A STUDY OF PUBLIC LAW 815 AND ITS OPERATION IN TEXAS

APPROVED:

Graduate Committee:

E. L. Huff et alus
Major Professor

Forrest C. Gallus
Committee Member

Harold C. Landman
Committee Member

Dwane Lingar
Dean of the College of Education

Roberts Touloue
Dean of the Graduate School

The problem of this study was to review the background, the development, the present status, and the significance of Public Law 815 with special reference to its operation in Texas. Its purpose was to describe the intent of Congress in passage of Public Law 815 in 1950, and the impact of this act upon the public schools in Texas.

An analysis of all available information gave evidence that conditions in the United States since 1950 have created a need for Public Law 815. The law as originally passed in 1950 and its subsequent amendments have combined many of the strong features of various types of federal assistance to education that preceded it. It appears that Public Law 815 has been effective in unifying the program of the federal government in assisting school districts affected by its activities. It may also serve as the basis for future federal legislation to assist local districts in maintaining adequate educational programs.

The background study included a review of literature, a poll of Texas Congressmen, and a review of data at the Texas Education Agency and Regional Office of Health, Education,
and Welfare. The survey technique was used to collect data for the study.

The following procedures were used to develop the survey questionnaire: (1) selection of an advisory panel, (2) construction of the initial survey questionnaire, (3) selection of a jury panel, (4) validation of the initial questionnaire, (5) construction of the final questionnaire, and (6) administration of the final questionnaire.

The development and findings of this study are presented in six chapters. Chapter I presents an introduction and the procedure taken in completing the study. In Chapter II a review of literature and historical background of federal aid to education is reported. Chapter III contains the Public Law 815 Act and its administration. Chapter IV contains details of the procedures taken in completing the study. Chapter V consists of the findings of the study. The summary, conclusions, and recommendations are presented in Chapter VI.

Conclusions

The federal government has established for itself a strong role in education. The majority of Texas school administrators conclude that a long history of financial assistance by the federal government exists; that there is a definite need and a responsibility for financial aid; that there is no threat of federal control; that federal activity creates a
permanent problem; that there is a lack of appropriations; and that the implementation of the law was in keeping with the intent of Congress.

In the administration of Public Law 815, there was excellent cooperation between all levels of government; the cost of applying and administering the program was insignificant; the funds provided were adequate; federal monies influenced the spending of local funds; and Congress should guarantee 100 per cent entitlement.

Recommendations

Effectiveness of Public Law 815 could be improved through: (1) guaranteed 100 per cent payment of legal entitlements to eligible districts based on the federal government's moral obligation and legal responsibility to financially assist those districts that are affected by federal activity; (2) enact permanent legislation to meet what is believed a permanent situation; (3) clarify the role of the federal government as a taxpayer in local school districts; (4) establish the federal government as a permanent partner to state and local educational agencies for all phases of educational activities; and (6) effect continuous evaluation to provide a basis for congressional action when the need arises.
A STUDY OF PUBLIC LAW 315 AND ITS OPERATION IN TEXAS

DISSERTATION

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By

Orace C. Taylor, B. S., M. Ed.
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CHAPTER I

INTRODUCTION

Never before have the public school systems throughout Texas and the nation experienced such fierce competition for the tax-payer's dollars. Improvements in public schools sought by nearly all Americans are being retarded by inadequacies of the revenue potential of state and local tax systems (2, p. 45). The public is questioning the results of expenditures for education as it faces new demands on its dollars by tax increases at all levels of government as well as by inflation (4, p. 13).

Without deprecating the need for research, for curriculum changes, and for better methods of teaching, the underlying fiscal problems must be solved before major improvements can be realized. Understandably, then, much of the discussion about the federal government's role in education has been a search for ways to strengthen or to supplement the school tax base (2, p. 45). At the state and national levels, legislators face increased pressures as they deal with educational needs (3, p. 16).

This question has been before the American people in various forms for many years. The U. S. National Advisory Committee on Education appointed by President Hoover declared in 1931...
The American people are justified in using their Federal tax system to give financial aid to education in the states, provided they do this in a manner that does not delegate to the Federal Government any control of the social purposes and specific processes of education (5, pp. 30-31).

The U. S. Congress in 1950 enacted Public Laws 815 and 874. The purpose was not only to compensate school districts for gaps in the property tax base resulting from the tax-exempt status of federal property, but also to ensure that good public schools would be available near military and other federal installations (2, p. 49). These laws stem from an extensive study of school problems in "federally affected areas" by the House Committee on Education and Labor.

Public Law 815, a counterpart of Public Law 874, authorizes federal financial assistance for the construction of school facilities in school districts that have had substantial increases in school membership as a result of new or increased federal activity, or in school districts that educate large numbers of children residing on tax-exempt property. Funds appropriated under Public Law 815 are also used to construct schools on military bases and on other federal property (2, p. 51).

Statement of the Problem

The problem of this study is to review the background, the development, the present status, and the significance of Public Law 815 with special reference to its operation in Texas.
Purpose of the Study

The purpose of this study is to describe the intent of Congress in passage of Public Law 815 in 1950, and the impact of this act upon the public schools in Texas.

More specifically, the purposes of this study are as follows:

1. To trace the development of federal relations to public education with special attention to financial assistance for classroom construction.

2. To review and to evaluate the purposes, provisions, and administration of Public Law 815.

3. To survey and to describe the operation of Public Law 815 in Texas according to the opinions of school officials and participating districts with special reference to (a) federal control and influence on local economy, (b) administration of the law, and (c) adequacy of assistance provided by the law.

Background and Significance of the Study

The Impact Law is essentially a continuation of the Lanham Act of 1941, since the concept behind the laws was roughly the same: namely, that the federal government had a responsibility to provide money for community services in lieu of taxes because federal property is not usually taxable on the local level. It was the Korean War which caused the increase in federal involvement with factories and military
establishments, leading to undue pressure on communities in the vicinity of these installations.

Public Law 815 has been in effect for twenty years since its initial enactment on September 23, 1950. This twenty-year span of operation is most appropriate in the evaluation of the original intent of the 81st Congress and especially the law's operation in Texas.

Many questions have been raised about the impact of this law upon local public school districts because of the tremendous amount of money expended. In excess of $72,000,000 has been spent in Texas for construction of school facilities in federally impacted areas (9, p. 173). These funds have housed 116,302 students in 4,130 classrooms within the state (9, pp. 194-195).

Appropriations of the above mentioned funds were granted under the following section of the act:

Section 5—a claim for federal assistance for the construction of school facilities based on an increase in federally connected children in the school district in a specific four-year period.
Section 8—a claim for additional federal assistance to maintain minimum school facilities when all local, state, and federal sources have been exhausted.
Section 2—a claim for federal assistance for temporary school facilities granted by the Commissioner of Education (9, p. 13).

The Impact Laws are popular with school administration because they serve to alleviate the financial difficulties of fast-growing districts. The laws are popular with Congress because of their geographic spread. Impact funds go to 316
of the 437 congressional districts. Twenty-five per cent of all students in public schools (elementary and secondary), or 7.5 million students, are covered by Public Laws 815 and 874 (7, p. 27).

In spite of the general agreement about the validity of the Impact Laws, there are some admitted defects and inequities. Consequently, changes have been proposed in recent years. The greatest inequities result, in part, from the fact that it is possible for school districts to receive government payments in lieu of taxes for property which is, in reality, on the local tax roll.

Definitions of Terms

For the purpose of this study, the following definitions have been formulated:

**Federal property**—real property which is owned or leased by the United States.

**School facilities**—includes classrooms and related facilities; initial equipment, machinery, and utilities necessary or appropriate for school purposes.

**Base year**—the fourth regular school year preceding the fiscal year in which an application was filed under Public Law 815.

**Increase period**—the period of four consecutive regular school years immediately following base year.

**Construct**—construction which includes the preparation, drawing, and specifications for school facilities.
Limitations

The scope of this study was limited to Public Law 815, as a categorical federal aid program. Moreover, the study was limited to 112 selected Texas school districts that make use of Public Law 815 funds. The study was further limited to sections 5, 8, and 9 of the act which deal primarily with military impacted areas.

Basic Assumptions

It is assumed that twenty years of participation in Public Law 815 was sufficient to provide the basis for objective judgment as to results; that twenty years has been sufficient time to clarify the intent or purpose of the law; that the utilization of questionnaires from different sizes of school districts and different geographical areas offset biases that might have influenced personal judgment of federal aid; and that the public school officials responded honestly to the survey instrument.

Survey Instrument

In order to study the actual operation of this law in Texas, an extensive questionnaire was designed and submitted to a jury of twelve persons experienced in the administration, operation, and evaluation of Public Law 815. This jury was selected from school officials throughout the state who have had continuous involvement with Public Law 815 funds.
The purpose of the jury was to determine the precise areas to be investigated and clarify the wording and interpretation of the questionnaire. It was felt that this procedure would lend validity to the study.

The revised questionnaire was sent to all school officials of Texas districts that have received funds under the provisions of the act. This questionnaire with accompanying instructions, was sent to 116 school districts within the state. The school districts receiving this questionnaire will be divided into four categories:

1. Less than 1,000 average daily attendance.
2. 1,000 to 2,499 average daily attendance.
3. 2,500 to 4,999 average daily attendance.
4. More than 5,000 average daily attendance.

A return of approximately two-thirds of the 116 survey questionnaires was considered adequate to support the objectives of the study.

Procedures for Collection of Data

A review of literature dealing with the passage of the law and subsequent amendments should clarify the basic purposes and intent of the law. Statements from selected congressmen and government officials were sought to supplement a review of literature.

A study of selected applications, evaluations, and reports of districts throughout the region covered by Dallas Health,
Education, and Welfare Office provided hard data on the level of spending, construction, and overall support of classroom construction within the state.

The survey of public schools should provide evidence as to the effectiveness as well as the weaknesses in meeting the intent of Congress.

Procedures for Analysis of Data

The data from the survey instrument were compiled, reported, and tabled. The percentages of answers were recorded for each question by school categories.

Conclusions and recommendations were drawn from data collected from the survey instrument, a study of Texas Education Agency's records, a study of records from Dallas Regional Office, Health, Education, and Welfare, and a review of literature and inquiries to officials involved in the politics of Public Law 815.

Summary

The development and findings of this study are presented in six chapters. Chapter I presents an introduction and the procedure taken in completing the study. In Chapter II, a review of literature and historical background of federal aid to education is presented. Chapter III contains the Public Law 815 Act and its administration. Chapter IV contains details of the procedures taken in completing the study.
Chapter V consists of the findings of the study. The summary, conclusions, and recommendations are presented in Chapter VI.
CHAPTER BIBLIOGRAPHY


CHAPTER II

A REVIEW OF LITERATURE AND DEVELOPMENT
OF PUBLIC LAW 815

Few persons would deny the importance of education to our society, for it is clear that without a highly developed system of education the United States could never have assumed the position of world leadership which it presently holds. Leaders of our nation, representing national opinion, have repeatedly stressed the vital nature of education. Thomas Jefferson, one of the great spokesmen for education, stated, "The commonwealth requires the education of her people as the safeguard of order and liberty" (26, p. 3).

Perhaps the most ardent supporter of education for all the people in the United States was the late President John F. Kennedy, who stressed the necessity of developing education on a national scale. He challenged the American people with "Democracy demands more of us than any other system in education, character, self-restraint, self-discipline. How are we going to get the best education in the world?" In order to achieve the best possible education for all children, he further stated that "Our twin goals must be: A new standard of excellence in education—and the availability of such excellence to all who are willing and able to pursue it" (27, p. 4).
Relationship of the Federal Government to Education

The education of its future citizens has become a primary enterprise of our government involving all children and all areas of education in all schools.

The Constitution of the United States contains no reference whatever to public schools or to education. As a result education in this country has grown up as a function of the state. This situation is well expressed by Moehlman in the following statement:

Education in the United States is a state function, deriving its legal authority from a reservation of power in the Federal Constitution, state constitutional provisions, statutory enactment, positive judicial interpretations, and continuous exercise of the function. Each state, however, has been at liberty to express this function in organization and practice according to its desires. As a result, there are large variations in structure and administrative procedure, although certain features are common to all states. With minor exceptions the local community is responsible for executing the elementary and secondary educational programs, while advanced education is administered by the state as a whole. Each state has provided for some type of education authority and is partly responsible for financing elementary and secondary school programs (21, p. 323).

The federal government has, from its inception, had a genuine concern relative to public schools and education in general. The general welfare clause of the Constitution has been consistently interpreted to justify this concern even though the Tenth Amendment contains these provisions: "Powers not delegated to the United States by the Constitution, nor prohibited by it to the states are reserved to the states respectively, or to the people"(28).
According to Burke the interest and the concern of the federal government generally have revolved around the following areas:

1. The establishment of decentralized state school systems.
2. The stimulation of certain educational activities with the various states.
3. The direct provision for certain educational services within states.
4. The maintenance and operation of certain programs of education within Federal jurisdictions (5, p. 382).

In regard to the Constitution and its effects upon public education in the United States, Cubberley comments as follows:

As a result of constitutional silence on the subject, public education in the United States has become a community administrative responsibility, a legal function of the various states and a continuing concern of the Federal Government (7, p. 88).

Moehlman states the following conclusions regarding local, state, and federal responsibilities for providing educational programs:

Democratic control over public education by the community is a protection against the possible misuse of the education function. The educational responsibility of each state consists of maintaining and improving the education function, equalizing opportunity, providing leadership, and improving local operation of the education inequalities among the states and among individuals; to gathering and publishing information on conditions and needs; to conducting cooperative research; and to furnishing constructive leadership in the development and improvement of education effort (21, p. 459).

Burke summarizes federal policy in education under the general welfare clause of the constitution in the following statements:
Since the adoption of the Constitution in 1788 Federal policy in education in the United States has not been consistent nor clearly defined. The Federal government used its resources to encourage the establishment of state school systems; it used finance to stimulate educational developments considered to be in the national interest; it has crises and emergencies; it has financed Federal educational institutions and activities, some of which were provided within the states; and it has pursued a number of different policies relative to the financing of schools within Federal jurisdictions. The role of the Federal government in education has been governed by expediency and immediate necessity. Conflicts in ideology and economic interests have prevented the development of a clearly formulated policy in public school finance (5, p. 407).

Upon analyzing the background of recent legislation affecting the schools, this country has a long history of gradual yet clearly definable federal interest in education. The Founding Fathers of the nation showed great interest in education in terms of some of the early provisions of Congressional attention affecting education. Their careful movement into educational activities over the first one hundred years demonstrated clearly the caution and concern expressed on the part of Congress in taking broad and bold steps into educationally related areas.

Thirty years ago, the President's Advisory Committee on Education would assert without controversy, "The American people are committed to the principle that all of the children in this country, regardless of economic status, race, or place of residence, are entitled to an equitable opportunity to obtain a suitable education, so far as it can be provided in the public schools." The committee was obliged to add,
"The principle has never been fully realized in practice" (19, p. 3).

The listing of programs involving federal activities in education is extensive. The list is not only lengthy from a standpoint of the vast areas of concern, but also long in terms of the number of years federal action has been involved to some extent in educational activities. Perhaps related to the length of time in the general supportive activities is an indication of the areas of the federal government involved in varying educational programs.

Effect of Court Decisions on Education

Constitutional provisions and statutory enactments cannot possibly cover all the details of school organization and administration. A very large part of the law governing the operation of the educational system in the United States is focused in the body of common law established by judicial decisions. The authority of the federal government regarding public education has never been exactly and clearly defined by the courts. It is true, however, that the Congress of the United States finds in the Constitution implied authority for all its actions related to public education. Concerning this matter Moehlman makes the following statement:

This must be so because powers not thus conferred and delegated reside in the powers and authority assigned the several states. Inasmuch as education is not expressly mentioned in the Federal Constitution, the authority of the Federal Government regarding education must be implied authority (21, p. 320).
In recent years, however, the Supreme Court of the United States has interpreted the general welfare clause of the Constitution as conferring substantive powers upon the Congress. In other words, the power of Congress to lay and collect taxes, to provide for the common defense, and to promote the general welfare of the United States is not to be interpreted as being confined to the specific powers enumerated in Section B, Article I of the Constitution. The precise limits of the authority of Congress have not been set by the Constitution or the judiciary. However, it is quite clear that Congress can spend federal funds for the support of public education. It is also evident that Congress can establish and maintain agencies and departments in the executive branch of the government having wide and varied educational obligations and responsibilities. It seems unlikely, however, that Congress under the present federal Constitution could ever exercise direct control over the educational institutions maintained by a state without the consent of the state (22 p. 1095).

On the other hand, the federal judiciary through its rulings and constitutional interpretations may vitally affect the educational policies and programs of the several states. Much of the educational legislation of the states is subject to review by the Supreme Court and may be declared unconstitutional. The authority of the court to declare state
legislation unconstitutional is derived chiefly from the Fourteenth Amendment (22, p. 1096).

In the minds of some people, there are still some questions regarding the constitutionality of federal aid to public education, notwithstanding the fact that such aid has really been in existence since 1785. This doubt has been raised by several United States Supreme Court decisions which began in 1824, when Chief Justice Marshall ruled, "Congress is not empowered to tax for purposes which are within the exclusive province of the states" (15).

Since this decision all of the direct money aids to public education under the Morrill Act of 1862 and subsequent legislation have been made by Congress. These acts have not been seriously questioned. Up to the present time the United States Supreme Court has not passed directly on the constitutionality of any federal appropriations for public education to the states. To summarize the whole matter Moehlman makes the following statement:

In the light of the long history of Federal interest and active aid as a part of national policy, and until a specifically adverse decision is rendered, it may be assumed that the Federal Government is empowered to make grants to public education, presuming that they do not diminish the rights of the states in the exercise of the education function (21, p. 472).

The Fourteenth Amendment to the Constitution and the interpretation of the "due process" clause by the Supreme Court have resulted in making this Court the final authority
in areas of educational dispute within the states. This is the case since the limits involved in depriving any person of life, liberty, or property without due process of law are very elastic. The Supreme Court has consistently upheld education as a state function in every case where this issue has been involved. In the same manner, the Court has uniformly ruled that education is not a monopoly of the state (21, p. 29).

The original delegation of authority by popular act of the citizens through the state Constitution is a limited delegation in which the people, and particularly the parents of children, reserve the right to protest. Hamilton and Mort make the following statement about this right:

This right is a safeguard against possible misuse, disuse or abuse of the education function by the state, and a protection of the individual in his right to differ from accepted procedures by entertaining other views and opinions (16, p. 25).

Arthur Moehlman makes the following comments about the right of protest:

The right of protest is the functional as well as the legal basis for the existence of the so called private, independent and non-public school in open competition with state developed, controlled and operated public schools.

The right of protest has been recognized through legal provisions for the issuance of state charters for non-public educational agencies by granting tax exemptions and by offering such agencies the normal protection of the police power of the state and of the Courts.

The right of the parent to a choice of public or non-public schools and the rights of private schools have been sustained uniformly and consistently by decisions of the United States Supreme Court in the Girard, Dartmouth, Nebraska and Oregon cases (21, p. 29).
Unquestionably, the federal judiciary has become a potent influence upon public education. The Supreme Court has stipulated that private schools cannot be abolished by an act of a state legislature (24). It has also stipulated that states may provide free textbooks (6) and free transportation (12). The Court has ruled that a program of released time for religious education is not in conflict with the First Amendment (27). The Supreme Court has further ruled that a state legislature may require that public school teachers cannot hold membership in any organization advocating overthrow of the government (2). The Supreme Court has reversed its own ruling of the "separate but equal" doctrine given in the railroad case of Plessy v. Ferguson (23) in 1896 and declared, in 1954, that segregation by race in the public schools is a violation of the Fourteenth Amendment (14). In 1956 the Court clarified this ruling when it pronounced its "with all deliberate speed" doctrine. Federal Court action versus local school district conformance has been headline news since this ruling.

The United States Office of Education

On March 2, 1867, President Andrew Johnson approved a Congressional Act that provided for the establishment of a Department of Education. In 1869 Congress modified its action and changed the title to "Bureau of Education" and placed the office under the administrative direction of the Secretary of
the Interior. It continued as a bureau until 1929 when the title was changed to "Office of Education." On July 1, 1939, the Office of Education was transferred from the Interior Department to the newly established Federal Security Agency. This Agency included education, health, and social welfare activities (8, p. 368). From 1939 to 1949 there was considerable opposition to this arrangement. This opposition came largely from several professional groups. These groups included the National Education Association and the American Association of School Administrators. The opposition was based generally on the belief that this type of organization provided too close an association between education and social welfare. These organizations also desired an independent department of education with full cabinet status. In 1950 President Harry Truman recommended to the Senate of the United States that the Federal Security Agency be given Cabinet status. This recommendation was rejected by the Senate by a vote of sixty to thirty-two (8, p. 475). The Federal Security Agency was given Cabinet status, however, in 1955 during the early part of President Eisenhower's administration. The new department is known as the Department of Health, Education, and Welfare (29, p. 28).

Charles Hubbard Judd makes the following statement about the purpose of the United States Office of Education:

The purposes of the United States Office of Education as clearly stated in the Act of 1867 which brought it into existence were for the
purpose of collecting such statistics and facts as shall show the condition and progress of education in the several states and territories, and of diffusing such information respecting the organization and management of school and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country (18, p. 113).

In the beginning, the Office of Education was basically a research and reporting agency. From time to time, however, numerous additional responsibilities have been assigned to it. As these assignments have been made, the Office of Education has become a more potent force in the development of federal educational policies. Throughout the years, however, the office has been maintained and operated more as a service agency to education than as an agency for the implementation of national policy. Its influence has been exerted largely through the collection, the interpretation, and the dissemination of educational information to aid the states in maintaining efficient systems of education. This has been done largely through assistance in formulating educational goals, standards, and practices (21, p. 476).

In the history of the development of federal aid to education in the United States, several events have transpired to enlarge and magnify the administrative authority of the United States Office of Education. The increasing importance of federal aid to land grant colleges and the requirements of the acts supplementing and enlarging the first Morrill Act
have given the Office of Education a considerable degree of control over these colleges and their programs. The executive order of June 10, 1933, which transferred the administration of federal aid for vocational education to the Office of Education, further enlarged its administrative authority. During World War I, the depression of the 1930's, and World War II, the office carried on special temporary educational programs in the interest of national welfare. These responsibilities further expanded its authority (5, p. 326).

Involvements of the States in Education

Someone has adroitly commented that state departments of education have come of age since 1960. This is a somewhat debatable point because the function of the state department of education is a longstanding instrument of policy and action set forth traditionally in the history of the republic. State departments of education, though, for many years had served mainly as caretakers and data collectors for the real events that took place at the local level. In many instances the salaries in the state departments of education were much lower than those paid in well-heeled school districts in their own state. Therefore, it became somewhat difficult to attract high level people to state departments of education. Slowly the changes are taking place in state programs, policies, and people to change the image and the action coming forth from the state level.
Studies of a Specific Nature

Several studies and reports have been made in the general area of federal aid to education. Some of them are, perhaps, as significant as the ones listed in this study. Reference in this investigation, however, is made only to a sampling of studies and reports in the general area of federal aid to education because of their indirect bearing and influence upon the purposes of this study.

An investigation into the specific area of federal aid to education with which this particular study is concerned revealed that there had been only four similar studies made in the United States.

In 1946 J. W. Edgar (11) did research on the provisions and operation of the Lanham Act. Edgar reviewed the historical background of this act, including the need for the act, and related this background and need to existing federal educational policies. In this study the provisions of the act and a summary of its administrative interpretations were recorded. The various titles and phrases of the air program under the Lanham Act were analyzed separately. This analysis included the school building construction program maintenance and operation phase. Questionnaires were sent to participating school systems all over the nation. These data enabled Edgar to report and summarize opinions and evaluations concerning the effectiveness and value of the Lanham Act aid program.
The data used in Edgar's study came from three main sources, as follows:

1. The experience of the author as superintendent of the Orange, Texas Schools, which received Lanham Act assistance for construction, and child care from the 1941-42 school year through 1946-47.

2. Official government records and documents.

3. Available educational literature

4. Other research studies in the field (11, p. 18).

In his study Edgar concluded that the Lanham Act Program had been effective and to a large degree had adequately attained its purposes in making possible the operation and maintenance of normal school programs and services in war areas during the war emergency. Edgar also concluded that the Lanham Act Program contributed significantly to improved federal-state relations in education and to the total structure of federal aid to education in the United States (11, pp. 227-230).

Edgar recommended in his report that the program of federal financial aid to school districts affected and burdened by activities of the federal government during war times or under other circumstances be continued on a more comprehensive basis, and be made permanent (11, pp. 230-231).

In 1953 Louie R. Davis (9) made a comprehensive research study and survey of financial assistance to federally affected schools in Virginia under the provisions of Public Law 874 and Public Law 815. In this study Davis formed the following conclusions:
1. There was a need for these aid laws when they were passed in 1950 as a follow-up to the Lanham Act which had expired.

2. The Federal Government has a responsibility to assist districts affected by activities of the Federal Government.

3. Public Law 874 and Public Law 815 represent a concrete effort on the part of the federal government to unify its policies and programs to aid federally impacted districts. Prior to 1950, a half dozen or more Federal aid programs to these districts were implemented and administered by various government departments and bureaus.

4. These laws appear to be compatible with established fundamental principles of federal-state relations in education in the United States.

5. These laws have been reasonably effective and adequate in aiding the maintenance of normal school programs in the affected districts.

6. The overall administration of Public Law 815 and Public Law 874 on the national and state level has been satisfactory (9).

In 1957 James R. Gammil (13) did a survey study of federal assistance to education under Public Law 815 with a special reference to its operation in Texas.

The purpose of the study by Gammil (13, p. 7) was to trace the history of federal assistance for school building purposes, to review the steps and conditions that resulted in the enactment of Public Law 815, and to evaluate its adequacy.

In view of the conclusions drawn from his study, Gammil made these recommendations:

1. The United States Congress should make appropriations adequate to pay full entitlements under the provision of Public Law 815.

2. Public Law 815 should be made permanent legislation.

3. Some of the specific provisions of Public Law 815 should be changed to erase inequities.

4. A similar study of Public Law 874 should be made (13, pp. 239-240).
In 1959 E. Vaughn Huffstutler (17) completed a comprehensive study on Public Law 874 and its operation in Texas.

The purpose of the study by Huffstutler (17) was to analyze the background, development, the present status, and the significance of Public Law 874 with respect to its operation in Texas.

In his study Huffstutler (17) concluded that appropriate legislation should be enacted by Congress to guarantee 100 per cent payment of legal entitlement; that payment should be provided for all section 3 children; that the use of the local contribution rate as a basis for payment should be changed. It was believed that these actions would improve the adequacy and effectiveness of Public Law 874 (17, pp. 180-193).

Development of the Act

The historical background on the support called Public Laws 874 and 815 dates back officially to 1941 when the Congress made provisions through the Lanham Act for construction of school facilities, funds for school services (current expenses), and funds for nursery schools for children of mothers employed in defense occupations (26, p. 25).

The reason for the Lanham Act was to provide some kind of federal assistance for public works programs that were affected by the sudden impact of large numbers of children of families involved in federal activities connected with national military involvements in the 1940's (20, p. 3).
broader question of whether or not there should be any involvement in attempting to offset the fact that the federal government occupied certain portions of local lands, thus taking them off the public tax roles, is a matter that had been discussed in educational, legislative, and governmental circles for some years prior to World War II. The question by and large remained unresolved as to the full measure of federal responsibility when its activities take lands from local and state tax roles and also are responsible for bringing families and their children into areas where they attend schools but live on government owned lands. This places them in a position where they do not contribute to the support of local schools through tax revenue. The advent of the war years forced a taking up of this question of federal responsibility, and the response from the Congress was the Lanham Act which authorized the then Federal Works Administration to make loans or grants or both to public and nonprofit private agencies for the construction, maintenance, and operation of public works facilities, including public schools and the nursery provision mentioned above. It is interesting to note that the Office of Education was not given the primary role in this responsibility but rather it was given to the Federal Works Administration, the forerunner of the present Government Services Administration (19, p. 19).

The Lanham Act authorizations affecting defense connected areas were enlarged and extended at various times during the
early 1940's. Under the general provisions authorizing facility construction, 1239 school plants were built with a federal investment of some $84 million. For 107 of these buildings there was a joint federal-local financing with local sources providing some $18 million. The last of the Lanham Act schools was completed during 1945-46 (19, p. 19). In some instances schools had been leased by local districts without charge. These were returned to the federal government by mid-1948. The federal government received a substantial return for its initial investment in this area, which amounted to approximately one-fourth of the initial cost (3, p. 20).

Under the provisions for assisting in the current financial operations of the schools, 896 different schools received payments during the six school years 1941 to 1947. Less than 100 schools were assisted during all six years, which indicates that the provisions under this authority were shared among a number of different school districts. In the first year payment, 1941-42, 310 schools qualified and in each of the next four years roughly 400 schools per year received Lanham Act funds. The amounts per year rose sharply from less than $3 million in the first year to around $13 million for 1944-45 (10). The general provisions of the Lanham Act which were initially thought ready to end with the cessation of hostilities were heavily supported by local school officials involved in these areas and in turn by Congressmen and
Senators in the areas involved. The upshot of this continued interest was the fact that the Lanham Act provisions generally were extended after much hue and cry each year until legislation was passed (P. L. 815-874) in 1950. One of the reasons behind the continuation of these wartime emergency measures was that many of the school systems felt the heavy impact of defense-connected people continue long after the war ended, and it did not subside.

Annual debate over extensions grew intensively hostile until 1949, when a "final interim extension" was approved with the clear indication that the Committee on Education and Labor of the House of Representatives was going to study the matter intensively and come up with recommendations for new legislation. The report was made early in 1950 and offered a number of significant recommendations which proved a solid background for new legislation. Some of the points covered in the report were as follows:

1. The federal government has a responsibility to provide financial assistance to school districts overburdened with costly educational loads because of federal activities.

2. The federal government should establish a permanent policy recognizing its responsibility to provide necessary financial assistance to school districts overburdened by federal activities, to enable them to provide adequate educational opportunities.

3. Federal financial assistance should provide for both current operating expenses and additional plant.

4. The plan for current expenses should be on a continuing basis so that school districts can plan from year to year.
5. The plan for school construction must assure that urgently needed facilities will be provided without delay to meet needs already incurred and those arising from future federal impacts.

6. Federal assistance for current operating expense should be administered by the Commissioner of Education in cooperation with state educational agencies.

7. The legislation enacted should enable eligible school districts to supplement with federal assistance any revenues available to them under state plans.

8. Federal financial assistance should enable an affected district to provide a school program at approximately the same level as comparable districts in the state that are not affected by federal activities (20, p. 5).

Like so many other major legislative undertakings, this significant study, the high points of which are noted above, provided the base for Public Laws 815 and 874, the principles of which are still in the legislation today. Final congressional action came in September, 1950, when President Truman signed the Bills into law (19, p. 29).

Commissioner of Education, Lawrence Derthick, makes the following comment regarding congressional enactment of Public Laws 815 and 874:

These Acts as passed by Congress in 1950 were the outgrowth of the interest and concern of the Federal Government to provide financial aid to burdened districts, as the results of Federal activities, under the welfare clause of the Constitution of the United States (29, p. 88).

Public Law 815 for school house construction and Public Law 874, which provided funds to meet operating costs of school districts were essentially continuations of the Lanham Act of 1941, since the concept behind the three laws was
roughly the same; namely, that the federal government has a responsibility to provide money for community services in lieu of taxes because federal property is not usually taxable on the local level. It was the Korean War which caused the increase in federal involvement with factories and military establishments, leading to undue pressure on communities in the vicinity of these installations (26, p. 23).

The Texas Education Agency completed a school plant survey March 1, 1951, under the federal government assistance of Public Law 815 (1). This study was used to determine present housing needs, replacement needs, and an estimation of future needs (1).

There have been extensions and revisions in the Act almost annually since 1950, and changes and adjustments, although perhaps making the administration more complicated, have not violated the initial spirit of the two Public Laws which meant to aid local areas affected by expanded enrollments because of federal activities. Since 1961 the National Defense Education Act extensions and amendments, and extensions of Public Laws 815 and 874 have passed concurrently, thus showing some of the political leverage that these two measures have been able to wield together. There has been and continues to be a considerable amount of Congressional interest in the aid to federally impacted areas program because more than 300 Congressmen annually represent districts which receive such federal funds. The concern they show for local conditions
due to this federal impact perhaps serves as the real key in explaining why this legislation annually receives its appropriations and extensions.

A study by Congresswoman Edith Green, Chairman of the House Special Subcommittee on Education, regarding the federal government in education indicated that if the term "education" was used in its broadest sense, federal government activities for fiscal year 1962 cost approximately $2.2 billion a year (15). This is an overall figure which includes education of the government's personnel and dependents, research and education institutions, which may be regarded as a service for the government, and international education programs for furtherance of the nation's foreign policy. The report went on to say that of this total figure approximately half, or $1.1 billion, provides direct support of the educational system of the United States. Another surprising item of Mrs. Green's study showed that it is the Department of Defense with its wide and varying activities in the education area that comprises almost a third of the total government expenditure on educational activities (15).

In one of the many extensions, in 1964, an extensive study of the legislation was called for. The study was authorized by the Commissioner of Education and reported to the Congress by June 30, 1965. This study was made by the Stanford Research Institute and submitted to the Commissioner of Education in the time specified. The report by the
Stanford Research Institute clearly indicated that the Congress needs to look seriously at many of the provisions set forth in the legislation, now some fifteen plus years old, and give serious consideration to making some rather basic changes. The Commissioner of Education has included his preliminary recommendations in this Senate report. Several of the major findings in the study were as follows:

1. Financial burdens are created for local school districts by federal activities of the type covered in Public laws 815 and 874.

2. It is possible to determine each district's financial burden. This makes it possible to determine the extent to which federal payments compensate, overcompensate, or undercompensate individual school districts.

3. Financial burdens created by federal activities vary from district to district. They depend on the number of federally connected children, the nature and location of federal installations, socio-economic characteristics of both federally and nonfederally employed families and many other factors. These burdens can be measured.

4. Public Law 815 for school construction has not met the financial burden created by federal activities in many impact districts because eligibility requirements are very stringent. The periods for which increased enrollments may be counted for eligibility are limited. The larger school districts are more likely to be undercompensated in this program (25).

Summary

As the background and development of federal government relationships to public education are reviewed and assessed, a long tradition of localism in school control is evident. Provisions and plans for education in the United States had their roots in local initiative and action, rather than effort on the national level.
Despite the silence of the Constitution on the subject, federal influences on public education are as old as state controls. Actually federal influences predate the constitution itself. The ordinances of 1785 and 1787 set aside public lands to be used for school purposes. The legal basis for federal interest in public education is the welfare clause of the Constitution. The First, Fifth, and Fourteenth Amendments are also used to legally substantiate federal concern for public education.

Federal interest in education has been expressed chiefly through congressional action. This interest began with the establishment of the United States soon after the treaty of Paris in 1783. Since that time there have been several significant changes in federal policy with respect to the type and manner of education aid extended through legislation.

The federal judiciary may have done even more than Congress to mold the relationship of the federal government to education. It may have had even more to do with creating a national policy for public education.

A review of research and related studies concerning federal aid to education produces some data and information upon which several basic generalizations may be justified.

Many studies have been made in various areas related to federal aid to education. It is difficult to classify these studies by topic or field because of the wide range covered. Significant research studies have been made
concerning equalization of educational opportunities. Important studies have been made about various types of state school finance systems. Other studies have been made in practically every field of educational finance. The data supplied by these studies have, in most instances, been significant and have contributed greatly to educational progress. These studies have also formed the foundation for other research more directly related to Federal aid to education.

The amount of research that has been done directly in the field of federal aid to education is not very extensive. A review of these studies revealed that in general they have been concerned with the following aspects of federal aid to education:

1. The ability of the various states to support adequate programs of education.
2. The extent of control connected with federal financial assistance to public education.
3. Federal equalization aid programs.
4. Comparison of educational programs in certain geographic regions of the United States.

In this body of research there was little uniformity to be found in the findings and results of the various studies. There appeared to be a wide variety of findings and conclusions of those studies that attempted to measure the ability of the various states to support education. Similarly it seems that disagreement was encountered in almost every instance that an
attempt was made to define the extent of control associated with federal dollars for education. There was little agreement to be found among any of the studies concerning federal equalization aid programs. However, there were consistent recommendations to be found for federal aid among the comparative studies of educational programs in various sections of the United States.

The extent of research studies that have been conducted in the area of federal assistance for federally connected students or aid to affected districts as the result of federal activities is very small. It was found that only four studies of this nature have been made, all of which were made since 1946. Each of those studies employed similar research techniques. There was uniformity and consistency to be found in the findings and conclusions of these studies. As an example of this uniformity the following general concepts were expressed and accepted by each of the studies:

1. The federal government has a responsibility to assist districts whose schools have been overcrowded by pupils because of federal activities.

2. The federal government has a responsibility to assist districts whose taxable wealth has been decreased because of federal acquisition of property.

3. The Lanham Act, Public Law 815, and Public Law 874 have influenced the centralization of the administration of
school matters on the national level in the United States Office of Education.

4. The administration of these laws on national and state levels has been satisfactory.

5. These laws imply no special threat of federal control of education.

It is difficult to predict precisely what the future of federal efforts in education will be. If one follows, though, the historical developments closely and feels that they predict in a prologue fashion what is to come, the comment made recently by Senator Wayne Morse (D.-Ore.), Chairman of the Senate Subcommittee on Education, who said, "This is only the beginning," may very likely foretell that it is the intention at least of the current administration and the Congress to press on into other areas that will provide a continuing financial support for educational activities in this country (19, p. 85).
CHAPTER BIBLIOGRAPHY


CHAPTER III

THE PUBLIC LAW 815 ACT AND ITS OPERATION

On September 23, 1950, the 81st Congress passed Public Law 815 to provide finances for construction of school facilities in areas affected by federal activities, and for other purposes.

The Act As Amended

The act (1) contains seventeen sections.

Section 1. Purpose and Appropriation

The purpose of this act is to provide assistance for the construction of urgently needed minimum school facilities in school districts which have had substantial increases in school membership as a result of new or increased federal activities. There are hereby authorized to be appropriated each fiscal year, such sums as the Congress may determine to be necessary for such purpose. Sums as appropriated, other than sums appropriated for administration, shall remain available until expended.

Section 2. Portion of Appropriations Available for Payments

For each fiscal year the Commissioner shall determine the portion of the funds appropriated pursuant to section 1...
which shall be available for carrying out the provisions of sections 9 and 10. The remainder of such funds shall be available for paying to local educational agencies the federal share of the cost of projects for the construction of school facilities for which applications have been approved under section 6.

Section 2. Establishment of Priorities
The Commissioner shall from time to time set dates by which applications for payments under this act with respect to construction projects must be filed, except that the last such date with respect to applications for payments on account of children referred to in section 5 shall be not later than June 30, 1973. The Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications in the event the funds appropriated under this act and remaining available on any such date for payment to local educational agencies are less than the federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds under this act have not already been obligated). Such order of priority shall provide that applications for payments based upon increases in the number of children residing on, or residing with a parent employed on, property which is part of a low-rent housing project assisted under the United States Housing Act of 1937 shall not be
approved any fiscal year until all other applications under section 5 have been approved for that fiscal year.

Section 4. Federal Share for Any Project

Subject to section 5 (which imposes limitations on the total of the payments which may be made to any local educational agency), the federal share of the cost of a project under this act shall be equal to such cost, but in no case to exceed the cost, in the school district of the applicant, of constructing minimum school facilities and in no case to exceed the cost in such district of construction minimum school facilities for the estimated number of children who will be in the membership of the schools of such agency at the close of the second year following the increase period and who will otherwise be without such facilities at such time. The number of such children who will otherwise be without such facilities at such time shall be determined by reference to those facilities which (1) are built or under contract as of the date on which the Commissioner set, under section 3, the earliest date on or before which the application for such project was filed, or (2) as of the date the application for such project is approved, are included in a project the application for which has been approved under this act.
Section 5. Limitation on Total Payments to Any Local Educational Agency

Subject to the limitations in subsections (c) and (d), the total of the payments to a local educational agency under this act may not exceed the sum of the following:

(1) the estimated increase, since the base year, in the number of children residing on Federal property, (a) who so resided with a parent employed on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district), or (b) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949), multiplied by 95 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; and

(2) the estimated increase since the base year, in the number of children (a) residing on Federal property, or (b) residing with a parent employed on Federal property (situated in whole or in part in the same State as the school district of such agency or within reasonable commuting distance from such school district, or (c) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949), multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; and

(3) the estimated increase, since the base year, in the number of children whose membership results directly from activities of the United States (carried on either directly or through a contractor), multiplied by 45 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated. For purposes of this paragraph, the Commissioner shall not consider as activities of the United States those activities which are carried on in connection with real property excluded from the definition of Federal property by the last sentence of paragraph (1) of section 15, but shall (if the local educational agency so elects pursuant to subsection (b) consider as children whose membership
results directly from activities of the United States children residing on Federal property or residing with a parent employed on Federal property; and

(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated; but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose (1, pp. 2-3).

In computing for any local educational agency the number of children in an increase under paragraph (1), (2), or (3), the estimated number of children described in such paragraph who will be in the membership of the schools of such agency at the close of the increase period shall be compared with the estimated number of such children in the average daily membership of the schools of such agency during the base year.

For the purpose of section 5 of such act of September 23, 1950, the number of children in the membership of a local educational agency residing in low-rent housing project assisted under the United States Housing Act of 1937 during the years of the base period preceding the effective date shall be determined by the Commissioner on the basis of estimates.
Section 6. Applications

No payment may be made to any local educational agency under this act except upon application therefor which is submitted through the appropriate state educational agency and is filed with the Commissioner in accordance with the Commissioner in accordance with regulations prescribed by him.

Each application by a local educational agency shall set forth the project for the construction of school facilities for such agency with respect to which it is filed, and shall contain or be supported by the following:

1. a description of the project and the site therefor, preliminary drawings of the school facilities to be constructed thereon, and such other information relating to the project as may reasonably be required by the Commissioner;
2. assurance that such agency has or will have title to the site, or the right to construct upon such site school facilities as specified in the application and to maintain such school facilities on such site for a period of not less than twenty years after the completion of the construction;
3. assurance that such agency has legal authority to undertake the construction of the project and to finance any non-federal share of the cost thereof as proposed, and assurance that adequate funds to defray any such non-federal share will be available when needed;
4. assurance that such agency will cause work on the project to be commenced within a reasonable time and prosecuted to completion with reasonable diligence;
5. provision repealed by section 438 (g)(4) of Public Law 91-230, approved April 13, 1970, and superseded by section 423 of Public Law 90-247;
6. assurance that the school facilities of such agency will be available to the children for whose education contributions are provided in this act on the same terms, in accordance with the laws of the state in which the school district of such agency is situated, as they are available to other children in such school district; and
7. assurance that such agency will from time to time prior to the completion of the project submit such reports relating to the project as the Commissioner may reasonably require (1, pp. 5-6).

No application under this act shall be disapproved in whole or in part until the Commissioner of Education has afforded the local educational agency reasonable notice and opportunity for hearing.

Section 2. Payments

Upon approving the application of any local educational agency under section 6, the Commissioner of Education shall pay to such agency an amount equal to 10 per cent of the federal share of the cost of the project. After final drawings and specifications have been approved by the Commissioner of Education and the construction contract has been entered into, the Commissioner shall, in accordance with regulations prescribed by him and at such times and in such installments as may be reasonable, pay to such agency the remainder of the federal share of the cost of the project.

Any funds paid to a local educational agency under this act and not expended for the purposes for which paid shall be repaid to the Treasury of the United States.

Section 3. Additional Payments

Additional payments not to exceed 10 per cent of the sums appropriated pursuant to this act for any fiscal year (exclusive of any sums appropriated for administration) may
be used by the Commissioner, under regulations prescribed by him, to make grants to local educational agencies where (1) the application of such agencies would be approved under this act but for the agencies' inability, unless aided by such grants, to finance the non-federal share of the cost of the projects set forth in their applications, or (2) although the applications of such agencies have been approved, the projects covered by such applications could not without either the work on the projects or the agencies' ability to finance the non-federal share of the cost of the projects. Such grants shall be in addition to the payments otherwise provided under this act, shall be made to those local educational agencies whose need for additional aid is the most urgent and acute, and insofar as practicable shall be made in the same manner and upon the same terms and conditions as such other payments.

Section 9. Where Effect of Federal Activities Will Be Temporary

Notwithstanding the preceding provisions of this act, whenever the Commissioner determines that the membership of some or all of the children, who may be included in computing under section 5, the maximum on the total of the payments for any local educational agency, will be of temporary duration only, such membership shall not be included in computing such maximum. Instead, the Commissioner may make available to such agency such temporary school facilities as may be
necessary to take care of such membership; or he may, where the local educational agency gives assurance that at least minimum school facilities will be provided for such children, pay (on such terms and conditions as he deems appropriate to carry out the purposes of this act) to such agency for use in constructing school facilities an amount equal to the amount which he estimates would be necessary to make available such temporary facilities. In no case, however, may the amount so paid exceed the cost, in the school district of such agency of constructing minimum school facilities for such children. The Commissioner may transfer to such agency or its successor all the right, title, and interest of the United States in and to any temporary facilities made available to such agency under this section (or section 309 of this act as in effect January 1, 1958); any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this act.

Section 10. Children for Whom Local Agencies Are Unable to Provide Education

In the case of children who it is estimated by the Commissioner in any fiscal year will reside on federal property at the end of the next fiscal year if no tax revenues of the state or any political subdivision thereof may be expended for the free public education of such children, or if it is the judgment of the Commissioner, after he has consulted with the
appropriate state educational agency, that no local educational agency is able to provide suitable free public education for such children, the Commissioner shall make arrangements for constructing or otherwise providing the minimum school facilities necessary for the education of such children. In any case in which the Commissioner makes arrangements under this section for constructing or otherwise providing minimum school facilities situated on federal property, he may also include minimum school facilities necessary for the education of children residing with a parent employed by the United States though not residing on federal property, but only if the Commissioner determines, after consultation with the appropriate state educational agency.

When the Commissioner determines it is in the interest of the federal government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this act.

If no tax revenues of a state or of any political subdivision of the state may be expended for the free public education of children who reside on any federal property within the state, or if no tax revenues of a state are
allocated for the free public education of such children, then the property on which such children reside shall not be considered federal property for the purposes of section 5 of this act.

Section 11. Withholding of Payments

Whenever the Commissioner of Education, after reasonable notice and opportunity for hearing to a local educational agency, finds (1) that there is a substantial failure to comply with the drawings and specifications for the project, (2) that any funds paid to a local educational agency under this act have been diverted from the purposes for which paid, or (3) that any assurance given in an application is not being or cannot be carried out, the Commissioner may forthwith notify such agency that no further payment will be made under this act with respect to such agency until there is no longer any failure to comply or the diversion or default has been corrected or, if compliance or correction is impossible, until such agency repays or arranges for the repayment of federal moneys which have been diverted or improperly expended.

The final refusal of the Commissioner to approve part or all of any application under this act, and the Commissioner's final action, shall be subject to judicial review on the record, in the United States court of appeals for the circuit in which the local educational agency is located, in accordance with the provisions of the Administrative Procedure Act.
Section 12. Administration

The Commissioner of Education shall administer this act, and he may make such regulations and perform such other functions as he finds necessary to carry out the provisions of this act.

The Commissioner shall include in his annual report to the Congress a full report of the administration of his functions under this act, including a detailed statement of receipts and disbursements.

Section 13. Use of Other Federal Agencies: Transfer and Availability of Appropriations

All federal departments or agencies administering federal property on which children reside, and all such departments or agencies principally responsible for federal activities which may give rise to a need for the construction of school facilities, shall to the maximum extent practicable, comply with requests of the Commissioner for information he may require in carrying out the purposes of this act.

No appropriation to any department or agency of the United States, other than an appropriation to carry out this act, shall be available for the same purpose as this act; except that nothing in this subsection shall affect the availability of appropriations authorized, prior to September 23, 1950, for the construction of school facilities which are to be attended by Indian children, or appropriations (a) for the construction of school facilities
on federal property under the control of the Atomic Energy Commission, (2) for the construction of school facilities which are to be federally operated for Indian children, or (3) for the construction of school facilities under the Alaska Public Works Act, approved August 24, 1949.

Section 14. School Construction Assistance in Other Federally Affected Areas

The Commissioner determines with respect to any local educational agency that such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this act.

Should the agency not have sufficient funds available to it from other federal, state, and local sources to provide the minimum school facilities required for free public education of a substantial percentage of the children in the membership of its schools, he may provide the assistance necessary to enable such agency to provide minimum school facilities for children in the membership of the schools of such agency whom the Commissioner finds to be inadequately housed, upon such terms and conditions and in such amounts (subject to the applicable provisions of this section) as the Commissioner may consider to be in the public interest. Such assistance may not exceed the portion of the cost of such facilities
which the Commissioner estimates has not been, and is not to be recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this act or any other law.

Amounts paid by the Commissioner to local educational agencies may be paid in advance of, or by way of reimbursement for, work performed or purchases made pursuant to the agreement with the Commissioner under this section, and may be paid in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

Section 15. Definitions for the Purposes of this Act

The term "federal property" means real property which is owned by the United States or is leased by the United States, and which is not subject to taxation by any state or any political subdivision of a state or by the District of Columbia.

The term "child" means any child who is within the age limits for which the applicable state provides free public education.

The term "parent" includes a legal guardian or other person standing in loco parentis.

The term "free public education" means education which is provided at public expense, under public supervision and
direction, and without tuition charge, and which is provided as elementary or secondary school education in the applicable state.

The membership of schools shall be determined in accordance with state law or, in the absence of state law governing such a determination, in accordance with regulations of the Commissioner; except that, notwithstanding any other provision of this act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this act the membership of such child, shall be held and considered.

The average per pupil cost of constructing minimum school facilities in the state in which the school district of a local educational agency is situated shall be determined by the Commissioner of Education on the basis of the contract cost per square foot under contracts for the construction of school facilities, (exclusive of costs of site improvements, equipment, and architectural, engineering and legal fees) entered into in the state for the second year of the four-year increase period designated in the application, increased by a percentage estimated by the Commissioner to represent additional costs for site improvements, equipment, and architectural, engineering, and legal fees, and multiplies by a factor estimated by the Commissioner to represent the area
needed per pupil in minimum school facilities. If the
Commissioner finds that the information available for the
state concerned for such preceding fiscal year is inadequate
or not sufficiently representative, he shall determine such
cost on the basis of such information as he has available and
after consultation with the state educational agency. The
cost of constructing minimum school facilities in the school
district of a local educational agency shall be determined by
the Commissioner, after consultation with the state and local
educational agencies, on the basis of such information as may
be contained in the application of such local educational
agency and such other information as he may obtain.

Estimates of membership, and all other determinations
with respect to eligibility and maximum amount of payment,
shall be made as of the time of the approval of the application
for which made, and shall be made on the basis of the best
information available at the time of such approval.

The terms "construct," "constructing," and "construction"
include the preparation of drawings and specifications for
school facilities, erecting, building, acquiring, altering,
remodeling, improving, or extending school facilities; and
the inspection and supervision of the construction of school
facilities.

The term "school facilities" includes classrooms and
related facilities, initial equipment, machinery, and util-
ities necessary or appropriate for school purposes. Such
term does not include athletic exhibitions, contests, or games or other events for which admission is to be charged to the general public. Except as used in sections 9 and 10, such term does not include interests in land and off-site improvements.

Whether or not school facilities are minimum school facilities shall be determined by the Commissioner, after consultation with the state and local educational agencies, in accordance with regulations prescribed by him. Such regulations shall require the local educational agency concerned to give due consideration to excellence of architecture and design, provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per cent of the cost of the project, and require compliance with such standards as the secretary may prescribe or approve in order to insure that facilities constructed with the use of federal funds under this act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons.

The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a state. Such term includes any state
agency which directly operates and maintains facilities for providing free public education or which has responsibility for the provision of such facilities.

The term "state educational agency" means the officer or agency primarily responsible for the state supervision of public elementary and secondary schools.

The term "state" means a state, Puerto Rico, Guam, the District of Columbia, American Samoa, the Virgin Islands, or Wake Island.

The terms "Commissioner of Education" and "Commissioner" mean the United States Commissioner of Education.

The term "base year" means the third or fourth regular school year preceding the fiscal year in which an application was filed under this act, as may be designated in the application, except that in the case of an application based on children referred to in section 5, the base year shall in no event be later than the regular school year 1968-69.

The term "increase period" means the period of four consecutive regular school years immediately following such base year.

Section 16. School Construction Assistance in Cases of Certain Disasters

The director of the Office of Emergency Planning determines with respect to any other local educational agency (including for the purpose of this section any public agency which operates school providing technical, vocational, or
other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1973, has suffered a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2 of the act of September 30, 1950, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the federal government.

The Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of flood, hurricanes, earthquake, storm, fire or other catastrophe, except any such catastrophe caused by negligence or malicious action.

The governor of the state in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such state, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe.

As a result of such major disaster, public elementary or secondary school facilities of such agency (or, in the case
of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities.

The Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from state, local, and other federal sources (including funds available under other provisions of this act), and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster.

No payment may be made to any local educational agency except upon application therefor which is submitted through the appropriate state educational agency and is filed with the Commissioner in accordance with regulations prescribed by him, and which meets the requirements of section 6. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and
financial needs of the local educational agencies which have submitted approvable applications.

Amounts paid by the Commissioner to local educational agencies may be paid in advance or by way of reimbursement and in such installments as the commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

Section 17. Special Base Closing Provision
In determining the payment to be made to a local educational agency under this act the Commissioner shall disregard the announcement, made November 19, 1964, of a decrease in or cessation of federal activities in certain areas, and shall carry out such act as if such announcement had not been made.

Summary of Public Law 815
The purpose of Public Law 815 is to provide assistance for the construction of urgently needed minimum school facilities in school districts which have had or will have substantial increases in school membership as a result of new or increased federal activities. The law authorizes the following payments for construction:

1. Payment of federally affected school districts for assistance in construction of urgently needed school facilities.
2. Federal construction of temporary school facilities in districts with temporary federal impacts.
3. Federal construction of schools for children living on federal property where state and
local educational agencies are unable to provide suitable free public education for such children.

4. Payment for school construction to school districts providing free public education for a substantial number or percentage of children living on federal (Indian) reservations where such districts have insufficient funds to provide the required minimum school facilities (1, p. 1).

When the law was initially enacted in 1950, there was a major backlog of needed construction resulting from war time and post-war shortage of construction materials and funds. The initial appropriations in the early 1950s were quite high and a total of $466 million was appropriated in the first four years. There has been a decrease in the amount of funds needed since the pressing needs of the early 1950s.

A total of $1,353,967,838 has been appropriated through fiscal year 1969 (See Table I) for construction of school facilities under Public Law 315 (5). Approximately $1 billion of this amount has been reserved for 6,325 construction projects submitted by approximately 2,000 different local school districts (5). Local school districts have added an estimated $940 million to the federal grants exclusive of cost for location or site improvement for a total of $2.2 billion which has been used to construct 69,342 classrooms and related facilities for more than 2.0 million children (5). Additional amounts have been granted for construction for classrooms to house children living on reservations who attend local public schools, and for the construction of school facilities on federal property where it was not practical for local public schools to provide the needed facilities to be constructed.
<table>
<thead>
<tr>
<th>State</th>
<th>Total Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$27,852,938</td>
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<tr>
<td>Alaska</td>
<td>40,177,423</td>
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<tr>
<td>Arizona</td>
<td>50,123,766</td>
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<tr>
<td>Delaware</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Maine</td>
<td>7,717,716</td>
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<tr>
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<td>Minnesota</td>
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<td>Texas</td>
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Table I provides some idea of the relative amount of funds that have gone to the various states between 1951 and 1969 and shows the figures available for the last completed reporting year, fiscal year 1969. The leveling off of projects is perhaps due to several factors in the 1960s but certainly to the fact that there has been a slight decline in the pressure to construct school facilities and the fact that the eligibility requirements for construction under the act are so stringent that it is difficult for school districts to have sufficient increase to qualify for grants under this law.

**Administration of Public Law 815**

For a school district to establish its basic eligibility, certain categories of federal impact must be determined.
These are referred to as the three basic kinds of children, commonly called categories A, B, and C for construction purposes. Simply put, the categories are as follows:

**Category A**—children are those of school age who reside on federal property with a parent employed on federal property situated, entirely or in part, on the same site as the school district or within reasonable commuting distance of the school district. For example, a child living with his parents on the military reservation of Fort Myer, Virginia, is eligible to be counted in the school district of Arlington County, Virginia, for purposes of any computation here.

**Category B**—children are those of school age who either reside on federal property or reside with a parent employed on federal property but not both. For example, a child living with his parents in Montgomery County, Maryland, and whose mother or father works at the Atomic Energy Commission is counted.

**Category C**—children are those of school age whose residence in the area directly results from activities of the United States carried on either directly or through a contractor. For example, if a contractor moved in to build a major defense establishment over a five-year period in a small town with a school district of 5000 students and there was a sharp increase in the number of children put into the school because of the activities of the government either on their own or through a contractor, the children would be included in this category (3, p. 10).

There are various detailed and technical situations which arise out of determining which children fit into each of these categories, and problems of a detailed nature of this type can best be resolved through discussions with federal officials of the program. The base count of the number of Category A, B, and C children in a particular school district establishes the arrangements whereby eligibility requirements are set forth (2, p. 47).
The eligibility requirements make it such that districts must meet rigid and straightforward growth factors before they become eligible.

In late October, 1965, at the close of the first session of the Eighty-ninth Congress, a bill was passed which amended Public Laws 815 and 874 to include disaster aid for schools, adjustment of reduced income to school districts affected by military base closing where school construction was already under way when the closing announcement was made, and elimination of the eligibility requirements in both laws which made it mandatory for districts with over 35,000 school population to have 6 per cent of their students with parents working or living on federal property—the requirement is now 3 per cent the same as all other school districts (2, p. 47).

Surely those school districts hit by tornadoes, floods, fires, earthquakes, and similar disasters in the future will benefit by the new law. Provisions now make it possible to aid schools affected by disasters through financial aid for repairs and refuilding of school facilities in addition to grants up to five years to help defray operating costs. The federal government would pay only the amount beyond what the district can obtain itself through "reasonably available" sources. If the Office of Emergency Planning determines a school district to be in a disaster area, funds may be applied for through the United States Commissioner of Education.
How a School District Proceeds with an Application

The first step for school districts applying for funds under P. L. 815 is to prepare the initial documents establishing their categories of children and their growth. Initial approval is not given until substantiating data is prepared by the school district and a review of this is made by a field representative of the Office of Education and a report submitted by him (3, p. 11).

Second step for school districts is to know what school construction is not approved by the Office of Education until the state education agency certifies that the school construction is in accordance with plans of the state for providing school facilities. The state departments of education in all cases have been requested to assign an individual to work with field representatives of the Office of Education and local applications in the state on matters pertaining to aid to federally affected areas.

The state departments of education directly assist in doing many things that need to be done in administering the various provisions of these acts. Once a school district has met these minimum local and state requirements, applications are forwarded to the Office of Education, usually with cutoff dates twice a year, customarily in the fall and again in the spring, for receipt of applications and the determination of priorities for necessary funding. Any application on file by a cutoff date that cannot be funded on a priority listing
because of insufficient money is carried over to a subsequent review period and is held until that time in the Office of Education. Funds are awarded by priorities to those school districts which prove the highest degree of need on a basis of growth over and beyond their normal expected increase in school children (5, p. 11).

When actual funding is authorized by the Commissioner of education, it is customarily arranged on the basis of minimum school facilities in either the construction or addition to existing buildings. This implies that there are not to be elaborate plans beyond the ordinary cost of construction anticipated under normal circumstances. Payment is made to school districts based on the general average cost per pupil of constructing minimum facilities in the state in the preceding year of the application. The estimated national per pupil construction cost has been approximately $1600 per year (5, p. 189). Minimum payments to districts are based on the number of children in the various categories (A, B, and C) with reimbursement of 95 per cent for those in Category A, 50 per cent for those in Category B, and 45 per cent for those in Category C (5, p. 14).

The involvements with all kinds of various computations and pupil accounting give a rather jaded picture of what it takes to become eligible for funds under Public Law 815. However, school districts ordinarily becoming eligible for funds under this program are probably well-acquainted with
the accounting necessary for the various categories because, by and large, they would be those eligible under Public Law 874 for normal maintenance and operating fund reimbursement. Therefore, although there is a certain amount of preparation of reports, justifications, and applications involved, a large portion of the information is probably already available in related forms for other purposes. The two laws, however, are intricately bound up together and complications, changes, or adjustments in one necessarily affect the administration and functioning of the other. The ongoing usefulness of both of them has been tied very much together over the years, even though the construction aspect of the two is for relief on a shorter term basis while the funds for operating and maintenance of school districts is in more continuous and long range kind of support for school programs (3, p. 12).

Through the years, amendments have generally won adoption and these two laws have been used over the years to accompany other pieces of legislation through the extension process in the Congress because of the great popularity of Public Laws 815 and 874.

There have been a number of problems that are pointed out in various quarters. The Stanford Research Institute Study mentions a number of these. Some of the major problems that have come up are as follows:

2. Determining adequate growth factors for Public Law 815 that take into consideration
the fact that many school districts are growing but not necessarily 3.5 percent per year.

3. Additional complications are set about by the transfer of military personnel away from an area when families stay behind; therefore, it is difficult to be completely clear on the categories of service families who are left behind when a transfer or move takes place.

Summary

Federal aid to education dollars begin to strike the target when they meet the fundamental needs at the local level. It is there that the Congress intends the action to take place when they initially pass, amend, or extend legislation. The activities clearly in the minds of the elected representatives of the nation are to assist the children and youth of their constituency back home. Therefore, when all the regulations have been written, channels cleared with legal counsel, and all proposals and plans made, the effect of the law begins to meet the initial purposes of the Congress. Then, at the local level affecting programs, people, and plants, federal aid is really intended. The direct effort is really to bring about a change in local activity that has not been adequately cared for across the nation.

Local schools, by and large, still have the freedom and the option not to take part in many of the federal programs. There are very few regulations stating that a local school district must take funds available for federally affected areas unless they want to accept them. What usually happens, however, is that the needs are so great and the stimulus so
pronounced that every bit of federal attention serves as simply a pump primer for several additional rounds of energy expended at the local level. It is really in the local school systems of the country that ideas get started. It is here where new means of carrying out the programs that are available under broad federal and state sponsorship get carried out. And, it is at the local level that the programs still find their highest percentage of funding.

In essence, then, federal dollars for education are meant for local needs. They are meant to reach individuals in places where they work, study, and live. Not only have they done this through the relatively few dollars and small percentage of funds that have been spent by the federal government, but they have done it through the stamp of approval that has been given to many of these programs that only the federal government could give. These programs have been a major stimulus to new action and new endeavors at the local level. They have spurred new thinking and new efforts where in some cases there had not been hope for improvement or prospects for change in the past. Much of this good work comes because local school administrators, teachers, and others are vitally interested in improving their programs and have seen the prospects of federal aid as a principal source of this improvement. Indeed, local school people have taken an active role in molding and shaping legislation by their testimony before congressional hearings. Superintendents
of schools from major cities have appeared as panels before both the House of Representatives and Senate to present their ideas on much of the legislation that has been considered in recent years by the Congress.


CHAPTER IV

COLLECTION OF DATA

The purpose of this study, in addition to describing the intent of Congress, was to determine the significance of the act upon public schools in Texas. The following procedures were designed to obtain appropriate data: (1) selection of an advisory panel, (2) construction of the initial survey questionnaire, (3) selection of a jury panel, (4) validation of the initial questionnaire, (5) construction of the final questionnaire, and (6) administration of the final questionnaire.

Selection of the Advisory Panel

In order to develop an efficient and effective questionnaire, an advisory panel of five members was selected from people with experience in application and operation of Public Law 815 or people knowledgeable in evaluation techniques. These were selected from college and public school educators. The educators considered consisted of superintendents, business manager, administrative specialists, and college professor with appropriate experience of specialty. A list of twenty names was compiled with the advice of a representative of the Texas Education Agency and a college advisor.
A five-member advisory panel (Appendix B) was selected and described as follows: (1) a professor of education with special competencies in evaluation and survey techniques and experience as a consultant to public and private schools and educational service centers, with a Doctor of Education degree from a Texas university; (2) a business manager in a medium-sized school district with many years of experience in fiscal planning with major responsibilities for administration of the finances of all federal programs including that of Public Law 815; (3) an administrative assistant in a medium-sized school district with major responsibilities of operation of federal aid programs; (4) a superintendent of a small Texas school district utilizing Public Law 815 funds to provide construction of classrooms; and (5) a superintendent of a large Texas school district with major federal support utilizing Public Law 815 funds to provide construction of classrooms.

The role of the advisory panel was to clarify wording and interpretation of questions and to recommend additional questions appropriate to the study. Each member was contacted and asked to participate and each accepted.

Developing the Initial Questionnaire

A review of literature, a review of applications, and reports available at the Texas Education Agency and Dallas Regional Office of Health, Education, and Welfare preceded the development of tentative questions for the questionnaire.
Twenty multiple choice questions (Appendix A) were developed to provide specific data upon which to support the study.

The tentative questionnaire and pertinent sections of the study proposal were mailed to each panel member. They were requested to study the material, prepare written recommendations, and to review these in personal or telephone interviews. Three members were interviewed in person and two members were interviewed by telephone within ten days. All participated in the interview.

The recommendations were reviewed and five questions were added to the list because of their appropriateness to the study. A number of suggestions were made and accepted for clarification of questions to allow the respondent to check the answer or answers that were appropriate. Four questions were shifted in sequence to conform more closely to the study design. This procedure resulted in an initial questionnaire of twenty-five questions. (See Appendix E.)

Selection of the Jury Panel

The fifteen remaining members from the list of twenty chosen for selection of the advisory panel were considered for the jury. It was considered important that each jury member be experienced in the operation of Public Law 815 programs. The twelve members (Appendix C) selected were (1) three superintendents of small school districts whose average daily attendance ranged from 1,340 to 2,419 with extensive
experience in the administration of Public Law 815 funds totaling $697,031.00; (2) three superintendents of medium-sized school districts whose average daily attendance ranged from 4,370 to 8,627 with extensive experience in the administration of Public Law 815 funds totaling $3,642,847.00; (3) three superintendents of large-sized school districts whose average daily attendance ranged from 9,230 to 17,853 with extensive experience in the administration of Public Law 815 funds totaling $7,900,152.00; and (4) three superintendents of major school districts whose average daily attendance ranged from 26,000 to 56,215 with extensive experience in the administration of Public Law 815 funds totaling $12,559,654.00.

Each prospective jury member was called by telephone and requested to participate in the validation procedure. Their role in approving or disapproving the items on the questionnaire based on clarity and appropriateness was explained. Each agreed to participate and to return their replies within seven days.

Validation of the Initial Questionnaire

The initial questionnaire of twenty-five items was sent to the jury panel to obtain their approval for validation of the individual items. A copy of the questionnaire (Appendix E), accompanied by a letter of instruction (Appendix D) and a self-addressed stamped envelope was mailed to each member of the panel. Each judge was asked to consider whether or
not each item would provide appropriate information and if each item was clearly stated. A validity response was provided in the left margin of the questionnaire. Numbers "1," "2," and "3" were typed in red in the margin preceding each item number. The members of the jury panel were asked to respond by circling the red "1" if the question was clearly stated and appropriate. If the jury member was undecided on an item, he was to circle the red "2." If the item was unclear or considered inappropriate to the study, the jury member was asked to circle the red "3."

A space was provided at the end of the questionnaire for the jury member to submit additions or corrections. Each jury member was requested to certify the acceptance of the questionnaire as complete or with noted exceptions. It was decided that acceptance of an item by eight of the twelve members of the jury panel would constitute validity and justify inclusion in the final questionnaire.

Construction of the Final Questionnaire

The final questionnaire was constructed from the responses of the jury panel. Five of the twenty-five items received unanimous approval and all other items received approval of nine of the twelve members of the jury. All items were ruled valid and included in the final questionnaire. No additions or deletions were recommended. Therefore, all items with the changes noted were included in the survey instrument.
The questions were typed on five balanced pages with a cover sheet for identification and instructions. These were printed on a mimeograph machine and regular twenty-pound paper was selected to provide an attractive, readily identifiable questionnaire. This questionnaire was used to survey all public school systems in Texas which had received funds under Public Law 815.

Selection of the Schools to be Surveyed

The 1969 annual report of the Commissioner of Education on administration of Public Law 874 and 815, Department of Health, Education, and Welfare, Office of Education was used for a working list of public schools in Texas who received assistance under this act (3, pp. 173-177). This official list of schools is grouped alphabetically by county. The report covers the entire life of the act and was the latest publicized statistical report available. Out of the 140 school districts listed as receiving Public Law 815 funds, twenty-four schools no longer exist due to consolidation. This left 116 school districts eligible to participate in the study.

The schools were divided into four categories and numbered consecutively for identification purposes. This list was checked against the 1970-71 Public School Directory for current addresses (2). A total of 116 schools were surveyed to provide data for the study.
Administration of the Final Questionnaire

The validated questionnaire was administered to the school administrator to collect data for the study. A cover letter (Appendix G) explaining the purpose of the study and requesting participation, a survey instrument (Appendix H), and a self-addressed, stamped envelope were mailed to the superintendent, by name, of each of the 116 schools in the sample. The superintendent or his designated representative was asked to respond by checking one or more choices to the survey questions with the exception of questions two and five. Question two required a numerical ranking of answers. Question five required dates or participation in appropriate blanks.

The schools surveyed were located and circled on an official state highway map to check the geographic location of those participating. The geographic distribution was found to be balanced with every area of the state in keeping with population distribution.

The questionnaires were dated, numbered, assigned to the reporting group, and checked on the working list and map as they were returned.

Approximately two weeks after the initial mailing, a follow-up letter (Appendix I) was sent to non-respondents appealing for their participation in the study. A second questionnaire and self-addressed, stamped envelope were enclosed for their convenience. The follow-up letter suggested
if they could not participate that the blank questionnaire be returned. These procedures resulted in a return of ninety-three usable questionnaires or 80 per cent. Two questionnaires in the second mailing were returned blank, seven schools reported never receiving Public Law 815 funds, and seven schools reported they had not received funds under this act in over ten years and, therefore, had no records with which to answer the questionnaire. Eight per cent of the sample remain unaccounted for. This return of usable questionnaires exceeded the two-thirds standard considered acceptable by 13 per cent.
CHAPTER BIBLIOGRAPHY


CHAPTER V

OPERATION OF PUBLIC LAW 815 IN TEXAS

The latest report from the United States Commissioner of Education concerning the administration and operation of Public Law 815 lists 140 applicant districts in the state of Texas that received assistance under the law as amended from its inception in 1950 through 1969. Table II indicates a total of $72,399,764 federal funds allocated to the state during the life of the act.

TABLE II

FEDERAL FUNDS RESERVED FOR TEXAS UNDER THE PROVISIONS OF PUBLIC LAW 815 FROM 1951 THROUGH 1969

<table>
<thead>
<tr>
<th>Year</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1951-1959</td>
<td>$46,230,626</td>
</tr>
<tr>
<td>1960</td>
<td>4,771,909</td>
</tr>
<tr>
<td>1961</td>
<td>4,771,739</td>
</tr>
<tr>
<td>1962</td>
<td>3,624,247</td>
</tr>
<tr>
<td>1963</td>
<td>1,165,537</td>
</tr>
<tr>
<td>1964</td>
<td>151,800</td>
</tr>
<tr>
<td>1965</td>
<td>2,419,850</td>
</tr>
<tr>
<td>1966</td>
<td>2,430,638</td>
</tr>
<tr>
<td>1967</td>
<td>1,737,612</td>
</tr>
<tr>
<td>1968</td>
<td>386,070</td>
</tr>
<tr>
<td>1969</td>
<td>4,709,736</td>
</tr>
</tbody>
</table>

Total $72,399,764

Presentation of Findings

The findings presented here are the results of the survey questionnaire, "A Survey of the Operation of Public Law 815 in Texas." The twenty-five items in the survey questionnaire were designed to provide data to describe the operation of Public Law 815 in Texas public Schools. Special emphasis was directed to the following phases:

1. The amount of federal control and influence on local economy.
2. The administration of the law.
3. The adequacy of assistance provided by the law.

The data from each of the twenty-five items on the survey questionnaire will be presented in separate tables. These data will be presented in percentages for each answer. These answers are presented by totals of schools participating in the study.

Summary of the Responses to the Study

The data presented in the tables in this section indicate the opinions of school administrators who responded to the survey questionnaire. Of the 116 schools surveyed, responses were received from 107, or 92 per cent, leaving 3 per cent of the surveys unaccounted for. Of the 107 schools responding, fourteen school administrators either indicated their district had never received aid or that their records were too old to be of assistance in the study. This
resulted in ninety-three, or 80 per cent usable questionnaires to provide appropriate data from which to draw conclusions relating to the purposes of the study. This is well over the approximately two-thirds of the total population that was considered acceptable to support the study.

TABLE III
SURVEY QUESTION NUMBER ONE*

<table>
<thead>
<tr>
<th>First Source of Information</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Texas Education Agency</td>
<td>25</td>
</tr>
<tr>
<td>b  U. S. Office of Education</td>
<td>11</td>
</tr>
<tr>
<td>c  Professional Conference</td>
<td>11</td>
</tr>
<tr>
<td>d  Congressman</td>
<td>5</td>
</tr>
<tr>
<td>e  Architect</td>
<td>0</td>
</tr>
<tr>
<td>f  Previous Administrator</td>
<td>38</td>
</tr>
<tr>
<td>g  College or University Class</td>
<td>0</td>
</tr>
<tr>
<td>h  Other</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*From what source did you first learn about the existence of Public Law 815?

A study of the data in Table III indicates that school officials first learned about the existence of Public Law 815 through previous school administrators. Thirty-eight reporting officials, or 40 per cent, listed this as their source of information. Twenty-five, or about 27 per cent,
listed the Texas Education Agency as their first source of information pertaining to the act. The United States Office of Education was listed as the third source of information. This figure represents 12 per cent of the districts participating in the study. Eleven reporting officials listed professional conferences as their first source of information regarding Public Law 815 funds. Only five school officials responding to the questionnaire expressed an opinion that they first received information from their congressman. Not a single responding school official listed his architect or college or university class as the source of his first information. Three officials commented that information pertaining to federal assistance under the act was received from other schools.

In reviewing the information submitted in Table IV, the responding school officials indicate what agencies they turned to in order to acquire further information after learning of the existence of Public Law 815. They ranked their source of information by "first choice, second choice, etc." in the following manner:

1st choice--Texas Education Agency
2nd choice--United States Office of Education
3rd choice--Architect
4th choice--Congressman
5th choice--Other
### TABLE IV

**SURVEY QUESTION NUMBER TWO**

<table>
<thead>
<tr>
<th>Agency Rendering Assistance</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st: Texas Education Agency</td>
<td>64</td>
</tr>
<tr>
<td>2nd: U. S. Office of Education</td>
<td>32</td>
</tr>
<tr>
<td>3rd: Architect</td>
<td>1</td>
</tr>
<tr>
<td>4th: Congressman</td>
<td>1</td>
</tr>
<tr>
<td>5th: Other</td>
<td>2</td>
</tr>
</tbody>
</table>

Total: 100%

*What agencies did you turn to for further information after you learned of the existence of Public Law 815? Also, rank them by importance of their help and assistance to your district in securing the grant. Give your first choice a rank of (1), second choice (2), etc.*

The responses listed in this table confirm the excellent cooperation between national, state, and local agencies when seeking assistance for classroom construction under the provisions of Public Law 815.

A study of Table V gives evidence that in thirty-seven of the ninety-three responding districts it was unnecessary for any of the local actions listed on the questionnaire to be taken to apply for, receive, and administer Public Law 815 funds. This figure represents 40 per cent of the districts participating in the study. Only four officials reported that it was necessary in their districts to employ additional administrative personnel to administer the details of Public
**TABLE V**

**SURVEY QUESTION NUMBER THREE**

<table>
<thead>
<tr>
<th>Action Taken to Secure Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a: Additional administrative staff</td>
<td>4</td>
</tr>
<tr>
<td>b: Additional clerical help</td>
<td>17</td>
</tr>
<tr>
<td>c: Added administrative expenses only</td>
<td>29</td>
</tr>
<tr>
<td>d: None</td>
<td>37</td>
</tr>
<tr>
<td>e: Other</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*What action was taken by your district to apply for, secure, and administer Public Law 815 funds locally?*

Law 815. Seventeen officials reported that it was necessary to add clerical help. Six reporting officials remarked that although no formal action was taken to apply or administer the funds, various members of the already existing staff assumed the extra duty as required to secure and administer the program.

A study of the information tabulated in Table VI discloses that in ninety-three of the districts participating in this study, less than 2 per cent of funds received under the provisions of Public Law 815 was required to administer the program locally. This figure represents slightly more than 82 per cent of the districts reporting. In fourteen districts not more than 5 per cent of the funds received were required to administer the law locally. In only one district more than
5 per cent of the funds received was required to administer the law locally. In this district the total amount required for local administration amounted to less than 10 per cent of total Public Law 815 funds received. One official remarked that it was extra work assumed by the superintendent and cost the district no additional funds. Another stated that he was unable to measure the annual cost of his application, securement, and administration of the program.

**TABLE VI**

**SURVEY QUESTION NUMBER FOUR**

<table>
<thead>
<tr>
<th>Annual Cost of Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Less than 2% of grant</td>
<td>76</td>
</tr>
<tr>
<td>b  2 to 5% of grant</td>
<td>14</td>
</tr>
<tr>
<td>c  5 to 10% of grant</td>
<td>1</td>
</tr>
<tr>
<td>d  Above 10% of grant</td>
<td>0</td>
</tr>
<tr>
<td>Remarks</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*Estimate the approximate annual cost of applying for, securing, and administering Public Law 815 funds in your district.

It appears from a review of the data in Tables V and VI that little local effort of consequence or cost is required of eligible Texas districts to participate in receiving or expending Public Law 815 funds.
The information in Table VII was asked for in order to determine the amount of participation during specific periods of time when Public Law 815 was being utilized by local districts in the state of Texas.

TABLE VII
SURVEY QUESTION NUMBER FIVE*

<table>
<thead>
<tr>
<th>Years of Participation</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>1st Early 50s</td>
<td>30</td>
</tr>
<tr>
<td>2nd Mid 50s</td>
<td>25</td>
</tr>
<tr>
<td>3rd Late 50s</td>
<td>20</td>
</tr>
<tr>
<td>4th Sixties</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*Your school district participated in Public Law 815 in --

The responding school officials indicated that the heaviest period of participation took place during the early 50s. This period of time provided the largest amount of appropriations during the existence of the act. By mid 1950, the majority of backlog for districts that were eligible had been funded. A decrease in appropriations since that time has affected the number of schools seeking funds under the provisions of Public Law 815.

The extent of Public Law 815 funds received by Texas districts can be pictured by an analysis of the ratio of funds
received annually by participating districts to the total annual cost of school facility construction in these districts.

**TABLE VIII**

**SURVEY QUESTION NUMBER SIX**

<table>
<thead>
<tr>
<th>Ratio of Public Law 815 Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Under 5% of total program cost</td>
<td>54</td>
</tr>
<tr>
<td>b 5 to 20% of total program cost</td>
<td>22</td>
</tr>
<tr>
<td>c 20 to 50% of total program cost</td>
<td>11</td>
</tr>
<tr>
<td>d Over 50% of total program cost</td>
<td>5</td>
</tr>
<tr>
<td>Remarks</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*A What is the nearest estimate of the ratio of Public Law 815 funds received annually to the total annual cost of the school building program in your district during period of eligibility?*

A review of the data in Table VIII clearly states the ratio of Public Law 815 funds received annually to the total annual cost of the school building program. In Texas school districts, it was less than 5 per cent during their period of eligibility. Fifty-four, or 58 per cent, of the reporting officials estimated their cost at this level. Twenty-two, or 24 per cent of the responding officials estimated their ratio of cost to be between 5 and 20 per cent of their total building expenditure. Only eleven, or 12 per cent, stated that their ratio was from 20 to 50 per cent of total program
cost. Five officials reported that Public Law 815 funds accounted to over 50 per cent of their total program costs. One administrator remarked that the ratio of Public Law 315 funds and total annual cost will vary from year to year.

A review of the data in Table IX discloses that the use of Public Law 815 funds in the district’s building program was publicized in the community through normal press releases.

**TABLE IX**

**SURVEY QUESTION NUMBER SEVEN***

<table>
<thead>
<tr>
<th>Publicity Given to Federal Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Widely publicized</td>
<td>11</td>
</tr>
<tr>
<td>b Normal press release</td>
<td>70</td>
</tr>
<tr>
<td>c Through district personnel only</td>
<td>10</td>
</tr>
<tr>
<td>d No publicity</td>
<td>2</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*Was the use of Public Law 815 funds in the district’s building program publicized within the community?

Seventy of the reporting officials listed this as their means of publicity. This reflects a 75 per cent of the total ninety-three schools responding to the questionnaire. Eleven, or 12 per cent of those reporting stated that they widely publicized the use of Public Law 315 funds in their building
program. Ten, or 11 per cent, of the officials reporting released publicity only through their own district personnel and made no attempt to publicize the fact that federal funds were being used within the district. Two of the school officials reporting stated that they gave no publicity at all to the use of Public Law 815 funds. Both of these districts were very small and therefore received small amounts of funds.

TABLE X
SURVEY QUESTION NUMBER EIGHT*

<table>
<thead>
<tr>
<th>Concern About Federal Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Much concern</td>
<td>5</td>
</tr>
<tr>
<td>b  Little concern</td>
<td>20</td>
</tr>
<tr>
<td>c  No concern</td>
<td>68</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*Has the use of Public Law 815 funds caused any concern within the community?

A study of the responses by school officials in Table X indicated that in ninety-three of the districts participating in this study, less than 5 per cent of them felt that much concern was caused by the use of Public Law 815 funds in their school building program. Sixty-eight, or 73 per cent, stated that there was "no concern." Twenty, or 22 per cent
stated that there was "little concern." This information would lead us to believe that the threat of federal control through federal aid was of little significance.

The data tabulated in Table XI strongly signifies that Public Law 815 influenced the spending of local funds to strengthen school facilities. A total of seventy-three responding school officials indicated that it assisted in one way or another to provide additional facilities at the local level. Twenty of the school officials reported that "very little" or "no" influence was evident in the spending of local funds to strengthen school facilities.

**TABLE XI**

**SURVEY QUESTION NUMBER NINE* **

<table>
<thead>
<tr>
<th>Influence on Spending of Local Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Bond voted for additional facilities</td>
<td>46</td>
</tr>
<tr>
<td>b Remodeling of existing facilities</td>
<td>12</td>
</tr>
<tr>
<td>c Additional furniture and fixtures provided for existing space</td>
<td>13</td>
</tr>
<tr>
<td>d Purchase of portable classroom buildings</td>
<td>2</td>
</tr>
<tr>
<td>e Other</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>93</strong></td>
</tr>
</tbody>
</table>

*Has Public Law 815 influenced the spending of local funds to strengthen facilities?
A review of the data in Table XII states that of the ninety-three school officials responding to this study, approximately half feel that legislation that placed all United States property on the tax rolls with like valuation and like rate as private property, would allow them to operate adequately without federal assistance for school building construction under the provisions of Public Law 815. The other half reported that they could not operate or that they were undecided. The data also indicated that even if United States property in these federally affected communities were placed on the tax rolls of the districts, there would still remain many inequities involving federal responsibility.

**TABLE XII**

**SURVEY QUESTION NUMBER TEN***

<table>
<thead>
<tr>
<th>Federal Government as a Taxpayer</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Yes</td>
<td>43</td>
</tr>
<tr>
<td>b No</td>
<td>31</td>
</tr>
<tr>
<td>c Undecided</td>
<td>19</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*Would legislation that places all United States property on the tax rolls with like valuation and like rate as private property enable your school district to operate adequately without federal assistance for school building construction?
Many of these districts have no federal property within their boundaries and are "residence communities" in which people live and commute to the source of federal activities; thus legislation such as Public Law 815 would still be needed to promote equality of educational opportunity.

The matter of federal control and interference with local autonomy and initiative are factors that many people in the United States have debated at length in regard to any form or type of federal financial aid to public education. Local school officials in districts receiving federal assistance under the provisions of Public Law 815 are in a particularly strategic and favorable position to evaluate the extent of federal control tied to or connected with Public Law 815 funds. The responses, relative to their opinion of this matter of federal control or interference, of ninety-three school officials in Texas that participated in this study are tabulated in Table XIII.

Slightly over 81 per cent of the respondents declared there was little or no control or interference from federal authorities tied to or connected with Public Law 815 funds for the school construction purposes. This percentage response represented seventy-five of the ninety-three school officials reporting. Of these, forty school officials responded that there was no federal control whatsoever connected with these funds. Slightly over 19 per cent of those reporting stated there was extensive or moderate federal control attached
TABLE XIII
SURVEY QUESTION NUMBER ELEVEN*

<table>
<thead>
<tr>
<th>Evidence of Federal Control</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Extensive</td>
<td>3</td>
</tr>
<tr>
<td>b  Moderate</td>
<td>15</td>
</tr>
<tr>
<td>c  Little</td>
<td>35</td>
</tr>
<tr>
<td>d  None</td>
<td>40</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*To what degree has federal control of the local operation of Public Law 815 funds been evident?

to this financial assistance. This percentage response represented eighteen of the ninety-three school officials replying to the questionnaire stated there was extensive control tied to use of funds attained under the provisions of Public Law 815. These three school officials represented small rural districts that received a meager amount of revenue under the act.

A review of the data in Table XIV relative to what action should be taken to improve the adequacy and effectiveness of Public Law 815 indicated the ninety-three Texas school officials reporting almost unanimously agreed that congressional guarantee of payment of 100 per cent entitlement to eligible districts was most important. Eight
officials suggested that the act should provide equal payments for all sub-section 5 children. Only three responding officials suggested the discontinuance of local construction rate as base for payment.

TABLE XIV
SURVEY QUESTION NUMBER TWELVE*

<table>
<thead>
<tr>
<th>Improve Adequacy and Effectiveness of Program</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Provide equal payments for all sub-section 5 children</td>
<td>8</td>
</tr>
<tr>
<td>b Congressional guarantee of payment of 100% entitlement</td>
<td>78</td>
</tr>
<tr>
<td>c Discontinue use of local construction rate as base for payment</td>
<td>3</td>
</tr>
<tr>
<td>d Other</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*What actions would, in your opinion, improve the adequacy and effectiveness of Public Law 815?

A majority of Texas school officials are aware of the vast difference in cost of construction throughout the state and felt that this provision as stated was adequate. Four officials remarked that they had "no comment" regarding opinions to improve the adequacy and effectiveness of Public Law 815 funds.
A study of the responses by school officials in Table XV reveals that in ninety-three of the districts participating in this study, eighty or 87 per cent are convinced that Public Law 815 does not constitute a threat to state and local control of education. A total of ten reporting officials listed "some or much" threat. Only three respondents indicated that they were undecided.

**TABLE XV**

**SURVEY QUESTION NUMBER THIRTEEN***

<table>
<thead>
<tr>
<th>Threat to State and Local Control of Education</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Much</td>
<td>3</td>
</tr>
<tr>
<td>b Some</td>
<td>7</td>
</tr>
<tr>
<td>c Little</td>
<td>23</td>
</tr>
<tr>
<td>d None</td>
<td>57</td>
</tr>
<tr>
<td>e Undecided</td>
<td>3</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*To what extent do you think Public Law 815 constitutes a threat of state and local control of education?

A study of Table XVI clearly states the device school administrators would have had to adopt if financial assistance under Public Law 815 had not been available to the school districts in Texas. Sixty-eight, or 73 per cent of
TABLE XVI
SURVEY QUESTION NUMBER FOURTEEN*

<table>
<thead>
<tr>
<th>Emergency Measures</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Part day sessions</td>
<td>9</td>
</tr>
<tr>
<td>b  Unsafe or unsuitable classrooms</td>
<td>6</td>
</tr>
<tr>
<td>c  Overcrowded classrooms</td>
<td>68</td>
</tr>
<tr>
<td>d  Churches or other community buildings</td>
<td>0</td>
</tr>
<tr>
<td>e  Transporting children to adjacent districts</td>
<td>1</td>
</tr>
<tr>
<td>f  Another procedure which would have seriously prejudiced the educational objective</td>
<td>0</td>
</tr>
<tr>
<td>g  Other</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*If Public Law 815 or similar legislation had not been enacted to aid financially your federally impacted community, please check the following administrative devices you would have been forced to use.

those reporting indicated that they would have to operate their program with overcrowded classes. All agree that this is a most undesirable situation and were grateful for the assistance provided under the act. Nine of the school officials reported that they would use part-day sessions to house children. Six officials reported that unsafe or unsuitable classrooms would be used in order to house their
children. One district stated that it would be necessary for them to transport their increased enrollment to a neighboring district. Other officials indicated that they would make use of existing churches, vacant business buildings, and other temporary facilities as could be arranged, until such time that permanent space could be provided for their students.

<table>
<thead>
<tr>
<th>Adequacy of Assistance</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a  Yes</td>
<td>68</td>
</tr>
<tr>
<td>b  No</td>
<td>24</td>
</tr>
<tr>
<td>Remarks</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*As a result of the financial assistance under Public Law 815, has your district been able to house adequately these federally connected children?

A study of the information tabulated in Table XVII points out that sixty-eight, or 73 per cent of the school officials participating in this study agreed that as a result of financial assistance under Public Law 815, their district had been able to house adequately those federally connected children. Twenty-four, or 26 per cent of school officials reported that funds were not sufficient to provide classroom space for the federally connected children residing
within their district. One school official remarked that he had no additional space added, only repair on an old structure.

A study of the data in Table XVIII indicates that school officials believe the requirements for record keeping to substantiate Public Law 815 claims for assistance are reasonably adequate and not too complicated. Eighty-one, or about 87 per cent of those responding, indicated the record keeping requirements are "not too complicated." Only eight, or 9 per cent of those responding reported the requirements were "unnecessarily complicated." Two school officials expressed an opinion that record requirements were "inadequate." Two reporting officials remarked that the requirements were adequate and must be done.

**TABLE XVIII**

**SURVEY QUESTION NUMBER SIXTEEN**

<table>
<thead>
<tr>
<th>Evaluation of Requirements</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Unnecessarily complicated</td>
<td>8</td>
</tr>
<tr>
<td>b Not too complicated</td>
<td>81</td>
</tr>
<tr>
<td>c Inadequate</td>
<td>2</td>
</tr>
<tr>
<td>d Other</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>93</strong></td>
</tr>
</tbody>
</table>

*What is your evaluation of the requirements for record keeping (student ADA, parent employment information, etc.) to substantiate claims for Public Law 815 funds?
Texas school officials in districts receiving Public Law 815 funds almost unanimously agree that the record keeping requirements to substantiate claims for assistance under the provisions of the law are necessary, reasonable, and adequate.

**TABLE XIX**

**SURVEY QUESTION NUMBER SEVENTEEN**

<table>
<thead>
<tr>
<th>Evaluation of Application</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>_____________</td>
<td>_______________</td>
</tr>
<tr>
<td>a</td>
<td>Too complex and complicated</td>
</tr>
<tr>
<td>b</td>
<td>Not too difficult</td>
</tr>
<tr>
<td>c</td>
<td>Simple and easy</td>
</tr>
<tr>
<td>d</td>
<td>Other</td>
</tr>
<tr>
<td>_____________</td>
<td>_______________</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*What is your evaluation of the forms and procedures for making application for Public Law 815 funds?*

The information in Table XIX is indicative of the views of the ninety-three school officials participating in this study regarding the complexity and difficulty of making application for Public Law 815 funds. Seventy-six school officials were of the opinion that the process is "not too difficult." This response represents a little over 82 per cent of those replying to the questionnaire. Five, or 5 per cent replied that the application process is "simple and easy." Only twelve officials indicated that the process of making application for Public Law 815 funds is "too complex and
complicated." This number represents only about 13 per cent of the total number of school officials who responded to the questionnaire.

In the opinion of the vast majority of Texas school officials in districts receiving Public Law 815 aid, the process of making application for assistance is reasonably easy and simple.

TABLE XX

SURVEY QUESTION NUMBER EIGHTEEN*

<table>
<thead>
<tr>
<th>Adequacy of Funds</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Very adequate</td>
<td>5</td>
</tr>
<tr>
<td>b Fairly adequate</td>
<td>42</td>
</tr>
<tr>
<td>c Inadequate</td>
<td>43</td>
</tr>
<tr>
<td>d Undecided</td>
<td>2</td>
</tr>
<tr>
<td>e Other</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*What is your evaluation of the adequacy of the amount of funds provided by the provisions of Public Law 815?

A study of Table XX reveals an even split between Texas school officials about the adequacy of funds provided under Public Law 815. Forty-seven of those reporting indicated that the amount of assistance provided under the program was "very adequate" to fairly "adequate." The response, relative to the opinion that funds provided under the act were
inadequate, totaled forty-three. This reflects 46 per cent of the school officials reporting. Two officials responded that they were undecided as to the adequacy or inadequacy of funds provided under the act. One official commented that this question "does not apply now" to his district. It had been over ten years since his district had received funds under the act.

TABLE XXI
SURVEY QUESTION NUMBER NINETEEN*

<table>
<thead>
<tr>
<th>Administration of Law on National Level</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Very efficient</td>
<td>10</td>
</tr>
<tr>
<td>b Efficient</td>
<td>68</td>
</tr>
<tr>
<td>c Inefficient</td>
<td>10</td>
</tr>
<tr>
<td>Remarks</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*What is your evaluation of the administration of Public Law 815 on the national level by United States Office of Education Personnel?

A study of the data in Table XXI relates to the administration of Public Law 815 on the national level by the United States Office of Educational Personnel. Of the ninety-three Texas school officials responding to the questionnaire, almost all agree that the national level administration is either "efficient" or "very efficient." Only ten reporting
officials evaluated administration of the law on the national level as "inefficient." Five officials made remarks that they had no comment or knowledge regarding an evaluation of the administration of federal funds by federal personnel. These data clearly indicated the good and effective working relationship between the local and national level.

<table>
<thead>
<tr>
<th>Administration of Law on State Level</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Very efficient</td>
<td>24</td>
</tr>
<tr>
<td>b Efficient</td>
<td>67</td>
</tr>
<tr>
<td>c Inefficient</td>
<td>1</td>
</tr>
<tr>
<td>Remarks</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

What is your evaluation of the administration of Public Law 815 on the state level by Texas Education Agency Personnel?

A review of the data in Table XXII indicates that the evaluation of the administration of Public Law 815 on the state level by Texas Education Agency personnel was "efficient" or "very efficient." Only one official evaluated administration of the law on the state level as being "inefficient." One reporting official remarked that he was undecided. It is interesting to observe that a near unanimous opinion prevails between both the state and national level of efficiency in
dealing with local school districts. Evidently a high level of administrative cooperation exists between local, state, and federal agencies in the operation and administration of Public Law 815 in Texas.

**TEXAS XXIII**

**SURVEY QUESTION NUMBER TWENTY-ONE***

<table>
<thead>
<tr>
<th>Relationship between Local, State, and National</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Entirely cooperative</td>
<td>57</td>
</tr>
<tr>
<td>b Fairly cooperative</td>
<td>31</td>
</tr>
<tr>
<td>c Some bickering</td>
<td>4</td>
</tr>
<tr>
<td>d Much bickering</td>
<td>1</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>93</td>
</tr>
</tbody>
</table>

*What phrase best describes, in your opinion, the relationship which existed throughout the negotiations between federal, state, and local officials relative to the application for and use of the grant you received under Public Law 815.*

A summary of the data presented in Table XXIII suggests that the administration of Public Law 815 in Texas has been highly satisfactory and that there was excellent cooperation between federal, state, and local school officials throughout the negotiations between all agencies in applying and receiving aid under the law. Eighty-eight, or 95 per cent listed their relationship as "entirely cooperative" or "fairly
cooperative." Only five school officials listed their relationship as being conducted with "some bickering" or "much bickering."

A study of the data in Table XXIV further indicates that officials in participating districts in Texas almost unanimously agree that audit procedures in connection with Public Law 815 funds are necessary, adequate, and reasonable. Eighty-eight officials out of the ninety-three returns expressed this opinion. This number represented slightly over 95 per cent of the officials responding to the questionnaire.

**TABLE XXIV**

**SURVEY QUESTION NUMBER TWENTY-TWO**

<table>
<thead>
<tr>
<th>Evaluation of Audit Procedures</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a) Too strict and unreasonable</td>
<td>0</td>
</tr>
<tr>
<td>b) Necessary and reasonable</td>
<td>88</td>
</tr>
<tr>
<td>c) Inadequate</td>
<td>2</td>
</tr>
<tr>
<td>d) Other</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>93</strong></td>
</tr>
</tbody>
</table>

*What is your evaluation of the audit procedures of Public Law 815 records by the United States Office of Education?*

Not a single responding school official was of the opinion that audit procedures in connection with the law are "too strict and unreasonable." Only two of the school officials
responding to the questionnaire expressed an opinion that audit procedures are inadequate. Three reporting school officials remarked, "Does not know," "No audit," "No problem."

A review of the data in Table XXV clearly states that the majority of school districts in Texas participated in the funding of Public Law 815 when eligible. Seventy-two, or 77 per cent, stated that their reason for non-participation was due to their district not qualifying a specific year.

TABLE XXV
SURVEY QUESTION NUMBER TWENTY-THREE*

<table>
<thead>
<tr>
<th>Reason for Non-Participation</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>a Non-applicable</td>
<td>72</td>
</tr>
<tr>
<td>b Contrary to district policy</td>
<td>3</td>
</tr>
<tr>
<td>c Insufficient staff</td>
<td>1</td>
</tr>
<tr>
<td>d Late funding</td>
<td>6</td>
</tr>
<tr>
<td>e Lack of local funds</td>
<td>5</td>
</tr>
<tr>
<td>f Other</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td><strong>Total: 93</strong></td>
</tr>
</tbody>
</table>

*Reason for non-participation in Public Law 815 funds during the years when district was eligible are

Six, or 7 per cent, of the officials responding stated that "late funding" was their reason for not participating when their district was eligible for participation. Three schools
stated that it was contrary to district policy to accept federal aid and the same number stated that "lack of local funds" was their reason for not participating when eligible. Only one school district indicated that its reason for non-participation was due to insufficient staff with which to handle the necessary paperwork to make application. Other officials made the following remarks regarding their non-participation: "No money," "None," "Knew funds were insufficient or not available."

**TABLE XXVI**

**SURVEY QUESTION NUMBER TWENTY-FOUR**

<table>
<thead>
<tr>
<th>Implementation in Keeping with Intent</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a</td>
<td>Definitely yes</td>
</tr>
<tr>
<td>b</td>
<td>Yes</td>
</tr>
<tr>
<td>c</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Remarks</td>
</tr>
<tr>
<td></td>
<td>Total</td>
</tr>
</tbody>
</table>

*Do you feel the implementation of the law was in keeping with the intent of Congress?

A study of the data in Table XXVI clearly shows that the implementation of the law was in keeping with the intent of Congress. Seventy-nine, or 85 per cent of the school officials responding to the questionnaire, indicated "yes" or
or "definitely yes." Only eleven, or 12 per cent indicated "no." Three officials remarked that they were undecided.

Public Law 815 seems to have been a timely piece of legislation, carefully drawn. Except for the inadequacy of its appropriations, it has made possible, in general, the meeting of the federal government's responsibility to federally affected school districts.

TABLE XXVII

SURVEY QUESTION NUMBER TWENTY-FIVE*

<table>
<thead>
<tr>
<th>Developed Research</th>
<th>Distribution of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>a Yes</td>
<td>3</td>
</tr>
<tr>
<td>b No</td>
<td>90</td>
</tr>
<tr>
<td>Remarks</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>93</td>
</tr>
</tbody>
</table>

*Has your district developed research or evaluation relating to Public Law 815 operation?

A study of the information tabulated in Table XXVII reveals that of ninety-three school officials responding to the questionnaire, only three answered "yes" to the question "Has your district developed research on evaluation relating to the operation of Public Law 815?" This figure represents 3 per cent of school districts surveyed that developed evaluative criteria. Of the three officials that reported "yes,"
a personal contact was made to review their research or evaluation of Public Law 815. All three districts had completed a local evaluation of the program with reference to the amount of money received. After analyzing the evaluation, it was determined that it would be of no value to this study.

Personal Visits and Interviews

In order to investigate further the actual operation of Public Law 815 in Texas, personal visits were made to several school districts that received assistance under provisions of the law. These districts were chosen at random and no particular criterion was used by the author in selecting the districts to visit.

The school districts and school administrators visited are as follows:

1. Mineral Wells I.S.D., Mr. C. C. Craighead, Superintendent.
2. White Settlement I.S.D., Mr. D. Y. McKinney, Superintendent.
3. Grand Prairie I.S.D., Mr. B. Combs, Superintendent.
4. Arlington I.S.D., Mr. James Martin, Superintendent.

The information gained from these visits and interviews consistently substantiated the information collected from the questionnaire of the study. In every instance the school
official visited seemed to be highly informed concerning the provisions of Public Law 815. Each of the superintendents was ready and eager to discuss the operation and application of the law in his respective district. During each interview, many favorable and commendable remarks were made relative to the administration of Public Law 815 by officials of the United States Office of Education and representatives of the Texas Education Agency. Each of the officials interviewed was slow and deliberate about recommending changes to the existing law. Without exception each superintendent pointed out the effective changes and amendments that have been made in the law since 1950. Each of the superintendents visited had been thoroughly acquainted with the operation of the law since its beginning in 1950. It seemed to be the opinion of these officials that the weakest point of the aid program under Public Law 815 is the constant failure of Congress to provide funds to pay 100 per cent entitlements to eligible districts.

Views of Selected Congressmen on Public Law 815

In an attempt to provide additional information on the administration and operation of Public Law 815, selected members of Congress from Texas were requested to comment on five questions relating to the act. These questions were as follows:
1. General views on federal aid to education as a national policy.

2. Your role in passage of impacted aid.

3. Were the major accomplishments of this law in keeping with the intent of Congress?

4. Has it been a successful program?

5. Recommendations you would personally make to improve the program.

Letters were sent to the following Congressmen from Texas:

1. Past-President Lyndon B. Johnson
2. Senator Ralph Yarborough
3. Senator John G. Tower
4. Congressman Jim Wright

Returns were received from each of the Congressmen contacted. Considering the fact that they have a very busy schedule and that Congress is in session, the returns seemed phenomenal. In response to the first question the consensus indicated that all respondents were much in favor of federal aid to education and the government should become a permanent partner in the overall financing of public education.

In response to the second question all indicated they had either sponsored or supported legislation for impacted area schools.

In response to the third question relating to the intent of Congress, a consensus agreed that the implementation was definitely in keeping with the intent of Congress.
The fourth question asked if the program had been successful. There was unanimous agreement that the program was successful in providing needed finances to local school districts housing federally connected children.

In response to the fifth question the Congressmen generally affirmed the need to continue the program and to appropriate funds to support those districts who are eligible to participate.

Summary

In order to investigate the general scope of the operation of Public Law 815 in Texas, an extensive amount of data and information was secured from the Dallas Regional Office, United States Office of Education, and the Texas Education Agency. These data related directly to the operation of the law since 1951 and covered a twenty-year period. A review of these data revealed the following general facts concerning the operation of Public Law 815 in Texas from 1951 to 1969:

1. Texas districts have received slightly over $72,000,000.00 under the provisions of the law since 1951.

2. Texas districts have housed approximately 116,302 students in 4,130 classrooms within the state under the provisions of the law since 1951.

3. Texas districts have qualified for aid under the provisions of the law largely under sections 5, 8, and 9.
4. A very large proportion of the children enrolled in Texas districts has been Category B children. These children are those who do not reside on federal property but whose parents are employed on such properties.

In order to analyze further the scope and extent of the operation of Public Law 815, data and information were secured by the questionnaire technique. Questionnaires were sent to officials in eligible districts in the state. Ninety-three completed returns were received. A review of these data revealed that a majority of Texas officials in participating districts have formed the following general opinions regarding the operation of Public Law 815:

1. The administration of the law in Texas has been highly satisfactory.

2. The extent of federal control connected with the operation of the law in Texas has been negligible.

3. If Texas districts had not received aid through this act, local school districts would have been forced to operate with overcrowded classrooms.

4. The implementation of the law was in keeping with the intent of Congress.

5. There was excellent cooperation between federal, state and local districts.

6. The amount of funds provided by the law to eligible districts has been adequate.
7. Public Law 815 funds influenced the spending of local funds for classroom construction.

8. There are several improvements needed in the law to improve its adequacy and effectiveness.

In order to investigate further the actual operation of Public Law 815 in Texas, the writer made personal visits to several schools that received aid under the provisions of the law. Personal interviews were also held with school officials in these districts. The comments and opinions of selected Congressmen were most helpful to the study. These visits, interviews, and correspondence resulted generally in a confirmation of the results gained from the use of the questionnaire of the study.
CHAPTER BIBLIOGRAPHY

CHAPTER VI

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

This study has been primarily concerned with Public Law 815. Chiefly, it has been an investigation and study of the background, present status, and significance of the law with special attention to its operation in Texas.

Summary

In reviewing the history of federal aid to public school building construction, we have observed that such aid has been signalized by two major entries of the United States Government into this field; the first occurred during the 1930's; the second was embodied in the Lanham Act of World War II. The primary purpose of the school building program of the depression years was to aid in employment and to stimulate the nation's economy. The Lanham Act's primary purpose was to assist communities to cope with the overcrowded conditions brought about by defense and Armed Force activities. In 1947 the Lanham Act expired, but the expected return to "normalcy" following the war did not occur. The result was that although federal assistance to the impacted school districts was discontinued, the number of school children in the community remained high, and there was a continued need for assistance such as had been rendered prior to the
expiration of the Lanham Act. In 1949 extensive hearings were conducted by the House Committee on Education and Labor. After the Committee's findings had been reported, Congress passed Public Law 815 which authorized the United States Commissioner of Education to give federal monetary grants to local school districts which were overburdened with pupils whose presence in the community resulted from federal activities. In the course of the government's attempt to maintain an adequate Armed Force and to provide for the general welfare of the people, the nation had acquired large real property holdings and had created swollen population centers which in turn imposed financial problems on the local school district level which were overwhelming.

Four factors of Public Law 815 governed the funds a federally impacted community received:

1. The reduced revenues available to school districts as a result of the United States Government's having acquired tracts of tax exempt lands thus diminishing the tax base.

2. The local school supplying educational services to the children of parents who lived on federal property.

3. The local school supplying educational services to the children of parents who were employed on federal property.

4. School districts experiencing sudden and substantial increases in school attendance as a result of federal activities, either directly or indirectly as through the activities of contractors.
To study the operation of this law in Texas, an extensive questionnaire was directed to selected school superintendents in Texas whose districts had received funds under the act. It was thought that these school officials were in particularly favorable positions to judge and appraise the operation of the law in their individual operational units, and further that their opinions combined might provide a reliable picture of the operation of the law in Texas; this summation of opinion, it was felt, might yield a valid appraisal of the operation of the law in the country as a whole. The questionnaire, with accompanying directions, was sent to the superintendents of 112 school districts in Texas. A total of ninety-three usable returns were received for a percentage of 80 per cent. The areas covered in this questionnaire included those of sources of information, administrative help, appraisal of procedures, administration of the law, factors of entitlement, adequacy of assistance, tax on federal property, weak and strong points of the law, and further legislation needed. The data from these questionnaires are summarized in Chapter V.

In order to investigate further the operation of the law in Texas and to confirm the data collected by the questionnaire several personal visits were made to participating districts and interviews were held with their superintendents. Further information was gained from personal interviews and correspondence with members of the Texas Education Agency, members
of Congress, and representatives of the United States Office of Education. Other basic sources of data utilized in this study were congressional hearings and reports, federal statutes, Congressional Record, legislative reference reports of the Library of Congress, various annual reports of the United States Commissioner of Education, studies of professional organizations, and standard textbooks.

In this investigation both the historical and descriptive method of research was employed in developing the background and approach to the study. The survey technique was used to secure data and information.

Conclusions

Within the bounds and framework of this study of Public Law 815 and its operation in Texas, it is believed that the following conclusions may reasonably be stated:

1. A long history exists regarding the financial assistance by the federal government to public education.

2. There was a definite need for financial assistance to federal impacted areas due to the many activities of the federal government.

3. The federal government definitely had a responsibility to provide financial assistance to local educational agencies.

4. The federal government is a major property owner which causes undue pressure on the local tax roll.
5. There is a consensus that the federal government presents no threat for control of the local education agencies.

6. Public Law 815 was a very popular piece of legislation and was used as a vehicle for many additional pieces of legislation.

7. If Public Law 815 had not been enacted, local school districts would have been forced to operate their instructional program with overcrowded classrooms.

8. Federal government activity within the various school districts creates a permanent problem.

9. There is a tremendous lack of appropriation throughout the history of the enactment and continues to be more so each year.

10. The implementation of the law was in keeping with the intent of Congress.

11. The impact of Public Law 815 on school districts has been significant in that it has provided financial aid in the amount of $72,000,000.

12. In the administration of Public Law 815, several conclusions were drawn:
   a. There was evidence of excellent cooperation between federal, state and local levels.
   b. The cost of applying and administering the program at the local level was insignificant.
   c. Funds provided under Public Law 815 for classroom construction when granted were found to be inadequate.
j. Local school administrators stated that when funds were available through the program, application was made.

e. Public law funds influenced the spending of local funds for classroom construction.

f. Auditing procedures were found to have been efficient.

h. Local administrators suggested that Congress should guarantee 100 per cent entitlement when the program is funded.

i. There was no evidence of program evaluation throughout the state in reference to the total program.

Recommendations

Based upon this study of Public Law 815 and the conclusions derived from it, the following recommendations are made:

1. Corrective legislation should be enacted to guarantee 100 per cent payment of legal entitlements to eligible districts under the provisions of Public Law 815. It is concluded that the federal government has both moral obligation and legal responsibility to financially assist those districts that are affected by federal activity.

2. Provisions should be made by Congress to enact permanent legislation to meet what is believed a permanent situation.
3. Further investigation should be made in clarifying the role of the federal government as a taxpayer in local school districts.

4. Continue efforts at all levels to establish the federal government as a permanent partner to state and local education agencies for all phases of educational activities.
APPENDIX
APPENDIX A

SURVEY QUESTIONNAIRE
(Sample)

1. From what source did you first learn about the existence of Public Law 815?
   a) Texas Education Agency
   b) U.S. Office of Education
   c) Professional Conference
   d) Congressman
   e) Architect
   f) Previous Administrator
   g) Other

2. What agencies did you turn to for further information after you learned of the existence of Public Law 815? Also, rank them by importance of their help and assistance to your district in securing the grant. Give your first choice a rank of (1), second choice (2), etc.
   ) U.S. Office of Education
   ) Texas Education Agency
   ) Congressman
   ) Architect
   ) Other

3. What action was taken by your district to apply for, secure, and administer Public Law 815 funds locally?
   a) Additional administrative staff
   b) Additional clerical help
   c) Added administrative expenses only
   d) None
   e) Other

4. Estimate the approximate annual cost of applying for, securing, and administering Public Law 815 funds in your district.
   a) Less than 2% of grant
   b) 2 to 5% of grant
   c) 5 to 10% of grant
   d) Above 10% of grant
   Remarks
5. What is the nearest estimate of the ratio of Public Law 815 funds received annually to the total annual cost of the school building program in your district during period of eligibility?
   a) Under 5% of total program cost
   b) 5% to 20% of total program cost
   c) 20% to 50% of total program cost
   d) Over 50% of total program cost
   Remarks

6. Has Public Law 815 influenced the spending of local funds to strengthen facilities?
   a) Bonds voted for additional facilities
   b) Remodeling of existing facilities
   c) Additional furniture and fixtures provided for existing space
   d) Purchase of portable classroom buildings
   e) Other

7. Would Legislation that places all United States property on the tax rolls with like valuation and like rate as private property enable your school district to operate adequately without federal assistance for school building construction?
   a) Yes
   b) No
   c) Undecided
   Remarks

8. To what degree has federal control of the local operation of Public Law 815 funds been evident?
   a) Extensive
   b) Moderate
   c) Little
   d) None
   Remarks

9. What actions would, in your opinion, improve the adequacy and effectiveness of Public Law 815?
   a) Provide equal payments for all Sub-Section 5 Children
   b) Congressional guarantee of payment of 100% entitlement
   c) Discontinue use of local construction rate as base for payment
   d) Other
10. To what extent do you think Public Law 815 constitutes a threat to state and local control of education?
   a) Much
   b) Some
   c) Little
   d) None
   e) Undecided

Remarks

11. If Public Law 815 or similar legislation had not been enacted to aid financially your federally impacted community, please check the following administrative devices you would have been forced to use.
   a) Part day sessions
   b) Unsafe, or unsuitable classrooms
   c) Overcrowded classrooms
   d) Churches or other community buildings
   e) Transporting children to adjacent districts
   f) Another procedure which would have seriously prejudiced the educational objective.
   g) Other

Remarks

12. As a result of the financial assistance under Public Law 815, has your district been able to house adequately these federally connected children?
   a) Yes
   b) No

Remarks

13. What is your evaluation of the requirements for record keeping (student ADA, parent employment information, etc.) to substantiate claims for Public Law 815 funds?
   a) Unnecessarily complicated
   b) Not too complicated
   c) Inadequate
   d) Other

14. What is your evaluation of the forms and procedures for making application for Public Law 815 funds?
   a) Too complex and complicated
   b) Not too difficult
   c) Simple and easy
   d) Other
15. What is your evaluation of the adequacy of the amount of funds provided by the provisions of Public Law 815?

a) Very adequate
b) Fairly adequate
c) Inadequate
d) Undecided
e) Other

16. What is your evaluation of the administration of Public Law 815 on the national level by United States Office of Education Personnel?

a) Very efficient
b) Efficient
c) Inefficient
Remarks

17. What is your evaluation of the administration of Public Law 815 on the state level by Texas Education Agency Personnel?

a) Very efficient
b) Efficient
c) Inefficient
Remarks

18. What phrase best describes, in your opinion, the relationships which existed throughout the negotiations between federal, state, and local officials relative to the application for and use of the grant you received under Public Law 815.

a) Entirely cooperative
b) Fairly cooperative
c) Some bickering
d) Much bickering
Remarks

19. What is your evaluation of the audit procedures of Public Law 815 records by the United States Office of Education?

a) Too strict and unreasonable
b) Necessary and reasonable
c) Inadequate
d) Other
APPENDIX B

FIVE-MEMBER ADVISORY BOARD

Dr. E. Vaughn Huffstutler
Professor of Education
North Texas State University
Denton, Texas 76203
Telephone: AC 817 - 397-4511

Mr. N. W. Dearing
Business Manager
Grapevine Public Schools
Grapevine, Texas 76051
Telephone: AC 817 - 267-0061

Mr. Robert Spoonemore
Administrative Assistant
Grapevine Public Schools
Grapevine, Texas 76051
Telephone: AC 817 - 289-2563

Dr. Glenn Reeves
Superintendent of Schools
Eagle Mountain-Saginaw I.S.D.
Box 160
Saginaw, Texas 76079
Telephone: AC 817 - 232-0380

Mr. Billy R. Reagan
Superintendent of Schools
North East I.S.D.
San Antonio, Texas 78217
Telephone: AC 512 - 855-4210
APPENDIX C

TWELVE-MEMBER JURY FOR THE SURVEY INSTRUMENT

Mr. Faris Nowell
Superintendent of Schools
Iowa Park I.S.D.
Box 898
Iowa Park, Texas 76367
Telephone: AC 817 - 592-4193

Dr. Glenn D. Reeves
Superintendent of Schools
Eagle Mountain-Saginaw I.S.D.
Box 160
Saginaw, Texas 76079
Telephone: AC 817 - 232-0880

Mr. Wendal E. Hoover
Superintendent of Schools
Azle I.S.D.
300 Roe Street
Azle, Texas 76020
Telephone: AC 817 - 257-3235

Mr. P. A. Tanksley
Superintendent of Schools
Del Rio I.S.D.
215 W. Garfield
Del Rio, Texas 78840
Telephone: AC 512 - 775-3921

Mr. Carl Craighead
Superintendent of Schools
Mineral Wells I.S.D.
Mineral Wells, Texas 76067
Telephone: AC 817 - 325-6404

Dr. Lloyd P. Ferguson
Superintendent of Schools
Clear Creek I.S.D.
2301 E. Main Street
League City, Texas 77573
Telephone: AC 713 - 932-2516

Mr. M. Browning Combs
Superintendent of Schools
Grand Prairie I.S.D.
Box 1170
Grand Prairie, Texas 75050
Telephone: AC 214 - 276-1101
Dr. C. E. Ellison
Superintendent of Schools
Killeen I.S.D.
Box 967
Killeen, Texas 76541
Telephone: AC 817 - 634-3177

Mr. A. E. Wells
Superintendent of Schools
Abilene I.S.D.
Box 931
Abilene, Texas 79604
Telephone: AC 915 - 677-1444

Mr. Billy R. Reagan
Superintendent of Schools
North East I.S.D.
10214 Sommers Drive
San Antonio, Texas 78217
Telephone: AC 512 - 855-4210

Mr. George A. Thompson
Superintendent of Schools
Pasadena I.S.D.
Box 1799
Pasadena, Texas 77501
Telephone: AC 713 - 944-7411

Dr. H. E. Charles
Superintendent of Schools
El Paso I.S.D.
Box 1710
El Paso, Texas 79999
Telephone: AC 915 - 533-4951
Dear Fellow Administrator:

Your assistance is requested in establishing the validation of a questionnaire to be used as part of a Doctoral Dissertation at North Texas State University. The dissertation is under the direction of Dr. Vaughn Huffstutler, Professor, Division of Educational Leadership.

The study will involve a survey of factors influencing public school operation related to Public Law 815 in terms of federal relations and control, cost of administration, influence on building program, adequacy of assistance, and problems relating to implementation of the act. A valid questionnaire will be sent to 112 superintendents of school districts that are involved in the operation of this law.

As you react to the questionnaire, decide whether or not each of the twenty-five items will provide the researcher with needed information. If an item is appropriate and clear, circle number 1 in the left margin; if you are undecided, circle number 2; if the item is unappropriate or unclear, circle number 3. At the close of the questionnaire, there is a place for your comments, corrections, and deletions.

It is the researcher's intent that the final questionnaire be an efficient and effective instrument. Your assistance in this task is appreciated. A self-addressed, stamped envelope is enclosed for your convenience.

Sincerely,

O. C. "Mike" Taylor

OCT/dd
1. From what source did you first learn about the existence of Public Law 815?

   a) Texas Education Agency
   b) U. S. Office of Education
   c) Professional Conference
   d) Congressman
   e) Architect
   f) Previous Administrator
   g) College or University Class
   h) Other ____________________________

2. What agencies did you turn to for further information after you learned of the existence of Public Law 815? Also, rank them by importance of their help and assistance to your district in securing the grant. Give your first choice a rank of (1), second choice (2), etc.

   ) U. S. Office of Education
   ) Texas Education Agency
   ) Congressman
   ) Architect
   ) Other ____________________________

3. What action was taken by your district to apply for, secure, and administer Public Law 815 funds locally?

   a) Additional administrative staff
   b) Additional clerical help
   c) Added administrative expenses only
   d) None
   e) Other ____________________________

4. Estimate the approximate annual cost of applying for, securing, and administering Public Law 815 funds in your district.

   a) Less than 2% of grant
   b) 2 to 5% of grant
   c) 5 to 10% of grant
   d) Above 10% of grant

5. Your school district participated in Public Law 815 funds in

   a) ____________ year
   b) ____________ year
   c) ____________ year
   d) ____________ year
   e) ____________ year
1 2 3 6. What is the nearest estimate of the ratio of Public Law 815 funds received annually to the total annual cost of the school building program in your district during period of eligibility?
   a) Under 5% of total program cost
   b) 5% to 20% of total program cost
   c) 20% to 50% of total program cost
   d) Over 50% of total program cost
   Remarks ____________________________

1 2 3 7. Was the use of Public Law 815 funds in the district's building program publicized within the community?
   a) Widely publicized
   b) Normal press release
   c) Through district personnel only
   d) No publicity
   Remarks ____________________________

1 2 3 8. Has the use of Public Law 815 funds caused any concern within the community?
   a) Much concern
   b) Little concern
   c) No concern
   Remarks ____________________________

1 2 3 9. Has Public Law 815 influenced the spending of local funds to strengthen facilities?
   a) Bond voted for additional facilities
   b) Remodeling of existing facilities
   c) Additional furniture and fixtures provided for existing space
   d) Purchase of portable classroom buildings
   e) Other ____________________________

1 2 3 10. Would legislation that places all United States property on the tax rolls with like valuation and like rate as private property enable your school district to operate adequately without federal assistance for school building construction?
   a) Yes
   b) No
   c) Undecided
   Remarks ____________________________
11. To what degree has federal control of the local operation of Public Law 815 funds been evident?

a) Extensive  
b) Moderate  
c) Little  
d) None  
Remarks ________________________________

12. What actions would, in your opinion, improve the adequacy and effectiveness of Public Law 815?

a) Provide equal payments for all Sub-Section 5 children  
b) Congressional guarantee of payment of 100% entitlement  
c) Discontinue use of local construction rate as base for payment  
d) Other ________________________________

13. To what extent do you think Public Law 815 constitutes a threat to state and local control of education?

a) Much  
b) Some  
c) Little  
d) None  
e) Undecided  
Remarks ________________________________

14. If Public Law 815 or similar legislation had not been enacted to aid financially your federally impacted community, please check the following administrative devices you would have been forced to use.

a) Part day sessions  
b) Unsafe, or unsuitable classrooms  
c) Overcrowded classrooms  
d) Churches or other community buildings  
e) Transporting children to adjacent districts  
f) Another procedure which would have seriously prejudiced the educational objective  
g) Other ________________________________
133

15. As a result of the financial assistance under Public Law 815, has your district been able to house adequately these federally connected children?

a) Yes
b) No
Remarks

16. What is your evaluation of the requirements for record keeping (student ADA, parent employment information, etc.) to substantiate claims for Public Law 815 funds?

a) Unnecessarily complicated
b) Not too complicated
c) Inadequate
d) Other

17. What is your evaluation of the forms and procedures for making application for Public Law 815 funds?

a) Too complex and complicated
b) Not too difficult
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18. What is your evaluation of the adequacy of the amount of funds provided by the provisions of Public Law 815?

a) Very adequate
b) Fairly adequate
c) Inadequate
d) Undecided
e) Other

19. What is your evaluation of the administration of Public Law 815 on the national level by United States Office of Education Personnel?

a) Very efficient
b) Efficient
c) Remarks

Remarks
20. What is your evaluation of the administration of Public Law 815 on the state level by Texas Education Agency Personnel?

a) Very efficient
b) Efficient
c) Inefficient

Remarks

21. What phrase best describes, in your opinion, the relationships which existed throughout the negotiations between federal, state, and local officials relative to the application for and use of the grant you received under Public Law 815?

a) Entirely cooperative
b) Fairly cooperative
c) Some bickering
d) Much bickering

Remarks

22. What is your evaluation of the audit procedures of Public Law 815 records by the United States Office of Education?

a) Too strict and unreasonable
b) Necessary and reasonable
c) Inadequate
d) Other

Remarks

23. Reason for non-participation in Public Law 815 funds during the years when district was eligible are

a) Non-applicable
b) Contrary to district policy
c) Insufficient staff
d) Late funding
e) Lack of local funds
f) Other

Remarks

24. Do you feel the implementation of the law was in keeping with the intent of Congress?

a) Definitely yes
b) Yes
c) No

Remarks
25. Has your district developed research or evaluation relating to Public Law 815 operation?

a) Yes
b) No

Remarks  __________________________________________
VALIDITY STUDY

After reading and responding to the validity of the items on the questionnaire, I find it complete with the following additions or corrections:

________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

Signature ____________________________

Date ____________________________

(Use Additional Pages As Needed)
# APPENDIX F

## LIST OF TEXAS SCHOOL DISTRICTS AND OFFICIALS CONTRIBUTING TO THE STUDY

<table>
<thead>
<tr>
<th>Name of School</th>
<th>Reporting Official</th>
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<td>B. F. Steinhauser</td>
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<td>105. Springtown I.S.D.</td>
<td>L. Hinkle</td>
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<td>106. Temple I.S.D.</td>
<td>A. Alsup</td>
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<td>108. Tye I.S.D.</td>
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<td>110. Vidor I.S.D.</td>
<td>M. J. Cohern</td>
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<td>111. Weatherford I.S.D.</td>
<td>R. E. Curtis</td>
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<td>112. West Orange Cove I.S.D.</td>
<td>T. E. Huff</td>
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<td>113. West Oso I.S.D.</td>
<td>F. Quinones</td>
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<td>114. West Columbia I.S.D.</td>
<td>K. C. Welsch</td>
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<td>115. White Settlement I.S.D.</td>
<td>T. W. McDaniel</td>
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<td>116. Ysleta I.S.D.</td>
<td>J. M. Hanks</td>
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January 8, 1971

Dear Fellow Administrators:

Your help is requested in a study of the operation of Public Law 815 in public schools of Texas. The study is being done as a part of a doctoral dissertation under the direction of Dr. E. Vaughn Huffstutler, Division of Educational Leadership, North Texas State University. The questionnaire is being sent to public school superintendents who are involved in the operation of this law.

The identification requested on the questionnaire will enable me to maintain balance of the size of schools participating. No school identification will be revealed by fact or implication.

A response from each superintendent or his designated representative will be an important contribution to the study. The completion of the questionnaire should require no more than thirty minutes of your time. Your consideration in returning the questionnaire to enable me to meet a January 21st schedule will be appreciated. Thank you for your time and assistance.

Sincerely,

O. C. "Mike" Taylor

OCT/dd

Enclosures
APPENDIX H

A SURVEY OF THE OPERATION OF PUBLIC LAW 815 IN TEXAS

TO:

Superintendents of School Districts that have received Public Law 815 funds for school building construction in federally impacted communities.

FROM:


PURPOSE:

This questionnaire is a part of a doctoral study at North Texas State University to investigate the operation of Public Law 815 in Texas.

RESPONDENT:

1) Name

2) Position

3) Name of School District

4) Address

5) Years in Present Position

6) District Average Daily Attendance

7) Would you like a copy of the final report?
   Yes ___.  No ___

DIRECTIONS:

Please mark your answers in the space provided and return in the enclosed envelope at your very earliest convenience.
1. From what source did you first learn about the existence of Public Law 815?

   a) Texas Education Agency
   b) U. S. Office of Education
   c) Professional Conference
   d) Congressman
   e) Architect
   f) Previous Administrator
   g) College or University Class
   h) Other

2. What agencies did you turn to for further information after you learned of the existence of Public Law 815? Also, rank them by importance of their help and assistance to your district in securing the grant. Give your first choice a rank of (1), second choice (2), etc.

   ) U. S. Office of Education
   ) Texas Education Agency
   ) Congressman
   ) Architect
   ) Other

3. What action was taken by your district to apply for, secure, and administer Public Law 815 funds locally?

   a) Additional administrative staff
   b) Additional clerical help
   c) Added administrative expenses only
   d) None
   e) Other

4. Estimate the approximate annual cost of applying for, securing, and administering Public Law 815 funds in your district.

   a) Less than 2% of grant
   b) 2 to 5% of grant
   c) 5 to 10% of grant
   d) Above 10% of grant

Remarks

5. Your school district participated in Public Law 815 funds in

   a) ___________ Year
   b) ___________ Year
   c) ___________ Year
   d) ___________ Year
   e) ___________ Year
6. What is the nearest estimate of the ratio of Public Law 815 funds received annually to the total annual cost of the school building program in your district during period of eligibility?

   a) Under 5% of total program cost
   b) 5% to 20% of total program cost
   c) 20% to 50% of total program cost
   d) Over 50% of total program cost
   Remarks

7. Was the use of Public Law 815 funds in the district's building program publicized within the community?

   a) Widely publicized
   b) Normal press release
   c) Through district personnel only
   d) No publicity
   Remarks

8. Has the use of Public Law 815 funds caused any concern within the community?

   a) Much concern
   b) Little concern
   c) No concern
   Remarks

9. Has Public Law 815 influenced the spending of local funds to strengthen facilities?

   a) Bond voted for additional facilities
   b) Remodeling of existing facilities
   c) Additional furniture and fixtures provided for existing space
   d) Purchase of portable classroom buildings
   e) Other
   Remarks

10. Would Legislation that places all United States property on the tax rolls with like valuation and like rate as private property enable your school district to operate adequately without federal assistance for school building construction?

    a) Yes
    b) No
    c) Undecided
    Remarks
11. To what degree has federal control of the local operation of Public Law 815 funds been evident?
   a) Extensive
   b) Moderate
   c) Little
   d) None

Remarks

12. What actions would, in your opinion, improve the adequacy and effectiveness of Public Law 815?
   a) Provide equal payments for all Sub-Section 5 children
   b) Congressional guarantee of payment of 100% entitlement
   c) Discontinue use of local construction rate as base for payment
   d) Other

13. To what extent do you think Public Law 815 constitutes a threat to state and local control of education?
   a) Much
   b) Some
   c) Little
   d) None
   c') Undecided

Remarks

14. If Public Law 815 or similar legislation had not been enacted to aid financially your federally impacted community, please check the following administrative devices you would have been forced to use.
   a) Part day sessions
   b) Unsafe, or unsuitable classrooms
   c) Overcrowded classrooms
   d) Churches or other community buildings
   e) Transporting children to adjacent districts
   f) Another procedure which would have seriously prejudiced the educational objective
   g) Other

15. As a result of the financial assistance under Public Law 815, has your district been able to house adequately these federally connected children?
   a) Yes
   b) No

Remarks
16. What is your evaluation of the requirements for record keeping (student ADA, parent employment information, etc.) to substantiate claims for Public Law 815 funds?

   a) Unnecessarily complicated
   b) Not too complicated
   c) Inadequate
   d) Other

17. What is your evaluation of the forms and procedures for making application for Public Law 815 funds?

   a) Too complex and complicated
   b) Not too difficult
   c) Simple and easy
   d) Other

18. What is your evaluation of the adequacy of the amount of funds provided by the provisions of Public Law 815?

   a) Very adequate
   b) Fairly adequate
   c) Inadequate
   d) Undecided
   e) Other

19. What is your evaluation of the administration of Public Law 815 on the national level by United States Office of Education Personnel?

   a) Very efficient
   b) Efficient
   c) Inefficient
   Remarks

20. What is your evaluation of the administration of Public Law 815 on the state level by Texas Education Agency Personnel?

   a) Very efficient
   b) Efficient
   c) Inefficient
   Remarks
21. What phrase best describes, in your opinion, the relationships which existed throughout the negotiations between federal, state, and local officials relative to the application for and use of the grant you received under Public Law 815.

a) Entirely cooperative
b) Fairly cooperative
c) Some bickering
d) Much bickering
Remarks

22. What is your evaluation of the audit procedures of Public Law 815 records by the United States Office of Education?

a) Too strict and unreasonable
b) Necessary and reasonable
c) Inadequate
d) Other

23. Reason for non-participation in Public Law 815 funds during the years when district was eligible are

a) Non-applicable
b) Contrary to district policy
c) Insufficient staff
d) Late funding
e) Lack of local funds
f) Other

24. Do you feel the implementation of the law was in deeping with the intent of Congress?

a) Definitely yes
b) Yes
c) No
Remarks

25. Has your district developed research or evaluation relating to Public Law 815 operation?

a) Yes
b) No
Remarks
January 26, 1971

Dear Fellow Administrator,

Several days ago you were mailed a questionnaire concerning the operation of Public Law 815 in Texas. As of this date I have not received the completed questionnaire.

Your response is very important to the study. Will you respond and return the questionnaire? If for some reason you are unable to participate, would you return the blank questionnaire? Thank you for your time and cooperation. I appreciate your assistance.

Sincerely,

O. C. "Mike" Taylor

OCT/dd
BIBLIOGRAPHY

Books


Articles


**Reports**


Publications of Learned Organizations


Public Documents


Plessy v. Ferguson, 163 U. S., 537 (1896).
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