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Book Reviews

SELECTIVE ADMISSIONS IN HIGHER EDUCATION. By Carnegie Council on Policy Studies in Higher Education, Winton H. Manning, and Warren W. Willingham and Hunter M. Breland and Associates. San Francisco: Jossey-Bass, Publishers, 1977. Pp. 256.

*Reviewed by Paul F. Caraher**

The selective admissions policies in higher education are no longer just the concern of higher education institutions but have become issues at various levels of policy making, including the judicial level as shown by the recent *Bakke* decision. *Selective Admissions in Higher Education* is a very helpful book in that it brings together in one source relevant facts, data, and information on the application of selective admissions.

The book is divided into three major parts. Part one is a series of comments and recommendations by the Carnegie Council on Policy Studies in Higher Education concerning public and academic policy on selective admissions. Here it is stated that public and academic policy need not diverge and that the challenge is to meet public policy demands without unduly interfering with academic concerns. Numerical quotas should not be set, but rather goals should be formulated, with all applicants processed through the same procedures. Faculty should actively participate in the selection process, especially in the "gatekeeper" or professional schools. Academic autonomy is basic, and governmental officials should not usurp professional judgment unless public interest requires it. Colleges can assure their autonomy by maintaining professional integrity and meeting the needs of society. Part one concludes with the hope that race and minority status will be less of a concern as society becomes more integrated.

In part two, Winton H. Manning of Educational Testing Service discusses fairness in the admission process to higher education, especially at the graduate and professional levels. He points out that students are now questioning to a greater degree the procedures involved in this process and demanding more accountability from institutions of higher education. While faculty have tended to see the admission process as sponsored—that is, admitting those with the qualities desired by a specific institution—many students and some faculty have seen the process as a contest based on one or more objective criteria such as test scores or grades. The sponsored model emphasizes a fairer and more systematic evaluation of applicants than does the contest model. The *De Funis* case of 1974 seemed to stress the contest model and the *Bakke* case (decided

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after this book was written) showed a concern for the limits of choice permitted under the sponsored model.

While race can be a factor in the admission process, the author recommends that it be a consideration at the second stage of his two-stage model of admissions. The first stage involves the setting of a "floor" of expected minimum academic competencies necessary for success in a given program of study. Students meeting these criteria would be admissible to the institution, but would not necessarily be admitted at the second stage of the model, the selection stage, where the institution would be able to consider nonacademic qualities and personal characteristics to put together the best mix of an entering class for a particular institution. Some students who meet the minimum competencies required for admissibility nevertheless upon selection would need special assistance through tutoring or remediation. This, according to the author, should not compromise the institution's standards of uniformity and output, which this reviewer thinks may be somewhat idealistic.

In the interest of insuring fairness and accountability, Manning says that colleges and universities should develop and apply educational due process to admissions. Failure to have clearly formulated guidelines for making admission decisions may in some situations require a judicial remedy. Due process would involve not only the development and dissemination of the standards for admissions, but also the validation of these standards. Under due process applicants would be permitted to procedurally show that the standards do not accurately assess their attributes; in cases of rejection, the applicants must be given reasons for the rejection. While the author does not believe implementation of this process would be particularly burdensome to colleges and universities, he thinks it would go a long way toward eliminating suspicions as to motives in the admissions process, as well as meeting legal and ethical obligations.

In part three, Willingham and Breland present an informative summary of current facts on admissions to selective undergraduate institutions, graduate schools of arts and sciences, law schools, medical schools, and management schools. The authors' purpose in the wake of *Bakke* is not to discuss the value implications of this case, but rather to bring together relevant research on the strengths and weaknesses of admissions and enrollment in selective higher education programs. To accomplish this purpose, admission procedures, student populations, minority enrollments, degrees awarded, and special programs are all summarized for each of the five types of institutions being reviewed.

Part three concludes with a very good section on the use and limitations of selection measures, including G.P.A., rank in class, objective examinations, and other, more subjective measures. While the traditional measures of grades and admission tests continue to be valid in predicting academic success, the authors believe that it would be useful to work toward a more open process of admissions by using all relevant information to arrive at fair admission decisions.

It is this reviewer's overall evaluation that this book, including its extensive appendix of helpful data and tables, is one of the best sources available of much relevant and practical information on selective admissions. The book should be helpful not only for college selection committees and placement

officials, but also for guidance counselors, parents, and even students seeking admission to selective higher education programs.

EDUCATION BY CHOICE: THE CASE FOR FAMILY CONTROL. By John E. Coons and Stephen D. Sugarman. Berkeley, California: University of California Press, 1978. Pp. 253. \$10.95.

*Reviewed by Donald H. Layton**

Alternative governance arrangements for American schools have been proposed with increasing frequency in recent years as criticisms of public education have mounted. John Coons and Stephen Sugarman's *Education by Choice: The Case for Family Control* is one of the most provocative proposals yet to appear. Soon after its publication, the book was both highly praised and solidly condemned, with one reviewer seeing Attila the Hun as more hospitable to public education than the book's coauthors, both University of California law professors. If Coons and Sugarman's intent was to launch a vigorous debate on the control of American education, they have clearly succeeded, and the pace of that debate is already quickening.

While Coons and Sugarman's book will upset and even outrage many public education supporters, the two present a compelling argument for restructuring the governance of American education. Their thesis is suggested by the book's title, *Education by Choice: The Case for Family Control*. Coons and Sugarman want to make key educational decisions (notably school choice) matters of family concern, not the concern of government or school officials. They would provide to all families with school-age children scholarship certificates (or vouchers) with which school selections could be made. They would seek to make available as many schooling options as possible; religiously, politically, or even ethnically based schools would not necessarily be barred from participation in their scheme. Both Buddhists and Communists would be allowed to operate schools under their plan.

Coons and Sugarman construct an impressive case for family control of education. Their argument has both legal and philosophical underpinnings, but, reduced to its utmost simplicity, the argument appears to be that the family *cares* more for the child than anyone else, and thus is most likely to know what is best for the child. The family has to live with the long-range consequences of educational choices; others do not. The professors assert, "... (p)recisely because it endures, the family is in the best position to observe the outcome of an educational decision, to learn by the experience, and to experiment with a new solution" (p. 60).

Family control is not an end; rather it is the means by which Coons and Sugarman hope their educational goals can be obtained. The essence of those goals is the production of successfully educated human beings. The authors' commitment is to the "autonomous man"; they define autonomy as "the full

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development of the child's latent capacities for independent reflection and for judgment on issues of personal morality and social justice" (p 72). And lest there be confusion, Coons and Sugarman make clear that their concept of autonomy is not the "separation of the individual from collective values, human support, and charity" (p. 73). Their "autonomous man" is fully integrated into the larger society.

Several of the remaining chapters of *Education by Choice* deal with the nitty-gritty of implementing the family control plan. Among the topics considered are admissions policies, school assignments of pupils, qualifications for school operators, transportation, curriculum, teacher certification, finance, and many others. While some critics may wish for more specification, Coons and Sugarman attempt to deal with many troublesome issues their proposed changeover to family control would entail.

Many readers of *Education by Choice* will find it easy to identify with much, if not most, of this book. Private school advocates will discover a rationale quite supportive of their interests. Economists are likely to find the concept of family choice in education attractive in what has been largely a public monopoly. Education reformers will readily identify with Coons and Sugarman's harsh criticism of public schools—their sameness, their dullness, their stifling of student initiative. Clearly Coons and Sugarman's book is a statement about life in an advancing industrial society, with its huge bureaucracies and depersonalization of human interactions.

However appealing Coons' and Sugarman's proposal may appear to be, its implementation would have important consequences upon the conduct of American education, and thus both the premises and the possible impact of the family control proposal need to be carefully scrutinized. A fundamental question is whether or not ultimate authority for education choice ought to be relegated to the family unit, or whether other alternatives might be preferable. I think that I would argue for alternatives that reach beyond exclusive family control of educational choice. I arrive at this position primarily through an examination of the place of the family in our contemporary society.

Family control presupposes family stability. As a social unit, the American family appears to be entering the 1980s in disarray. Divorce rates are soaring; in some localities, up to 50 percent of all marriages will be dissolved. In moral and social development of youth the family has gradually had its authority usurped by other societal institutions. Further, many families hardly present the image of caring and loving entities whose interests in the child are paramount. Child abuse by adult family members is widespread, and clearly a good many parents are tyrants. While one would hope these examples are the exception, the mystical, almost holy conception of family in *Education by Choice* fails to square with much contemporary reality.

Even if one presumes the existence of cohesive family units, children from families of lower socioeconomic backgrounds are likely to be placed at a disadvantage in educational decisions based on family choice. First, such families are less likely to obtain adequate information on educational alternatives and to have the capacity to evaluate such information. Also, they are more apt to value (and opt for) traditional schools with strict discipline and less opportunity for individual development. Such schools may place their

students at a competitive disadvantage with graduates from other types of schools and enhance the schools' role in social stratification.

Another reason for concern is the potential consequences of voucher schemes for national unity. Coons and Sugarman reject the notion that there can be a national consensus and see efforts in the schools to promote consensus as the imposition of majoritarian values on minorities. Perhaps. Certainly many private and parochial schools do a first-rate job of citizenship education, and voucher-based schools might be expected to do the same. But the potential fragmentation of education along ethnic or cultural or linguistic lines is a basis for alarm. Will Chinese-American or Mexican-American schools emphasize particularistic cultural values at the expense of more broadly accepted values? The recent experiences in Canada highlight problems associated with multiculturalism in a modern industrial nation. National policy, including education policy, must seek to maintain a delicate balance between widely held values and those idiosyncratic to special groups.

Obviously the adoption of Coons and Sugarman's family choice plan in education would create many unforeseen problems for both professional educators and the communities they serve. Coons and Sugarman have devoted scant attention to the recent Alum Rock voucher experiment south of San Francisco, even though this experiment received enormous federal subsidies and has been the nearest thing to a voucher program to date. Voucher enthusiasts appear reluctant to draw many, if any, generalizations from Alum Rock, arguing that many decisions there compromised the authenticity of the experiment. For Coons and Sugarman's proposal to be given an adequate trial, many of the constraints of Alum Rock's experiment will have to be removed.

For better or worse, some variation of the Coons-Sugarman proposal has a reasonably good chance for implementation in the state of California. In the aftermath of the publication of *Education by Choice*, a movement has been organized to place a voucher scheme before the California voters, and there appears to be considerable progress toward this end. Many California observers feel that a voucher initiative can receive the endorsement of the state's electorate. Officials in the California Department of Education and other professional educators have already reacted with considerable alarm; the huge cadre of public school educators in the state can be expected to fight this proposal with every available resource. While much might be gained by a more limited experiment with vouchers, the actions of California's voters may well shape the future not only of California's but the nation's educational system.

EDUCATING HANDICAPPED CHILDREN: THE LEGAL MANDATE. By Reed Martin. Champaign, Illinois: Research Press Company, 1979. Pp. 181. \$6.95.

*Reviewed by Barbara D. Bateman**

The last decade has seen a revolution in the legal aspects of educating handicapped children. Before *PARC* and *Mills* it was commonplace for parents

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of handicapped children to be told by school administrators that their child was uneducable or didn't fit into the existing program and therefore could not be served by the school. It was even more commonplace for parents to hear their child would be placed on a waiting list or given a few hours a week of token special education.

Now The Education for All Handicapped Children Act (P.L. 94-142) and other federal and case laws require the provision of a free, appropriate public education to all handicapped children, regardless of the nature or severity of the handicap. If school personnel responsible for local compliance with P.L. 94-142 and related legislation and litigation were limited to one source of assistance other than the law itself, Reed Martin's slim, affordable paperback might well be it.

The first chapter is hard hitting in its challenge to educators, parents, and the public to recognize that certain common practices must change, regardless of inertia and resistance. Old attitudes and new legal realities are briefly explored and contrasted in several areas, including: special education as charity versus a right; separate segregated facilities for the handicapped as desirable versus suspect; education of the handicapped as the sole province of special education versus regular education; the economic feasibility versus the possible backlash against services for the handicapped; and the conflict between federal and local control of education.

These are real issues, and Martin does not side-step them. For example, he laments that "in some states local schools have been told by their state educational agency not to take this federal scrutiny seriously" (p. 5). About "mainstreaming" he observes three past realities: most handicapped were not considered candidates, once a child was mainstreamed support services were not forthcoming, and extracurricular areas were not considered part of the process. His candor is blunt and painfully accurate.

In a concise but full fourteen-page chapter, Martin presents the major sources of law affecting the education of the handicapped and the interrelationship of those laws -- pre-P.L. 94-142 cases; The Rehabilitation Act of 1973 (P.L. 93-112, §504) and its rules promulgated only after lawsuits and sit-ins; P.L. 94-142; and the Developmentally Disabled Assistance and Bill of Rights Act (P.L. 94-103).

The next five chapters (totaling seventy pages) treat the major components of P.L. 94-142. Common excuses for failure to implement them are displayed and dissected. The new affirmative duty to identify and assess handicapped children's educational needs must overcome past practices such as (a) failing to assess some children because of lack of resources, (b) rigging test scores to exclude disruptive children from regular classes, and (c) misclassifying minority students as retarded because of test bias. The author does not soften these and similar charges with the typical cushions of praising widespread good intentions or rare good practices. The tone of the entire work is one of frank recognition of past and present practices, clear explanation of what is now required, and firm insistence that special education make the mandated changes without further delay. There is no time or space for headpatting. The now-necessary practices are spelled out very clearly with heavy and appropriate reliance on federal regulations themselves. Case law is used effectively where it is available.

Problem areas in the law itself are recognized as candidly as are problems in old special education practices, for example, the looseness of the definitions of "mental retardation," "seriously emotionally disturbed," and "specific learning disability."

The crux of many P.L. 94-142 implementation failures is the necessity for providing a *free* public education, that is, special education and all necessary related services at no expense to the parents of handicapped children. Martin raises and answers six major arguments against "free" "so that schools will stop using them and parents will be able to challenge them" (p. 46): (1) schools cannot afford it; (2) the special education budget is limited; (3) the federal funds are limited; (4) schools should pay only a share; (5) the parents made the placement; (6) schools do not pay for therapy. Where the law and district responsibility are clear, they are clearly explicated. The areas of ambiguity, such as responsibility for psychiatric services, are treated forthrightly with as much guidance given as possible.

The chapter on *appropriate* public education begins: "It is a common feeling among educators that no one can accuse them of not offering an appropriate education because no one can define 'appropriate.' This belief would come as a surprise to judges who have been making decisions . . ." (p. 57). With deft strokes, Martin elucidates the dimensions of "appropriateness," using case law and the regulations. As yet emerging and troublesome aspects of appropriateness, such as the need for summer school or extended year programs for some handicapped children and suspension and expulsion procedures, are discussed. Inasmuch as the term "appropriate" does encompass, among other things, two additional major components of P.L. 94-142 and §504—that is, the individualized education plan and the least restrictive alternative concepts—it is always difficult to organize this content. Martin has done it smoothly, by subdividing "appropriate" into access concerns and comparability concerns (Are services provided to handicapped comparable to those provided nonhandicapped?)

The remaining chapters treat individualized education programs, the least restrictive alternative, procedural safeguards, and records and confidentiality.

The amount of information covered can hardly be contained in the 132 pages of text without some risk of overstatement and oversimplifications. Yet, the book is remarkably free from both. One might quibble that *Halderman v. Pennhurst* found *one* institution, not "institutions" for the retarded inherently unconstitutional (p. 94), but could hardly dispute that "in the near future schools may be barred from making such a recommendation" for placement. Few of these minute nits are available for picking. The book is accurate, current, and above all, to the point. It reflects a perspective on the law and on implementation problems that could come only from firing-line experience and time to filter that experience. H. and A. Turnbills' *Free Appropriate Public Education: Law and Implementation* (1978) is several times longer, more detailed and analytic, and sweeps more broadly. The sieve of an additional year of experience of living with P.L. 94-142 and observing schools and courts deal with it has enabled Martin to more selectively highlight what schools need to understand and to change.

Page for page, this is one of the most accurate, readable, and useful resources presently available to special educators, parents, school administrators, and

lawyers who need an up-to-date overview of the requirements of the law, present implementation status, and the beliefs and practices that must be changed to reduce the discrepancy between the law and the status quo.

The appended resources include organizations, a table of cases, periodicals, and selected P.L. 94-142 and §504 regulations that enhance the volume's desirability as a necessary supplement to any course in administrative, legal, or general aspects of special education.