



Bishop Matthew H. Clark

Along the Way

Assent and dissent

The Church is a community founded on and living in the love of God made visible. This community is made up of believers who want to incarnate the love of God in their lives. More than just believing in love, they wish to be love. True Christians seek not just to keep the commandments, but to do the loving thing.

In order to root their lives in love, Christians rely on the Word of God, the wisdom of the people of God and the guidance of the bishop to provide insights on how best to live a truly Christian life.

The Church, in providing practical guidance, realizes that it does not have ready answers to every problem that arises. Neither the scriptures nor the tradition provide us with solutions for every situation. But in fidelity to her mission, the Church cannot simply remain silent while good Christians struggle with problems of faith or practical

morality. Simply because the Church has not worked out a definitive answer to all the questions posed does not mean that, by the help of the Spirit, the Church cannot offer the best possible answer for today, realizing that with further study and more mature insights, she may revise her teaching tomorrow. If the Church waited until it was absolutely sure, it would be literally impossible for the Church to preach at all, to interpret the faith as a decisive force in real life or to apply faith to each new situation in human life.

With no embarrassment we openly admit that, in exercising its role as teacher, the Church can and occasionally has fallen into error. For example, The Church once thought it was no sin to keep slaves; now the Church more clearly sees that slavery is indeed an evil that has no part in the Christian way of life.

This is not to deny the very special role of the Holy Spirit in guaranteeing the teachings

of the Church when these teachings are definitively taught. But Christians must realize that not all things the Church proposes as guidance for its members are proposed as infallible. Some are proposed, rather, as the best and safest path for the Christian to follow in the present moment.

Simply because some Church teaching carries the possibility of error does not mean that members of the Christian community are encouraged to accept or reject this or that teaching at will — as if belonging to no community of faith at all. The Church does not abandon its members by leaving them to make difficult moral choices according to free, individual opinion. With the help of the Spirit, bishops teach in an authoritative manner what Catholics believe — respecting the teacher and the teaching as they respect Christ and His gospel — are to believe and put into action in their lives. Even more so is a Catholic expected to follow the teaching of an ecumenical council or the teaching of the pope, because even if still provisional, such teaching represents the collective wisdom and spiritual insight of the worldwide Church, which is assisted in its teaching mission by the Holy Spirit.

Because some of the Church's teachings are still being developed and formulated, the Second Vatican Council admitted the possi-

bility that good Christians, because of special training or gifts, could find themselves unable to give internal assent to what the Church proposes. If they respect the Church's teaching office and have made a serious effort to achieve internal assent but find that they cannot, they are not considered disobedient or disloyal by the Church. They must follow their consciences.

The council was also particularly aware that those who were competent in theology must have a freedom of inquiry, thought and expression in order to fulfill their proper function for the Church. At times, this task will lead a scholar to propose a tentative conclusion, which in effect, is dissent from ordinary, undefined teaching. The scholar is not attempting to take over the teaching role of the bishop by proposing such conclusions, but rather is suggesting possible ways that the Church in the future might structure its own teaching. A theologian's speculations are only the beginning of a professional dialogue; hence the average Christian should not confuse these ideas with the authoritative teaching of the Church, nor be scandalized by them. This dialogue is the ordinary and necessary way in which the Church deepens her knowledge of the gospel in the light of the contemporary age.

Non-public schools claim rare victory in textbook decision

By Teresa A. Parsons

School may just be drawing to a close for the year, yet principals are already preparing to order textbooks for next fall.

That task may be a little easier for Catholic school administrators thanks to the efforts of Sister Patricia Gouse, David Gross and diocesan officials.

In a decision announced April 22, State Education Commissioner Gordon M. Ambach clarified what has been an ongoing dispute between some diocesan and non-public schools — the distribution of textbooks.

By state law, public school districts are required to distribute textbooks equitably among students attending public and non-public schools. To determine how much to spend on textbooks in a given year, boards of education are directed by the state to multiply the number of students in their districts by \$25.

But last July, when Sister Patricia, principal of St. John the Evangelist School in Spencerport, submitted her order to the Spencerport school district, she received an unpleasant surprise. Her order was returned with a notice saying that her textbook allowance was limited to \$25 per student. The notice also directed her to allow for a "vendor's charge" of 5 percent, covering the district's administrative, freight and transportation costs.

"I knew this was not the law," Sister Patricia recalled. "The law is based on need and equity. Even if we exceed the \$25 limit, we are supposed to get the books we need."

So she returned the order. But when her books arrived, nearly \$200-worth were missing.

After failing to resolve the situation with the district directly, Sister Patricia turned to James McAuliffe, diocesan assistant superintendent for public affairs. He attempted without success to negotiate with the district, and subsequently with the State Education Department in Albany.

On the advice of diocesan lawyers, Sister Patricia then sought a parent who was willing to file an appeal with the state education commissioner. That's when David Gross

entered the picture.

"I volunteered because we've had three children graduated from St. John's and two in school now," he said. "Parents with children in the parochial schools many times don't get a fair shake. From a taxpayer's standpoint, we're really paying above and beyond."

Beginning in the fall, Gross met with a diocesan lawyer to prepare his appeal. "We figured there was nothing we could do for the order itself — it was too late for that year," he said.

But coming in April, the decision is just in time for next year and is well worth the wait. "We don't have too many victories to celebrate," Gross pointed out.

In overturning the local district's action, Ambach noted that boards of education "must establish a procedure to ensure equitable distribution of the textbooks available, both those on hand from prior years, and those newly purchased. That procedure must assure that in each subject area, students are treated equally regardless of the school they attend . . ."

"Respondents (the Spencerport district) may not establish for each building an absolute ceiling of expenditures beyond which it will not lend new textbooks, because a per-building limitation might not — and in most cases would not — result in an equitable distribution of textbooks to all students residing in the school district," the decision stated.

Likewise, if limiting a school's allocation of textbooks was improper, the decision concluded, charging individual schools with vendor's fees was also improper.

Ambach also placed the primary responsibility for keeping track of loaned books on public districts. "It is the respondents' responsibility, with the cooperation of the non-public school officials, to maintain an accurate inventory of textbooks in order to assure that textbooks are loaned to all students on an equitable basis," he wrote.

Spencerport was distributing textbooks in the same way to all its public and non-public

schools, asserted Daniel Mooney, the district's attorney. "Spencerport felt that when it took the same approach to all the schools, it was being equitable," he said. "It probably is using the \$25 figure as a limit more than it is when you do it the other way."

"We've always had very good rapport with the Spencerport district and still do," Sister Patricia said. "We never heard another word from them except a letter saying that from now on we would order through BOCES in Fairport."

"I guess this was the first time the law was challenged," she added. But it was not the first time she or other parochial school principals have been challenged on their textbook orders. Hilton's school district tried several years ago to do the same thing, she said. When she showed them a copy of the textbook law, however, representatives of the Hilton district complied with her request.

"There are other schools that have run into this problem over the years," McAuliffe said. "Spencerport was just the most blatant violation."

Ambach's decision represents what diocesan

officials regard as "a substantial victory . . . that has wide implications for non-public education throughout the entire state."

Already, the results have been evident. "We don't seem to be having near the problems we had before the decision," McAuliffe said.

Gross believes the decision may also eventually improve the equality of parochial school textbooks. "According to the ruling, the textbooks used in parochial schools should be of equal level to those used in the public schools," he said. "Teachers and school boards should be more assertive in knowing what the public schools are doing. This may mean schools come forward a little stronger . . . and our books may be more current."

But for the decision to be applied, McAuliffe noted, parents must take an interest in the books their children receive.

"Under the Freedom of Information laws, they can look at their district's textbook loan account," he said. "This is a parent's decision, but it's up to the parents in the local school districts to find out what their district is spending."

Diocesan Appointments



Bishop Matthew H. Clark has announced the following diocesan appointments, which are effective June 24:

Father David Bonin, C.P.P.S., from pastor, Most Precious Blood Church, Rochester, to sabbatical.

Deacon Leo G. Aman to parish deacon, St. Anthony of Padua, Rochester.

Deacon Albert P. Bergeron to assisting chaplain, Rochester Psychiatric Center, with a liturgical base at St. Joseph's, Penfield.

Deacon George Burnett to parish deacon, St. Patrick, Owego.

Deacon Michael Campanelli to parish deacon, St. Cecilia and St. John the Baptist, Elmira.

Father Ralph Fraats from pastor, St.

John the Evangelist, Newark Valley, and St. Francis, Catatonk, to chaplain, Mercy Health and Rehabilitation Center, Auburn.

Deacon Gregory J. Kiley to parish deacon, St. John the Evangelist, Clyde, with additional responsibilities as chaplain, Legion of Mary, Finger Lakes Curia.

Father Ronald Mahon, C.P.P.S., from spiritual director and instructor at Chaminade High School, Toronto, to pastor, Most Precious Blood Church, Rochester, effective July 1.

Deacon Brian J. McNulty to parish deacon, St. Augustine, Rochester.

Deacon Conrado Mercado to parish deacon, St. Michael, Newark, with additional responsibilities with the Spanish Apostolate.

Deacon William F. Schmitz to parish deacon, St. Leo, Hilton, with additional responsibilities with the Permanent Diaconate Program.

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