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# The Place of Private and Church Schools in the Education of the State

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PLACE OF PRIVATE AND CHURCH SCHOOLS
IN THE EDUCATION OF THE STATE - FALLS

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By

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# FOREWORD

My experience, as a student in a public grade school, a denominational academy and college, a private university, and three state universities; as a teacher and principal in the public grade schools, the public high schools, and a denominational high school; and, as a teacher in a denominational college, has led me to the desire of knowing what part the private and church schools have played and are playing in the education of youth, and what attitude the State, as the great controlling body of educational development, should take toward these schools as factors in our broad and democratic American school system.

This thesis is a brief summary of my findings.

I gratefully acknowledge my indebtedness to the State Department of Education of the different states for their generous response to my request for school laws, to the Board of National Missions of the Presbyterian Church for the material on Menaul School, to the librarians of the University of New Mexico for their untiring assistance, and to Dr. S.P. Nanninga for his helpful suggestions and criticisms.

TABLE OF CONTENTS

Chapter I. Private and Church Schools as Pioneers in Education ----------1
European tradition. American Colonial. Forerunners in state schools.

Chapter II. State Control of Private and Church Schools ----------12
Early attempts of the State to control. Gradual growth of power. Present status as gathered from school laws.

Chapter III. Court Decisions in Regard to Private and Church Schools ----------32
Special cases in different states. Rights as corporations. Power in control of their own institutions.

Chapter IV. Contributions of Private and Church Schools ----------46
New types and methods. Care for the indigent and defective. Training of the immigrant and negro. Statistical reports.

Chapter V. Proper Function of the State in Regard to Private and Church Schools --------59
Opinions of educators. State laws. Summary and conclusions.

Chapter VI. Appendix. Applications to New Mexico --69
Contributions and present place of denominational and parochial schools in New Mexico. A brief survey of Menaul School as a contributing factor in the education of this state.

## CHAPTER I

## THE PRIVATE AND CHURCH SCHOOLS AS PIONEERS IN EDUCATION

In considering the relation of the private, parochial and denominational schools to the education of the State, it is well to bear in mind Sargent's statement that in the last analysis there is no such thing as a private school; that all schools are doing a public work, the work of the community in educating prospective citizens.(1) It is this fact, that education in our American democracy has for its aim the making of a progressive and stable nation through efficiently trained citizens, each in his individual capacity and through his individual interests, that makes the problem of education difficult to solve.

When we attempt to trace education through the centuries, we find that the present idea that it is the function of the State to furnish efficient free education to every citizen is of modern origin. Ancient his-

(1) Sargent--The American Private School

tory reveals an entirely different attitude.

"The first schools were organized and maintained for the very select few. In oriental nations--Egypt, Assyria, Babylonia, and Persia--the priests were generally the teachers and the chief beneficiaries of education. It was not until the rise of the Greek states that any great extension of education took place. But even the much-praised Athenian "democracy" was in reality an oligarchy based upon slavery. True, the free citizens of Greece received a general education, but at least four-fifths of the inhabitants were slaves. The Roman republic showed some signs of a tendency toward popular education, but her dream of a world empire drew her attention away from the real need of the masses.

"When Rome fell, the chaos of the Dark Ages almost destroyed the education and culture of the past. Education returned to the oriental status, where the priests were the teachers and beneficiaries of education. Even the priests were in possession of little knowledge, for their opportunities for study and learning were limited. But under great difficulties they kept up the work. The monasteries were the centers of what learning there was, those at Jarrow and Whitby, in England(the first under the leadership of the 'Venerable Bede'), being especially noteworthy."(1)

As the Church was the mother of ancient education, so "The Church is the mother of mediaeval and so of modern education throughout the Western World". Cubberly says:

"Only the Christian Church remained to save civilization from the wreck (of the Germanic hordes which swept down from the north in the fifth and sixth centuries) and it too almost went under. It took ten centuries to partially civilize, educate, and reduce to national order this heterogenous horde of new peoples, and to preserve enough of the ancient civilization so that the modern world has been able to reconstruct its main

(1) Monroe, Paul--A Cyclopedia of Education

outlines from fragments which remained." (1)

"Throughout all the long Middle Ages the Church had absolutely controlled education. From the suppression of the pagan schools 529 A.D., to the time of the Reformation there had been no one to dispute with the Church its complete monopoly of education.---By the Peace of Augsburg (1555) each German prince and town and knight were to be permitted to make choice between the Catholic faith, and all subjects were to accept the faith of their ruler or emigrate. 'It gave them control of both religious and secular affairs thus uniting the control of church and state. We have here the beginnings of the transfer of educational control from the church to the state.'" (2)

"The countries which remained loyal to the Church experienced none of the Protestant feeling as to the necessity for universal education for individual salvation. In such lands the church system of education which had grown up during the Middle Ages remained undisturbed, and was expanded but slowly with the passage of time. The Church, never having made general provision for education, was not prepared for such work. Teachers were scarce, there was no theory of education except the religious theory, and few knew what to do or how to do it. Nevertheless, the Church spurred on by the new demands of a world fast becoming modern, and by exhortations of the official representatives of the people, now began to make extra efforts, in the large cathedral cities to remedy the deficiency of more than a thousand years. In Paris the Church organized a regular system of elementary schools with teachers licensed by the Precentor of the cathedral of Notre Dame and nominally under his supervision, in which instruction was offered to children of the artisan and laboring classes of both sexes in 'reading, writing, reckoning, the rudiments of Latin Grammar, Catechism, and singing'. By 1675 these 'Little Schools' in Paris came to contain 'upwards of 5000 pupils, taught by some 330 masters and mistresses'. All such schools, of course, remained under the immediate control of the Church, and modern state systems of education in the Catholic States are late nineteenth-century productions. In Spain, Por-

(1) Cubberly, E.P. Public Education in the United States
(2) Cubberly, E.P. History of Education Chapter XIII

tugal, Poland, and the Balkan States, general state systems of education have not even yet been evolved." (1)

However, from those countries which revolted came the theory of individual responsibility and with it the idea of education for the masses. Among the people who embraced the faith of the Protestant Reformers were the Germans, Moravians, Swedes, Norwegians, Danes, Dutch, Scotch-Irish, French Huguenots and the English Puritans. In England more than any other Protestant land, education was regarded as a benevolence which the State was under no obligation to support.

From these reformers and dissenters from the Established Church, came the early settlers of America, bringing with them their ideas of personal salvation.

The Puritans who contributed most that was valuable for our future educational development were the first to pass laws to the effect that all children should be taught to read. Thus, in 1642 we have the beginning of compulsory education in the United States. Following this, the law of 1647 went a step further in asserting the right of the State to require communities to establish and maintain schools under penalty if they failed to do so. Although these laws were passed for the good

(1) Cubberly, E.P.--History of Education

of the State; it was for the State as a servant of the Church that men might be able to read the Bible and escape "ye ould deluder, Satan".

In the colonies where the settlers were of many creeds and nationalities the policy of depending upon the Church and private effort was followed. The clergy were the teachers in the parochial schools, and private instruction was left for those who could afford to pay for it. This attitude in the middle colonies persisted until the first quarter of the nineteenth century. "Each parochial group did as it wished, and private and church effort, in pay and charity schools, provided practically all the educational facilities available until well into our national period." (1)

Those colonists in the South who came from the Established Church, marked a different type from those of the other two groups. They advocated the private tutor and select pay school for those who could afford to pay with a few pauper schools and apprenticeship training for the poorer classes. Education was not considered as any business of the State and but little of the Church. Virginia stands as a good example of this third type.

The United States as a nation took no thought of

(1) Cubberly, E.P.--Education in the United States

education during its early development.

"Education had no part in the discussions and found no place in the Declaration or in the Constitution, because education was held to be a matter of only local and private concern, and not a function of organized government at all." (1)

For more than a half century the churches held on to their control of education. It was only through the transplanting of the philanthropic organizations of the Sunday School, begun by Robert Rakes in Scotland and brought to Virginia in 1786; of the Monitorial method of instruction introduced by Dr. Andrew Bell and Joseph Lancaster; of the Infant school movement of Robert Owen and Jean Frederic Oberlin and of the organization of school societies such as the "Manumission society "for giving the negro the elements of education, the "Public School Society" of New York for the poor, and other similar organizations that education became a social, and economic problem as well as a religious one.

Not only elementary education, but secondary and higher education was in the hands of the Church or under private control. Inglis says:

"The history of secondary education in America is commonly considered according to the three principle phases of its development: 1--the Latin grammar school, covering approximately the colonial period; 2-- the a-

(1) Draper, A.S.--<u>American Education</u>

cademy movement beginning in the latter half of the tenth century and extending well into the latter half of the nineteenth century; 3--the public high school movement beginning in the third decade of the nineteenth century, establishing itself in the last quarter of that century, and continuing up to the present time.

"When the Latin grammar schools of the American colonies became inadequate for the social needs which developed in the new country, they disappeared and the academy which supplied education suited to those needs, took its place as the dominant institution for secondary education." (1)

The academy which was first established in Philadelphia in 1751 offered the college preparatory and in addition a practical preparation for life. It was organized and managed by private effort and supported for the most part by private funds, subscriptions, endowments and tuition fees. The academies "were animated by a broader, freer, more truly American spirit than the grammar schools, a spirit morein accord with the developing characteristics of American democracy." (2) Although an improvement over the college preparatory school, it did not prove sufficient for the growing democratic policy of America so that it has been supplanted by the public high school for the most part.

In speaking of "Philanthropy in the History of American Higher Education", Sears says: (3)

(1) Inglis--Principles of Secondary Education, Chap. V
(2) Frasier and Armentrout--An Introduction to Education
(3) Sears,J.B.--Philanthropy in the History of American Higher Education, U.S. Bureau of Ed. Bulletin, 1922,No. 26 pages 31-36

"State aid to higher education was an accepted fact when we think of Massachusetts, Connecticut, Virginia, and New York, but not elsewhere. (Colonial Period) And in these cases there are explanations to be made which do not fully justify our calling any of them State institutions in the present accepted sense."

In the early national period "The States took no very definite step before 1794, and then in most cases followed rather tardily the lead of private and church endowed colleges--In nearly every state the Church and private enterprise did the college pioneering."

However, in the late national period (1865-1918) there is an increase in pioneering by the States. The following table shows the change of State attitude since the Civil War.

| | | | |
|---|---|---|---|
| 1625-1776 | | 1865-1915 | |
| | Religious 8 | | Religious 246 |
| | State-----1 | | State------62 |
| 1776-1865 | | | |
| | Religious 238 | | |
| | State------33 | | |

In 8 of the 12 states admitted since the Civil War the first college or university was established by the State as compared with 6 of the 36 admitted before 1865.

"A number of privately endowed and controlled trade schools are scattered throughout the United States--- They have trained large numbers of students and have done much pioneer work of an experimental nature in developing plans for organization and instruction in industrial education." (1)

(1) Tigert, J.J.--Education in the United States of America

Table No. I

Forerunners in Territorial and State Education

First Schools (1)

Alabama--1810 at Boat House by John Pierce from New England.

Arizona-- Parochial schools first in the field and in control until 1864.

Arkansas--Jesuits first; private 1820; first public school law in 1829.

California--Spanish missions in charge of priests in 1767.

Colorado-- First a public subscription in Denver in 1859.

Connecticut--Parents schools in 1650.

Delaware--Ernest Pietersen 1657; S.P.G. in 1705.

Florida--Spanish mission before 1831.

Georgia--George Whitefield in 1739; Moravian missions possibly before.

Idaho--First school at Boise in 1863-64, taught by F.B. Smith.

Illinois--Church schools 1783; perhaps Jesuits earlier.

Indiana--French missions 1793 at Vincennes.

Iowa--Private and subscription, 1830; first teacher Ben Jennings.

Kansas--Jesuits in 1844; private previous to 1859.

Kentucky--Private from 1776 to 1820.

Louisiana--Ursuline nuns; Spanish and French teachers 1727.

Maine--Nathaniel Freeman teacher at York in 1701.

Maryland--Ralf Crouch, 1639-1659; Catholic schools for Indians 1677.

Massachusetts--Bro. Philemon Purport in 1635.

Michigan--Private and church schools in 1755.

Minnesota--Missions 1753 to 1834 for Indians.

Mississippi--Private tutors, French and Spanish; New England private school near close of 18th century.

Missouri--Trabeau in 1774 at St. Louis; public 1817; private and church academies to 1853.

Montana--Father DeSmet in 1845; St. Mary's Mission at Stevensville.

Nebraska--Mission at Belvue in 1836; public 1855.

New Hampshire--As a part of Mass. came under 1647 law.

Nevada--First school at residence of Israel Mott, 1854, by Mrs. Allen.

New Jersey--First by Dutch at Bergen, all help pay.

New Mexico--Roman Catholic missions 1598; Catholic and Protestant missions in control until 1857.

New York--Public action 1702.

North Carolina--Charles Griffin in 1705, school master and church warden.

North Dakota--(See South Dakota)

Ohio--First at Marietta in 1788; possible teacher and minister one man.

Oklahoma--Public from the beginning, 1890.

Oregon--In 1835, missionary; Mr. Edwards, near Chemfrog, probably first.

Pennsylvania--Moravian missionaries before 1750; 1679 teacher sued for his pay for teaching Bible to the youth.

Rhode Island--In 1640 at Newport by public vote; 100 acres given for support.

South Carolina--Mission previous to 1701; at close of Revolution, 1 public, 3 charity grammar and 8 private.

South Dakota--First in 1861; in 1867, there were 421 pupils in public, 160 in private.

Tennessee--At Salem, Sam Doak, Presbyterian in 1780.

Texas--First American type 1828 under Spanish supervision.

Utah--University of Deseret, 1850; in 1870 all private.

Vermont--At Guilford, 1761.

Virginia--William and Mary's 1693; private, previous to 1818.

Washington--Private and denominational previous to territorial organization in 1863.

West Virginia--(Part of Virginia until 1861)

Wisconsin--Jacques Portier at Green Bay, 1791; no public before 1836.

Wyoming--In 1870 there were 4 public and 5 private schools.

(1) Monroe, Paul--A Cyclopedia of Education 1913

Dexter, E.G. History of Education in the U. S. Chap. I-X, 1914

The Encyclopedia Americana Vol. 19 - 1925

Bancroft--History of the United States Vol. XXXI

## Summary

From what has been given and from Table No. I it is easily seen that private and church schools have been pioneers in introducing education in the different states and have been the impelling force in elementary, secondary, college and university, and industrial education through the early development of state governments and are still paving the way for a better and broader school system.

# CHAPTER II

## STATE CONTROL OF PRIVATE AND CHURCH SCHOOLS

Education, as we have seen, was for so long considered a part of the work of the Church that State supported and controlled schools were very slow in developing.

The beginnings of State school organization were made in Prussia under the rule of William Frederic I (1713-1740) when parents were urged under penalty of punishment to send their children to school to learn "religion, reading, writing and to calculate". These reforms were continued by Frederic the Great who ordered compulsory education for all children from five to thirteen or fourteen and prescribed the organization, textbooks, discipline and teacher qualification.

His great contribution to the cause of public education was made in his General School Regulations of 1763.

In 1817 the Bureau of Education was erected into an independent ministry; and in 1825 the organization of the state system of education was completed by the establishment of provincial school boards, responsible to the ministry of education which were ultimately to displace the church consistories in control of local education.

termine; and that every town having a hundred householders should provide a grammar school to fit youths for the university under penalty of a fine for failure to do so.

The religious and charity attitude continued until about 1750 when the religious fervor had somewhat subsided so that education was in a state of neglect. In the New England Colonies the religious school had been largely replaced by the town school. In the Middle and Southern Colonies the parochial and charity schools had largely disappeared. The war left the country in a state of rapid decline in education. Although of the sixteen states forming the Union by 1800, seven had incorporated into their constitutions a clause setting forth the State's duty in the matter of education, yet little was done to advance the cause before 1820.

The National Land Grants, which began in Ohio in 1802, stimulated a new interest in schools. Although New York and Connecticut had both set aside lands to create a school fund before 1800, no forward movement was made until after 1802.

Cubberly says:

"The land grants for education in the new States, and the creation ofstate school funds in the original States, in general marked the real beginnings of state policy with reference to public education, and formed

the basis for the gradual development of a system of state intervention and partial state control of educa- (1) tion.--The State authorized the establishment of schools.

Twelve states received section 16 of each "Congressional Township" for the support of education; fourteen states, sections 16 and 36; and three of the newer Western states received sections 2,16,32, and 36. Oklahoma received in addition to her land grants $5,000,000 in gold in lieu of grants in old Indian territory.

With National aid and encouragement education began to form a part of the policy of every state and a part of the work of the state legislatures.

Quoting again from Cubberly, we find the following stages in the development of a public school sentiment and the establishment of a state school system: (He excepts certain regions in New England where the free-school idea had become thoroughly established.)

1. An attempt to solve the problem through private benevolence or church charity, often aided by small grants of public funds.
2. Aid granted to semi-private schools or school societies in the form of small money grants, license taxes, permission to organize lotteries, or land endowments, to enable such school or societies to extend their instruction or to reduce their tuition rates or both.
3. Permission granted generally, or to special districts requesting it, to form a tax district and organize schools--at first often only for pauper children,

(1) Cubberly, E.P. State School Administration Chap. IX
(2) Cubberly, E.P. Public Education in the U.S. page 118

but later for others.

4. Laws requiring the education of the indigent poor.

5. Laws requiring a certain local effort for the maintenance of schools, in turn for state aid received, with permission to supplement these sums with tuition fees.

6. Elimination of the tuition fees, thus establishing free schools.

7. Elimination of the pauper-school idea and the aid to sectarian schools thus establishing the American common school.

There were 21 states between 1844 and 1897 that amended their state constitutions, and 17 between 1848 and 1912 that included a clause in their constitutions when adopted, forbidding a division or diversion of the public school fund to sectarian schools. This goes to show that State control of education has practically eliminated aid to religious institutions.

Beginning with the Swampland Grants of 1849 and including the Morrill Act of 1862, the Hatch Act of 1887, the Morrill Act of 1890, the Smith-Lever Act of 1914, the Smith-Hughes Act of 1917, the Sheppard-Towner Act of 1921, and the Purnell Act of 1925, we have a bird's eye view of the Federal interest and aid to public education, encouraging the states to control and improve instruction, especially in the field of agriculture and home making, both of which were first included in the curricula of the private and church schools.

Going back to European countries from which we start-

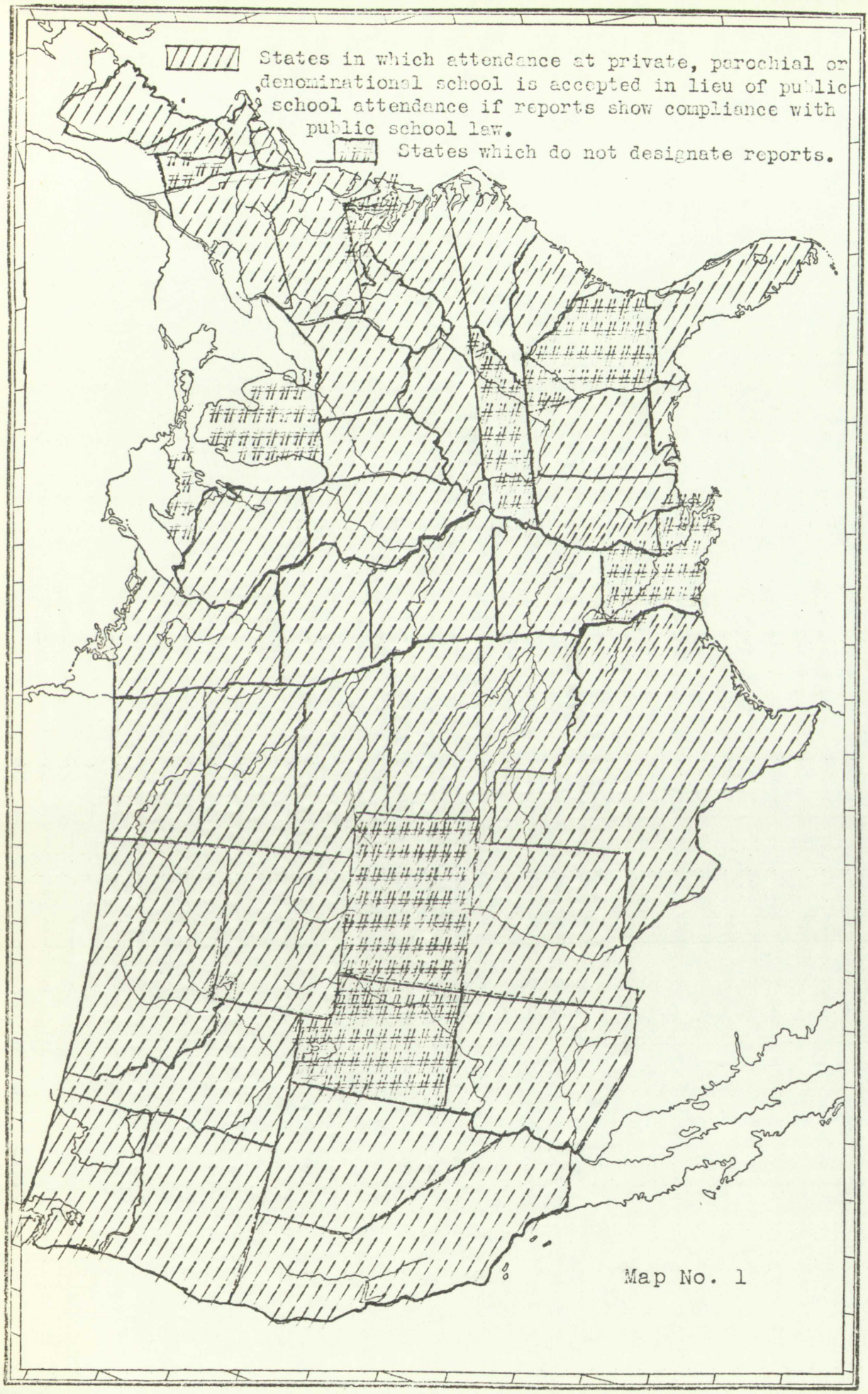
ed let us see what the present condition is in regard to State control of education.

Duggan[1] says of France that education had a religious purpose and was administered by the clergy practically down to the eve of the Revolution of 1789; the Revolution of 1830 found elementary education almost entirely under control of teaching congregations; and that the laws of 1902 and 1904 closed all clerical schools.

The Educational Yearbook[2] of 1924 says that the private schools of France "often under the direction of the secular Catholic clergy, are in the main denominational in character; they retain freedom in methods and the control of the State extends only to matters of hygiene and morals. In practice, however, because the examinations which give access to most careers are controlled by the state, such schools are compelled to conform to the main lines of the official programs.--the question is being asked if the state may not be compelled to intervene in the interests of the pupils and if it may not be desirable by an amendment of existing legislation require all teachers of all grades in private schools proof of academic and professional preparation similar to that required from public school teachers."

Primary education in France at present is free and compulsory from 6 to 13 years.[3] (Statistics for private and public schools found, were combined in reports so that a comparison was not possible.)

(1) Duggan, S.P. A Student's Text-Book in the History of Education
(2) The Educational Yearbook of the International Institute of Teachers College
(3) The New International Yearbook, 1928, page 276




Map No. 1

Desk Outline Map of United States. No. 3001

Published by DENOYER GEPPERT CO., Chicago, Illinois

In England,[1] "Until the commencement of the twentieth century (1902) practically no provision was made for secondary education for the children of the middle and laboring classes. Secondary education was in control of the public schools, the grammar schools and the private adventure schools." The public schools are the endowed aristocratic schools for the elite. The private adventure schools introduce a modern side to compete with the classical. They provide for girls also. All three kinds are private. All schools, public and private, are required to supply information desired by the Board of Education.

England now has free and compulsory education from 5 to 14 years. The Fisher Act of 1918 had as its purpose "the establishment of a national system of public education, available for all persons capable of profiting thereby".

Germany[1] under the present Constitution of the Republic, adopted in 1919, grants religious freedom to all; there is no state Church. Interdenominational, sectarian, or secular schools are to be established in

(1) Duggan, S.P., A Student's History of Education Chapter XVIII

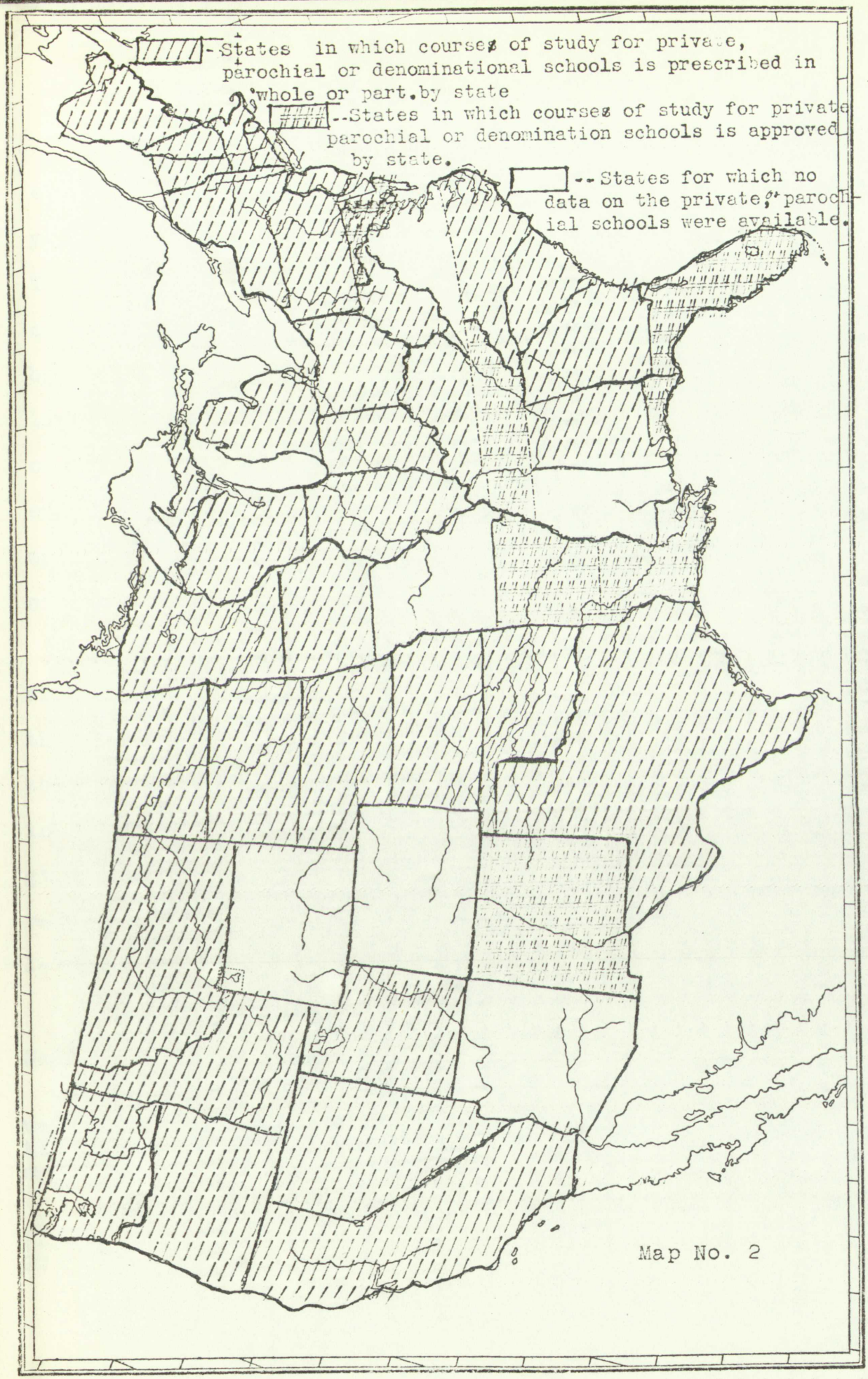
each community, according to the requests of the parents. All supervision of education is to be under trained men and state control. Compulsory attendance is for a period of eight years.(1)

Italy has made no changes in her educational legislation since 1923 when she made religious education compulsory and required teachers to be approved by church authorities. This is a step backward, if we may judge by the light of leading nations of the world.

The United States, with her democratic government peculiar to the New World, and her adherence to her Constitution of 1787, has left education to the several states, each making its own laws as it pleases if not in conflict with the Federal Constitution.

Every state now has compulsory attendance laws, but they vary in length of term required from a minimum of three months in Oklahoma and Wyoming to nine months in New York, Rhode Island, New Hampshire and New Jersey. The ages of pupils under the compulsory attendance laws also vary from 14 years in Georgia, Louisiana, North Carolina, South Carolina and Texas to 18 years in Idaho, Nevada, Utah, Ohio and Oklahoma. Thirty of the forty-

(1) The New International Yearbook, 1923 and 1928




Map No. 2

Desk Outline Map of United States. No. 3001

Published by DENOYER-GEPPERT CO., Chicago, Illinois

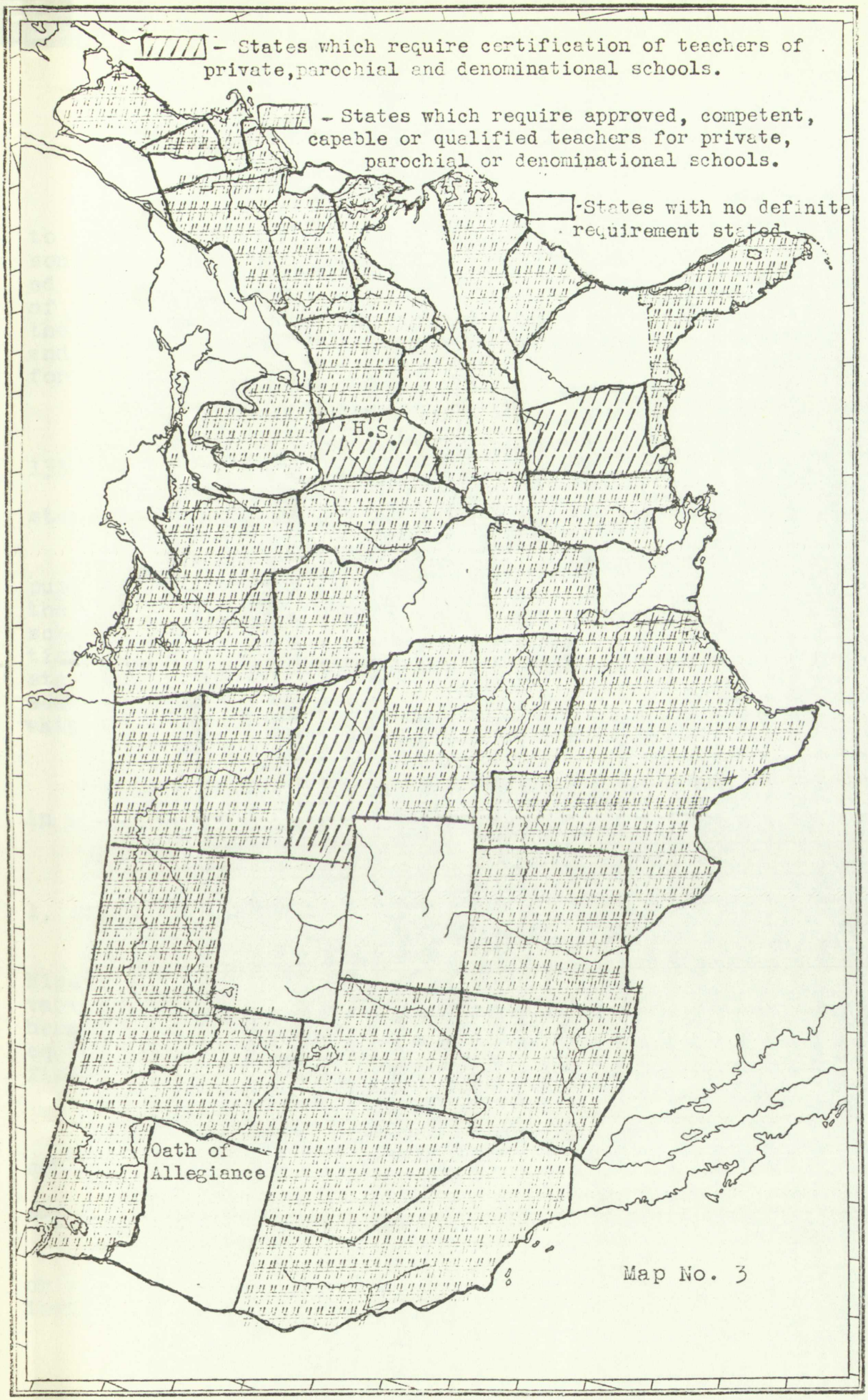
eight states make school attendance compulsory to 16 years with, of course, exemptions for various reasons.(1) The public schools of the United States are under state control, not only in regard to compulsory attendance, but also for the length of day, the courses of study, language used in instruction, text books, kinds and location of buildings in which children are housed, teacher qualification and salary, records kept and reports made and many other details which vary in the different states.

And what of the relation of the private, parochial and denominational schools to the public school laws of the States? From Map No.1 we see that every state in the Union permits attendance at private and church schools in lieu of attendance at a public school. Some states give this permission only when such schools meet all the requirements of the public schools, and some are more lenient.

In the State Laws of Delaware for 1925, Article X, Section 55, we find the following reports:

"All persons conducting private schools and all private educational associations, corporations, or institutions shall report to the State Board of Education annually, on or before the thirty-first day of July, as

(1) United States Bureau of Education Bulletin, 1928, No. 20




Map No. 3

Published by DENOYER-GEPPERT CO., Chicago, Illinois

Desk Outline Map of United States. No. 3001

to enrollment, age of pupils, and attendance. Such persons shall also submit a monthly report on forms provided by the State Board of Education, to the State Board of Education, giving the name of each pupil enrolled, the date of enrollment, total days of attendance to date, and the number of days in attendance during the month for which the particular report is made."

Nevada in The School Code, 1927, Section 1, page 133 has the following requirement as to the course of study:

"In order to secure uniform and standard work for pupils in private schools of this state, instruction in the subjects required by law for pupils in the public schools shall be required of pupils receiving instruction in such private schools, either under the regular state course of study prescribed by the state board of education or under courses of study prepared by such private schools and approved by the state board of education."

Map No. 2 shows the present status of school laws in regard to the courses of study in the different states.

Mississippi House Bill No. 138, Acts of 1924, Section 1, says, in respect to buildings:

"Be it enacted by the Legislature of the State of Mississippi, that all school buildings, public or private, now under construction in this state, or that may hereafter be constructed, shall be so constructed or so equipped as to afford ample and easy egress in case of fire."

New Jersey even includes discipline in private schools in her statutory provisions. She says: (New Jersey School Laws, 1925, 171, 112)

"No principal, or teacher or other person employed or engaged in any capacity in any school or educational institution, whether public or private, shall inflict

or cause to be inflicted corporal punishment upon any pupil attending such school or institution."

Teacher certification for teachers employed in private institutions is now being required or approved in most of the states. (See Map No.3 )

Alabama in her school code of 1927, Article XVI, Section 302, says:

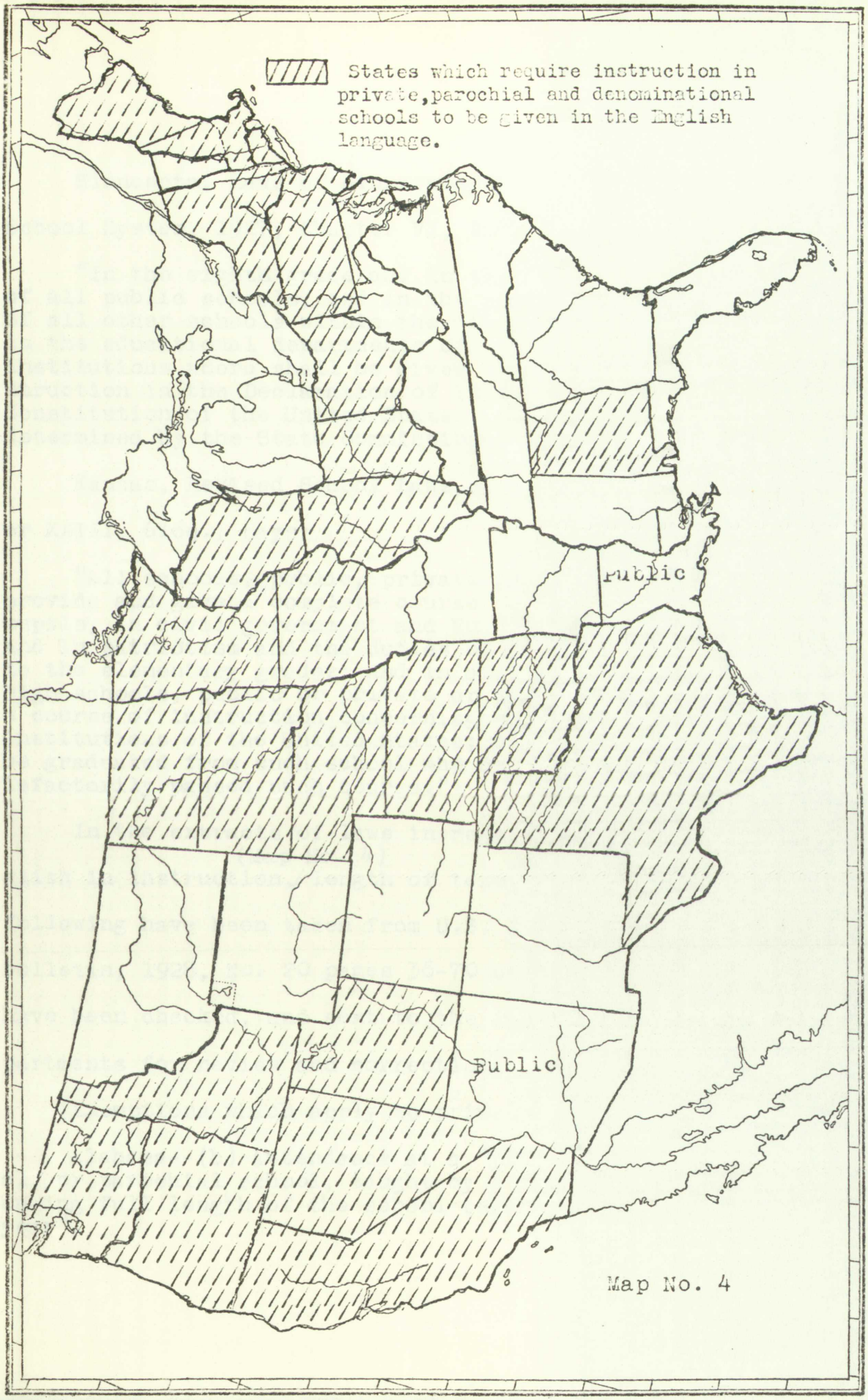
"The term private school, denominational school and parochial school, as used in the preceding section shall mean and only include such schools as hold a certificate issued by the State Superintendent of Education, showing that such school conforms to the following requirements; namely, (a) the instruction in such schools shall be by persons holding a certificate issued by the State Superintendent of Education.---"

Nebraska follows the same line of control (Bulletin of Certification, July, 1927, Section 7) when she states:

"No person shall be employed in any public, private, denominational, or parochial school in this state who does not hold a valid Nebraska certificate legalizing him to teach the grades or subjects to which elected."

For the entire United States in regard to teacher certification see Map No.3

Many states, especially since the World War, have deemed it an essential part of the course of study to teach the Declaration of Independence and the Constitution of the United States as a part of a patriotic and civic program. Some of these same states make it a part of the State law that private and church schools follow the same requirements.




Map No. 4

Desk Outline Map of United States. No. 3001

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Minnesota, Laws of Minnesota Relating to Public School System, 1927, Chapter VI, 204, says:

"In the eighth grade and in the high school grades of all public schools, and in the corresponding grades of all other schools within the State of Minnesota, and in the educational departments of state and municipal institutions there shall be given regular courses of instruction in the Declaration of Independence and the Constitution of the United States, to an extent to be determined by the State Commissioner of Education."

Kansas, Revised School Laws of Kansas, 1927, Chapter XXIII, 616q., says:

"All schools, public, private or parochial, shall provide and give a complete course of instruction to all pupils, in civil government and United States history, and in patriotism and the duties of a citizen, suitable to the elementary grades; and in addition thereto, all high schools, public or private or parochial, shall give a course of instruction concerning government and the institutions of the United States; and no student shall be graduated from such school who has not taken and satisfactorily passed such course."

In the extracts of laws in regard to the use of English in instruction, (Map No. 4) length of term and attendance, the following have been taken from U.S. Bureau of Education Bulletin, 1928, No. 20 pages 36-70 because these laws have been checked, and sent to the respective State departments for review and correction.

Exemptions which apply to private or church schools:

Alabama--(b) Attendance at a "private, denominational, or parochial school, taught by a competent instructor, during full length of the school term in every school year".

Arizona--(b)--; or attendance at private or parochial school taught by competent teachers for full time public schools of the district are in session.

Arkansas--(b) Instruction in approved "private or parochial school".

California--(a) Instruction in private full-time day school by capable teachers; provided that such schools teach in the English language and offer instruction in the branches of study required to be taught in public schools, and provided that record of attendance of pupils be kept.

Colorado--(b) Instruction in private or parochial school for entire school year during which public schools are in session in the district.

Connecticut--(b) Where child receives approved instruction elsewhere during the term of public school.

Delaware--(a) Where satisfactory evidence is furnished to the proper public-school authotities "that such child is elsewhere receiving regular and thorough instruction during said minimum school year".

Florida--(c) Instruction in an approved private school where record of attendance is kept.

Georgia--(c) Attendance at "some other school giving instruction in ordinary branches of English education".

Idaho--(b) Attendance for similar period at an approved private or parochial school.

Illinois--(b) Instruction for a like period in the elementary branches in a private or parochial school.

Indiana--(b) Attendance for similar time at "other school taught in the English language which is open to the inspection of local and State attendance and school officers".

Iowa--(e) Receiving instruction in approved private school for like period, or instruction by a competent teacher elsewhere than at school.

Kansas--(b) Attendance in private, denominational, or parochial school taught by competent instructor for a term equal to that of the public school, provided that all instruction be given in the English language.

Kentucky--(b) Attendance regularly at private or parochial school for a period each year equal to the term of the public school when teachers of such school have been approved by State board od of education and when reports of attendance of all children in such schools are submitted in the manner required of common schools.

Louisiana--(c) Attendance at private school for a like period of time the public school is in session and whose course of study and methods of instruction have been approved by State superintendent of schools.

Maine--(c) Attendance at private school for a like period of time the public school is in session and whose course of study and methods of instruction have been approved by the State superintendent.

Maryland--(b) Regular and thorough instruction elsewhere during the same period and in the same studies usually required in public school, until completion of equivalent to elementary school course.

Massachusetts--(d) Otherwise instructed in a manner approved in advance by superintendent or the school committee; instruction may be in private school so approved.

Michigan--(b) Receiving regular instruction in private or parochial school in branches taught in public school.

Minnesota--(b) Child attending private or other school for similar period, provided all the common branches are taught in the English language by teacher or teachers qualified.

Mississippi--(b) Instruction in "private, denominational or parochial day school by competent instructor for like period."

Missouri--(b) Receiving instruction in a private, parochial or parish school for like period; or regular daily instruction at home as approved by a court or competent jurisdiction.

Montana--(c) Attending for a like period at a private or parochial school, or receiving instruction at home in required branches by competent teacher.

Nebraska--(b) Regular attendance at an approved private, denominational or parochial day school for a like period.

Nevada--(c) Any child who is receiving under private or public tutelage, at home or in school, equivalent instruction approved by school trustees.

New Hampshire--(b) Any child who has attended an approved private school for period equal to that of public school.

New Jersey--(a) Where a child receives equivalent instruction elsewhere than at school.

New Mexico--(a) Child attending approved private or denominational school for a like period.

New York--(b) Child receiving instruction in the English language in public school subjects in approved

private, or parochial school for like period; or receiving instruction elsewhere equivalent to that given in the public school.

North Carolins--(a) Attendance at approved private school for like period is acceptable in lieu of public school attendance. (This is not a statutory provision, but a State board ruling.)

North Dakota--(c) Instruction for the same length of time in private or parochial school approved by county superintendent.

Ohio--(b) Receiving similar instruction for a like period at home by person qualified to teach subjects taught in public school or in approved private or parochial school. Instructions elsewhere than in public school must be equivalent to that given to children of like age and advancement, and for equivalent number of hours as given in public school.

Oklahoma--(d) Attendance at approved "private or other schools" for a like period.

Oregon--(a) Children who are being taught for a like period of time in a private or parochial school such branches as are usually taught in the public schools.

Pennsylvania--(b) Attended for like time in approved private school upon instruction equivalent to that given in public school. Instruction in required subjects must be given in the English language.

Rhode Island--(d) Attending private day school, or private instruction, approved by the school committee of the city or town.

South Carolina--(a) Any child attending an approved private or parochial school for like period.

South Dakota--(d) Attendance at an approved private school for a like period.

Tennessee--(d) Attendance for like period at approved private or parochial school.

Texas--(a) Attendance for a like period at approved private or parochial school which gives instruction in all subjects in the English language and which shall include in its course a study of good citizenship.

Utah--(f) Instruction for like period in approved private school.

Vermont--(d) Any child who is otherwise being furnished with the same education.

Virginia--(c) Child receiving instruction for a like period in a private denominational or parochial school, or in a home by a tutor or other teacher.

Washington--(a) Attendance at an approved private or parochial school for the same length of time.

West Virginia--(a) Instruction for equal time in a private, parochial or other school approved by the district board of education.

Wisconsin--(b) Attendance during the required period in approved parochial or private school.

Wyoming--(a) Attendance for a like period at a private or parochial school.

From the above, we see that State control of private, denominational and parochial schools, while existing side by side with the public schools and recognized as a part of the great American educational system, are no longer free to do as they please, but must conform to minimum standards and meet the requirements set for the public schools. More and more is the State assuming the responsibility for the proper instruction of its future citizens, regardless of sex, creed, or social status.

Note.--These maps and reports were made from the State Laws to which I had access. If the requirement was not specifically stated, no record was made; so, many states may make requirements in regard to private and church schools not indicated on the maps.

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# CHAPTER III

## COURT DECISIONS IN REGARD TO PRIVATE AND CHURCH SCHOOLS

That private and church schools have a legal right to existence has been proved by decisions of the courts. But, on the other hand, they may be controlled and supervised by State authority for the welfare of society.

Only of recent years has there been an attempt to close the doors of private institutions which were self supporting.

"In 1920 an amendment to the Michigan Constitution was proposed providing for the abolition of all private education. This was voted down, after which the legislature provided for State inspection of all non-state schools. In 1924, claiming that the law was ineffective, a similar constitutional amendment was again proposed. Though approximately 200,000 more voted on the question than in 1920, the distribution was approximately the same, 36% for and 64% against." (1)

The United States Supreme Court in a decision of 1923 in the Michigan controversy to close the private schools said:

"That the State may do much, go very far indeed, in order to improve the quality of its citizens, physically, mentally and morally is clear; but the individual has certain fundamental rights which must be respected."

In the general election of November 1922, Oregon adopted a law by a vote of 115,506 for, to 103,685 against, the practical effect of which was to suppress the private and parochial schools in that state. The law in question

required any parent, guardian, or other person having control, sharge or custody of a child over eight or under sixteen years of age to send such child to a public school during the entire school year with some exceptions, including teaching by parent or private teacher, but no mention was made of private or parochial schools.(2)

A test case was taken into the Oregon courts by the Society of Sisters of the Holy Name of Jesus and Mary, conducting parochial schools, and the Hill Academy, a private school. The case was carried to the Supreme Court which in 1925 declared the law unconstitutional on the ground that it interfered with the liberty of parents and guardians to direct the upbringing and education of children under their control. (1)

Trusler in his Essentials of School Law(3) gives the argument for holding the statute unconstitutional as follows:

"Well known callings and occupations the state under the police power may regulate but not prohibit, where to do so would violate the Fourteenth Amendment to the Federal Constitution. The right to engage in a legitimate business and to contract in reference thereto is protected by such amendment. Parochial and private schools have existed almost from time immemorial. They

(1) Cubberly, E.P. State School Administration Chap. XXVII
(2) Reeder, W.G. School and Society, April 21, 1923
(3) Trusler, Harry Raymond, The Essentials of School Law, 1927 Bruce Publishing Co. Milwaukee, Wis.

have the same interest in fostering primary education as the state; and appropriate regulations will place them under the supervision of school authorities, so they will not escape the duty of proper instruction. Hence the act in question is not necessary or essential for the proper enforcement of the state's school policy. The right of such schools to teach in the grammar grades is as inherent as the right of a teacher to teach German in the grammar grades. It is within the liberty of the Fourteenth Amendment. A denial of such right is a deprivation of property without due process of law. In conclusion the court said, 'The melting pot idea, applied to the common schools of the state as an incentive for the adoption of the act is an extravagance in simile. A careful analysis of the attendance of children of school age, foreign born and of foreign born parentage, at private schools as compared with the whole attendance at school, public and private, would undoubtably show that the number is negligible and the assimilation problem could afford no reasonable basis for the adoption of the measure'."

A little earlier than the Michigan and Oregon cases was the Dartmouth College case which clearly established the limits of the power of the legislature over private school corporations by a decision of the Supreme Court of the United States, in 1819. This school had been established by Eleazer Wheelock of Connecticut about 1784 at his own expense for the education of Indians. Thereafter various contributions and donations were made for the advancement of the institution, which was incorporated by the king of England and erected by charter into Dartmouth College for the general purposes of education. The number of trustees was limited to twelve; they were given the usual powers of acquiring property, and suing

ochial schools have not entirely escaped. Most of the southern states have laws segregating the white and negro students in the public schools. These laws also extend to the private schools which have become a corporation whose charter the legislature has reserved power to amend. This was proved by the case of Berea college which received both white and negro pupils for instruction. The Kentucky law made this an offense for which a fine of $1,000 should be assessed with $100 per day for each day after convicted. Berea was indicted and found guilty. The Kentucky Court of Appeals considered this statute a proper exercise of the police power of the state andaffirmed the judgment. The Supreme Court of the United States on appeal also sustained this holding, being of the opinion that the statute, even if unconstitutional as to individuals is not so as to corporations.

The Counsel for Berea College made the distinction between the enforced association of the races as in the case of common schools and railroads, and the voluntary association as in the case of a private school, but the Kentucky court ruled that since the purpose of the law was to prevent the amalgamation of the races and incidently the conflicts that too close personal contacts

engender, that it fell withinthe police power of the state to regulate whatever contributed to such evils as race prejudices and animosities.

However, four years later--1910--the Kentucky Court of Appeals decided that the legislature cannot under its police power prohibit, or authorize the voters of a voting precinct to prohibit, the establishment within such precinct by a private charity corporation of an industrial school for colored children. The Court of Appeals said:

"Unless it can be shown that the establishment of such an institution is in some way inimical to the public safety, the public health, or the public morals, the act which forbids its operation is an exercise of arbitrary power.---Perhaps it may be within the police power to prohibit the co-education of the sexes; but arbitrarily to prohibit education is in direct violation of the Bill of Rights."

Other decisions in regard to private schools are as follows:

If a private school has been incorporated, it may maintain a suit in its corporate name. If it is not incorporated, it has no capacity to maintain a suit in such name, but must bring the action in the names of all the individual members of the association. For the debts contracted by an incorporated school the corporation itself is liable, and not the individuals composing it except, where it is a corporation for profit, to the extent of their unpaid subscriptions of stock. But each member of an unincorporated school association is liable for the debts thereof incurred during his period of membership and which have been necessarily contracted for the purpose of carrying out the objects for which the association was formed.

Private schools are liable for their torts as any other private association or corporation; and are also liable for the breach of their contracts in the same manner as individuals.

In regard to admission and discipline of pupils, private schools may select whom they please as students and may discriminate by sex,age,proficiency or otherwise, unless by contract with the state they are obliged to admit such as may apply for instruction upon equal terms and without unreasonable discrimination. Hence the teachers of the private schools may make their own rules and prescribe their own courses. They may even go so far as to forbid their students to marry, to walk the streets at midnight,or to board at a public hotel.

A contract for schooling for any specified time being entire it is well settled that if during the term of the contract the pupil is properly expelled from school for misconduct, or if the pupil unnecessarily withdraws from school without any fault on the part of the proprietor or master or any one connected with the school, the school is entitled to the whole consideration for the entire period, and may recover any portion thereof remaining unpaid; and the other party may not recover back any part of the consideration paid in advance.

The Supreme Court of Nebraska has held that where a person enters a correspondence school and withdraws

therefrom before the completion of the course, he will be compelled to pay the entire amount of tuition due by him, the contract for tuition being entire and indivisible.

The Supreme Court of Michigan, however, has taken a different view and has limited the recovery of the correspondence to actual damages. Where a contract for instruction is entirely in writing, parol evidence is not admissible to vary or contradict its terms, unless fraud and deceit were practiced at its inception.

In the case of illness preventing a student from attending school for the specified time for which he has agreed to pay tuition, the Supreme Court of Massachusetts states that:

"This instruction was not received, and so far the consideration for the promise has failed. But if we may suppose the real purpose of the writing to have been to insure the plaintiff in advance that his school should be patronized, and that the defendant would be a pupil, then the answer, as it seems to us, might be reasonably made that the party without any fault of his own, was from subsequent ill health rendered physically incapable of attending the gymnasium as a pupil. The parties must have acted upon the assumption of the continued disability of the promisee to give and the promisor to receive the proposed instruction."

However, courts regard the catalogue or regulations of a school as constituting parts of a contract for tuition and shall deem a stipulation contained therin that no money shall be refunded on a pupil's withdrawal or dismissal as binding. When there is evidence that the

board, room, and instruction were not in accordance with promises made in the catalogue, the question of fraudulent representations by the school will be taken into consideration.

The unlawful use of the word "university" in the name of a business school also may be restrained by injunction at the suit of the commonwealth.

The attorney general cannot bring an action to determine who are entitled to vote at corporate meetings of an incorporated private school. In such cases, unless a public wrong is being committed, or some public policy violated, the only remedy is by private action of the parties aggrieved. The legislature, however, may authorize the attorney general to inquire quo warranto whether the charter and franchise of an incorporated school should be annulled by reason of abuse.

In regard to appropriations of state property for the benefit of sectarian institutions, South Dakota held that the constitutional provision that no appropriations of lands, money or credit be given to aid any sectarian school applied to all appropriations whether made as a donation or in payment of service rendered the state. Here, Pierre University, a Presbyterian institution was not allowed to recover from the state the tuition agreed

upon for instructing a class of normal students. The court asked if the state could pay for twenty-five students why could it not pay for sufficient number to maintain the institution entirely from state funds. This holding was in harmony with the opinion of the Supreme Court of Illinois.

Just what it takes to make a school sectarian is hard to define. Sectarian instruction, a school organized to maintain and promulgate the doctrines and beliefs of a particular church, belong to this group, but the reading of the Bible without comment and the wearing of the garb and insignia of a sisterhood of nuns cannot be termed sectarian teaching.

Although a private school cannot be given money devoted by the constitution to the public school system, it may receive other money from the state, there being no specific constitutional provisions to the contrary. A grant of state land in aid of the German-American Seminary of Detroit, Michigan, has been sustained.

In the absence of constitutional inhibition, the state may employ individuals or corporations to do work or render services for it. Thus, a statute appropriating money in aid of Cornell University, a private educational institution upon condition that it act as a gov-

ernmental agency in the management of state forests is not violative of a constitutional provision providing that neither the credit nor the money of the state shall be given or loaned to any association corporation or private undertaking. The court said:

"We have here a public statute whose sole aim is to promote education in the art of forestry; an object in which every citizen of the state has a vital interest. The statute provides a perfect scheme of state control, constitutes the university its agent, requires frequent reports, and as amended in 1900, confers upon the comptroller additional powers of financial supervision. The power sought to be exercised by the state in the present instance is supported not only by judicial authority, but by many instances where its exercise has existed for many years and remains unchanged."

An act of the legislature authorizing a town to raise by taxation a sum of money for the use and benefit of a private educational institution is unconstitutional and void, as decided by the Supreme Court of Wisconsin in regard to the Jefferson Liberal Institute of that state. "That there exists in the state no power to tax for such purposes, is a proposition too plain to admit of controversy."

Similarly, under a constitution authorizing the corporate authorities of counties, townships, school districts, cities, towns and villages to assess and collect taxes for corporate purposes, the legislature has no power to constitute a private school house a district,

provide for the election of trustees for it, and invest them with taxing power for the support of a school to be maintained there, according to an Illinois decision.

However, the Supreme Court of New Hampshire has sustained a special legislative act authorizing a town to raise money by taxation for the purpose of erecting a school building and leasing it to a private academy for school purposes without rent. Reasons for this decision were that local education is a local purpose for which legislative power may be delegated to towns. A tax raised for a free public school and a free public school house is raised for a public purpose and the purpose is not made private by a mere exaction of tuition. The use of the building continues public if the public have a common and equal right therein free from unreasonable discrimination. In accepting public aid the school corporation consents to all the conditions necessary to give validity to the statute and the lease.

In the case of holding property by eminent domain, Connecticut, in 1913, held that under a constitution permitting the taking of property for public use the right of eminent domain cannot be conferred upon a woman's college conducted by a private corporation with discretion as to the admission of students. The court thought

in this case of the Connecticut College for Women that the public would not have a common right upon equal terms, independently of the will or caprice of the corporation.

Pennsylvania, however, held that the legislature had the power to confer the right of eminent domain upon the Western Pennsylvania Exposition Society for the education of the public by exhibiting artistic, mechanical, agricultural and horticultural products, and providing public instruction in the arts and sciences, since it was a corporation not organized for profit.

It usually is the policy of the states to encourage education by exempting from general taxation property owned and used by private educational institutions; but in as much as a provision of law exempting such property from taxation does not of necessity exempt it from assessment for local improvements, no fundamental reason exists why it should not contribute to a local improvement which enhances its value and is not a burden upon it because of the benefits it acquires. It is almost universally held that a general exemption from taxation does not extend to assessments for local improvements.

From the preceding decisions of state and federal courts, it is seen that private institutions which serve the public receive due consideration, but that they, be-

cause of their autocratic power of discrimination, cannot be supported by public funds and that they must be controlled and regulated in part by public authority. Present tendency seems more and more to place private and church institutions under state control if they are to be recognized on equal terms with public institutions as a part of the educational system of the Nation.

Note.--The material for this chapter, unless otherwise stated, has been taken from The Essentials of School Law by Harry Raymond Trusler, Dean of the College of Law of the University of Florida. Much has been taken verbatim from the text, and other parts have been summarized.

# CHAPTER IV

## CONTRIBUTIONS OF PRIVATE AND CHURCH SCHOOLS

When we stop to consider that most that we hold as highest and best in our American educational system today, from the kindergarten to the university, came from the Church or private enterprise, we are more willing to grant opportunity for educational experiments to Church and private institutions.

If we begin at the bottom of the educational ladder, the kindergarten, we find that it was begun in Germany as a private undertaking by Froebel. So popular was this pre-school activity that, although begun with a group of orphans, it spread to almost every country of Europe in less than a half century from its beginning. A pupil of the founder brought the idea to the United States, and started the first kindergarten, in 1855, at Watertown, Wisconsin. The idea spread so rapidly here that by 1880 there were between three and four hundred such schools in thirty different states, most of which were private undertakings.

Our first commercial schools were begun as "private enterprise in response to public need". They were the forerunners of the modern business schools which number-

ed 2,000 students in 1914 and 188,363, in 1925-1926.

Industrial education has had its beginning in evening classes of the Y.M.C.A., and such institutions as Cooper Union and Mechanics Institute of New York. The public has been slow to follow. Not until 1907, beginning with Wisconsin, did trade schools extend upon "the stage of public administration".

C.R. Mann in his report on the American Spirit in Education says, that the first financial support for a school of practical arts came from private benefaction. In 1847 Abbott Lawrence gave $50,000 to Harvard for a school to encourage (1) Engineering, (2) Mining, (3) Manufacture of machinery.

The same year Yale opened a laboratory by means of private gifts for the study of industrial arts.

Such schools as the Massachusetts Institute of Technology, the Pratt Institute at Brooklyn, the Drexel Institute at Philadelphia, and the technical schools for the colored at Hampton and Tuskegeeare outgrowths of the idea that practical arts can and should be taught as well as Greek and Latin.

Professional schools began in privately endowed institutions and for the greater part have remained there. Theology has been entirely under private and denomina-

tional control. Law and medicine have crept into the realm of State supported schools.

From the N.E.A. report of 1914 we learn that in the previous twelve or fourteen months $17,000,000 was given for medical education, teaching hospitals and medical research. Among those schools receiving the gifts were Harvard, Columbia, Yale, Chicago and Stanford, all private institutions.

Women's colleges were begun as private schools; Miss Emma Willard being the first in the United States with Troy Seminary in 1820, and May Lyon, second with Mount Holyoke in 1836.

Teacher certification, now regarded as a very essential part of our educational program, began back in the mediaeval church where the priests were licensed to teach song and grammar. In New England the early school master was required to give evidence to the minister or to a school committee as to his knowledge and faith. In German lands where the Church-State school systems had their beginnings early in history, certification by the church authorities was for long depended upon.

Military training also has been left in a large part to the private schools of the country. Because of their high moral standards and strict discipline, mil-

itary schools have become homes for the difficult to manage and the misfits in the public school system. The first private military school was organized in 1820 by Captain A.M. Patridge, a graduate of West Point.

The home making and mothercraft schools were begun as private undertakings. The first one was established in 1875 and from this idea of training for the home and motherhood has come, not only the incentive for other private schools, but also the present day home making and child courses of the public school curriculum. We have yet some well known private schools of this type, among which are the New York Cooking School, The School of Mothercraft, also of New York, and the Garland School of Home Making in Boston.

Such experimental schools as those of Professor Dewey and Colonel Parker of Chicago have wielded an undying influence upon the public schools of the United States. Graves in his History of Education says,(page 471)

"While the Chicago school (the Dewey school) is now at an end, the experiment in education developed there is still yielding abundant fruitage. It has stimulated similar undertakings elsewhere, and has been the largest factor in determining the theory and practice of the present day. Either as a result of Dewey's work or through independent thought, there has sprung up an im-

portant group of schools in which there is clearly an effort to bring boys and girls of elementary school age into more intimate relation to community life about them. Such are the Gary (Indiana) Public schools, the Francis W. Parker School of Chicago, the Elementary School at the University of Missouri, the Pestalozzi-Froebel School of Berlin, the Abbotsholme School at Derbyshire (England), and a number of others."

(The work-study-play plan of the Gary system was first used in a private school.)

Schools for mental defectives that are now a part of every state educational program, organized with the purpose that there may be no dependents on society, were begun in the name of charity. Back as early as 1816 a school near Salzburg was open to defectives. Dr. Seguin's experiment with idiots, begun in the United States in 1850, led to the founding of other schools in Europe and America for such work. Although the State has taken over most of such work now, yet in 1913 there were 800 cases in the care of private institutions. Graves says that nine-tenths of the schools for defectives in Germany are under church or private auspices.

The education of the deaf was maintained by private effort for almost three centuries. In England instruction remained a private and family monopoly until 1819. And in the United States the first State school was established in Kentucky in 1823.

The blind also were cared for in private institu-

tions, the first of which was in France in 1784.

The work of educating crippled children was begun privately. The first in the United States was in New York City in 1861.

The great American problem of the immigrant is in part being solved by the Church and its organizations. In 1912-1913, the Y.M.C.A. had English classes for 21,914 immigrants, and naturalization classes for 1,693. The Congregationalists at Ellis Island, the Roman Catholics at Rochester, New York, The Presbyterians with their work in more than half a hundred immigrant communities are only examples of the great work of the Church in helping the State to care for those who are trying to adjust themselves to the ideals and living conditions of our American Republic.

And closely related to the immigrant is that of the native born negro, Indian and European-American, each with its special problem of heritage and environment. The aristocracy of the South thought of the negro only as a slave who needed no education. But since the Civil War, the Church and private subscription have founded institutions for the betterment of the race and have set a standard for the State to follow in caring for the black man. In a U.S. Bureau of Education report for

1916 on Private Financial aid to Negro Education, we find $28,496,946 have been invested in plants and endowments; that private schools offer the bulk of all instruction in agriculture, industry, teacher training, medicine and religion. There are 507 denominational schools with 4,534 workers. "These schools have supplied and still supply the large majority of the teachers for the elementary public schools, the religious leaders and the physicians for the race---Above all they have been and still are the chief agencies for the development of sound ideas of life, physical, mental and moral". Many small parish schools of the Presbyterians, Catholics, and Episcopalians are taught on the church premises by the pastor. As compared with the 122 schools for the negro under public control there were 625 under private control.

With the Indian, the same is true. The Church was on the field teaching sanitation and moral living long before the government took the work in hand. In 1913 there were 4,943 Indian children in Church schools.

What the Church is doing for the Spanish-American in New Mexico is only an example of what it is doing for peoples of a different language in all parts of the United States. Special schools for the youth of the

Spanish language and customs in this state are held by Methodists, the United Brethern, the Roman Catholics, the Congregationalists, and the Presbyterians.

Orphanages, too, have come from charity organizations. The Church has not discarded this work even with the State coming to the front to care for the homeless. In 1916-1917 the Southern Baptists had 1,842 pupils in the orphan schools, and the Roman Catholics which exceed any one Protestant denomination had 46,474.

Dr. Stephen Pierce Duggan, the director of the Institute of International Education believes that the Summer Camp Movement now so popular with the private schools will soon be a part of the public school system. Thus, we see that the work of private, parochialand denominational schools is not yet done, although the State is trying to provide free and equal opportunities for every child.

The World Almanac for 1929 (page 418) gives the following statistics for 1925-1926:

30,064,621 school children between ages of 5 and 17
24,741,468 in public elementary secondary and high schools
2,438,725 in private schools

3,757,466 in public high schools
295,625 in private high schools
188,363 in private commercial and business schools
187,828 in private trade and industrial schools

814,170 teachers in public schools
76,415 teachers in private schools

22,500 public high schools
2,500 private high schools
115 state normals
30 city normals
70 private normals
145 colleges and universities under public control
770 colleges and universities under private control

Students enrolled in universities
Public 290,893
Private 532,002

For the negro 22 state supported colleges and universities
31 under private white northern church boards
17 under private negro church boards

The Bureau of Education Bulletin, 1928, No. 12 gives the following:

Total Elementary and kindergarten enrollment
Public 20,984,002 Private 2,143,000
Total Secondary students
Public 3,786,071 Private 346,054
Total Normal Schools and Teacher Colleges
Public 252,907 Private 17,299
Total University, College and Professional not including preparatory
Public 280,437 Private 486,826

These statistics show that the higher education of the United States is still carried on to a very large extent by private and church schools.

Educational experiments are still being conducted in practically every school under private control. A gift of $13,398,000 has made possible Harvard's trying out the small group within the large university, and the student body of that great school is to be divided into residential groups of 250 each. Will the State Universities ever be doing the same? What they do will depend upon the results of the experiments of privately endowed institutions. If it is found beneficial to the students at Harvard, in another decade it will probably be carried into the schools supported by public taxation.

Night schools now found in practically every city in our country are the results of private experiments. Columbia University now has 9,500 students enrolled in 673 different courses. Of these 7,000 are taking English as a part or all of their work. Not only are the colleges and universities taking advantage of the leisure time of those who cannot stop earning a living to attend school, but the high schools are giving complete courses in evening classes to both young and old.

Within the past few years we have seen the growth of boys' and girls' clubs. The Review of Reviews for June, 1929 gives a vivid account of the organization of a boys' club in Detroit to prevent crime by furnishing interesting employment in the study of machinery of different kinds and learning the parts and their uses. This is a private experiment used as an aid to the State in preventing crime and in teaching useful knowledge and skill.

What then is the great contribution of the private and church schools to the educational development of the State?

Sargent mentions new methods of pedagogy, the study of science, the utilization of athletics for mental and physical development and the country day school movement.

The U.S. Bureau of Education Bulletin, 1919, No. 10 says, "It is generally recognized that church schools have contributed to our total system of education a moral tone which would have been impossible under purely secular control. There is less disposition than ever before to bring about a mere duplication of educational facilities as between Church and State and, on the other hand, a far stronger tendency to secure from each type its highest contribution to the Nation."

Paul Monroe says, "Probably the most permanent service of private schools, since they are flexible, lies in their utility as experimental schools. Their experience serves as models or warnings to the community. Among what may be called the 'marginal activities' of the school organization, private effort will always play

a valued part; for no step to advance in education has ever been taken without the leadership of private schools."

In summarizing the contributions of the private and church schools, we should not fail to mention the Massachusetts laws of 1642 and 1647, that have been called the origin of universal education for our American Commonwealth, which are after all the foundation stones of our public school system of today. And upon this foundation have our private and church schools added models of structure in every phase of educational development. They are not only building new type schools and enlarging the curriculum to meet individual and group needs, but they are also making student loans, granting scholarships, establishing bureaus of research, furnishing homes for pupils and teachers, and in their work both special and general with the immigrant are developing "a spirit of international friendship and inculcating ideals of international good will and common interests which will make for great future benefits to the United States and the world".

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# CHAPTER V

## THE PROPER FUNCTION OF THE STATE IN THE CONTROL OF PRIVATE AND CHURCH SCHOOLS

"A hundred and fifty years ago," says Cubberley,"education was of but little importance, being primarily an instrument of the Church and used for church ends. Today general education is an instrument of government, and is rightfully regarded as a prime essential to good government and national progress. With the spread of the democratic type the importance of the school is enhanced, its control by the State becomes essential, its forms of educational opportunities and service a necessity, the study of its organization and administration and problems becomes a necessary function of government, while the training it can give is dignified and made the birthright of every boy and girl." (1)

With this conception of education as an instrument of government and with the fundamental belief, as old as the nation itself, of universal education, it behooves the State for the preservation and advance of its own welfare to see that this birthright of the American child is not withheld. It is not enough that the State provide means of an education for every one; it must go further and see that each child obtains the intellectual, physical, moral and social food provided for him, that he may develop his own individual powers and in so doing make the most efficient member possible of society of which he is a part.

(1) Cubberley,E.P. History of Education, page 839

Let us first consider what the State as the controlling factor in American education should do. Nowhere have we a better summary of its duties than in Cubberley's Public Education of the United States: (page 493)

"Any conception of the State as an educational agent, interested in seeing that schools are provided to preserve itself and to advance its welfare, naturally involves the right of the State to fix the minimum standards below which it will not allow any community or private or parochial school to fall. While either too much liberty or too much state oversight may result in weakness in the local systems maintained, some state oversight and control must be exercised if strength is to be developed. In all such matters as types of schools and classes which must be maintained; the language in which the instruction is given; length of term to be provided; the care of children which must be exercised; the hygienic conditions; and the minimum rate of tax for schools which must be raised locally, it is essentially the business of the State to fix the minimum types, lengths and amounts which will be permitted, and through the exercise of state inspection and state penalties to enforce these minimum standards. It is also the right, as well as the duty of the State, to raise these minima from time to time, as changing conditions and new educational needs may seem to require, or as the increasing wealth of the State will permit, and without waiting until all communities are able to make such advances. To do this will often involve reciprocal obligations on the part of the State, but these the State must expect and be prepared to meet.

"Carrying the idea still further, we have also come to accept as an established principle that it should be the business of the State to formulate and carry out a constructive educational policy for the advancement of the welfare of the State by means of public education. Instead of being a passive tax-gatherer, distributer of funds, and lawgiver, the State, if it is to meet the educational problems of a modern world, must become an active, energetic agent, working for the moral, social, hygienic, industrial, and intellectual advancement of its people. The formulation of minimum standards from

being lowered by any private or sectarian agency, and the stimulation of communities within the State to additional educational activity, these have come to be accepted both as fundamental rights and duties of the State."

Aside from the tax assessments and distribution of funds, most of what is given for the public schools applies equally to the private and church schools. If we are to consider education as the fundamental right and duty of the State, then education whereever found is still in the realm of State control.

Inglis says:

"There must always be some place for the private secondary school, and it is doubtful that the present status will ever greatly change. An extension of public supervision over privately controlled schools is probably the next step rather than any form of repression or complete control on the part of the State. Since the public school must always determine its policy in terms of the larger group, some small proportion of children will always receive better educational opportunities in the smaller private school than in the public system. This fact, together with the facts that the complete exclusion of religion from the public school leads to the establishment of sectarian schools, and that educational experimentation is commonly more easily conducted in the private school, will doubtless encourage the continuance of non-public secondary schools."
(1)

From Strayer and Englehardt we learn that it is the duty of the State Board of Education in forty-three states in regard to private and church schools to

1. Classify and standardize the schools of the

(1) Strayer, Englehardt and Others, Problems in Educational Administration, 1925

state both public and private on the recommendation of the State Superintendent.

2. Approve the private and parochial schools attended by children between the ages of 8 and 14 years.

3. Prescribe a uniform series of blanks and forms of records and reports for private, denominational and parochial schools.

4. Require private schools to report annually.

Hollister in his Administration of Education in a Democracy says of the private and church schools:

"In the first place it seems fair to say that no educational institution found to be established and maintained as a commercial enterprise should be permitted to receive or retaina charter. In the second place, schools maintained by religious denominations where a large part or all of the pupils' legal years is spent in such training should be required to give ample instruction in the history of our country and in a knowledge of the nature and obligations of citizenship."

Cook says:

"There is a growing conviction that these private and denominational schools should be under State regulation or inspection if attendance upon them is to be accepted."

Reeder of Ohio State University says:

"The state has the right, and should always exercise this right, to demand that education which is provided by religious denominations and under private auspices shall be equal in every essential respect to that afforded by public schools. It should, among other things, demand compulsory attendance, teachers of proper training and character, curricula and text books, thoroughly progressive and administered inthe English language, and school buildings that are safe and sanitary."

Cubberley says that we have profited by allowing

Cook, Federal and State School Administration, 1927
Reeder, W.G., School and Society, April 21, 1923

competition between privately endowed colleges and State universities. And as a result "such institutions as Harvard, Yale, Columbia, Princeton, John Hopkins, Tulane, Chicago and Stanford have fallen in wholeheartedly with our state and national purposes and have become really national universities. On the other hand, our states have not as yet exercised their rights of supervision and often have allowed a competition from private and religious schools which was not warranted by any ideas of state welfare. In a few of our American States this situation has recently been taken in hand and standards have been established which are clearly within the right of the State to establish. These involve the requirements of instruction in English language, the provision of schools at least as good as the public schools of the same community, and full cooperation with the public school authorities in such matters as compulsory school attendance and statistical reports. These are legitmate demands of the State; they have been upheld by the Courts, and they should everywhere be enforced by our American commonwealths."

(1)

In the hypothetical State of Osceola with its ideal working conditions for educational development and advancement, we find the following rules and regulations for private and parochial schools:

1. Private and parochial schools are permitted and encouraged if the State standards are not lowered by them.
2. Schools should be approved by the Board of Education in
   a. Records kept.
   b. Statutory school subjects taught.
   c. Length of term.
   d. Use of English except when another language is taught as a regular subject.
   e. Certification by the Superintendent of Education that he has examined or had the State Department do so, and found the instituion satisfactory in thoroughness and efficiency.
3. No schools approved or refused on the basis of religion.

(1) Cubberley, E.P., State and County Reorganization Chapter XVII

4. Schools may appeal to State Commissioner of Education if the county or city disapprove--the principle of liberty regarded if the instruction is as good as public.

5. Schools must report to the Commissioner of Education as to number of pupils and instructors, enrollment, attendance, courses of study, length of term, cost of tuition, records of attendance, and general condition of the institution.

6. Schools should use the State class room register or other standard form to be furnished them free of charge.

7. Schools should have the right to borrow books from the public library of the state or county, and to purchase text books and reading circle books at the State's adopted price.

8. Teachers of schools should have the right to attend teachers' institutes and receive teacher certificates on the same condition as public school teachers.

9. Schools, when not conducted for profit and open to inspection, should be certified to the Board by the Commissioner for exemption from taxation except for improvement assessments.

## SUMMARY

From these opinions of the leading authorities today in the field of educational administration and from the state laws examined, the following conclusions may be drawn concerning the place of the private and church schools in the education of the State:

The private and church schools have a place in the education of the State.

Their greatest contribution is in the field of experiment, introducing new types of schools, new methods of instruction, and new fields for study.

They have certain rights and privileges that the public schools do not have of discriminating as to sex, race, creed or social status in the pupils they accept; of eliminating those of certain mentality if they so desire; of limiting the number that may attend; of making rules and regulations to govern their organization; of choosing groups of special ability for some line of work; and of requiring any curricular or extra-curricular activities of physical, mental, social, industrial, moral or spiritual worth.

On the other hand, they have certain obligations to the State. If they have pupils of compulsory age, they should conform to state regulations and requirements as

to length of term, keeping of records and reports, amount and kind of work in the fundamental subjects, use of English as a tool subject, use of approved text-books, teacher qualifications, buildings and equipment, and citizenship and health programs.

If they confer degrees, grant diplomas, or certificates that are to be accepted as of equal value to those of State institutions, they must meet all the requirements and standards of the State institutions of the same class.

At no time should private or church schools fall below the minimum standards set by the State, and at no time should they fail to teach and follow the fundamental democratic ideals of our American Republic. They should guard with care the dangerous pitfalls of narrow-minded creeds, of race prejudice, and of social injustice.

It should be the aim and purpose of the private and church schools to supplement rather than duplicate the work of the State. They are able because of independent power and finance to undertake and carry out work that the public school, which must go no further than public opinion and public consent permit, cannot do.

At all times the work of the private and church

schools should be in harmony with the leading educators and master minds of the age. They should welcome inspection and supervision from both State and National authority. They should be open to suggestions for experimentation, and should cooperate in solving the political, social, industrial and economic problems of the community and the State. The indigent, the rich, the defective, the special talented, the immigrant, and the descendants of the Mayflower--all classes should be in the circle of interest of both private and public educational enterprise, regardless of those who form the center of the field of activity.

The National Education Association Journal for January, 1929, has a vitally interesting editorial on The School of Tomorrow. This article mentions as some of the forces of new ideals and trends of future education: (a) Guided growth, (b) Earlier start, (c) Longer attendance, (d) Adult education, (f) Better teachers, (g) Objective measurements, (h) Mechanical equipment, (i) Broader objectives, (j) Freer atmosphere, (k) Activity program, (l) Behavior-problem child, (m) Elimination of failure, (n) Responsibility of all children.

If this be the work of the school of tomorrow, then the private and church schools which are already follow-

ing those ideals and trends today, must continue in the van of the march, as they have continued during the past centuries, clearing doubts and proving theories that the State may follow, bringing the best methods and most efficient results to every member of our American Democracy.

# CHAPTER VI

## APPLICATIONS TO NEW MEXICO
## With a Brief Survey of Menaul School

New Mexico is, and has been since its settlement, a state of private and church schools. From the history of the state by Vaughn we learn that the education of the children of New Mexico, for almost three hundred years, was in the hands of the private teachers and mission schools. Vaughn says: (1)

"When Onate took up headquarters by the pueblo of San Juan, July 11, 1598, he was beginning the first permanent settlement in New Mexico. Five weeks later the main body of the colonists arrived and pitched camp near San Juan, the first capital of New Mexico. --- Five days after the settlers arrived they began building a church. It was completed and dedicated September 8, ---the first Christian temple in the western portion of the United States. --With one brief interruption in the winter of 1601 the work of the missions went steadily on from the foundation by Onate in the first days of the colony. ---Each mission was intended to be not only a church but also a school for teaching the Indians reading, writing, singing, and manual arts crafts.

" In 1799 the Spanish population numbered about 18,000 in New Mexico proper with nearly 5,000 more in the El Paso district. By the close of the Spanish era 1821, it had grown to 28,000 with more than 8,000 around El Paso. All through the eighteenth century education remained in a very backward condition. There were no scholars in the colony except the few who came from abroad. Even their education, emphasizing religion and ancient languages, and totally lacking in modern history and geography was somewhat onesided.

(1) History and Government of New Mexico by John H. Vaughn, 1927

There were no colleges or public schools and only a few private teachers in the larger towns.

"The Mexican period (1821-1846) saw little progress in education. The missions had always been primarily occupied with the Indians. Spain's declining power in the beginning of the nineteenth century had left little energy for anything but the bare fight for existence. Many of the Franciscans withdrew from New Mexico at the beginning of the Mexican period. The Mexican Republic suffered from frequent revolutions and a rapid succession of rulers. And New Mexico had little money to invest in schools. Santa Fe, Albuquerque, and a few other towns had private schools. Teachers were few and poorly trained.

"At the beginning of the American period educational conditions in New Mexico were at low ebb. Most of the missionaries were gone. --- In December, 1847, Governor Vigil reported that there was but one public school in the territory and that there were no private schools or academies. The census of 1850 indicated that about seven-eighths of the adult population were illiterate. ' In no part of the United States,' said the legislature of 1853, 'are the means of education as deficient as in New Mexico.' A year later(1854) they again urged, 'The territory is entirely without schools, except in the capital in which there is one or two supported by private subscription.'

"In 1851 when Bishop John B. Lamy came to Santa Fe to take charge of the work of the Catholic church in the Territory, he reported the churches in ruins and no schools at all, though it appears that by that time there were a few private schools. By 1865, he was able to report that he had seven earnest priests and a half dozen other workers, had built forty-five new churches, repaired eighteen or twenty others and had laid the foundations for a system of Catholic schools.

"Prior to the American Occupation, Catholic missionaries had the New Mexico field all to themselves. After the close of the Mexican War, Protestant missionaries from the United States began to enter the field. The Baptists led the way, establishing the first Protestant mission school in Santa Fe in 1849 and building the first Protestant church in 1853. The Methodists followed and established a school in Santa Fe in 1850 but

closed it in 1852 and did very little until the seventies. The Presbyterians came in 1851, but accomplished nothing until the Civil War when they bought the property of the Baptists in Santa Fe in 1866 and started a mission school there the next year. Episcopalians followed in 1863; and Congregationalists in 1878. They all established mission schools as a leading part of their work.

"Although Catholics and Protestants alike were establishing schools in various parts of the Territory, the rising generation was still growing up in ignorance. In February 1856, the legislature attempted to lay the foundations for the beginning of a public school system supported by direct public taxation --- The entire act was repealed the following December and the Territory continued to drift in the dark. A system of free public schools supported by public taxation and not connected with the church in any way was absolutely unknown in New Mexico, unheard of even until recent years."

Thus, we see that whatever was done for education in New Mexico was done by the private and church schools. Coan (1) in his history of New Mexico gives the Catholics credit for the training of 2,700 children in their schools; the Methodists credit for 421 in eleven schools; the Congregationalists for 3,000 attending the Albuquerque Academy between 1879 and 1892. Of the Presbyterians he says:

"The Presbyterian Board built a church and a school at Las Vegas in 1870 and placed them under Rev. J.A. Annin. The sum of $16,000 was spent in building up the work in Las Vegas during the following four years.--- The Presbyterian Board between 1879 and 1891 founded twenty-three day schools and two boarding schools for children of Mexican descent. The boarding school for

(1) A History of New Mexico by Charles F. Coan, 1925

Indian Children at Albuquerque which was started in 1880 had seventy students in 1891. During the school year of 1890-1891, the Presbyterians supported fifty-seven teachers and thirty-five schools in which were enrolled 1,270 scholars."

From these reports we can see what the churches were doing for education in New Mexico when the first public school law providing for free public schools supported by public taxes was passed, February 12, 1891.

According to the Annual Report of the State Department of Education[1] for term 1924-1925 the church schools still hold a porminent place in the state of New Mexico. This report lists private and parochial schools as follows: Kindergartens 12 with 15 teachers and 391 pupils; Elementary 39 with 154 teachers and 4,266 pupils; Secondary 21 with 75 teachers and 1,222 pupils. These total an enrollment of 5,874 pupils and 244 teachers.

The Biennial Survey of Private High Schools and Academies in the United States[2] 1925-26 gives New Mexico as reporting 17 secondary schools with 67 instructors and 770 pupils. In these secondary schools were elementary departments with 76 instructors and 2,192 pupils. Of the 770 secondary pupils, 97 were graduated in 1926.

(1) Report of Public Day Schools, 1924-1925-State Department of Education of New Mexico
(2) Statistics of Private High Schools and Academies, 1925-1926
Department of Interior Bulletin, 1927, No. 31

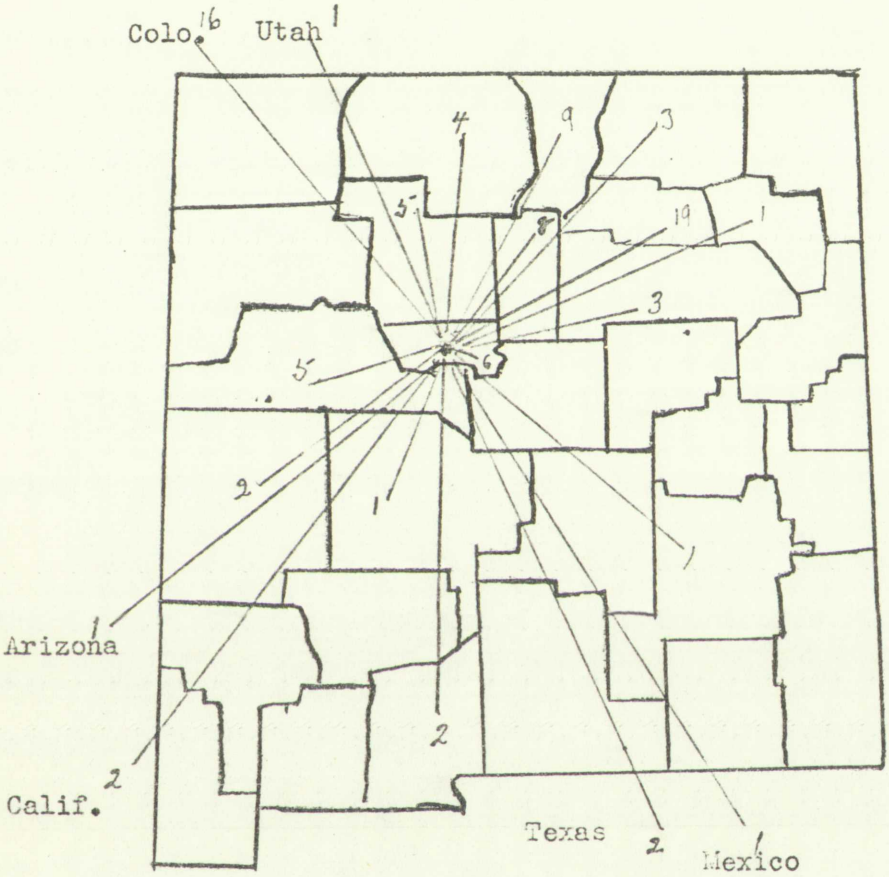
Of the graduates of these schools in 1925, 25.8% went to college and 16.2% attended other institutions.

According to this annual report of the State Department, the Presbyterians are serving only 730 as compared with 1,270 in 1891. This is due to the policy of the Board of National Missiona. Wherever the public schools have come in with work needed, the mission schools have shifted to a greater need. Many of the mission stations have been closed and many are at present placing emphasis upon kindergarten, primary and adult education where the public schools fail to meet the demands for English language and citizenship training.

Of these 730 pupils, 209 were in Taos County and 122 in Mora County, two of the poorest counties in the state in deucational facilities. In this same report it is found that Taos County had an enrollment of 3,142 children of schoolage to be housed in 19 one-room buildings with no high school either rural or municipal. Mora County had 2,824 children enrolled with 46 one-room buildings and 10 two-to-six room buildings, four of which were used for both elementary and high school pupils. The total high school attendance was 60 for these four schools. Of the 200 pupils in Presbyterian schools in Santa Fe County many of them come from these same counties,which do not meet the demands, to the boarding

Table No. 2

NEW MEXICO COUNTY OUTLINE MAP
SHOWING
TERRITORY SERVED BY MENAUL HIGH SCHOOL 1924-1925




Menaul High School Enrollment for 1924-1925

Counties of N.M. --69

| | | | |
|---|---|---|---|
| Mora ------19 | Rio Arriba --4 | Sandoval --5 | |
| Taos ------ 9 | Colfax ------3 | Chavez ----1 | |
| Santa Fe -- 8 | San Miguel --3 | Harding ---1 | |
| Bernalillo- 6 | Catron ------2 | Socorro ---1 | |
| Valencia -- 5 | Dona Ana ----2 | | |

Mexico ---1

Other States--22

| |
|---|
| Arizona --1 |
| Calif. ---2 |
| Colo. ---16 |
| Texas --- 2 |
| Utah ---- 1 |

Total --- 92

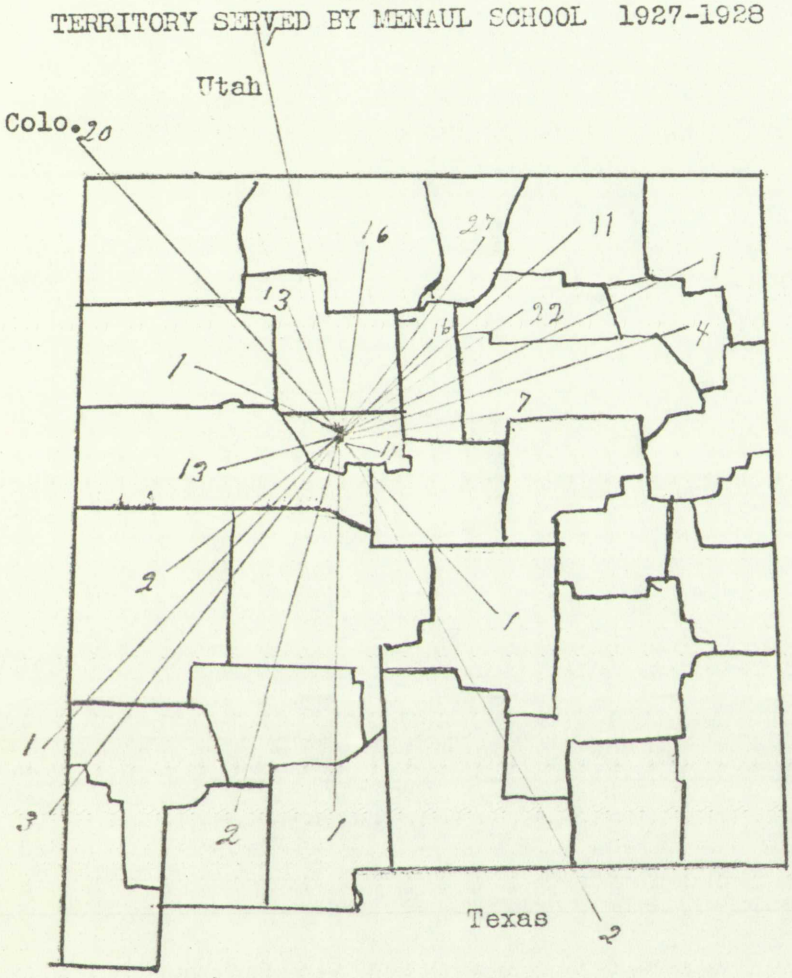
school at Santa Fe. And of the 170 reported in Bernalillo County, practically all come from the northern counties. Of the 69 from New Mexico in Menaul High School, located in Bernalillo County, 63 are from counties other than Bernalillo. (See Table No 2 ) Of these 63, there are 19 from Mora County and 9 from Taos County. The map and Table No. 3 show that of the 148 pupils drawn from New Mexico territory (1927-28) 27 come from Taos County and 22 from Mora County. The next largest numbers, totalling 58, come from Santa Fe, Rio Arriba, Sandoval and Valencia Counties all of which are lacking in rural high schools and facilities for transportation to city schools.

In 1926 a survey of the Menaul High School of 105 pupils was made to ascertain the number who could attend high school at home. Only 28 of the 105 had a high school within ten miles. Some of these 28 had a high school within walking distance and others would have to go from four to ten miles. Of the 33 boys graduating in 1928, only 5 could have gone to high school if they had not been cared for by Menaul or some other mission boarding school where they could pay most of their expense by work furnished by the school.

Table No. 4 shows from what part of the state the pupils of Menaul at present are coming. Although New Mexico is making rapid progress in providing free public

Table No.3

NEW MEXICO COUNTY OUTLINE MAP
SHOWING
TERRITORY SERVED BY MENAUL SCHOOL 1927-1928




Menaul School Enrollment for the Second Semester 1927-1928

Counties of N. M. ---148

| | | | |
|---|---|---|---|
| Taos -------27 | Colfax------11 | Luna ----2 | |
| Mora -------22 | Bernalillo -11 | Lincoln -1 | |
| Santa Fe ---16 | San Miguel - 7 | Union ---1 | |
| Rio Arriba -16 | Harding ---- 4 | McKinley-1 | |
| Sandoval ---13 | Catron ----- 2 | Dona Ana-1 | |
| Valencia ---13 | | | |

Other States --27

| | |
|---|---|
| Arizona -- 1 | |
| Calif. --- 3 | |
| Colo. ----20 | |
| Texas ---- 2 | |
| Utah ----- 1 | |

Total --- 175

education for all, yet in these northern counties an efficient school system is still lacking.

The students from the counties having good schools are at Menaul because home conditions make it necessary that they find a boarding school at a very moderate expense.

The school, now known as Menaul School for Spanish-American boys, is the same school referred to by Coan as the boarding school for Indian children, founded in 1880. Menaul, as an Indian school was closed when the government school at Albuquerque was opened, about 1890, and was re-opened in 1896 when the boarding department of the school at Las Vegas for Mexican boys and girls was moved to Albuquerque where only boys were admitted. As the government began to care for the Indians, the Church turned to the Spanish-American children whose education was being so sadly neglected.

Menaul's one purpose is and always has been service. In this capacity she has grown from four cottages "for workers and one brick building containing two dining rooms, a kitchen, two school rooms, a library, a wash room and two dormitories for boys,"(1) to a plant with a total valuation of more than $300,000. The improved farm

(1) Menaul Annual, The Sandstorm, 1911

land is valued at $17,000, the live stock at $2,354, the 17 buildings with furnishings (estimated replacement value as made by a committee) at $282,434.[1]

Since 1913 Menaul has maintained a four year course of accredited high school work with a teaching force with qualifications equal to if not superior to any school of its size in the state. (See Table 5 ) For more than twenty years Menaul has had a manual training department, and a band and orchestra. She has had strong athletic teams since her organization as a high school.

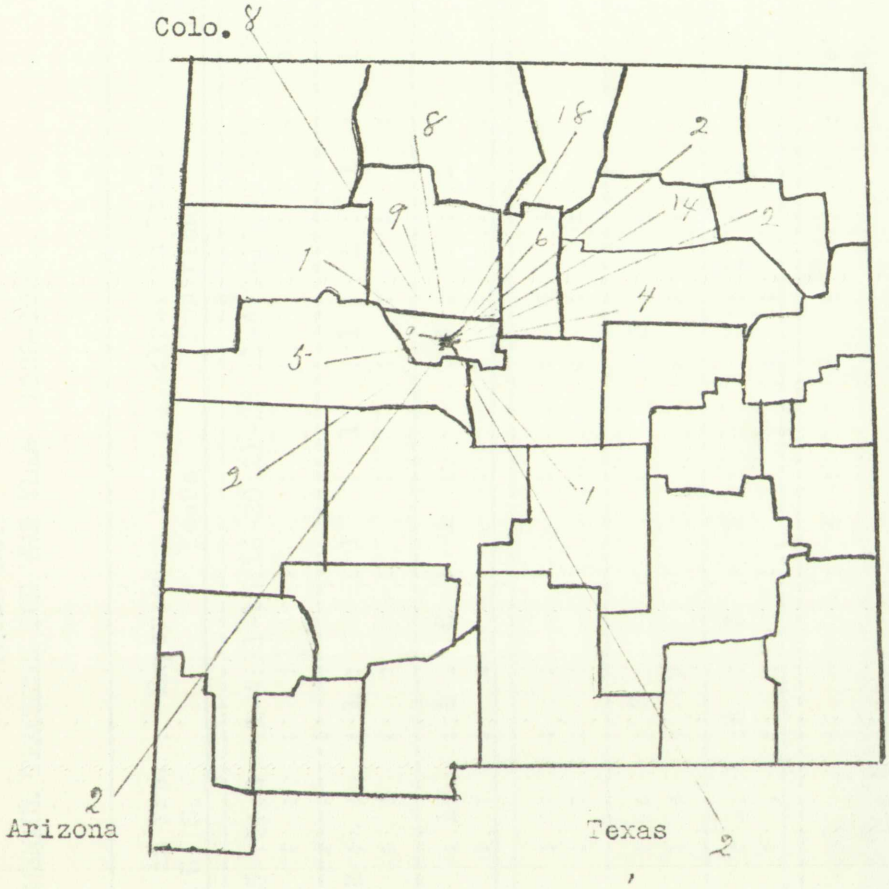
Both her football and basket ball teams are recognized as among the best in the state. Four years in succession she won second place in the basket ball tournament of the state. In 1918 a Menaul boy won second place in a State Oratorical Contest on the subject, "The Safety of America". In 1925 a Menaul boy won second place in the State Essay Contest on "The Federal Courts and the Constitution". In 1926 a Menaul boy won first place in the State Declamatory Contest with Poe's "A Murderer's Confession".

Menaul graduates are taking their place in the state and elsewhere as worth-while citizens. Of the 132 who have received diplomas from the school, 72 have had advanced training; 21 are still in school; 14 have had

(1) Report to Board of National Missions, 1927

Table No 4

NEW MEXICO COUNTY OUTLINE MAP
SHOWING
TERRITORY SERVED BY MENAUL HIGH SCHOOL 1928-1929




Menaul H. S. Enrollment for the Second Semester 1928-1929

Counties of N. M. --- 81

| | | | |
|---|---|---|---|
| Taos --------18- | Rio Arriba --8 | Catron ----2 | |
| Mora --------14 | Santa Fe ----6 | Harding ---2 | |
| Sandoval ---- 9 | Valencia ----5 | Colfax ----2 | |
| Bernalillo -- 9 | San Miguel --4 | Lincoln ---1 | |
| | | McKinley --1 | |

Other States-- 12

| | |
|---|---|
| Arizona --2 | |
| Colo. ----8 | |
| Texas ----2 | |

Total --- 93

Table No. 5

MENAUL TEACHERS FOR THE YEAR 1928-1929

| No. of Trs. | Training in Yrs. above H. S. | | | | | | Experience in Years | | | | Yrs. in Pres. Position | | | Summer School 1927 or 1928 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Grades 6-7-8 | 3 | 4 | 4+ | 5 | 5+ | 6 | 1-4 | 11-15 | 16-20 | 21-25 | 1-4 | 5-10 | 11-15 | Number attending |
| Full-time 3 | 1 | | | 2 | | | 1 | | 1 | 1 | 1 | 1 | 1 | 1 |
| Part-time 5 | | | 3 | | | 1 | 2 | 2 | 1 | | 4 | | 1 | 3 |
| High School 4Yrs. | | | | | | | | | | | | | | |
| Full-time 2 | | | | 2 | | | 2 | | | | 2 | | | 2 |
| Part-time 8 | | 1 | 3 | | | 1 | 1 2 | 3 | 3 | | 5 | 1 | 2 | 5 |
| Supt. 1 | | | | | 1 | | | | 1 | | | | 1 | Teaching in State U.of N.M. |
| Prin. 1 | | | | | | 1 | | | 1 | | | 1 | | 1 |

two years; 7, three years; 10, four years; 7, seven years; and 15 have had summer sessions or parts of a year. Of these 132, 51 are teachers or school officials, 6 are preachers, 34 others are in a profession or skilled trade, leaving only 16 (4 are dead) who are doing unskilled manual labor. (See Table No.6)

And what of Menaul's future when New Mexico offers an opportunity for efficient high school training to every boy in the state? Already she is hoping and planning for that day. The agricultural, manual training and commercial departments are being enlarged. A junior high school is now being organized with trade courses to be offered. Three graduates are this year being housed and fed while they attend the State University. An academic high school course will be maintained only so long as it is needed; then it will either be merged into the industrial courses that cannot be pursued by the boys in their home communities or it will be extended to meet the requirements of a junior college, depending upon the progress of the state in providing opportunity. Menaul does not wish to take the work that rightfully belongs to the state; she wishes to supply the manual, social, mental, moral and spiritual training that the public schools have been and are neglecting. So long as such training is needed, and so long

MENAUL GRADUATES

| High School: | No. | Training in years above H.S. 1 | 2 | 3 | 4 | 7 | Summer School Only |
|---|---|---|---|---|---|---|---|
| 3 yr. Course | | | | | | | |
| 1906 | 6 | | | | | 3 | |
| 1907 | 2 | | | 1 | | 1 | |
| 1908 | 1 | | | | 1 | | |
| 1909 | 1 | | | | | | |
| 1910 | 4 | | | | 2 | | 1 |
| 1911 | 6 | 1 | 1 | 1 | | | |
| 1912 | 0 | | | | | | |
| 4 yr. Course | | | | | | | |
| 1913 | 1 | 1 | | | | | |
| 1914 | 3 | | | 1 | | | |
| 1915 | 1 | 1 | | | | | 1 |
| 1916 | 3 | 1 | | 1 | | | |
| 1917 | 3 | | | | | 1 | |
| 1918 | 4 | | | | 1 | | |
| 1919 | 0 | | | | | | |
| 1920 | 8 | 1 | 1 | 1 | 1 | 2 | 2 |
| 1921 | 2 | | 1 | | | | 1 |
| 1922 | 4 | | | 1 | 2 | | 1 |
| 1923 | 4 | 1 | 1 | 1 | | | 1 |
| 1924 | 4 | | 1 | | 1 | | |
| 1925 | 10 | 2 | | | 2 | | |
| 1926 | 12 | 3 | 3 | | | | 3 |
| 1927 | 20 | 2 | 6 | | | | 4 |
| 1928 | 33 | 6 | | | | | |
| Total | 132 | 19 | 14 | 7 | 10 | 7 | 15 |

Table No. 6

FOR THE YEARS 1906-1928

| | Vocations now followed | | | | |
|---|---|---|---|---|---|
| In College | Professional | Church and Mission Work | Business | Public Office | Regular Trade |
| | 4 | 2 | | | |
| | 1 | | 1 | | |
| | | | 1 | | |
| | | | | | 1 |
| | 2 | 1 | | 1 | |
| | 1 | 1 | | | |
| | | | | | |
| | | | 1 | | |
| | 1 | | | 1 | |
| | 1 | | | | |
| | | | 2 | | |
| | | 1 | | 1 | |
| | 2 | | 1 | | 1 |
| | | | | | |
| 1 | 3 | 2 | 2 | 1 | |
| | 1 | | | | |
| | 2 | | 1 | | 1 |
| | 4 | | | | |
| 1 | 1 | | | | 1 |
| 2 | 6 | | | | |
| 4 | 1 | 1 | 1 | 2 | |
| 7 | 7 | | | 1 | 1 |
| 6 | 15 | 1 | | | |
| 21 | 52 | 9 | 10 | 7 | 5 |

Positions held by students not graduating: Collector of Internal Revenue, 2; Ass't State Supt. of Schools, 1; State Commissioner, 1; State Representative, 2; Teacher in City High School, 1; County Treasurer, 1; Successful Preachers, 3; Co. Supt. of Schools, 1; City Post Office Clerk, 1.

as many worthy Spanish-American boys cannot have this need supplied otherwise than by the Church, Menaul will remain a vital factor in the education of the youth of New Mexico.

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For the Bibliography of School Laws see pages 29-31.

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2