the Division of Library Programs in the Bureau of Adult, Vocational and Library Programs in the Office of Education. Since 1965, 2,621 school librarians have attended institutes funded by NDEA XI, and 1,612 school librarians have attended institutes funded by Title II-B of the Higher Education Act with an estimated 500 to be trained by fiscal year 1970 funds, making an impressive total of over 4,700 school librarians who have received initial training or have updated competencies to meet the rapidly changing demands of the school media center.

In fiscal year 1969, the Title II program funds were reduced from approximately \$100 million for each of the three previous years to \$50 million. Many states lost supervisory and clerical staff as a result of the decrease in funds. The special purpose program was also affected in that states could no longer set aside a sufficient amount to fund these more costly programs and continue with the aspects of the program required by the over-all needs of the state's children.

For fiscal 1970, Title II finally emerged from the struggle over the federal dollar with \$42.5 million in spending authority. Accompanying passage of the 1970 appropriation measure was a new feeling of security about the program itself, stemming from the fact that it had survived a strenuous budget-cutting process, and that it had preserved its identity in a year of the consolidation and melding of many other programs. Another positive aspect was that on the heels of this regeneration the President, in reaffirming his support for the Right to Read Program, asked Congress to appropriate \$80 million in 1971 for Title II of ESEA as one of the two programs which were directly aiding it. This new tie may well call for a more direct focus on needy children, wherever they may be, on inner city schools where there is an urgent need for educational stimulation and reform, and on children to whom English is a second language. Be that as it may, it appears that federal support for school library programs will continue, if not in its present form then in another.

In August of 1959 the twenty-fourth annual conference of the Graduate Library School of the University of Chicago had as its theme, "New Definitions of School Library Service." At this conference, which examined educational goals and the direction in which the school library seemed to be moving, Mary Helen Mahar, at that time specialist for school and children's libraries in the Library Services Branch of the

Office of Education, presented a paper entitled "The Role of the Federal Government in School-Library Development." Her paper examined existing legislation affecting school libraries, although at that time assistance to school libraries was not specifically mentioned in any law. After a thorough analysis of the implications for school libraries in the Library Services Act of 1956, and the National Defense Education Act of 1958, plus the assigned responsibilities of the Office of Education for school libraries, her conclusions were that "in school-library development the federal government has made available assistance in the strengthening of school libraries, the professional education of school librarians, the supervision of school libraries, and research concerned with school libraries. These are broad areas with which the school-library profession is concerned in bringing about the quality of school-library service to education in which we all believe."⁷

Nine years later, in 1968, Frances Hatfield, Supervisor of Instructional Materials for Broward County Schools in Fort Lauderdale, Florida, in six pages in *School Libraries* charted federal programs in existence at that time which had implications for school libraries, although only one—Title II of ESEA—mentions school libraries specifically. She charges school administrators and librarians to keep themselves informed of legislation which can help them develop and extend their own programs. She mentions in connection with this "local responsibility for coordinating the use of funds from the various Acts in order to have well-rounded media services for all types of schools."⁸ In essence she echoes the stance of Mary Helen Mahar, that legislation does not have to be specific to be of assistance in developing and strengthening library programs. With the growing emphasis on "accountability"—the showing of measurable results of federal investments in education—coupled with the demands for funds for new programs to deal with such drastic needs as drug education and environmental problems, her point is only too well taken. Every available funding source will need to be utilized and coordinated in order to develop programs which will offer to all children the kind of library services that they deserve. This also is a problem that cannot wait.

Title II does not claim to have solved school library problems. It has never had enough money to accomplish this. One point makes this clear: to date it has provided an average of only one book plus per child and one piece of audio-visual material for every five children. Often its funds have come too late in the year to allow for the best planning of its use. It has spotlighted the nationwide needs and in-

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equities in school library programs. In spite of the 10,277 new elementary libraries established since 1965, there are still fifteen states with more than 50 percent of their elementary schools lacking some form of centralized library service. But it has emphasized the need for library personnel to the extent that librarians are being employed as fast as they become available; it has been responsible for the addition of media and library courses in many teacher training institutions; it has sparked local effort to find additional funds for materials; and it has done much to enable the school library to take its place in many instructional pictures as an integral part of the total program, rather than as an optional unknown on the periphery of the educational universe.

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