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REPORT TO THE GOVERNOR:

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NONPUBLIC SCHOOLS

PART II



FINAL REPORT
OF THE
GOVERNOR'S STUDY COMMITTEE ON
NONPUBLIC SCHOOLS
DECEMBER, 1971

#183

NONPUBLIC SCHOOLS

PART II

**Final Report
of the
Governor's Study Committee
on
Nonpublic Schools**

Denver, Colorado

December, 1971

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DENVER, COLORADO 80202

December 23, 1971

Honorable John A. Love
Governor, State of Colorado
Executive Chambers
State Capitol Building
Denver, Colorado. 80203

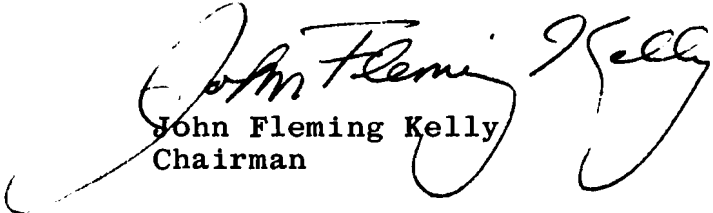
Dear Governor Love:

By Executive Order of July 15, 1970, you appointed a Committee to study certain questions with respect to non-public schools. The Committee submitted an interim report in December, 1970, and in that report suggested that it be continued with instructions to follow developments and make a further report. Your letter of March 19, 1971, authorized the Committee to proceed.

Accordingly, the Committee submits herewith its final report. Please note that Senator Fowler does not concur in the Committee's report, but has written a minority report which is also submitted herewith.

On behalf of the Committee may I express our appreciation for the helpfulness of members of your Staff and particularly for the assistance of the Staff of the Legislative Council. It has been an honor for the members of the Committee to be asked to study this topic of such current importance.

Very sincerely yours,


John Fleming Kelly
Chairman

JFK:sjh
Enclosures

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COMMITTEE REPORT AND RECOMMENDATIONS

This is the final report of the Governor's committee appointed:

...to study the impact on the public schools of possible partial discontinuance of private and parochial school programs, and furthermore, to study the options available for consideration of this situation by the legislative and executive branches of state and local government....

Review of Preliminary Report

In its first report, issued in December, 1970, the Committee offered a preliminary assessment of the possible impact on the public schools of the partial closings of nonpublic schools, and reviewed and assessed several alternate plans for state assistance to nonpublic schools. ^{1/} Appended were summaries of the role of nonpublic schools in Colorado including the types of schools, the enrollment in each, legislative activity in other states, and constitutional barriers to state involvement in private education.

At the time of the 1970 report, the Committee concluded that no legislative recommendations should be offered until the United States Supreme Court ruled on cases involving legislation to aid nonpublic schools in other states. The report requested that the Governor continue the Committee, with such changes in membership as he saw fit, and allow it to offer a final report based on an additional year of consideration. Governor Love accepted this recommendation and reappointed all members of the Committee with the exception of Mr. Tony Lovato who resigned and was replaced by Senator

1/ Nonpublic Schools. Governor's Study Committee on Nonpublic Schools. Denver, Colorado. December, 1970.

In that report, the Committee noted that preschool level and nonpublic colleges and universities were not considered. The Committee has confined its study to education in grades kindergarten through 12 in nonpublic schools. A categorization of nonpublic schools in Colorado is included on page 2 of that report.

C

Vincent Massari. Since extensive hearings had been held last year, the Committee concluded that it would limit its public hearings to discussion of new developments involving nonpublic schools.

Developments Since the Preliminary Report

During the past year there have been two developments of major importance:

- (1) The Diocese of Pueblo determined that all Catholic schools in the area of the City of Pueblo should close on the completion of the 1970-71 school year. Because of these closings, more than 2,300 students were transferred from Catholic schools to Pueblo School District No. 60 in September, 1971.
- (2) The U.S. Supreme Court ruled on June 28, 1971, that the nonpublic school aid programs in Rhode Island and Pennsylvania were unconstitutional under the establishment of religion clause of the First Amendment.

With these factors as background, this final report is submitted to provide a review of the condition of nonpublic schools in Colorado, the potential impact of nonpublic school closings, the constitutional status of aid to nonpublic schools, and the conclusions and recommendations of the Committee. This report, in conjunction with the interim report of 1970, constitutes a summary of the two-year study.

The Status of Nonpublic Schools in Colorado

The 1970 Committee report estimated that 42,000 students were enrolled in nonpublic schools in Colorado during the 1970-71 school year. This number was approximately eight percent of the state's total primary and secondary enrollment in public schools. Although the Committee did not have available the exact number of students enrolled in nonpublic schools for the 1971-72 school year, it concluded that this number is probably under 38,000 due to the closing of Catholic schools this Fall in Pueblo, LaJunta, Walsenburg, and Cheyenne Wells, and a known reduction in enrollment of nearly 1,500 in schools of the Archdiocese of Denver.

In its preliminary report, the Committee made a finding that:

...a partial discontinuance of some nonpublic school programs has occurred and that, unless, additional outside revenue sources are secured, more programs will be discontinued and additional existing schools will probably be closed 2/

The Committee is aware of no evidence to indicate that the trend of declining enrollments and school closings will lessen. The situation is particularly significant with regard to Catholic schools, primarily because a majority of the state's nonpublic school students attend schools operated under the sponsorship of the Catholic Church. It is the opinion of the Committee that, without substantial state or federal aid, or other financial assistance, the decline in nonpublic school enrollment will continue.

If no financial assistance is available, it would appear that many of the nonpublic schools in Colorado are faced with three alternatives: (1) high tuition education; (2) complete closure; or (3) substantial readjustment of present educational structure and a change in scope of operation.

(1) Tuition rates in nonpublic schools in Colorado have increased considerably in recent years. Without additional financial aid, it is likely that the costs of nonpublic education will restrict such opportunity to children of parents with sufficient resources or who are willing to make difficult financial sacrifices. Although the Committee recognizes that many nonpublic schools do have programs for scholarship aid, the number of students to whom this opportunity can be made available is greatly limited.

(2) Rather than offering an educational program only in the more affluent areas, the Pueblo Diocese determined to close all of its schools in the Pueblo area prior to the 1971-72 school year. The cooperation between the Diocese and Pueblo School District No. 60 was exemplary in making the transition from private to public education as orderly as possible for more than 2,300 students.

Other nonpublic schools are faced with potential closure in the near future. While the Committee does not con-

2/ Ibid, page 3.

tend that all nonpublic schools should remain in operation merely because they are not part of the public school system, the Committee again emphasizes its belief in the value to be gained for the entire educational structure of the state from multiple educational systems. Therefore, it is hoped that the closing of nonpublic schools can be minimized.

(3) In the interest of continued operation, these schools may find it necessary to re-evaluate their structure and the scope of their educational offerings. Some schools have limited their offerings to only those grade levels which are less expensive and in greatest demand. Others have pared courses and activities to reduce the costs of education. Other schools have re-structured their programs to provide more limited services, such as early childhood, adult, and religious education, instead of continuing with a comprehensive educational program. The Committee has concluded that some schools, through an evaluation of alternative offerings, may be able to offer educational programs which will be of great usefulness to the community served, but which will not provide an alternative comparable to the public school system.

In summary, the situation of nonpublic schools in Colorado is uncertain. The financial status of some schools is precarious while other systems appear to be nearing a funding crisis. Although the financing of nonpublic schools by private sources could stabilize with an improvement in the nation's economy, there is little evidence that a majority of Colorado's nonpublic schools will be able to attain a stable financial base. Many nonpublic schools must seriously examine their role in the educational system if they are to remain in operation.

The Financial Impact of Nonpublic School Closures

The most apparent impact of the closing of nonpublic schools is of a financial nature for the state and for local school districts. The financial impact can be analyzed in two ways: by the experience of those systems which have faced school closures and by projections of the impact of potential school closures on other systems. The closing of the Pueblo Catholic schools provides an actual example. A projection of the financial implications on the Denver Public Schools if the Denver area Catholic schools were to close is attached to this report and is briefly summarized in this section.

Pueblo Example. In the case of the Pueblo Catholic school closures, Pueblo School District No. 60 found it neces-

sary to make several determinations. First was the necessity of meeting the need for additional school facilities to accommodate the additional 2,300 students. 3/ This problem was met by the Pueblo School District renting two of the parochial high school buildings, moving 15 portable classroom units to accommodate the population balance of the district, purchasing additional equipment, and deciding to postpone the closing of a marginally functional elementary school building.

Second, additional staff needs were created by the school closures, including the hiring of 30 new teachers. Although the district found no difficulty in recruiting the new teachers, the financial burden was significant. 4/

A third determination by the Pueblo schools was to postpone and, in some instances, to cut back services offered such as the school lunch program and health services. Renovation of older buildings has been postponed as the funds previously allocated for such projects must now be devoted to the rental of new buildings. The development of libraries for the elementary schools has also been postponed.

Fourth, curriculum was affected by the school closings. Prior to the parochial school closings, the district had decided to alter its educational program from the elementary - junior - senior high school basis by moving to a K-5 - middle school - high school program. Because of the problems created by a 10 percent enrollment increase, the new program was immediately implemented in some schools.

Under the Public School Foundation Act, funds will not be available for the additional students until January 1, 1972. Because of this problem, School District No. 60 was granted

3/ Although 2,301 students enrolled in District 60 from Catholic schools, total net enrollment increase for District 60 was only slightly over 1,500 students.

4/ As a related factor, the Diocese of Pueblo had employed 59 full-time and 21 part-time religious affiliated teachers for a total of 80. Most of these teachers were assigned to other sections of the state and country, with about 12 persons remaining in the Diocese to work in religious education. In addition, there were 50 full-time and 14 part-time lay teachers for a total of 64. Of this latter group, many faced a difficult situation in finding employment because of the surplus of teachers in Colorado.

\$408,645 from the emergency funds made available to the Governor by the General Assembly for such school district enrollment emergencies.

In summary, there were difficult, but not impossible, financial obligations imposed on the Pueblo public schools by the Catholic school closings. This situation was met in an extraordinarily harmonious manner through the cooperation of the state, the public schools, and the Diocese. It is to be hoped that, if such a situation should occur elsewhere in the state, the Pueblo example can be followed by other communities.

Denver Projection. The potential financial impact if all Denver area Catholic schools were to close was also considered by the Committee. The financial projections are detailed in the Attachment. On the basis of this analysis, however, the Committee found that the closing of all Catholic schools in the Denver area would not impose a financial burden beyond the means of the Denver School District No. 1 and the state. ^{5/} The financial impact, without other sources of aid, would be much greater to the taxpayers of the Denver school district than to the state, as a budget increase of between \$8.8 million and \$12.25 million is estimated, requiring a millage increase of between 6.12 and 8.48 mills. ^{6/} It is estimated that the increased cost to the state would be between \$2.1 million and \$2.6 million in school foundation funds, depending on the number of additional students,

The Denver public schools have experienced a decline in enrollment in recent years. If this decline continues, the problems of transition of pupils from a parochial to the public school system will be greatly diminished.

The financial impact of school closings depends on a variety of factors, including the financial base of the school district, the number of students involved, and the availabil-

^{5/} The Attachment furnishes detailed financial data only with regard to the Denver School District since the greatest numerical impact of Catholic school closings would be on that system.

^{6/} See pp. 4-9 of Attachment.

ity of existing school facilities to house the additional students. After consideration of these factors, the Committee is of the opinion that it would not be beyond the ability of most school districts and the State of Colorado to assume the financial obligations of additional students in the event of further nonpublic school closings.

Public Aid to Nonpublic Schools

As detailed in the 1970 report of the Committee, four types of public aid to private schools have been considered. These plans are:

(1) Voucher system -- This plan would provide direct aid to the parents of individual students who would be issued a state voucher which could be redeemed by the nonpublic school as evidence for reimbursement. The G.I. Bill of Rights providing funds to individuals to attend college is often cited as an example of this approach.

(2) Categorical aid is self-explanatory and is the most widely used form of assistance to nonpublic schools. Numerous states have given some sort of categorical aid, ordinarily in the form of transportation of pupils. Other states provide funds for textbooks. ^{7/} Federal legislation, notably the Elementary and Secondary Education Act of 1965, provides federal aid to nonpublic schools, under the pupil benefit theory, as well as to public schools.

(3) Tax incentives are a means of assisting individuals who enroll children in nonpublic schools. This approach would provide economic reasons for these citizens to encourage the continuation of the nonpublic school system. As an ex-

^{7/} Transportation aid to students attending nonpublic schools is provided in Connecticut, Delaware, Michigan, Minnesota, New Jersey, New York, North Dakota, Ohio, Pennsylvania, and Wisconsin; textbook aid is provided in Connecticut, Indiana, Louisiana, Mississippi, New Mexico, New York, and Rhode Island; other categorical aid is provided in Connecticut (driver education, special education, health and welfare services), Iowa (auxiliary services), Michigan (auxiliary services), New York (school lunch, health services), North Dakota (health services), Ohio (driver education), and Pennsylvania (health services). Source: Education Commission of the States.

ample, Minnesota recently enacted legislation which provides for a tax deduction for parents of children in approved non-public schools.

(4) Purchase of services agreements whereby the state would contract with nonpublic schools for educational services covering specified subject matter have been developed in other states. Pennsylvania legislation provided for the purchase of educational services from nonpublic schools by paying the total cost of such services, but not more than one-fourth the foundation act level, in four specific subject matter areas -- mathematics, physical sciences, physical education, and modern foreign language.

Supreme Court Decisions. On June 28, 1971, the U. S. Supreme Court provided some clarification of the constitutionality of such forms of public aid to nonpublic schools. 8/ In the case of Lemon v. Kurtzman, the Court ruled that the purchase of services plan of Pennsylvania was in violation of the First Amendment. It was the opinion of the Court that such a statute "involves excessive entanglement between government and religion." (emphasis added.)

Although it is clear that plan (4), purchase of services, has been held to be unconstitutional, there remain substantial questions concerning the other forms of aid to non-

8/ Lemon v. Kurtzman (89), Earley v. DiCenso (569), and Robinson v. DiCenso (570) - US - 29 L Ed 2d 745, 91 S Ct. The Lemon case challenged Pennsylvania's Nonpublic Elementary and Secondary Act, passed in 1968, which authorized the state to "purchase" certain "secular educational services" from nonpublic schools, directly reimbursing those schools solely for teachers' salaries, textbooks, and instructional materials. The Earley and Robinson cases challenged Rhode Island's 1969 Salary Supplement Act which provided for a 15 percent salary supplement to be paid to teachers in nonpublic schools. Eligible teachers were required to teach only courses offered in the public schools, use only materials used in the public schools, and agree not to teach courses in religion. The Supreme Court decision held both state's acts to be unconstitutional.

public schools. 9/ The voucher approach (1) was legislated in Pennsylvania after that state's purchase of services plan was held unconstitutional. Illinois also enacted legislation in 1971 providing for the voucher plan. Plan (3), tax incentives, was enacted by the 1971 Minnesota Legislature. All of these statutes will be subjected to court tests, but a delay of at least one year can be anticipated before final court determination.

The only programs which have been upheld by any courts are those involving categorical aid (2), including pupil transportation and textbook aid, under the child benefit approach. 10/ The Committee is aware of no pending litigation on these forms of aid.

It is thus apparent that the legal status of legislation used by various states to provide major public aid to nonpublic schools remains subject to question. The purchase of services plan has been held to be unconstitutional, tuition aid vouchers and tax incentives are currently before the courts, and only certain forms of categorical aid in other states have been held legal.

Colorado Constitution. The Colorado constitutional provisions are more explicit and detailed than the First Amendment to the United States Constitution. Since the State of Colorado has never provided financial assistance to parochial schools, there are no legal precedents, as with the First Amendment. 11/ The portions of the Colorado Constitution relating to state and local aid to nonpublic schools are:

9/ The Committee is aware that this issue has again been taken on appeal to the U.S. Supreme Court, based on a decision of the Ohio Supreme Court which upheld that state's statute providing purchase of services and materials for handicapped children in nonpublic schools. (Protestants and Other Americans United v. Essex, 40 U.S. Law Week 2334, December 7, 1971.)

10/ Everson v. Board of Education, 330 U.S. 1 (1947) and Board of Education v. Allen, 392 U.S. 236, 243 (1968).

11/ See page 8 of 1970 Committee report.

Article V, Section 34. Appropriations to private institutions forbidden. -- No appropriation shall be made for charitable, industrial, educational or benevolent purposes to any person, corporation or community not under the absolute control of the state, nor to any denominational or sectarian institution or association.

Article IX, Section 7. Aid to private schools, churches, sectarian purpose, forbidden. -- Neither the general assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money or other personal property, ever be made by the state, or any such public corporation to any church, or for any sectarian purpose.

Article IX, Section 3. School fund inviolate. -- The public school fund of the state shall forever remain inviolate and intact; the interest thereon, only, shall be expended in the maintenance of the schools of the state, and shall be distributed amongst the several counties and school districts of the state, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated, except as herein provided. The state treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested as may be by law directed. The state shall supply all losses thereof that may in any manner occur.

Committee Conclusions and Recommendations

This Committee was charged by Governor Love to study two aspects of the situation with regard to nonpublic schools in Colorado: (1) the impact of partial discontinuance of private and parochial schools; and (2) the options for consideration by the executive and legislative branches of state and local government. In accordance with that request, the Committee offers these conclusions.

(1) The Impact on the Public Schools of Possible Partial Discontinuance of Private and Parochial School Programs

Financial Impact. After assessing the results of non-public school closures in various areas of the state and projecting the impact of complete closure on the Denver School District, it is the conclusion of the Committee that the financial impact would be well within the resources of the state and the local school districts to accommodate the additional students.

The General Assembly may need to appropriate additional emergency funds to aid school districts for brief periods of time as was provided by the 1971 session. Because of the formula by which funds are allocated under the Public School Foundation Act, such funds may be needed to assist school districts during the September to January portion of the school year.

Local school districts may find it necessary to increase mill levies to accommodate the additional students, just as many districts must provide for expanded enrollment due to population increases. The Pueblo situation is important in this regard, for School District No. 60 experienced a total enrollment increase of only 1,500 with the addition of 2,300 students who had previously attended Catholic schools. This situation may occur in other school districts.

Denver School District contains the largest number of students attending nonpublic schools. The Committee has projected the impact on the Denver schools if all Catholic schools in the area were to close. Even if that situation were to occur, the financial impact on the Denver School District could be accommodated. This school year, the total enrollment in Catholic schools in the Denver area decreased by nearly 1,500. At the same time, the Denver Public Schools enrollment dropped by almost 3,000. If this situation of gradual decrease of public and Catholic enrollments were to continue, the transition from parochial to public schools in Denver should present no great financial problems.

Other Impact. There is, however, another type of impact which is not easily subjected to statistical analysis. The Committee does not have definite answers to the following questions: Will the quality of public education remain high with no parallel systems available for comparison? Because of high costs, should many parents be denied the opportunity to send their children to schools which may be educationally innovative or which provide instruction in religious and moral values?

In 1970, the Committee stated its belief in the value of nonpublic education and wishes to reiterate its position as a portion of the final conclusions:

Nonpublic schools provide elements in education important to a free society. Children and parents are offered an alternative educational experience to the public schools through the existence of nonpublic schools. Different school systems contribute more to the educational process than would a single system because of the differences in educational philosophies and methods of teaching. This has nothing to do with the sectarian foundation of such schools.

The philosophies and purposes of the various types of nonpublic schools are expressive of pluralism in our society, and also reflect strong moral factors that serve society well. While the public school systems in Colorado might be capable of absorbing all nonpublic school students, albeit at a significantly increased cost to taxpayers, many less tangible, but nonetheless important benefits occurring from the private and parochial school systems would be lost to the state and its citizens. 12/

(2) The Options Available for Consideration of This Situation by the Legislative and Executive Branches of State and Local Government

The Committee believes that every effort should be made by all concerned parties to encourage the continuance of nonpublic schools. Any form of state or local financial assistance, of course, must meet constitutional requirements.

The Committee concurs with the U.S. Supreme Court which stated in the Lemon case that there is a "divisive political potential" if the state becomes deeply involved in the conduct of nonpublic education. Any form of state or local financial assistance, therefore, must be consistent with the valuable constitutional guarantee of separation of church and state and be directly related to the benefit of pupils, and not the non-public institution itself.

Categorical aid, such as textbooks and transportation, is directly related to the benefit of pupils and has met the test of federal constitutionality, as previously noted in this report. 13/ The only determinative method by which such aid can be measured against the requirements of the Colorado Constitution is for the General Assembly to enact legislation providing for such aid and to await the court test which will undoubtedly follow. While such aid, at best, can provide only minimum assistance to students of nonpublic schools, it would be a demonstration of the concern which the people of Colorado have for each child, regardless of the school attended. The Committee, therefore, recommends that the General Assembly be asked to consider and enact legislation to provide for such categorical aid. 14/

In the event that the federal government does provide aid, which could require additional state legislation for implementation, or if courts uphold certain other forms of aid, the Committee recommends that these new approaches be

13/ See page 13 of this report.

14/ The Colorado General Assembly funds several categorical programs for the public schools. For the 1971-72 school year, state financing is available for the following: Education of migrant children (summer school programs) - \$170,000; Educational achievement act (reading improvement) - \$1,000,000; Public school transportation - \$5,450,000; School lunch programs - \$240,000; and Grants to libraries - \$600,000.

Other categorical programs previously funded by the General Assembly, but for which no state funding is currently provided, include the public education incentive program act and health and drug education. Currently, no state categorical financing is provided to nonpublic schools although federal funds are available to nonpublic school students for programs such as school lunches and grants to libraries.

given immediate consideration by the Governor and the General Assembly.

The Committee is aware that the objections expressed by the U.S. Supreme Court to public aid for parochial schools were based on separation of church and state. It is possible that public funding could be granted to private, non-religious schools and meet constitutional tests. The Committee recommends that, as a general policy, the state consider public aid to private and parochial schools on an equal basis.

Also, with regard to private schools, public aid could inadvertently encourage the development of discriminatory institutions. Other sections of the country have seen the founding of private schools whose sole reason for existence has been to avoid racial integration. It is to be hoped that the State of Colorado will in no manner encourage the creation of such schools.

As noted in the text of this report, the Committee is of the opinion that the nonpublic schools should assume the responsibility of assessing their own programs to determine if there are feasible approaches by which they might continue to operate and to seek out every private source of assistance which might facilitate financial stability.

In summary, the Committee recommends:

- (1) At the present time, consideration should be given to extending to nonpublic school students the categorical aid benefits now granted public school students.
- (2) If the courts uphold certain other forms of aid to nonpublic school students, such programs should be given immediate consideration in Colorado by the Governor and the General Assembly.
- (3) The nonpublic schools should evaluate their status, programs, and objectives to

determine if there are means by which they may continue their contribution to education in Colorado. 15/

Respectfully submitted,

John Fleming Kelly,
Chairman
Mrs. Marion Hurwitz,
Vice Chairman
Representative Jean K. Bain
Mrs. Roberta Bradbury

George R. Cannon
Senator Vincent Massari
Thomas E. McCarthy
James C. Perrill

15/ The Committee was pleased to note the announcement on December 9, 1971, that \$200,000 of the Archbishop's Annual Campaign for Progress would be allocated to five Denver Archdiocesan high schools to enable these schools to remain open in the next school year.

MINORITY REPORT

Senator Leslie R. Fowler

I regret that my position on this subject is in the minority. However, my convictions are such that I feel compelled to offer conclusions which are in contrast with those of a majority of the Committee. The remarks below are addressed to the charge given this Committee by the Governor, and are in response to the recommendations of the majority.

(1) The Impact on the Public Schools of Possible Partial Discontinuance of Private and Parochial School Programs

Under the heading "financial impact", the majority report concludes that it would be "well within the resources of the state and the local school districts to accommodate the additional students" in the event of further nonpublic school closures. I am in complete agreement with that conclusion. It is with the majority's position concerning "other impact" that I must dissent.

The question has been asked whether the public schools will be affected by the lack of an alternative education system. It is said that without a competitive system, the quality of public education will decline. It is my conclusion that there does exist within the public school system an extremely high degree of "creative competition" and unrestricted opportunity for innovation in all educational programs. This "creative competition" within the public schools of Colorado is so extensive that the loss of nonpublic schools would not result in a lack of incentive for quality public education. It is thus my conclusion that the quality of public education in Colorado is likely to remain high whether or not nonpublic schools continue in operation.

It is also argued that if nonpublic schools close, parents will be unable to send their children to schools which offer instruction in religious and moral values. Public schools cannot and should not become involved in religious education, but the school system need not be the only device through which such instruction is offered. There are varied and exciting opportunities for churches to offer religious training to pre-school children and to students attending public schools, through a re-structuring of the programs of the church.

Nonpublic schools have played a significant educational role during the history of this country. It is my sincere desire that they continue to offer both educational and religious training to youth. In order to maintain the programs of nonpublic schools, an even greater commitment of parents and other supporters may be required. On the other hand, a thorough reevaluation of programs may lead to more efficient and effective offerings by these schools.

(2) The Options Available for Consideration of This Situation by the Legislative and Executive Branches of State and Local Government

Any recommendation that state or local governments provide financial aid to nonpublic schools must be predicated by the consideration of whether public aid to nonpublic schools is (a) constitutional and (b) advisable.

The constitutional barriers to public aid for nonpublic schools are very great, particularly with regard to the Colorado Constitution. Of the options for public aid described in pages xv and xvi, of this report, only programs for categorical aid in other states have been upheld by the U.S. Supreme Court. Although other plans are on appeal to the Supreme Court, the standards established by that body regarding "excessive entanglement" are strict.

The Constitution of Colorado is even more limiting than the First Amendment. In Article V, Section 34 and Article IX, Section 7, public aid to private schools is specifically forbidden. It is my opinion that Article V, Section 34 which states that "no appropriation shall be made for... educational or benevolent purposes to any person...not under the absolute control of the state...", clearly forbids even categorical aid.

On the basis of these constitutional provisions, it is my conclusion that an amendment to the Colorado Constitution would be necessary before any public aid could be provided to nonpublic schools. If it is to be concluded that the Colorado Constitution should be amended to allow public aid to nonpublic schools, it should be determined that such aid is advisable. It is my opinion that public aid should not be granted to nonpublic schools for four reasons.

First, with regard to parochial schools, the Committee concurs with the U.S. Supreme Court which stated in the Lemon case that there is a "divisive political potential" if the state becomes deeply involved in the conduct of nonpublic education. I agree, and further contend that no form of public

aid can or should be provided to nonpublic schools without extensive requirements of reporting, auditing, and review of programs. Such public involvement would lead to "excessive entanglement". The purpose of the First Amendment of the U.S. Constitution and Article IX, Section 7, of the Colorado Constitution was to avoid the serious conflict which could result from such state involvement in religious activity.

Second, I agree with the majority report that there is a danger that public aid to nonpublic schools could foster the development of discriminatory institutions.

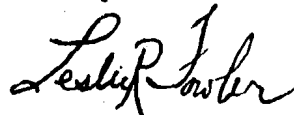
Third, public aid to nonpublic schools could have the effect of diluting the amount of financial assistance available to the public schools. The General Assembly is committed to substantial funding of public education at all levels. The strong possibility exists that aid for nonpublic schools would be at the expense of the public schools. The state has a clear responsibility for assisting public schools and should continue to do so without a new, additional demand made on the funding of education.

Fourth, even limited aid to nonpublic schools, such as textbook or transportation funds, should be avoided because of the precedent it would establish. Small sums of aid could easily lead to the eventual commitment of large amounts to aid nonpublic schools.

Based on these considerations, it is my conclusion that a constitutional amendment should not be submitted to the voters of Colorado and that no public aid to nonpublic schools should be granted.

My conclusions in no way imply a lack of confidence in nonpublic schools. I join the Committee in urging that nonpublic schools assume the responsibility of assessing their own programs to determine if there are feasible approaches by which they might continue to operate and to seek out every private source of assistance which might facilitate financial stability.

Respectfully submitted,



Senator Leslie R. Fowler

Attachment

PROJECTIONS ON CATHOLIC SCHOOL CLOSINGS IN DENVER 1/

Introduction

The Committee on Nonpublic Education was asked by the Governor to study the impact of possible private and parochial school closings. This report assesses the impact on the Denver Public Schools if all schools in the Archdiocese of Denver were to close. For purposes of analysis, the enrollment in Denver School District is considered as a constant, with estimates of the number of Catholic school students in Denver added to that figure. The projections are thus based on the gross effect of adding Catholic school students to Denver School District No. 1.

It should be emphasized that these projections are based on insufficient data and questionable assumptions. The fact is that there is no accurate method of estimating the impact of school closings. Therefore, this report should be considered only as an indication of the possible financial impact of Catholic school closings.

Denver Metropolitan Area Catholic Schools

Enrollment data from the Archdiocese of Denver for the 1971-72 school year indicate a continuation of the decline in the total number of students attending Denver area Catholic schools. For 1971-72, a total of 16,322 students are enrolled (12,285 in elementary schools; 4,037 in secondary schools, see Appendix A). The 1971-72 figures represent a decline of 1,286 from the previous year, and a decline of 5,792 over a five year period. If the current rate of decline (approximately 8 percent) continues, the total enrollment in the metropolitan area will be 10,760 in five years and only 7,091 in the 1981-82 school year. (See Appendix B.) There is some evidence that the rate of decline in enrollment will be even greater, since the decline of the past five years (5,792) is nearly as great as that for the past ten years (5,932). On the other hand, it is possible that a stabilizing situation might develop at some point in which the more financially stable schools would continue to operate, thus ending the decline.

1/ Report prepared for the Governor's Study Committee on Nonpublic Schools by the Legislative Council staff, revised, November 29, 1971.

The rate of decline in enrollment is much greater for the elementary than the secondary Catholic schools over the ten year period. In the past five years, however, the secondary schools have experienced a slightly higher rate of decline than the elementary schools.

Two schools (Mount Carmel Junior High and St. Joseph Elementary School, Globeville) closed prior to the opening of the Fall 1971-72 school year. A total of 12 elementary and secondary schools in the Archdiocese of Denver have closed in the past ten years, but nine of the 12 have closed in the past five years. On November 29, 1971, it was announced that the seventh and eighth grades of St. Dominic's School would close at the end of the current school year, thus continuing the trend.

Denver Students in Catholic and Public Schools

Data concerning students attending Catholic schools in the Denver area have been provided by the Archdiocese of Denver and the Denver Public Schools. There are substantial conflicts among the data of the Archdiocese and the public schools; therefore, any statistical analysis is beset by source limitations. For example, the Denver Public Schools report that for the 1970-71 school year (the latest data compiled by the Denver Schools) the number of Denver residents enrolled in Catholic secondary schools was 60 students greater than the Archdiocese's total for the entire metropolitan area. If the Denver School's data are reduced to not exceed the total enrollment for any one secondary school, all but 75 students would be residents of Denver.

As it is highly unlikely that all Catholic secondary students are residents of Denver, the Denver District's total of 4,270 for the 1970-71 school year is reduced, for purposes of analysis, to not exceed the total enrollment for any one secondary school. The elementary school data do not include all of the Catholic schools in the area. Therefore, this total is used for purposes of analysis with no change. The total Denver resident enrollment estimated by the Public Schools is likely a maximum figure.

Appendix C lists Catholic schools outside Denver and those which enroll substantial numbers of students from outside Denver. A total of 4,702 students attend Catholic elementary schools outside the City of Denver, 38.9 percent of the total number of Catholic students.

For purposes of analysis, the Denver Schools' data will be reduced by 10 percent and 20 percent to allow for error. Table II lists the Denver resident estimate.

TABLE I

Denver Residents Attending Denver Archdiocese
Schools, with Allowance for Statistical
Error (1970-71 School Year)

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Elementary	8,838	7,954	7,070
Secondary	4,195	3,775	3,355
TOTAL	13,033	11,729	10,425

If these data are reduced by eight percent, the approximate decline in Catholic school enrollment for 1971-72, the figures are as follows in Table II:

TABLE II

Denver Residents Attending Denver
Archdiocese Schools, 1971-72
(Rounded Figures in Parentheses)

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Elementary	8,131 (8,000)	7,318 (7,500)	6,504 (6,500)
Secondary	3,859 (4,000)	3,473 (3,500)	3,087 (3,000)
TOTAL	11,990 (12,000)	10,791 (11,000)	9,591 (10,000)

Data from Denver Public Schools indicate an enrollment of 3,856 kindergarten; 44,625 in grades 1-6; 20,156 in grades 7-9; 21,140 in grades 10-12; and 478 miscellaneous, for a total enrollment of 90,256. State financial aid to school districts, under the Public School Foundation Act of 1969, is based on the average daily attendance entitlement (ADAE). That figure for the Denver public schools for the 1971-72 school year, 96 percent of total enrollment, is 86,646.5.

Table III indicates the projected total enrollment in the Denver public and Catholic schools, based on the Denver ADAE (86,646) and the Catholic resident projections and error reduction figures (12,000, 11,000, and 10,000).

TABLE III

School Enrollment of Denver Residents, Public and Catholic, 1971-72 Estimates

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure*</u>	<u>20 Percent Reduction Figure*</u>
Public	86,646	86,646	86,646
Catholic	12,000	11,000	10,000
TOTAL	98,646	97,646	96,646

*10 percent and 20 percent reduction of Catholic school figures only.

Financial Impact on State of Colorado

Appendix D provides data on the Denver Public Schools including projected total enrollment (ADAE) and state equalization funds. It is estimated that state equalization funds, under the Foundation Act will be \$164.88 per student ADAE. Based on these data, the state contribution to the Denver schools will be \$14,286,191 for the 1971-72 school year.

Table IV indicates the cost to the state for 1971-72 under the Foundation Act.

TABLE IV

State Equalization Funds to Denver Schools Based on 1971-72 ADAE Estimate

Total Students	86,646.5
Per Pupil ADAE	164.88
Cost to State (School Foundation Funds)	\$14,286,191.00

Although the ADAE enrollment of Catholic students would be slightly less than the actual enrollment, Table V projects the cost to the state for the three estimates of Catholic school closure enrollments.

TABLE V

State Equalization Funds Based on Projected Catholic School Closing

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Total Students	98,646	97,646	96,646
Per Pupil ADAE	\$ 171.33	\$ 169.90	\$ 169.48
Cost to State (School Foundation Funds)	\$16,901,479	\$16,589,879	\$16,379,897
<u>Increase in State School Foundation Funds*</u>	\$ 2,615,288	\$ 2,303,688	\$ 2,093,706

*Increase over estimated state funding for 1971-72 of \$14,286,191.

Table V indicates that the state would have been required to provide between \$2,093,706 and \$2,615,288 this year in additional equalization funds, depending on the actual number of Catholic students residing in Denver.

The addition of 10,000 to 12,000 students would also have required an increase in the "buy-in" millage levied by Denver schools from the current 14.99 mills. For the current year, the Denver school district millage of 14.99 produces \$250 per student -- a requirement to become eligible for state equalization funds. With an increase of 12,000 students, Denver would be required to levy the maximum of 17 mills. This increased millage would produce an additional \$2,889,400 revenue for the Denver school district. Increases up to 12,000 students would require increases in total millage, but not to the 17 mill maximum.

Financial Impact on Denver School District

The cost to the state for a pupil increase in a school district can be determined by means of a formula but the financial impact of such an enrollment increase upon the local school district is a much more complex matter. The local school district must not only levy the millage to be eligible for state Foundation Act funds, but must also provide the greatest portion of funds for the total school budget. The impact of Catholic school closings thus would be greatest on the local taxpayer in Denver, as compared with other revenue sources. It is projected that 78.8 percent of funding for Denver schools will be derived from local sources during the 1971-72 school year, with state sources contributing 14.7 percent and federal sources 6.5 percent.

As for state funds, the School Foundation Act provides the largest share although categorical programs receive state aid. The cost increase under the Foundation Act, caused by Catholic school closings, has been estimated in Table V. Federal funds would not likely increase substantially because of their relatively fixed nature and the fact that some programs, such as special education, which receive federal funding would enroll few new students. Therefore, it is the Denver taxpayers who would be required to fund most of the increased costs.

There are alternative methods by which the fiscal impact on the Denver school district can be estimated. The cost of education per pupil can be multiplied times the number of new students, thus indicating the total increased cost. By subtracting the projected state and federal funds from this figure, the cost to the Denver taxpayers can be estimated. There are, however, problems with this approach. First, it is difficult to estimate the state and federal funds which would be available in the case of such an enrollment increase. Second, the cost per pupil can be based on either the total budget or on the restricted portion of the budget (thus excluding such programs as special education and vocational education).

It is not likely that the cost per pupil would remain constant with the addition of all Catholic school students. Several factors would tend to produce a lesser cost per pupil. For example, there are proportionately more students enrolled in elementary schools (as contrasted to secondary) in the Catholic schools than in Denver Public Schools. As the cost per pupil is less for elementary students, this would tend to reduce the total cost per pupil. Further, very few students are currently enrolled in kindergarten and adult education in the Catholic schools. Presumably, many of these students are

already enrolled in the public schools and would thus not necessitate increased budgets for those programs.

On the other hand, classroom space to accommodate the addition of several thousand students might constitute a major expenditure. Many Catholic schools are located in the "core area" of Denver where classroom vacancies already exists. In areas of expanding population, such as Montebello, there are classroom shortages at the present time. It cannot be assumed that all Catholic students could be easily assimilated into the existing facilities.

It is estimated that the cost per pupil, ADAE, in Denver will be \$1,328.56 based on the total budget for the 1972 calendar year. If that figure were held constant with the addition of Catholic school students, the total cost of education increase would be as follows in Table VI:

TABLE VI

Total Increase in Cost of Education
in Denver Based on 1972 Estimate
of \$1,328.56 Cost Per Pupil

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Additional Students	12,000	11,000	10,000
Cost Increase	\$15,942,720	\$14,614,160	\$13,285,600

As noted in Table V, the state would provide between \$2.1 million and \$2.6 million of the increased costs. Table VII projects the remaining costs to be assumed by federal funds and from other state and local funds.

TABLE VII

Total Increase in Cost of Education in Denver
Based on 1972 Estimate of \$1,328,56 Cost
Per Pupil Less State Equalization Funds

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Additional Students	12,000	11,000	10,000
Cost Increase	\$15,942,720	\$14,614,160	\$13,285,600
Less State Equalization Funds	\$ 2,621,495	\$ 2,309,895	\$2,099,913
Cost to be Assumed by the Denver School District, Federal and Other State Funds	\$13,321,225	\$12,304,265	\$11,185,687

Another method of estimating the cost to the Denver taxpayers of such an enrollment increase is to base the cost per pupil on the general fund mill levy. The general fund mill levy for the 1971-72 school year's 52.99 mills.^{2/} This levy will produce \$76,554,635 in revenue and, when divided by the ADAE figure of 86,646.5, results in a cost to the Denver taxpayers of \$883.53 per pupil. Table VIII indicates the cost to Denver taxpayers of the projected enrollment increases:

^{2/} Total mill levy for Denver is 52.99 for the general fund, 2.00 for the capital reserve fund, and 1.30 for the bond redemption fund. Total mill levy: 56.29 mills.

TABLE VIII

Local Increase in Cost of Education
in Denver Based on 1972 General
Fund Mill Levy

	<u>Maximum Figure</u>	<u>10 Percent Reduction Figure</u>	<u>20 Percent Reduction Figure</u>
Additional Students	12,000	11,000	10,000
Cost Increase to Denver School District	\$10,602,360	\$9,718,830	\$8,835,300

On the basis of the estimates in Tables VII and VIII, it can be assumed that the minimum cost to Denver taxpayers of an increase of 10,000 students would be \$8,835,300. The maximum cost of 12,000 students, based on Table VII, is indicated as \$13,321,225. This figure includes federal funds, state funds other than provided by the Foundation Act, and local revenues such as student school lunch funds. At least \$1,000,000 might be anticipated from these sources, and for purposes of projections, the increased cost to be borne by Denver taxpayers is reduced to \$12,250,000 maximum.

Thus, depending on the method of statistical analysis and the number of additional students anticipated, it can be estimated that between \$8,835,300 and \$12,250,000 in additional local funds would be required in Denver in the event of the closing of all Catholic schools. Based on the estimated assessed valuation for Denver of \$1,444,700,000, it would require an increase of 6.12 mills to raise \$8,835,300 and 8.48 mills to raise \$12,250,000. Denver taxpayers will be assessed 56.29 mills for the 1971-72 school year. Therefore, the millage, with increased enrollment, but assuming no other factors necessitating increases, would be between 62.41 and 64.77 mills.

1971-72 Catholic School Closures

In a report of this nature it is necessary to make many assumptions. The assumptions in this analysis are particularly difficult, yet important, as the data on the actual number of Catholic school students residing in Denver are not accurate and the behavior of students and parents faced with the

closing of Catholic schools cannot be projected with statistical accuracy. The recent closing of Mount Carmel and St. Joseph, Globeville, schools may be instructive of behavior patterns in a partial school-closing situation.

The enrollment in Mount Carmel Junior High during the last school year was 125 students and that of St. Joseph Elementary school was 144. Of the 269 students, some were graduated and cannot be considered as potential transfer students. For example, all ninth grade students of Mount Carmel entered a different education level and are excluded from the Denver transfer data.

A total of 57 students transferred from the two closed schools into the Denver system this fall. (See Appendix E.) Of these 57 students, 23 were from Mount Carmel and 34 from St. Joseph's. Nine Denver schools enrolled the transfer students, with the majority enrolling in Garden Place Elementary and Horace Mann Junior High.

It is difficult to utilize the Mount Carmel and St. Joseph's closings to reach any generalizations. With allowance for students graduating, fewer than one-third transferred to the public schools. A slightly higher percentage did enroll in public schools from St. Joseph's, which had no nearby Catholic school alternative, but the percentage was likely well under 50 percent.

Appendix A

ARCHDIOCESE OF DENVER

School Statistics, 1971 - 1972

Elementary Schools Denver Metropolitan Area	1971-72	1970-71	1966-67	1961-62	Gain/Loss		
					1 Year	5 Years	10 Years
Cathedral	--	--	--	198	--	--	-198
All Saints	294	296	245	67	- 2	+ 49	+227
All Souls	405	395	569	521	+ 10	-164	-116
Annunciation	273	292	320	410	- 19	- 47	-137
Assumption	274	245	300	363	+ 29	- 26	- 89
Blessed Sacrament	500	561	709	711	- 61	-209	-211
Brabini Memorial	--	--	91	68	--	- 91	- 68
Christ the King	294	294	318	392	--	- 24	- 98
Cure d'Ars	251	325	475	723	- 74	-224	-472
Guardian Angels	119	146	194	--	- 27	- 75	+119
Holy Cross	248	298	386	409	- 50	-138	-161
Holy Family	365	376	440	553	- 11	- 75	-188
Holy Name	--	--	36	80	--	- 36	- 80
Holy Rosary	--	--	168	216	--	-168	-216
Holy Trinity	300	308	238	180	- 8	+ 62	+120
Immaculate	212	194	256	366	+ 18	- 44	-154
Most Precious Blood	328	383	394	193	- 55	- 66	+135
Mount Carmel	--	125	264	339	-125	-264	-339
St. St. Vincent	--	--	11	30	--	- 11	- 30
Notre Dame	379	390	226	--	- 11	+153	+379
Our Lady of Fatima	484	535	424	--	- 51	+ 60	+484
Our Lady of Lourdes	206	225	279	351	- 19	- 73	-145
Presentation	286	308	323	428	- 22	- 37	-142
Sacred Heart	258	284	428	558	- 26	-170	-300
St. Anne	355	350	471	106	+ 5	-116	+249
St. Anthony	168	175	257	--	- 7	- 89	+168
St. Bernadette	460	455	668	755	+ 5	-208	-295
St. Cajetan	--	--	208	234	--	-208	-234
St. Catherine	351	328	401	508	+ 23	- 50	-157
St. Clara's	--	--	49	99	--	- 49	- 99
St. Dominic	334	394	468	506	- 60	-134	-172
St. Elizabeth	78	124	213	230	- 46	-135	-152
St. Euphrasia	--	--	5	2	--	- 5	- 2
St. Francis de Sales	233	271	349	530	- 38	-116	-297
St. James	456	525	605	765	- 69	-149	-309
St. John	298	317	434	514	- 19	-136	-216
St. Joseph (CSSR)	235	250	261	329	- 15	- 26	- 94
St. Joseph (Globeville)	--	144	140	161	-144	-140	-161
St. Louis	258	269	505	605	- 11	-247	-347
St. Mary's Academy	209	219	203	139	- 10	+ 6	+ 70
St. Mary's, Littleton	716	730	1,018	942	- 14	-302	-226
St. Mary Magdalene	304	354	348	486	- 50	- 44	-182
St. Patrick	161	179	292	390	- 18	-131	-229
Sts. Peter and Paul	385	405	573	626	- 20	-188	-241
St. Philomena	252	265	431	512	- 13	-179	-260
St. Pius X	313	329	446	338	- 16	-133	- 25
St. Rose of Lima	248	243	322	390	+ 5	- 74	-142
St. Therese	489	540	757	712	- 51	-268	-223
St. Vincent de Paul	477	492	657	666	- 15	-180	-189
Cathedral (8th grade)	29	--	--	--	+ 29	+ 29	+ 29
TOTALS	12,285	13,515	17,410	17,701	-1,053	-4,890	-5,416

Appendix A
(Continued)

Secondary Schools Denver Metropolitan Area	1971-72	1970-71	1966-67	1961-62	Gain/Loss		
					1 Year	5 Years	10 Years
Cathedral	551	550	761	656	+ 1	-210	-105
Annunciation	--	--	302	345	--	-302	-345
Holy Family	507	498	495	516	+ 9	+ 12	- 9
Machebeuf	515	541	572	486	- 26	- 57	+ 29
Marycrest	230	286	220	135	- 56	+ 10	+ 95
Mount Carmel	--	--	300	296	--	-300	-296
Mullen	431	488	494	323	- 57	- 63	+108
Neuville (St. Euphrasia)	23	31	60	75	- 8	- 37	- 52
Regis	603	612	583	544	- 9	+ 20	+ 59
St. Andrew Avellino	41	42	29	--	- 1	+ 12	- 41
St. Francis de Sales	481	501	568	646	- 20	- 87	-165
St. Joseph	372	370	248	338	+ 2	-124	- 34
St. Mary's Academy	283	351	307	193	- 68	- 24	+ 90
TOTALS	<u>4,037</u>	<u>4,270</u>	<u>4,939</u>	<u>4,533</u>	<u>-233</u>	<u>-902</u>	<u>-516</u>
TOTAL ENROLLMENT							
Elementary	12,285	13,515	17,410	17,701	-1,053	-4,890	-5,416
Secondary	<u>4,037</u>	<u>4,270</u>	<u>4,939</u>	<u>4,553</u>	<u>- 233</u>	<u>- 902</u>	<u>- 516</u>
TOTAL	<u>16,322</u>	<u>17,785</u>	<u>22,349</u>	<u>22,254</u>	<u>-1,286</u>	<u>- 5,792</u>	<u>-5,932</u>

Appendix B

Projected enrollment of students in
Denver area Catholic schools. Assumption --
eight percent annual decline in enrollment.

1972-73	15,016
1973-74	13,815
1974-75	12,710
1975-76	11,693
1976-77	10,760
1977-78	9,899
1978-79	9,107
1979-80	8,378
1980-81	7,708
1981-82	7,091

Appendix C

DENVER AREA CATHOLIC
SCHOOL DISTRIBUTION

Catholic Schools Outside Denver County

Adams County

Enrollment

Assumption School (1-8)	274
Guardian Angels School (1-6)	119
Holy Cross School (1-8)	248
Holy Trinity School (1-6)	300
	<u>941</u>

Jefferson County

Our Lady of Fatima School (1-8)	484
St. Anne's School (3-8)	355
St. Bernadette School (1-8)	460
Sts. Peter and Paul School (1-8)	385
	<u>1,684</u>

Arapahoe County

All Souls School (1-8)	405
St. Louis School (1-8)	258
St. Mary's Academy High School (Girls, 7-12)	283
St. Mary's Academy Grade School (Girls, K-6)	209
St. Mary's School (1-8)	716
St. Therese School (1-8)	489
	<u>2,360</u>

TOTAL OUTSIDE DENVER COUNTY 4,985

Catholic Schools in Denver County which
Draw from Surrounding Counties

Cathedral High School (8-12)	551
Holy Family High School (9-12)	507
Machebeuf High School (9-12)	515
Marycrest High School (Girls, 9-12)	230
Mullen High School (Boys, 9-12)	431
Neuville High School (7-12)	23

Appendix C (Continued)

	<u>Enrollment</u>
Notre Dame School (1-6)	379
Regis High School (Boys, 9-12)	603
St. Francis de Sales High School (9-12)	481
St. James School (1-8)	456
St. Joseph High School (9-12)	372
St. Mary Magdalene School (1-8)	304
	<u>4,852</u>
TOTAL DENVER METRO	9,837

APPENDIX D

Selected Enrollment and Fiscal Data
Pertaining to the Denver Public Schools

<u>Enrollment</u>	<u>Elementary</u>	<u>Secondary</u>	<u>Total</u>
1969-1970	54,498	42,136	96,634
1970-1971	53,901	41,853	95,754
1971-1972	48,481	41,774	90,256

Average Daily Attendance Entitlement

1970	90,133.9
1971	89,903.4
1972	86,646.5

Equalization Funds - State Foundation Act

1970	\$14,011,128
1971	15,203,257
1972	14,286,191

APPENDIX E

PUPILS RECEIVED BY THE DENVER PUBLIC SCHOOLS
FROM MT. CARMEL AND ST. JOSEPH'S SCHOOLS*

October, 1971

<u>Receiving School</u>	<u>Number of Pupils</u>	<u>Parochial School Attended 1970-1971</u>
Elementary Schools		
Elyria	4	St. Joseph's
Garden Place	20	St. Joseph's
Mitchell	1	St. Joseph's
Schmitt	1	St. Joseph's
Swansea	3	St. Joseph's
Junior High Schools		
Baker	1	Mt. Carmel
Lake	1	St. Joseph's
Lake	3	Mt. Carmel
Mann	4	St. Joseph's
Mann	17	Mt. Carmel
Skinner	<u>2</u>	Mt. Carmel
TOTAL	57	

* Information supplied by Denver Public Schools.