

Private School Tax Credits Shape Up as Major Issue

By Jay Merwin
Religious News Service Staff Writer

Although President Reagan left private school tuition tax credits out of his initial budget package, he mentioned them along with other measures as "desirable and needed tax changes." And he pledged to push for their enactment in Congress at "the earliest date possible."



The tuition proposal, which would allow parents to deduct part of private school tuition fees from their income taxes, tends to stir passions to the same pitch as the issues of school prayer and desegregation. Depending on one's point of view, either church-state separation, the free exercise of religion or the quality of available education is at stake.

Raobi, Menachem Lubinsky, the government affairs official for Agudath Israel, said the Orthodox Jewish group would be satisfied with current progress on tuition credits as long as President Reagan "keeps it alive" this year. Agudath Israel has launched a "Campaign to Relieve Independent Education" to put the heat on Congress for the desired legislation.

James Robinson, the U.S. Catholic Conference chief liaison to government, said President Reagan put the tuition tax credits "on the front burner" when, in his first speech before Congress, he reaffirmed his support of the proposal.

As a Republican candidate last year, Reagan got considerable mileage out of the tuition tax credit plank in his party's platform.

In a backhanded boost for candidate Reagan, Cardinal John J. Krol, head of the Roman Catholic archdiocese of Philadelphia, blasted President Carter for reneging on a Democratic Party platform commitment to find "a constitutionally acceptable method of providing tax aid for the education of all pupils." The prelate made his comments in the archdiocesan weekly newspaper just one week before the Nov. 4 election.

Msgr. John Meyers, president of the National Catholic Educational Association, was more explicit. In a letter to President Carter last October, he said that "if the Democratic Party continues to thwart or ignore Catholic concerns, the loyalties of this constituency must be directed elsewhere."

In a separate letter to Reagan, Msgr. Meyers said that "by supporting tax credits, you not only recognize this basic human right of all Americans — rich or poor — but you also help make possible their exercise of this right."

President Carter's threat to veto a tuition tax credit bill in 1978 was widely interpreted as the point of disaffection for many Catholics from the traditional Democratic fold. The bill, sponsored by Senators Bob Packwood (R-Ore.) and Daniel Patrick Moynihan (D-N.Y.), would have been unconstitutional, Carter felt, because it proposed indirect government aid to sectarian elementary and secondary schools. However, the bill would have barred any relief on tuition paid to schools with a demonstrable record of racial discrimination.

The Packwood-Moynihan effort fell just short of passage as members of a House-Senate joint committee failed to reconcile two different versions of the bill. However, the two senators have higher hopes for the proposal in the present Congress. "We're optimistic," said a legislative aide to Senator Moynihan.

As the bill stands now, parents could deduct half the cost, up to a maximum of \$250 in elementary, secondary or undergraduate tuition during that first year. Afterward the deductible limit would be raised to \$500.

Critics of tuition tax credit have argued that U.S. Supreme Court rulings on related cases cast the proposal into constitutional doubt. "Church-state separation is an indispensable bulwark of our religious freedom," said the Rev. R.G. Puckett, a Southern Baptist minister who heads Americans United for Separation of Church and State. In a letter to Reagan during the presidential election campaign, he said that Republican backing for tuition tax credits "would undermine that bulwark."

During the 1978 debate of the Packwood-Moynihan bill, the American Jewish Committee charged that the proposal would "reduce the resources available for support of public education and could well result in a proliferation of exclusionary 'fly-by-night' private academies more concerned with making money than educating children."

Last year, Edd Doerr of Americans United told the president's Advisory Council on Education that all forms of private school tuition relief "would encourage the religious, ideological, ethnic, and class Balkanization of American society and increase the centrifugal forces in society which have proven so destructive in other countries, such as Northern Ireland."

If parents were encouraged by tax incentives to send their children to private schools, he said, it "would tend to wreck public schools, turning them into shrunken 'wastebasket' schools of last resort for poor, minority, handicapped, and other students excluded in one way or other from the tax-supported non-public schools."

Such government support might even compromise the religious identity of parochial schools, Doerr asserted. If the bill were passed, he said, "religious schools grown dependent on tax support might be forced to adhere to Supreme Court rulings barring sectarian instruction and school-sponsored prayer and Bible reading, and thus trade their religious purposes and distinctions for a mess of Caesar's pottage."

Another overriding fear is that the plan would encourage parents to flee desegregation of the public school system by placing their children in so-called "white academies."

But parochial school officials respond that their schools often provide the only alternative for poor families in neighborhoods where the public education system is deteriorating.

Archbishop John R. Roach, head of the Roman Catholic Archdiocese of Minneapolis-St. Paul, said the racial fears attached to the tuition tax issue were "phony."

"The fact is that private schools, the majority of which are Catholic, have an extremely good track record in educating minorities and the poor."

John C. Esty, Jr., president of the National Association of Independent Schools, would like to dispel the popular notion that private schools are "elitist." He points out that black and Hispanic families make up 17 percent of total Catholic parochial school enrollment of 3.3 million pupils. Lutheran schools, which constitute the largest Protestant parochial system, have a 13 percent minority enrollment.

Furthermore, Esty charged the tax credit opposition with ignoring the increase in classroom crime, declining academic standards and other factors which have driven many families away from the public school system.

When it comes to education priorities, "many forms of government aid benefit special categories of students to the exclusion of broad general aid for all students, including the gifted and talented," Esty said. "The result has been more attention to, and diversion of resources to, small — albeit needy — numbers of students, and a drastic weakening of support for most students."

Al Senske, secretary of elementary and public schools for the Lutheran Church-Missouri Synod who went on to a position in the Carter Administration's newly formed Department of Education, has described tuition tax credits as an enhancement of parents' right to "free exercise of religion as they choose private schools for the purpose of their children's moral and spiritual development."

A University of Chicago sociologist who headed the 1966 study calling for desegregation of public schools, has supported the tuition credit plan as an opportunity for black parents "to escape from schools they think hurt their children."

"Parents and children have a better sense of what's a good school context for them than do professionals who must deal with a very large number of children," said Professor James S. Coleman. "I trust the parents and the children more than the professionals."

The prospect of even the modest tuition relief offered by the Packwood-Moynihan bill has prompted some religious groups to forego their wariness of government involvement of any kind in religious affairs.

In 1979, the Rabbinical Assembly of Conservative Judaism reversed its long-standing opposition to federal aid for private schools when it voted to support the tax credits proposal. The rabbis said the need to maintain Jewish identity through Jewish education outweighed their traditional concern for the possible weakening of church-state separation.

They cited the rising costs of supporting Jewish schools and "our commitment to Jewish education" as reasons for making an exception to their historic position on this issue.

Public support for the tuition tax credits is difficult to gauge. Doerr, of Americans United for Separation of Church and State, cited a 1978 Roper organization poll showing 64 percent of American adults against it, with only 28 percent for it.

However, a New York Times/CBS poll taken in 1979 showed 60 percent of the American public in favor of the idea. The proposal also carried majority support among various segments of the population. Sixty percent of the black population favored it, as did 61 percent of liberals, 60 percent of Protestants and 73 percent of Catholics.

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