

COMMENTS ON BILL H.R. 5872
(Introduced into the House of Representatives by
Congressman Fogarty, March 23, 1961)

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The Local Board of Trustees of the American Printing House for the Blind, in regular quarterly meeting, April 24, 1961, expressed strong opposition to Bill H.R. 5872, introduced by Congressman Fogarty. This Bill, which was introduced into Congress at the behest of the American Foundation for the Blind, proposes several far-reaching changes in the fundamental philosophy and administration of the Federal Act of 1879 "To Promote the Education of the Blind." The local members of the Printing House Board of Trustees, as well as its staff members, having examined this bill with much care, find themselves in serious opposition to it.

1. Advisory Council on the Education of the Blind(See Sec.7. pp. 6-7):

It is Mr. Fogarty's proposal that the present ex-officio Trusteeship of the Printing House be done away with entirely, and that there be substituted therefor an Advisory Council, to be established in the Department of Health, Education, and Welfare, which will "advise the Board of Trustees (the local Executive Committee) of the American Printing House for the Blind in the selection of the books and other materials to be manufactured or furnished pursuant to this Act and on the other functions of the Board under this Act."

The Local Board of Trustees and administration of the Printing House are strongly opposed to this provision, on the grounds that:

- a. It removes from the governing Board of the Printing House the career administrators in the field of education of the blind, who have contributed much to the success of the Printing House for many years, and puts in their place a 12-man council which would have only the rights and privileges of advising the local Trustees with regard to administration of the Federal Act.
- b. The proposed composition of the Advisory Council is such that only four of the twelve members would be people who actually administer programs for the education of the blind, and who, therefore, would not be generally conversant with the problems of administration necessary for such a position.

- c. Appointment to membership on the Advisory Council would be made by the Secretary of Health, Education, and Welfare, at his sole discretion, although the Secretary himself in turn is by definition a political appointee. The American Printing House for the Blind has been in existence for more than 102 years, during which time it has never become involved in politics. While there is no intention to reflect political action on the part of the Secretary of the Department of Health, Education, and Welfare, or those who shall be appointed to this position in the future, there is no doubt but what the Secretary is a political appointee, and, as such, is subject to political pressures in appointments made by him, in this instance the members of the Advisory Council.

In opposition to this proposal, the Printing House-sponsored Bills H.R. 39 (introduced by Congressman Burke of Kentucky; and S. 361, introduced jointly by Senators Morton and Cooper of Kentucky) retain the career administrators of schools for the blind as Ex-officio Trustees of the Printing House, and provide for the additional inclusion of the Chief State School Officers (or their designees, which in many instances would be directors of special education in the various states) as Ex-officio Trustees of the Printing House. It is the considered opinion of the Local Board of Trustees and the administrative staff of the Printing House that the highest quality of administration of the Federal Act can best be obtained by having the people responsible for the day-to-day education of the blind children within the individual states serve as Ex-officio members of the Printing House Board of Trustees for this purpose, as provided by the Burke (H.R. 39) and Morton-Cooper (S. 361) Bills. It is the further considered opinion of the Local Board that the criticism of a large Ex-officio Trusteeship of some 110 members is not valid since the Burke and Morton-Cooper Bills provide that the Board will function through committees elected from their own membership, with final decisions resting in the hands of the full Board.

The Local Board has expressed a strong feeling that an advisory council, of which two-thirds of its membership do not hold administrative positions in the field of education of the blind, would not offer to the local Board the same type of helpful leadership and first-hand knowledge of administrative problems as would an Ex-officio Trusteeship composed of both executive heads of schools for the blind and the Chief State School officers (or their designees, which in general would be the

State Directors of Special Education). An Ex-officio Trusteeship, holding office by right of selection to their positions in the individual states, provides for complete and representative membership in the administration of the Federal Act for the whole country, without regard to national politics.

2. Change in Administrative Procedures at State Level (See Sec. 3(1), pp. 2-5):

In addition to eliminating the ex-officio Trusteeship of the Printing House for purposes of the Federal Act, Mr. Fogarty's Bill also directs that each state shall determine whether there shall be one or more agencies responsible within a state for requisitioning books and materials under the Act, distributing them within the state, and making reports to the trustees of the American Printing House for the Blind, but places with the State Department of Education the final authority on these matters. In the opinion of the Local Trustees and administration of the Printing House such a change is not practical, for the following reasons:

- a. In a number of the states, the residential schools for the blind are not administered by the state departments of education, but are under the direction of boards of control departments of Welfare, etc.
- b. A few of the residential schools for the blind also serve several states on a regional basis. By placing their quota allocations under the state department of education in which they are located, that state department of education would have the legal right to deprive all of the out-of-state children in the school for the blind of part, or all, of the benefits of the Federal grant simply by giving preference to the needs of the children in the public schools of that state on a disproportionate basis to those attending the residential school.
- c. By lumping together by law the administration of the benefits of the Federal Act for both the residential schools for the blind and the public schools for the seeing being attended by blind children, a situation is created which places the administration of Federal monies at the mercy of state politics, with one group vying with the other for their share of benefits under the Act, a situation which is not now possible under the present law.

The impracticalities of the proposed change can readily be seen from the above. Under present law, the interests of each type of education, e.g., residential school vs. public school attendance by blind children, are not involved in administration of the Federal Act, each group receiving equal service from the Federal appropriation, and neither group having to bring influence to bear

on a state agency (not Federal) to receive its share of benefits. It does not seem logical to make a change from the present working system simply to adopt what only theoretically seems a practical, unified system, which would raise other problems of inequity and confusion.

3. Changes in Methods of Expenditures from "Manufacturing AND Furnishing" to "Manufacturing OR Furnishing," etc. (See Sec. 3(1), pp. 2-5):

Mr. Fogarty's bill proposes a basic change in the intent of the Act

"To Promote the Education of the Blind," as follows:

- a. It changes the wording of the original act from "manufacturing and furnishing" (of materials) to "manufacturing or furnishing," thereby opening up use of the funds for any or every item available on the commercial market or from other agencies for the blind which, in the wisdom of the Advisory Council proposed in the Fogarty Bill, might be of use in the education of blind children.
- b. To accomplish this purpose, the bill provides that a maximum of 10 per cent of the monetary equivalent of each state's quota allocation each year shall be set aside for the direct purchase of materials manufactured elsewhere than the Printing House.
- c. Additionally, it provides that "large items of equipment, tangible apparatus, and other instructional materials as may be determined . . . shall be distributed annually on a school, classroom, or other practicable basis . . . without regard to the (per capita) ratio" used as a basis for quota allocations.

The Local Trustees of the American Printing House for the Blind strongly oppose the above proposals which change the basic intent of the original law. The Printing House is a manufacturing agency, and has been throughout its entire existence, and has never expressed any interest in becoming a jobber. A check of the original Act of 1879 and subsequent amendments thereto to date, as well as decisions concerning the Act by the Federal administering authorities, will show that it has never been the intent of the Act to provide all services or materials needed in the education of blind children, but to provide funds for only those materials which cannot be purchased commercially, and for which there is a need for a centralized, special and, most important, continuing source of supply. By setting aside 10 per cent of the yearly allocations, the Printing House would be placed in a position where it cannot project its own production schedules for

purposes of the Act from year to year, although it would find itself at the end of each fiscal year with the necessity of having to suddenly provide more of its own manufactured goods than it could anticipate, because the quota recipients would turn back all or that part of the 10 per cent of their quota for this purpose which they did not use for other items. Additionally, to make a part of the Federal funds available for purchase of materials from other sources than the Printing House would result in increased costs for such materials, since the Printing House would have to charge for its services in purchasing, handling, and bookkeeping the transactions, over and above the actual costs of the materials themselves. It does not seem right that Government tax funds should be spent in a manner that would increase costs, simply to get the bills paid by the Federal Government.

The proposal in Mr. Fogarty's bill that large items of equipment, tangible apparatus, and other instructional materials shall be distributed annually on a school, classroom, or other practicable basis without regard to the per capita ratio used as a basis for quota allocations is so loosely drawn as to make it impossible to determine just how the proposal would or could be administered. It is recognized of course, that the unit cost per child for basic expensive equipment is greater where there are fewer children to be educated. However, Bill H.R. 5872 provides for a differential in favor of the smaller school system, or even one child being educated in a single school system, and completely ignores the differential in outlay of funds by an individual state for the financing of a residential school for the blind as against the outlay of funds by state and local authorities in the same state for the education of children in public schools. From the best figures we have been able to obtain (through a survey recently made by the Printing House), it would seem that the total payments (state and local) for special education of blind children attending public schools for the seeing is considerably less than the payments by the states for financing residential schools for the blind. Figures from this study show that state and local

payments for special education of blind children in regular public schools range between \$306.00 and \$1,499.00 per pupil per year, with the average \$844.00, while the cost of financing for residential schools for the blind by the individual states ranges between \$1,275.00 to \$3,581.00 per pupil per year, with the average \$2,208.00. Since part of this figure includes board and lodging in residential schools, it is estimated that 40 per cent should be deducted to make possible a fair comparison as between the residential schools and public schools. On this basis, the average residential school expenditure is \$1,324.00, an amount \$480.00 in excess of the expenditures by state and local authorities for the education of blind children in regular public schools for the seeing. It would seem only fair that equating these differences in expenditures should be the responsibility of the state and local educational authorities, and that it should not become the burden of the Federal Government to take up the slack through the Act "To Promote the Education of the Blind." Certainly, it is not right that, because a blind child chooses to attend a public school for the seeing, he should be given greater benefits under the Federal Act than the child who chooses to attend a residential school for the blind in the same state, particularly in view of the fact that the choice of which school the child attends is made at the local, rather than Federal, level, and the expenditures for the two different systems of education in the same state is also determined at the state and local levels.

In summary of its opposition to the above proposals of Mr. Fogarty's Bill, the Local Board of Trustees of the Printing House would like to point out that it has reviewed time and again the problems of just distribution of quota funds, and has always come to the conclusion that the per capita basis of allocation is the most fair and equitable method possible.

4. Since 1879, the American Printing House for the Blind has been dedicated to the provision of a dependable and continuing source of supply of books and educational aids for the blind children of America, but its administration sometimes wonders if its services have been fully understood and appreciated by the

Federal Government, other agencies for the blind and/or those locally responsible for the education of blind children. Apparently, little or no thought is given to the fact that the Printing House, out of its own funds, must provide the buildings and equipment required in the manufacture of materials supplied through the Federal grant, and additionally, again at its own expense, carries an annual inventory of between \$500,000 and \$1,000,000 in order to more adequately serve blind children. None of the Federal money has ever been used to provide buildings, equipment or inventory, the full amount of the Federal appropriation being allocated annually, on a per capita basis, to the schools for the blind and state departments of education, to whom educational materials are supplied each year on a non-profit basis, up to the full amount of the allocations, as the schools and state departments may determine by their orders to the Printing House. Frankly speaking, the present Federal appropriation of \$410,000 per year amounts to about one-fourth of the Printing House's annual amount of business, although it constitutes 98 per cent of its headaches. Much of these "headaches" stem from the fact that the Federal Government has been slow in increasing the appropriation to meet even minimum requirements for the special education materials needed for blind students, and because, in some instances, agencies for the blind have confused the issue, with the result that the Printing House is subjected to undue criticism, through no fault of its own, because it cannot do everything that everyone desires. In the considered opinion of the Local Board of Trustees of the American Printing House for the Blind, composed of seven leading businessmen of not only Louisville, but Kentucky and the nation, the changes in the administration of the Federal Act, as are set forth in the Fogarty Bill H.R. 5872 and to which they are strongly opposed, constitute but another series of procedures proposed by those who are not familiar with management of the program or the affairs of the Printing House, and raise in the minds of the Local Trustees the practical wisdom of the institution being involved in the administration of the Federal Act.

In presenting opposition to the passage of H.R. 5872, it should also be pointed out that the two professional associations for the blind, the American Association of Instructors of the Blind and the American Association of Workers for the Blind, as well as the National Federation of the Blind, are all officially on record in support of the Morton-Cooper (S. 361) and Burke (H.R. 39), in opposition to H.R. 5872.