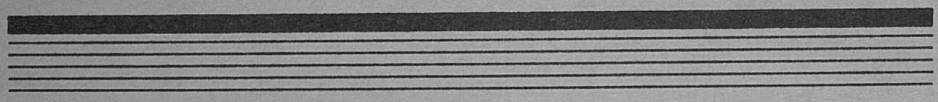


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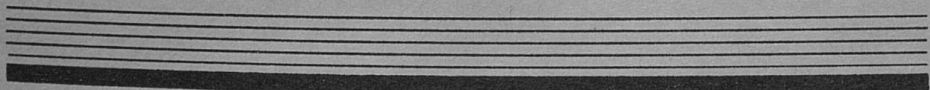
## PLANNING FOR SCHOOL PLANT INSURANCE MAINTENANCE AND OPERATION

A REPORT OF  
A CONFERENCE HELD DECEMBER 12-14, 1957  
LOUISVILLE, KENTUCKY



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Superintendent of Public Instruction  
Frankfort, Kentucky



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## FOREWORD

The annual meeting of the Kentucky Association of School Administrators and the Second Annual Conference of the Advisory Council on Public Education in Kentucky was held on December 12, 13 and 14 at the Sheraton-Seelbach Hotel in Louisville. The joint meeting was devoted to a conference on school insurance, school plant maintenance and operation. This bulletin is a report of the conference proceedings.

We were indeed fortunate to secure the services of Dr. N. E. Viles, Associate Chief, School Housing Section, U. S. Office of Education, and Dr. Henry H. Linn, Professor of Education, Teachers College, Columbia University, as conference consultants. We are also grateful to Mr. Cad P. Thurman, Commissioner, and Mr. H. L. Trimble, Assistant Commissioner, of the Department of Insurance and to the insurance underwriters who aided in the program.

In the last two years many new classrooms have been constructed in Kentucky, and it is highly important that school districts have adequate insurance programs to protect the investment in these buildings. Of equal importance is the development of maintenance and operation procedures that will increase the life and utility of our schools.

The Department of Education publishes this bulletin in the hope that it will serve as a basic guide in developing good insurance, maintenance and operational policies.

Robert R. Martin  
*Superintendent of Public Instruction*

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## DEVELOPING A PROGRAM OF SCHOOL PLANT INSURANCE

(Lecture by Dr. N. E. Viles, Associate Chief, School Housing Section, U. S. Office of Education, before the Kentucky School Insurance, Maintenance and Operation Conference, December 12-14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky.)

School plant insurance is not new. School boards as trustees of the school property feel obligated to protect the interests of the people. They feel justified in spending public money to buy insurance protection on such property. There was a time when school fire insurance with perhaps some tornado coverage was about all the insurance the schools purchased. These coverages were usually purchased from some local citizen who had authority to sell insurance coverage. This was before the time when insurance was looked upon as profitable business by agents and insuring companies and before various types of coverage had been proposed for and sold to school boards. School property insurance is one of the means of providing replacement funds for property that might be destroyed. As such it is written primarily to protect against calamity loss. However, economists and in many cases court decisions have indicated that the use of public funds to purchase school property insurance may represent a prudential use of district funds.

In the long run premiums—covering indemnities, agent's commissions, administrative and adjustment costs—must exceed the loss indemnities paid. School administrators are interested in holding to a minimum the spread between premiums paid and indemnities received. They also wish to know that premium rates are held to a minimum consistent with sound business, and that rate schedules are as fair for schools as for other insurers. As an aid in evaluating school insurance costs the U. S. Office of Education has assembled data on school fire insurance premium costs, losses, and loss ratios by States for a five-year period.

### Outlining The Program

In setting up a new program or in revising an old program it may be desirable to start with a comprehensive insurance survey. This survey should provide for local officials a summary of the total program. It should list coverages of all types and show cost of each

and totals. It should show such cost for each unit to be protected. If data are available it might be desirable to show loss experiences by types. The available rating schedules and/or rating sheets on each risk should be examined to determine what hazards or dangers may be eliminated and the rates reduced. A study of the types of coverage, of the loss experiences, and the potential risks should indicate whether coverages are adequate or whether they provide over-protection in the various areas of either extensive or limited risks. It is desirable that the coverage protect at the point of existing or potential risk, but that the school not pay for over-coverage.

On the basis of the survey it may be possible to set up immediate and long-range programs. Most schools cannot afford to justify complete coverage of all risks and may wish to set up a selective coverage schedule with complete or partial coverage in the areas of greatest existing or potential risk. The program should be planned for adaptability to changing conditions. The planning should be so scheduled as to concentrate maturities and renewals at one date of the year. This would simplify handling. Equalized annual maturities and payments facilitate budgeting. Term policies, co-insurance, and other rate or exclusion concessions should be considered as possible economies.

#### **Administering The Building Insurance Program**

Few schools have adequate insurance records. It is desirable to maintain a simple but comprehensive school insurance record system. Records should provide such information as:

- Agency information, allocation, maturities, amounts
- Coverage, costs, loss records for each unit or activity
- Rating data, source, date of rating
- School system loss history, by types of coverage
- Values of physical properties to be protected
- Special data on unusual or special risks such as liability, accident, workmen's compensation, or explosion

*Coverage*—Coverage schedules should be planned. Occasionally some special coverage may be needed but most property coverages can be included in the general pattern. Each item of coverage should be justified on the basis of need or potential risk. The amount of coverage that the district should carry on each item can be best determined by local officials. Many school boards feel an obligation to carry as much as 80 percent of the value of the building in protection, and if they do so find it economical to make use of the co-insurance reduction in rates. In some States coverage of at least 75 percent is required.

Some school boards do not attempt to purchase insurance but carry self-insurance. We should point out here that self-insurance requires the building of replacement reserves. Some school districts which do not purchase insurance have the district assume the risk without setting up any cash reserves. This—of course—is not insurance. It is a district-assumed risk.

*Policy Patterns*—are generally quite similar in basic content. In some States schools write specific policies on each risk. In other cases a blanket policy for the whole district may be written. A common policy for today is the specific schedule policy which combines some of the characteristics of each of the others and which makes it possible to combine coverage on a group of buildings into a common policy pattern computing from the total an average rate and writing each participating policy at this average rate. This usually applies to fire, tornado, or extended coverage but has been used for explosion, burglary, fidelity, or other coverage. Boards of education should understand that a basic feature in insurance is that of distributing the risk. That is one of the reasons school boards purchase insurance. To this end it is usually felt desirable for school districts to distribute coverage among the various agencies and companies. Placing blocks of coverage with individuals or companies expecting them to reinsure does not relieve the board from the obligation to obtain the protection of risk distribution or the obligation to be assured that ample coverage on all properties they wish covered is properly placed and in force at all times.

#### **School Property Insurance for City "X"**

In order to show a logical procedure we are developing a sample school building insurance program analysis for town "X." We have set up arbitrary estimates of building values, and of rates but have applied normal procedures to working out costs, etc. The value of these buildings may be slightly above those for some small towns. However, when we look at building costs of today we can feel the need for a re-examination of our school plant coverage.

This mythical town "X" would have an enrollment of about 950 to 1,000 in the junior-senior high school, 1,650 to 1,700 in elementary grades 1-6, and about 300 elementary and secondary in the Douglas school—total about 2,950 to 3,000 pupils. You will note later that in this set-up the property fire and extended coverage insurance costs would be about \$2.76 per pupil per year on one-year policies under the coverage and plan outlined. In the following tabulations town "X" is looked upon as a city classified as about 6

or 7 under the Dean Analytic Scale of rating for fire insurance. This means that the higher co-insurance credits are allowable. It will be noted that three of the buildings are classified as "1A" for co-insurance rating which is one indication that they are of fire resistive construction. They qualify for a similar rating for tornado or extended coverage which allows for the greater credit.

In order to plan a program it is generally necessary to determine the estimated replacement costs of the buildings if they were erected now under similar design. From this we deduct depreciation for the past life of the building to arrive at an estimate of its present worth. From the present worth we deduct for certain possible exclusions including excavations, footings, architect's fees, etc., which may not have to be replaced if the building is erected as is. This provides the current insurable value. From this insurable value we determine the coverage the board may wish to carry—and the minimum recommended coverage under the co-insurance clause. Table No. 1 shows the school building property value for city "X." (Note, these building values do not include sites.) Table No. 2 shows the current published fire and extended coverage rates on the buildings. Table No. 3 shows the estimated coverage and costs.

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**TABLE NO. 1**

**CITY "X"**

**School Property Values**

Building	Date erected	Estimated present replacement cost	Estimated present worth	Estimated present insurable value	Recommended minimum coverage with 80% co-insurance
"X" Jr.-Sr. high school	1941 1954	\$2,100,000	\$1,600,000	\$1,450,000	\$1,200,000
Douglas grade & high school	1956	400,000	400,000	370,000	300,000
Elementary No. 1	1921 1953	700,000	300,000	250,000	220,000
Elementary No. 2	1921	350,000	150,000	125,000	110,000
Elementary No. 3	1948	225,000	185,000	168,000	170,000
Elementary No. 4	1957	300,000	300,000	270,000	220,000
Contents "X" high school				180,000	150,000
Contents of Douglas					
Estimated contents elementary schools					120,000
<b>TOTALS</b>					<b>\$2,490,000</b>

TABLE NO. 2

CITY "X"

School Building (Published) Insurance Rates

Building	fire	extended coverage	80% co-insurance		
			co-insurance class	co-insurance rates	
				Fire	Extended coverage
"X" Jr.-Sr. high school	\$ .40	\$ .18	1 A	.12	.032
Douglas grade and high school	.45	.18	1 A	.135	.032
Elementary No. 1	1.20	.28	3 A	.90	.096
Elementary No. 2	1.40	.28	3 A	1.05	.096
Elementary No. 3	.30	.18	1 A	.09	.032
Elementary No. 4	.60	.28	3 A	.45	.096
Contents "X" high school	.60	.18		.30	.032
Contents of Douglas	.60	.18		.30	.032
Contents of other elementary schools					

TABLE NO. 3

CITY "X"

Insurance Costs Per Building and Total  
for the Proposed Program

Building	Coverage, rates, and costs with "80%" co-insurance					
	Recommended coverage	80% fire rate	Annual cost 1-year policies fire	80% extended coverage rate	Annual cost 1-year policies ext. cover.	Total annual fire & ext. coverage on 1-year policies
"X" Jr.-Sr. high school	\$1,200,000	\$ .12	\$1,440.00	\$ .032	\$ 384.00	\$1,824.00
Douglas grade & high school	300,000	.135	405.00	.032	96.00	501.00
Elementary No. 1	220,000	.90	1,980.00	.096	211.20	2,191.20
Elementary No. 2	110,000	1.05	1,155.00	.096	105.60	1,260.60
Elementary No. 3	170,000	.09	153.00	.032	54.40	207.40
Elementary No. 4	220,000	.45	990.00	.096	211.20	1,201.20
Contents "X" high school	150,000	.30	450.00	.032	48.00	498.00
Contents of Douglas		.30	90.00	.032	9.60	99.60
Contents elementary schools (est.)	120,000		400.00		100.00	500.00
TOTALS	\$2,490,000		\$7,063.00		\$1,220.00	\$8,283.00

These totals are for 1-year term policies and the average annual cost will be reduced by writing 3 or 5-year policies. As they now stand, the average rate would be 8283/2,490,000 or \$0.3326 per \$100 of coverage. Thus each agent writing a \$10,000 policy (sharing in the total) would write it for a premium of about \$33.26 if on a one-year term policy.

As was shown following table 3 the average rate for each agent writing participating coverage out of this total is determined by deriving a new rate obtained by dividing the total average annual cost by the total coverage. In practice school boards usually write the coverage in 3 or 5 parts. In this case they would take the proposed coverage of \$2,490,000 and divide it into 3 or 5 parts, determined by whether 3 or 5-year policies are written. In initiating the program they probably would write 1/3 of the coverage for one year, 1/3 for 2 years, and 1/3 for 3 years (or 1/5 each year if 5-year policies are written). At the end of the first year the expiring part would be written for a 3-year term. The above recommendations are based on specific schedule policies 3 or 5-year terms with 80 percent co-insurance. There are advantages and some disadvantages in policies of this type. The board has at all times a schedule picture of the amount of coverage on each building. They know the amount of expiration and the probable cost per year. Since each agent writes a participating policy at a common average rate it is easy to check the rates and no agent limits his coverage to favored risks. One of the disadvantages is that with changing building values the amounts of coverage may need to be adjusted periodically. This would also be true of specific policies. Some school boards avoid some bookkeeping and collection problems by arranging for slightly more coverage for some one agent with the understanding that he will serve in a liaison capacity between the board and other agents in assembling checks for minor loss indemnities.

The above discussions and illustrations relate almost wholly to fire and tornado or extended coverage on school buildings. This discussion does not touch upon burglary insurance, boiler insurance, vandalism, and various other property protection measures. These paragraphs do not cover various other problems which apply to loose properties, to liability, employee fidelity, and various other types which are purchased by some schools. These will be outlined in another discussion.

In establishing a program of school property insurance local school officials need to determine: the current values of the properties to be protected; the percentage of risk the district can afford to and should assume; and the distribution of this coverage among agencies and companies. They will also need to: analyze the rate structure on each property and to arrange to reduce rates to reasonable minimums; and to effect a plan for transposing old programs to desired new patterns.

The time and space available will not permit complete handling of all of these points here. Hence, the first three, establishing values, determining the risk the board should assume, and distributing the risk among agencies and companies will be discussed in a later report. Brief attention will be given here to rate structures, and to the transfer procedures in setting up a new program.

*School Building Insurance Rates*—are, in most States, established by "Rating Bureaus" independent of but operating under the general profit and loss and control pattern approved by the State Insurance Department. The following is a partial summary of some of the rating procedures. The summaries which follow refer primarily to the "Dean Analytic" rating system.

1. The town class is determined on the basis of fire protection facilities. Classes of 1 to 8 give better ratings than do ratings of 9 or 10.
2. The type of structure and class of each building is determined. The type of building, its use, and the town class (protection) determine the base fire rate on the building.
3. Rate penalties for such features as: defective walls, large areas not separated by fire walls, floor openings, etc., are added.
4. Occupancy penalties may be added for such things as: defective heating facilities, open vents, laboratories, cooking units, shops, use of blow torches, paint shops, or stage hazards. (Under the "Dean" system these penalties are quoted as percentages of the base rates.)
5. Rate credits may be allowed for superior construction or for certain protective features such as fire extinguishing facilities.
6. Aftercharges (on a straight cents basis) may be applied for such things as: defective or overloaded wiring, poor protection for heating units, broken windows, the presence of rubbish or trash, poor housekeeping, etc.

Rating bureaus will generally provide local school officials analyses of the rating sheets of their buildings. School officials should remember that hazard elimination and rate reductions do not effect insurance savings until reflected in revised rating sheets. Other rating problems relating to co-insurance credits, and to tornado or extended coverage merit attention but will not be discussed here now.

*Transferring to a New Program*—can usually be effected without difficulty. One plan is to wait until each existing policy expires and then to transfer its coverage to a new program. This involves mixing the old and new programs—often with different types of coverage—and many bookkeeping problems.

Many boards prefer to make a clean break—cancel existing policies and write new coverages as per the plan set up by the board (presumably after a survey of need). Companies are nearly always willing to cancel existing coverages pro rata (without short-rating) when the company knows that it is to share in the new program. The new program is then set up—with equalized maturities—3 or 5 depending on the program—each expiring and renewable on a certain designated date of each year.

Most local school administrators have not had—nor have time to obtain—specific training in insurance. They should be able to call on the State Department of Education for assistance. A State Department comprehensive advisory or consultative insurance service could be both profitable and beneficial to the schools of the State.

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## SCHOOL INSURANCE

### (Miscellaneous Coverages and Problems)

(Lecture by Dr. N. E. Viles, Associate Chief, School Housing Section, U. S. Office of Education, before the Kentucky School Insurance, Maintenance and Operation Conference, December 12-14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky.)

In June 1957 we had a general discussion on certain phases of school insurance. This discussion was devoted primarily to the following points:

1. The scope of insurance as a business
2. Insurance coverage types on buildings
3. School insurance rating (a) Principles (b) Practices
4. Amount of property coverage to carry
5. Setting up a school building insurance program  
(a) A planned program (b) Analyze present program
6. Coinsurance coverage (a) How to compute (b) How to write
7. Fire loss ratios
8. State insurance programs

#### Areas and Applications Covered in This Discussion

The discussion points outlined in our June meeting do provide essential background material for the areas we expect to cover today. However, we are assuming that many of you heard the discussions, and that a repetition of that June discussion would be tiring. For those who did not hear the background discussion of basic principles we will be glad to arrange a discussion period if time is available. We propose to give most of our attention today to several miscellaneous insurance areas and problems such as: protection purposes—calamity vs. minor coverages; packaged or unit risk insurance; liability vs. casualty-accident; various minor areas of coverage; and some of the problems in developing and administering a comprehensive local school insurance program.

#### Protection Purposes

School officials need to realize that school insurance has become a sizeable business. As will be outlined later, some schools have 25 or more types of coverage. Bookkeeping has become a problem, and the distribution of coverage among agents plagues many school boards. School insurance costs have climbed. In some cases extended coverage is costing more than fire protection.

It seems essential for school officials to give immediate attention to their whole insurance programs and particularly to the scope and relative risks they are covering. As was indicated in June, insurance is big business. Many agents are encouraged and urged to sell coverages of various types; and sometimes try to sell all the traffic will stand. We will touch upon this later. As indicated, it seems desirable for school officials to give serious attention to revising the administration pattern of their school insurance programs. This revision might be based on three or four principles.

1. Schools buy insurance primarily to avoid calamity loss.
2. School insurance should be commensurate with the risk involved.
3. There should be some way of assembling a lot of the miscellaneous school insurance coverages into an overall policy.
4. The whole program, and particularly the record system, should be as simple as feasible.

In some schools various Inland Marine type of floater policies (to be discussed later) are used for multiple types of risks. In many cases the loss in each of these areas might be slight and the company's cost of reporting and recording the claim may be more than the loss indemnity. It seems desirable that the schools consider the use of **certain deductible types** of coverage. The cost of overhead handling should be less and the district could still be protected in cases of calamity or major losses.

Deductibles might apply item by item, or by class, or might be an aggregate deduction for a whole area. Applying the deductible item by item would involve item designations and identifications in an inventory. Thus each table, typewriter, or band instrument would be identified by a designated mark or number with value recorded. Applying deductibles by a class might call for similar record keeping unless the class was large. For instance, coverage might apply to 50 band uniforms. However, having one policy or a set of policies for 50 band uniforms, another for drum corps uniforms, and another for football uniforms might call for the use of many policies and increase the bookkeeping problem. This coverage is more complicated when applied to such things as school television parts and sets, and particularly to warehouse stocks of such parts. It may prove desirable to apply some type of overall coverage to a class of similar objects or properties using a common deductible for the whole class.

However, another approach might attempt to group a number of classes into a schedule type policy. This could best be applied if



the classes were similar. In such cases the deductible could be by classes or it could be an aggregate of the total of the schedule policy.

It might also be possible to apply the deductible factor to building coverages. After all, the board of education wants economical coverage and probably is more interested in protecting against calamity or major losses rather than in the collection of indemnities for each minor loss.

### **Packaged vs. Unit Risk Protection**

We really can't make an overall recommendation on the amount of packaging that schools should accept on insurance purchases. In many respects packaging has merit—particularly on home coverage. To open this subject, let us look at a list of certain insurance protections some schools buy—

#### **Some types of school insurance**

- |   |                                    |
|---|------------------------------------|
| 1. Building, fire—and wind or extended coverage         | 8. Transportation liability        |
| 2. Contents, fire—and wind or extended coverage         | 9. General liability               |
| 3. Other property, fire — and wind or extended coverage | 10. Employee liability             |
| 4. Special property coverage on floaters—               | 11. Nuisance suit protection       |
| a. uniforms   | 12. Insurance on unearned premiums |
| b. T.V. equipment                                       | 13. Steam boiler coverage          |
| c. Audio-visual   | 14. Aircraft loss                  |
| d. Library special                                      | 15. Workmen's compensation         |
| e. Musical equipment                                    | 16. Driver training coverage       |
| f. ROTC equipment                                       | 17. General employee fidelity      |
| g. Other  | 18. Casualty accident              |
| 5. Burglary   | 19. Special athletic coverage      |
| 6. Auto, fire-theft                                     | 20. Performance bonds              |
| 7. Auto, liability                                      | 21. Special, bonds, documents      |
|   | 22. Builder's risk                 |
|   | 23. Breakage . . . and others      |
|   | 24. Vandalism                      |

These might be divided into several categories to cover property investment—fire, wind, theft, fidelity, etc.; liability—personal and property; casualty and accident—personal; compensation, specials, etc.

In order to analyze the packaged deal we need to review some basic principles. First, the packaged deal may lend itself to negotiated insurance contracts. We are not here advising against negotiated contracts but feel it desirable to point out that a good many policies

have been written on a "subject to rate" basis—and so continued for some time. (This implies a negotiated deal without using published rates).

**Insurance rating**—on school property, fire, wind, and/or extended coverage has been done for many years, and the rates are supposed to be scientifically developed on the basis of loss experiences by types of risks. Some of the newer types of coverage have not had as long a history of loss experience records. Hence, the packaging of several of these into one package might make it difficult to determine the equity of the various rates. It seems desirable to point out certain criteria which have been accepted as standards by many rating bureaus and State insurance departments. Under the Fire Rating Act in some States—"No agent or broker can write a fire insurance policy at any other than the then published rate." The term "subject to rate" not to be used.

Also, "valued policy" not fair and not permitted in some States. Sometimes applied on coinsurance. When agents agree—may even write letter, stating—that a certain coverage would satisfy coinsurance contract—they imply company negotiations establishing insurable values, which is contrary to above principle.

Note—the agreement in coinsurance clause says "... a condition of this contract that the insured shall . . . maintain contributing insurance on . . . property insured to the extent of at least . . . % of the actual cash value at the time of the loss, and that failing to do so, the insured shall to the extent of such deficit bear—his-her-or their—proportion of the loss." This places the obligation for establishing current values on the insured.

As previously indicated we once had risks specifically defined and rates applied for fire and other property losses, by a rating bureau of trained people. This still is done. However, insurance is a highly competitive field; agents have need to produce. It is sometimes like selling cars. The package must be wrapped in an attractive styling pattern. The purchaser is urged to look at the convenience rather than to analyze the individual costs.

It is not our purpose to comment on the validity of packaged insurance for home and other private owners. We have a feeling that school officials responsible for use of school district funds have an obligation to know what they are buying. They have an obligation to analyze each part of that purchase. They are delegated by the people to be responsible for the school's business. The individual may assign his income to various agencies who will look after his

welfare—schools boards cannot do so. They are not like the share-cropper who turns over his crop in exchange for a living until next year. Hence, if schools do purchase on a packaged plan, they may find it obligatory to have a detailed analysis of each item of coverage together with rates and a clear delineation of the protection provided. Eventually they may wish to limit their purchases to areas where risk loss histories justify such purchases.

#### **Liability vs. Casualty Accident Protection**

This area covers a field that justifies extensive study. We cannot hope to make a complete report on it here. We mention it because it is part of the total school insurance program that must be considered when a district is setting up such programs and when a district is budgeting expenses. Throughout past history there has been a general feeling that the State, as such, (and the districts are entities of the State) does not accept liability in tort. This harkens back to the whole theory that the king can do no wrong; hence, is not subject to suit for damages. We are not here disagreeing with this theory. We are indicating that there is need to study all facets of the problem.

There is another side to the picture. Government, in general, has been accepting more socio-economic obligations. Schools have followed this path and have decreed that children may be forced to attend school some place. Not only may the child be forced to attend, but he may be required to attend in a certain building, or be required to occupy a certain seat. Also, we set up our district pattern so that a child may be forced to ride a bus to school. Whenever the State and the school community require Jimmy or Mary to attend school, then that State and that community may have a definite obligation to assure Jimmy and Mary safe travel and school-housing facilities. This much we accept. Whether the State and the community should accept liability damage to these children is another problem.

This is not a light matter. It cannot be brushed off readily with the idea that the State accepts no liability; neither can it be settled permanently by saying that the State will accept limited liability. In fact, the term "liability" is the touchy point. The school that accepts liability for transportation may find that a child or visitor is permanently injured by falling over a fence, by slipping on a floor that should not have been so slippery, or on ice that should have been removed. The potentialities are numerous—the possible district's obligations are infinite. The liability angle does not end

with the district. It may be carried over and applied to district employees, particularly when someone can prove negligence. Even if negligence cannot be proven, the nuisance effect and cost of claims may be oppressive to school employees. Again, it must be remembered that certain States permit pauper suits which means that the sued would have no redress for false suits by the claimant.

As indicated, we are not here stating that schools should not accept liability insurance. We are stating that the schools should give attention to some other types of pupil protection. This might be handled through casualty accident coverage. Recent developments in pupil or parent-purchased casualty accident coverage makes it seem probable that the schools might justify purchasing such protection. This type of coverage has several advantages. It is finite—in amounts and in the injuries covered. In fact, it is like the sickness or accident protection we buy individually. Since it is finite, it does not invite jury award settlements of all the traffic will stand. Such types of protection pay for the cost for damage but do not cover "bereavement ease."

District acceptance of even specific or limited liability may have implications. There is some feeling that acceptance of a liability principle may open the door to various claims; students, visitors, trespassers—for various areas such as buildings, grounds, playground equipment, rough walks, etc. Claiming employee or district negligence in damage might have a nuisance effect and lead to costly court defense. (And as cases such suits might be brought under a pauper claim approach and defendant redress might not be feasible in such cases). As indicated, the purpose of this report is to indicate the need for a logical long-range plan that is equitable and does not invite unjust claims or costly litigation.

#### **Floating Property Protection**

Various school properties are moved from place to place and are not always or normally covered under the building contents inventories. For many years little attention was given to providing special coverage for such properties. During recent years insurance agents have been selling school boards numerous and sometimes large policies on such items. Sometimes these cover both damage and loss.

If one applies such coverage to musical organizations and athletic uniforms, to musical instruments, to itinerant T.V. or audiovisual equipment, to transferable machines and equipment, etc., the possible coverage scope is extensive and the loss opportunities nu-

merous. Eventual rates and costs must, of necessity, be geared to the loss ratio and such loss experiences may vary from school to school—or even among the various activities in one school. In some schools such coverages are quite costly. School officials should study their loss risks in this area and limit their insurance purchases to actual need.

### **Property Injury or Loss**

There are several possible coverages in this area. One of the most common is burglary or theft insurance. Most schools that purchase such protection limit it to specific areas and/or items—such as money in the school safe, or such easily and disposed of items as office machines, musical instruments, or laboratory pieces. Cost rates are usually based on overall loss experiences.

Some other possible property coverages apply to breakage and vandalism damages. Some schools exempt window glass from such coverages because of the cost.

### **Employees-Personal Injury**

In some States the schools are required to carry workmen's compensation protection on certain or all employees. (In one school recently surveyed the total workmen's compensation insurance costs were equal to about \$1.00 per pupil enrolled.) Most schools allow sick (or injury), leave benefits, and of course, watch to avoid allowing double compensation or credit for time off because of injury. In some cases potential claim possibilities cause school boards to prefer the State workmen's compensation approach. Costs for such coverage depend on claims and proper attention to safety may reduce costs.

### **Boiler Insurance**

For either low pressure or high pressure steam heating boilers—or certain hot water tanks—adequate periodic inspections by a competent inspector probably justify the cost of the insurance. The idea here is to guard against explosion rather than to have to collect damages after the act.

### **Builder's Risk Insurance**

This is sometimes referred to as carpenter's risk coverage and is applied to buildings in the process of erection. Builder's risk coverage may be increased as the erection progresses. This coverage may be carried by the contractor or by the board. In past years the board's monthly payments applied only to a designated percentage of the work and materials in place. During recent years

many contracts have been extended to include board payments for materials on site—but not yet in place. If this constitutes a type of partial board ownership or responsibility, the builder's risk may need be extended to cover the board's risk.

### **Administering a Comprehensive Insurance Program**

School officials should understand that a comprehensive school insurance program has many facets and parts. Proper administration requires planning and frequent attention. Insurance problems are not always vocal in their demand for attention, and such attention is often deferred. Yet—when calamity strikes, it may be too late to avert loss. On the other hand, proper protection is the obligation of local school officials. It is not logical to attempt to shift these board responsibilities to local agents who have a profit interest in the coverage written.

**Determinating the Coverage to Carry**—is a problem faced by all school boards. This involves two or three factors—the risk involved, the amount of risk the school district should assume, and the values of the property to be protected—or the extent of the payments for personal injuries. For the first two the board can study loss probabilities and establish a policy. The matter of district payments for personal injuries can be determined as a policy in keeping with State laws.

The other, on values of the property to be protected, causes more trouble—probably primarily—because property is measurable. Current values of furniture and equipment can best be determined by local school officials familiar with costs, use, and longevity. Physical properties such as buildings present more of a problem. One usual approach is self appraisals—with or without the help of local contractors or the architect. Here, the State department can be of great assistance by providing data on costs and on use and age depreciation. A second method is to pay some commercial appraisal firm to appraise the buildings. When the appraisal is established, it can be projected for several years through the use of building cost indices and depreciation factors—both of which can be provided by the State department school building service section. For all properties—equipment or buildings—inventories should be kept current.

**School Insurance Costs**—should be studied carefully by school officials. Prudential use of district funds may justify purchasing essential insurance protection but does not warrant spending such funds for every type of coverage or to the amount an interested

salesman may offer to sell. The school insurance program should be planned in advance and the costs set up in the budgets. As indicated elsewhere, school insurance records should be complete. They should provide at all times up-to-date information on coverages and costs on all properties—and risks, premiums due and agency allocations.

**Allocations**—of insurance business plague many school boards. We offer here no suggestion for allocating school business among local agents—but observe that local school board allocations should be based primarily on school needs. On the matter of allocation to companies the school board cannot be too careful. It can and should require that its coverage be distributed among various companies and that each of these companies have high-class ratings as per the latest “Best’s” reports.

**Self-Insurance**—mentioned elsewhere, merits additional attention here. Self-insurance involves the development, maintenance, and protection of ample replacement reserves. Most small school districts do not find it feasible to maintain such reserves. District assumption of loss risks without having replacement reserves is not insurance—but district risk. All districts assume some loss risk of this type on equipment and minor properties. Generally, only large districts—where replacement of one property would not entail large tax levies—feel free to assume all risks on major buildings. Another factor of insurance coverage and cost is now meriting consideration. Some school boards are considering the effect of applying deductibles to property coverage—with the district assuming the first “X” dollars of risk, and the insurance companies taking over from this point. This technique has been developed and applied in some of the **State** school property insurance programs.

**State School Insurance**—is being written in some States. The Office of Education summarized the practices in these States recently in a bulletin, No. 7, 1956, entitled **SCHOOL PROPERTY INSURANCE—EXPERIENCES AT STATE LEVEL**. There seems to be little need to elaborate here on that report.

## DEVELOPING A SCHOOL PLANT MAINTENANCE PROGRAM

(Lecture by Dr. Henry H. Linn, Professor of Education, Teachers College, Columbia University, before the Kentucky School Insurance, Maintenance and Operation Conference, December 12-14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky).

The public school plant is our most costly educational tool. If it were necessary to replace the complete school plant throughout the nation at this time, it certainly would involve an expenditure of well in excess of thirty billion dollars, although the book value (original cost) is closer to twenty billion dollars. Expenditures for new public elementary and secondary school plants erected in this country have exceeded two billion dollars annually beginning with the fiscal school year 1953-54, and are now approaching the three billion dollar mark. This latter figure is exceeded if the cost of new buildings for non-public schools and institutions of higher learning is included. It is quite realistic to state that over the next decade the educational building needs of this nation will call for additional expenditures exceeding twenty-five billion dollars.

### Purposes of Maintenance

School buildings and equipment are constantly deteriorating due partly to normal wear and tear resulting from usage and partly to the ravages of the elements such as wind, rain, snow, ice, sun, humidity, heat, cold, etc. To offset, or to retard or limit such routine deterioration, school authorities must carry on a continuing maintenance program so that the property will remain in usable condition. This property should be kept in a state of good repairs for several reasons:

First: since it was purchased to serve a specific purpose, it is important that it be properly maintained so that the service can be rendered efficiently. For example, a defective piece of scientific apparatus may interfere with the educational progress of the pupil.

Second: defective property may be hazardous to life, limb or health. A defective electrical connection, a worn stairtread, a loose pane of broken glass, a leak in the sewerage system; all of these represent danger for the occupants of a school.

Third: proper maintenance is a measure of economy in that the timely repairs may prevent much more extensive and costly repairs



at a later date. The old adage "A stitch in time saves nine" is applicable. For example, a small roof leak may require a minor repair if cared for promptly; but if neglected may ultimately call for extensive plaster patching, repainting, possible replacement of damaged furniture, and a more costly reroofing job.

Prompt and proper repairs also tend to make the plant more comfortable, convenient and attractive for the occupants, and have a bearing on their emotional responses. Ask any teacher how she reacts to a torn hose caused by a splinter on a desk leg, or to glare from a window that cannot be shaded because the cord is broken, or to a stuck drawer, or a squeaking desk. Teachers generally seem to be more incensed over the many minor but annoying irritations that could be corrected with relatively little attention than they are over the failure to make some larger, more costly repair such as installing new floor covering.

#### **Elements of Maintenance Program**

Maintenance work involves men and materials. Most of the individual jobs are more costly in terms of labor than in terms of materials, although in some cases replacement of equipment may be the more costly item. For example, more money is spent for the labor of applying paint than for the paint material itself; but if a large motor or a boiler is replaced, the equipment may cost more than the labor used in the local replacement process.

Budget appropriations may limit the amount of work that can be done during any given year, but if careful thought has been given to the maintenance requirements at the time the budget is developed, at least the more obvious needs should be cared for. It is unthinkable that a school district operates on a purely emergency basis, doing only the very essential jobs when conditions have reached a final stage demanding immediate action. A good maintenance program anticipates troubles and problems, and attempts to care for them at an early stage.

#### **Preventive Maintenance**

If the maintenance jobs are to be foreseen, there must be periodic inspections and written reports of needs. Then, of course, some action must be taken to correct conditions. The inspections and reports in themselves have no meaning otherwise. This program which calls for inspections, reports and corrective measures to prevent further deterioration is commonly known as preventive maintenance. It is the essence of a good maintenance program but, unfortunately, it

often is by-passed by what we might call "crash maintenance"; that is, the school authorities know that a preventive program is more important but they are so far behind in their maintenance needs that when they employ craftsmen to do the preventive work, they sidetrack them into the more obvious emergency jobs. The end result is that the preventive maintenance doesn't even get started.

On the surface it may appear that this indicates poor management but the true explanation is that school budgets rarely provide enough money for plant maintenance purposes. During poor times this part of the budget is cut first on the grounds that it can wait another year until conditions get better; then when times do get better little or no provision is made to care for the backlog.

The school administrators could be expected to do a good job in the area of plant maintenance if the annual budget would provide an amount equal to 2 per cent of the **replacement** cost of the existing plant, but very few school districts make any such provision. Indeed, many of them are happy if they get as much as 1 per cent of the replacement cost for annual maintenance purposes and this just is not enough, year in and year out, to care for the backlog of requirements, the emergency needs arising daily, plus the initiation of a preventive maintenance program.

### Management

Money alone, of course, will not assure good maintenance. There must be intelligent management on a top level. In many communities this work is delegated to a person who also has to care for the operation of plant, one who has a title such as superintendent of buildings and grounds. In some cases at least, this person has been promoted from a custodial position and he has little experience with work of a construction nature. It is not necessary that this maintenance supervisor be a skilled craftsman in any one or several trades, but he ought to have some knowledge of building and should understand what constitutes an appropriate maintenance standard. If this maintenance supervisor's work is solely in the area of construction, former experience as a builder should prove helpful. This supervisor must recognize what types of repairs are needed, and when, and how they may best be made, whether done by local school employees or by outside contractors. It should not be necessary to suggest that the supervisor should be a man of integrity, one who cannot be improperly influenced by politicians or persons seeking public work.

I know of a number of school systems that have promoted a shop

instructor to a supervisory position of this nature with excellent results: the fact that the men have been teachers indicates that they have a reasonable level of intelligence; their interest in shop work indicates some degree of mechanical aptitude; their experience in a school system makes them aware of the value of this work in the educational enterprise. Because they know how a teacher reacts to poor maintenance service, they usually are alert to the need for promptness in replying to requests. It may be said, however, that whoever is appointed to a maintenance supervisory position should have the ability to get along with people and to direct those employed in this division, since his work involves both skilled craftsmen and unskilled workers.

### Maintenance Staff

In most school systems, the regularly employed custodial staff is expected to make at least minor repairs and adjustments such as tightening loose screws and bolts, replacing faucet washers, replacing electrical fuses, opening clogged toilet bowls, replacing small panes of broken glass or repacking a steam valve, or touching up paint spots. During summer vacation periods some of them sand floors or refinish desk tops, paint walls on the inside, and woodwork on the outside apply cold roofing compound, and so on. The assignment of jobs will vary depending on the practice in the community, the experience of the employees, and the attitude of organized labor. It may be said, however, that if one expects good standards of workmanship in the building or maintenance trades, common or unskilled labor cannot take the place of the skilled craftsmen. What actually happens, of course, is that in some communities sloppy standards of work are accepted because the labor cost appears low. An analysis of the true cost, however, may show that it is more economical to employ competent mechanics at a higher wage who can produce not only better results, but more in terms of quantity.

The question often arises, "Should a school system have maintenance work done by school employees or by outside contractors?" It really is not an "either-or" proposition. Generally some of the work is done by local school employees and some by people from the outside. In a district with only one or two buildings, the custodial employees will make minor repairs during the school year and may assist in making some more major repairs during the summer vacation period, although outside craftsmen may be employed, either by the hour, or by contract, to care for most of the major work. As school districts increase in size, one or more full time repairmen on

the school staff may be justified. A good all-round man able to participate in several craft activities may prove very useful, and if there should not be enough work to justify his full time employment for repair work alone, he could, at other times, assist the custodians. As a matter of fact, there is some advantage in having an extra man on the staff who can fill in as a substitute for a custodian who may be absent on occasions.

As school systems increase in size and buildings in complexity, there is need for men who have special skills. A carpenter usually is the first artisan to be employed on a full time basis (over and beyond the handyman level). A man with skill as a plumber and steamfitter may be a second choice, although with the addition of electrical equipment and gadgets in the new school building today, an electrician might seem more valuable. As school systems increase in size further skilled craftsmen such as painters, masons, glaziers, sheet-metal workers, roofers, or locksmiths may be employed. It may be added that some school systems may not have enough work of a single specialized nature to require the full time service of the appropriate craftsman, but can still justify his employment if he is able and willing to assist productively in other maintenance activities.

It is reasonable to expect that men employed full-time with a tenure status in a public school system should have a "team" attitude, working harmoniously to serve the institution effectively and economically, without insisting on fine jurisdictional distinctions. They should be honest and trustworthy. They should be courteous in their relations with school personnel, and should be men of good character as they often have to meet teachers and pupils in the schools. They should be industrious and reliable as they must do at least some of their work without direct supervision.

#### **School Employees versus Outside Contractors**

Many arguments have been advanced, **pro** and **con**, relative to the advisability of using school employees or outside contractors for school maintenance jobs. There is no single pat answer to this query, but school authorities faced with the question may ponder the following arguments and then arrive at conclusions applicable to their local districts.

#### **ARGUMENTS FOR SCHOOL EMPLOYEES**

1. One central organization of school employes can work more efficiently and effectively than a scattering of different contractors who work in buildings intermittently.

(Reply) This may be true if all work is considered as a whole, but special types of work and special jobs may be done quite as well by outside contractors or specialists employed on a time and material basis.

2. School employees are good mechanics because they have been carefully selected.

(Reply) School mechanics may be inferior to outside mechanics because often they are selected on some basis other than merit. Contractors working for a profit also select workmen on the basis of ability for they cannot afford to have poor workers when they must bid against stiff competition.

3. School employees may be trusted to work in and about school property with less supervision and with less worry that materials and supplies may be carried away.

(Reply) There is some merit in this contention when permanent employees of good character are considered, but unknown temporary employees cannot always be trusted so implicitly.

4. School employees know what principals and teachers expect and cooperate with them so as to minimize interference with educational activities.

(Reply) There is some merit in this contention, although such employees are not always instructed as to what attitude and procedure should be.

5. School employees get acquainted with jobs peculiar to school buildings and therefore can do the work better than outsiders.

(Reply) There is some truth in this contention, for certain types of work, but it can cover only a limited area.

6. School employees get acquainted with the school buildings and equipment and often know just what is required for best results.

(Reply) There is some merit in this contention, but it also covers a limited field.

7. With school employees, jobs may be started without wasting time advertising for bids and awarding contracts.

(Reply) This is a distinct advantage at times.

8. With school employees, some jobs can be started without drawing up detailed specifications that contractors must have if they are to bid on jobs.

(Reply) This is an advantage for many small jobs that can be done without elaborate and exacting specifications, but for jobs of some magnitude the specifications will be helpful to school employees too.

9. It is not so difficult to make alterations and changes after a job has been started and new conditions develop that require changes from original plans.

(Reply) This is true, but careful planning will eliminate the need for many changes that might have been anticipated.

10. With school employees, high standards of workmanship can be demanded and it is easier to secure such standards from them when the emphasis is on quality than from contractors who "push" their man to do quantity work with less regard for quality.

(Reply) This is one of the strongest valid arguments for having work done by school employees, for experience in general has shown time and time again that contractors working for profit have skimped jobs and used short cuts that result in inferior work.

11. With school employees, costs may be reduced, for, unlike contractors, there is no profit to be earned, no taxes to be paid, and there may be less overhead.

(Reply) It is true that the profit and tax items are eliminated and possibly some items of overhead, but these savings sometimes are offset by other factors that will be discussed in the following section.

#### ARGUMENTS FOR OUTSIDE CONTRACTORS

There appears to be no point in attempting to argue that all maintenance work should be done by outside contractors, for practical experience has demonstrated the values and advantages of having much of such work done by a permanent school organization. However, there are arguments that may be used to point advantages to be gained by letting some of the work out to contractors.

1. Contractors working for a profit employ skilled workmen, good equipment, plan the work for efficiency, and "push" their men so that they can do a job at a lower cost than the school organization and still make a profit.

(Reply) There is some merit in this contention but care must be taken to see that contractors do not "push" their men for quantity to such an extent that proper quality is sacrificed.

2. There are some types of jobs of a specialty nature that can be handled more efficiently and more economically by outside contractors who have skilled mechanics or technicians and who have special tools for such work.

(Reply) This is true for some types of special work done infrequently in schools. However, for some types of special jobs, a com-

petent mechanic may be hired on an hourly basis and work under school supervision without the job being let by contract.

3. During certain seasons, especially during the summer vacation period, there is so much work to be done that the school organization cannot take care of it all with its regular staff, so it is better to let much of this work out by contract than to employ temporary workmen.

(Reply) This is a proper argument supported by experience. However, where a number of contract jobs are in process, proper inspection and supervision must be exercised by the school organization to assure proper results.

4. The school organization cannot economically buy the necessary tools, equipment, and machinery to handle all work during peak periods, and renting such equipment may be costly.

(Reply) This is a proper argument.

#### **Transportation Arrangements for Maintenance Service**

A school system large enough to have one or more maintenance employees in all probability will have a number of schools at different locations, and the workmen will have occasion to do considerable traveling in performing their work. They also will have to carry with them basic tools and equipment and, in some cases, materials used for repair work. Provisions must be made to enable these men to travel expeditiously without undue waste of time.

Small service trucks owned by the school may be one solution to this problem, but in many communities the individual workmen make use of their personal automobiles and are reimbursed for their expenses in connection with the school travel, either in the form of pay based on mileage, or a flat allowance per month. There are occasions when the workmen may use public buses or street cars for conveyance, but the waste of time in getting from one location to another generally operates against this plan.

As mentioned before, not only must the men move about, but equipment and materials, some of which may be too large or bulky to carry in a private automobile or small service pick-up truck, must be transported. A larger truck for hauling miscellaneous materials therefore may be an essential investment. In any event, necessary tools, equipment and materials must be delivered promptly. There have been cases where workmen have been idle for hours, or even days, just because they have not had on hand the necessary materials or tools. There is no excuse for such a situation, for it is clearly due to lack of proper organization or supervision or to negligence.

If the jobs are properly analyzed in advance, the needed supplies can be delivered before or at the time the men start to work. Since many of the minor repair items recur quite frequently, the men should carry with them a small stock of general supplies. Miscellaneous equipment and materials may be carried in a central warehouse or stockroom from which they can be procured promptly. In some cases it will be necessary to order materials from dealers and this, too, must be handled expeditiously. While purchasing agents generally—and properly—object to school employees ordering or purchasing materials themselves, without a formal written purchase order, some flexible arrangement may be made in the case of the maintenance supervisor or foremen when an emergency develops that necessitates prompt action on his part. In all such cases, however, the purchasing agent should be informed of the action so that appropriate follow-up purchase orders can be issued, and proper bills paid.

#### **Summer Repairs versus All-Year Repair Program**

Some school systems attempt to confine most of their repair work to the summer vacation period on the theory that this will prevent interference with the educational activities, but the plan has some disadvantages.

1. Educational service may be crippled or handicapped until repairs are made.
2. Minor repairs may be postponed for months, resulting in higher costs for major repairs the following summer.
3. Vandalism may be encouraged when pupils see broken windows, carved or splintered workwork, loose bricks or stone, non-usable toilet fixtures, etc.
4. Needless waste of electricity, steam, water, gas, etc. may continue unchecked for months.
5. Less efficient results may be obtained if men are pushed to rush through a large repair program in a limited period of time.
6. Supervision may be less efficient because it may have to cover so many different jobs, many of minor nature, at the same time.
7. There is greater confusion in laying out jobs and transporting men and materials than there would be if the work were done throughout the year.
8. The workmen employed on a part-time summer basis may be inferior to those who could be employed on a full-time year round basis.



In general, the communities that have acceptable maintenance programs carry on this work throughout the year, making adjustments when necessary to avoid interference with the educational program within the buildings, and postpone a certain amount of extensive repair, replacement or maintenance work to the summer vacation period, at which time obviously much of the work can be done more expeditiously.

### Cost Records

Itemized records of job costs should be kept to show how much the schools are paying for their repair work. With a proper system of records, the time of the workmen may be allocated to the jobs performed, and materials used can be recorded. If there is any question regarding the relative economy of the regular school crew compared with letting the work out on contract, the cost records should give evidence as to which is the more economical plan. For example, if a painting job is to be done, specifications can be drawn up and bids solicited from outside contractors to compare with the estimate of the cost if the school crew should do the job. A comparison of this kind may not always be satisfactory for it may not take into consideration the "quality" of workmanship. If, however, the job cost records indicate substantial discrepancies between estimates (prepared in advance) and final costs the work of the school crew may properly be investigated. The keeping of job cost records has a moral effect in that the supervisor and employees realize that there is a check on their work. There is special need for such a check on public employees who often tend to become negligent and complacent after a period of service with a public organization or institution. This is particularly true if they were employed primarily because of political favoritism.

### Summary

In summarizing this paper dealing with the school maintenance program I wish to emphasize these major suggestions:

1. Provide an adequate amount of money in the budget so that a reasonable all year round program of maintenance can be carried on.
2. Provide competent supervision on the managerial level.
3. Adopt a program of preventative maintenance which calls for periodic inspections, written reports and prompt corrective measures.
4. Employ appropriately skilled craftsmen on a full-time basis to perform the most common essential maintenance services, with the custodial staff caring for minor repairs.

5. Employ additional skilled help to carry on more extensive summer vacation maintenance program if local conditions favor this plan.

6. Contract for portion of the maintenance services, especially large jobs or specialized jobs requiring special skills.

7. Provide the workmen with shop facilities and appropriate tools and equipment, and especially those of a labor-saving type.

8. Arrange for the prompt procurement and delivery of materials required for a maintenance job.

9. Arrange common sense transportation for workers, equipment and supplies.

10. Keep cost (and frequency) records on maintenance.

## IMPROVING SCHOOL PLANT OPERATION

(Lecture by Dr. Henry H. Linn, Professor of Education, Teachers College, Columbia University, before the Kentucky School Insurance, Maintenance and Operation Conference, December 12-14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky).

There is a simple answer to the question, "What, more than anything else would help to improve the standards of school plant operation?" MONEY. That same reply can be given to almost any question concerning the improvement of any phase of education, but the simple fact is that money for any public enterprise is limited; a simple request for it will not produce it. A request for more money, supported by evidence of its real need, and further supported by general confidence that the money will be properly and efficiently used to achieve the desired goal, may result in positive action, but even before this is done, the public has a right to ask if the funds, presently appropriated and made available, are being spent wisely and efficiently. Let us analyze the situation with respect to school plant operation which may be defined as the daily routine care of a school plant required to keep it open and usable for its primary purpose.

### Analysis of Operating Services

The work involved in the operation of plant is largely of a housekeeping nature; that is, keeping it clean. But there are other important activities too. The people who are working in this area must look after a variety of mechanical equipment installed in the school buildings. The heating system must be operated, the ventilating system checked, the lighting system kept in order, the plumbing system maintained in proper working condition. There are outside grounds to care for; lawns to be cut, shrubs to be fertilized and trimmed, trees to be pruned, and walks and yards to be cleaned. The buildings and grounds must be protected against vandalism which, at times, involves guards and watchmen. And there are many small repair jobs that must be handled by the men doing custodial service; screws and nuts to be tightened; lamps and fuses to be replaced; faucet washers to be renewed; small panes of broken glass to be replaced; and so on. It should be clear to the thoughtful person that the broad area of building service classified in school accounting as "operation of plant" is complex rather than simple. And if one has not been aware of it before, it should be recognized that the

services involved in "operation of plant" rests largely on people, rather than on machinery, tools or supplies.

Analyze the expenditures listed under the accounting category "operation of plant" in any given school system. We find such items as

1. Salaries and wages of building service personnel; custodians (janitors) engineers, maids (janitresses), firemen, watchmen, etc.
2. Contracted services such as window washing, laundry, garbage trucking.
3. Heat for buildings. (coal, oil, gas)
4. Utilities (except heat). Water and sewerage, electricity, gas, telephone, etc.
5. Supplies for custodial services, for operation of vehicles used for trucking, and for care of grounds.

In practically every case you may study, the amount of money spent for salaries and wages will be several times the amount spent for all the other items combined. The crux of the matter is that school plant service is primarily personal service rendered by men and women. It may be of interest to note that the latest complete biennial report of the U.S. Office of Education dealing with finances for the year 1953-54 reported that in the state of Kentucky there were 1,557 full-time and 252 part-time employees in the elementary and secondary public schools caring for the operation of plant, or a total of 1,809 persons. During the same year a total of 408 persons were employed in the plant maintenance division; 205 as full-time employees and 203 for part-time. This follows the general pattern found throughout the nation; that is, there are far more people employed in the operation of school plant than in the maintenance of plant; and the over-all cost of school plant operation is substantially greater than the cost of maintenance. For the nation as a whole, the operation of plant in 1953-54 accounted for 9.2 per cent of the total current expenditures, and the maintenance of plant for 4.2 per cent of the current expenditures. And while these expenditures may fluctuate slightly from one year to another, it is pertinent to observe that the annual cost of public school plant operation for the nation is consistently about double (or more) the annual cost of plant maintenance. In Kentucky, in 1953-54, the public elementary and secondary schools had aggregate current expenditures of \$78,332,000 of which \$5,364,000 or 6.8 per cent was spent for operation of plant, and \$2,994,000 or 3.8 per cent for maintenance of plant.

### Supervision of Building Service

I am pressing this difference between school plant operation and maintenance costs because I want to emphasize the suggestion that when a board of education is selecting a person to head up a buildings and grounds staff, it is extremely important that the person should know how to handle and supervise people. While naturally it would be desirable to appoint a person who knows something about new building construction, building repairs, engineering, landscaping, and institutional housekeeping, too often the persons under consideration for the position of superintendent of buildings and grounds have more experience in one area than in another and school officials must make a choice. If they choose unwisely, they may find that the "tail wags the dog." A man who may have a good knowledge of building construction and repairs may know little about school housekeeping and heating plant operation, and even worse, may not have the ability to direct a group of employees in these areas of service. Should we then be satisfied that a third of the combined expenditures for operation and maintenance of plant are reasonably well supervised while two-thirds of the expenditures are neglected. Occasionally a board of education insists that the superintendent of buildings and grounds must be an engineer. If he is a competent mechanical engineer, understands something about building construction, has some knowledge of housekeeping and has the ability to supervise employees, well and good. I personally am inclined to favor an individual who has all of these abilities, but if his ability is largely in the area of engineering and he does not know how to handle people, he would not be my first choice. Another person under consideration may not be a skilled construction worker or an engineer, but he may have a good general knowledge of these areas, and he may know what constitutes acceptable housekeeping standards and how to achieve them, and above all, he has the ability to get along with people, to direct employees and get the desired results: such a person over the years may prove to be a much more valuable supervisor. I cannot emphasize too strongly that persons employed to serve in a supervisory capacity in the area of building service must have some basic knowledge of the work to be done but first of all, must be able to get along with people and get them to perform their work effectively with a high level of morale. A good supervisor is not necessarily a popular one, from the standpoint of the employees, as he must exhibit firmness in demanding reasonable standards of performance. Too often men (and women) are promoted to some

supervisory position largely because they have proved to be good workmen themselves. This is not enough. Many a man who individually has demonstrated his personal ability as a worker, has proved to be a "dud" when promoted to a supervisory position because he simply cannot direct others. True, he can tell another person what to do but he does not have the courage (or whatever it is that is required) to criticize the ineffective results. A successful supervisor cannot be too thin skinned. It has been said facetiously that a supervisor must be somewhat of a heel, as it takes a heel to keep one on his toes. He can, however, be a rubber heel.

### **Responsibilities of School Custodians**

Let us now consider the rank and file of the employees engaged in school building service. The general public may refer to these persons as janitors, — and janitresses, if female, — and with some haughty attitude that they are rather low on the social scale, performing menial tasks. I prefer the title custodian instead because of the implication that the position is quite important. And so it is.

In many communities the custodian, more than anyone else, is responsible for the care of costly public property worth hundreds of thousands and even millions of dollars. It has always struck me as incongruous that a community will spend such large sums of money for public plants and then sometimes entrust their care to incompetent, untrained, and unskilled men with no supervision. In many cases the communities are fortunate in securing potentially competent and conscientious men who assume their responsibility and who learn and grow on the job. Other communities are less fortunate and their buildings may deteriorate rather quickly for lack of competent attention.

The school custodian is responsible in part for the health of the occupants of a school. If he understands the importance of cleanliness and sanitation and exerts himself to keep the building clean, this results in at least a retardation in the growth and spread of harmful disease germs and bacteria. The proper operation of heating, lighting and ventilating provisions also has a direct bearing on the health of the building occupants.

The custodian has a share of responsibility for the safety of the building occupants; safety against the hazards of fire and accidents. Some of these fires and accidents occur as the result of poor house-keeping and maintenance practices, and others because of defects in the building structure or appurtenances. A custodian, of course, cannot be held responsible for all existing hazards, but if he knows

what his job entails and is alert, he can reduce the number. A school fire can be a terrible tragic affair, and fire prevention ought to rate high on the list of a custodian's responsibilities. He should also appreciate the importance of keeping passageways and exits clear and operable so that occupants are not trapped or impeded in seeking egress from the building in the event of emergency. Furthermore, he should know what steps to take to fight a small incipient fire in its earliest stage.

The custodian is responsible for maintaining appropriate standards of cleanliness and neatness which, by their example, may prompt children to set up higher personal standards of cleanliness and neatness. We should keep in mind that children, in some respects, are like monkeys: "Monkeys see; monkeys do."

Pupils and teachers are influenced by their physical environment within the school building, both positively and adversely. They unquestionably can do better work in a neat, clean, well lighted and properly heated and ventilated classroom than in one that is dirty, stuffy and unattractive. To the extent that he can provide and maintain the more appropriate environmental conditions, the custodian is indirectly aiding teaching and learning.

The building service employee can help to build good will for the school through his efficient and courteous service and by his manners, attitudes and conduct when he comes in contact with the public. These same fine qualities of behavior will contribute to the development of good spirit and morale among the building occupants. And if proper conduct and service help develop good will for the school, poor service and behavior can cause ill will.

The efficient custodial employee is in a position to effect financial economies in carrying out his duties. By adhering to a proper work schedule he can reduce the amount of waste time. The man who can fire a heating plant efficiently can reduce the fuel bill. The person who prevents the needless waste of utilities such as electricity, gas, and water is effecting economies. This also holds true for the person who husbands cleaning supplies and materials, using what is required and avoiding needless waste.

#### **Qualifications of Custodians**

When one takes into consideration the many varied responsibilities of the school custodian, it should be clear that this position is truly an important one and that it cannot be handled properly just by any "Tom, Dick or Harry". School officials, in filling these posts, should seek potentially capable persons who have the capacity to

learn and grow on the job. The qualifications and characteristics of the desired personnel may be described by such terms as:

1. Physically and mentally sound
2. Reasonably intelligent
3. Possessed of common sense
4. Mature, but not old when first employed
5. Reliable and dependable
6. Of good character and acceptable habits
7. Imbued with initiative and industry
8. Neat and personable in appearance
9. Respectable and courteous
10. Cooperative

If the foregoing description is accepted, we must be prepared to make the position sufficiently attractive to interest potentially competent people in this work as a career job. We must recognize that the job is important and that the people who do the work are to be respected as individuals. Security of position, although desirable, is not in itself enough to attract people. The salaries must be high enough to attract good people who otherwise choose to go into private employment. There also must be appropriate hours of work and reasonable emoluments in the way of vacation, holidays, sick leave, over-time pay and retirement pay.

Securing potentially capable people for the custodial positions, while important, will not in itself assure a community that the desired standards of service will be obtained. There must be an adequate number of people to carry on the job. I have visited schools with poor standards of service, but with otherwise excellent workers who, however, could not possibly do the great amount of work outlined for them. Able men and women with impossible work assignments tend to become frustrated when they find that their best efforts fall short of the desired mark. Overloading a potentially competent person can wreck his morale and when this happens, I blame management.

#### **Training of Custodians**

You will notice that I have been speaking of potentially competent employees; that is, people who have the potential to develop into able service workers, if they have not had prior good experience in the field. Most persons who go into school custodial service have had no such prior experience, and as a matter of fact many of those now in service have not learned how to do their work well. Practically all of these people need on-the-job instructions so that they



will know the "how", "what", "where", "when", and "why" of the several aspects of their jobs. It is too costly to allow them to learn by the trial and error method and, furthermore, they are as likely to learn a poor way of accomplishing a task as a good way. Too many workers are only interested in the end result. — they do not study methods to accomplish these end results.

Instruction of employees can be done on either an individual or group basis. A new beginner may need considerable individual help since there are so many tasks requiring different techniques. It may be said at this point that the instructor must know his business, for otherwise he will be training a person along improper lines. Many a wrong technique has been perpetuated down through the ranks by one person showing another what to do — but wrong. Some instruction can be done by the group process. A half day meeting of custodians once a month — perhaps on a Saturday morning — can be an excellent means of instruction, if properly directed by a competent supervisor. A three to five day refresher course during the summer vacation period also may be profitable. A number of colleges and universities (including our own Teachers College, Columbia University) have for years held an annual short course for school building service employees in their respective regions. The twentieth such annual short course will be held in New York in June, 1958. Our institution does not consider such training beneath its dignity and, indeed, is proud of the fact that over the past two decades more than 2,000 persons from the United States and Canada have participated in these conferences aimed at upgrading school building service.

### **Work Schedules**

It is my judgment that the custodial employee should have some type of written work schedule outlining what he is expected to do (when and where) throughout his work period, with an appropriate allotment of time for each of the many individual tasks. This, of course, cannot be too rigid since contingencies may develop that require some modification. A heavy snowfall, for instance, necessitates snow removal from walks, but this usually is not a daily task to be included in the written schedule. Custodians who have not had written schedules generally do not think much of the idea when it is first presented to them, and they give many arguments against the proposal. Some fear that it will be too rigid to be workable, but it is my opinion that some of the men have enjoyed the loose flexible arrangements giving them frequent indefinite rest periods, and they do not wish to change. A well developed schedule, however, has

many values. In writing up a schedule, consideration must be given to the timing of the several jobs, with some sort of priority rating. There is less opportunity to overlook or neglect a task, and in a building with several employees there is less chance of overlapping jobs. A written schedule also is useful in the event a substitute is called in to take over a job on short notice. A properly outlined work schedule will provide reasonable rest periods but will avoid an undue amount of "loafing." I am assuming, of course, that the men will have a reasonable length of work day, approaching eight hours on the average for the ordinary school day. The custodian of the so-called one man building often is required to put in many more hours during the winter season, and this fact should be taken into account in making out his assignments.

At this point I should like to suggest that in some cases a school should have additional custodial help in order to provide more reasonable work loads for the employees. Part-time help can be employed if a full-time assistant is not required. Women have proved to be particularly efficient in such types of work as sweeping and dusting, and they often are available on a part-time basis. They also can do light mopping, can clean glass in doors, polish hardware, and clean plumbing fixtures. They are less useful for such jobs as firing the furnace, shoveling snow, washing windows and walls, and moving heavy furniture, but with the exception of firing, these tasks are not of a daily routine order.

In a building with more than one custodian, staggered work shifts often can be arranged advantageously. There are two active work periods, one before school opens in the morning, and the other after the close of the school day. While there are many tasks that can be done during the interim, there is greater freedom to work when the pupils are not present. Indeed, in a building of some size with several employees, it is sensible to arrange for much of the cleaning on an evening shift, say from four o'clock in the afternoon until midnight. At any rate, there is nothing sacred about requiring all the custodial help to work the very same hours.

### **Supplies and Equipment**

My last suggestion calls for providing adequate and appropriate custodial tools, supplies and equipment. Labor accounts for more than ninety per cent of the housekeeping costs. Good tools and equipment usually pay for themselves in the saving of time and increased efficiency of service. There are electric driven scrubbing and polishing machines available, and vacuum cleaners for picking up both dry

dirt and wet mopping water. There are power mowers for the large school lawns, and electric clippers for extensive rows of hedges. There are mechanical devices for wall washing. Many different types of hand tools are available for such jobs as sweeping, dusting, and mopping, with a wide range of effectiveness. In general, get the better tools; they usually prove to be a good investment, and they add to the morale of the worker who uses them. Then too, get an adequate supply of appropriate housecleaning materials. There are many different brands of cleaning detergents, polishes, floor seals, waxes, and the like, of varying values, but school officials should know that high price and ballyhoo do not guarantee high quality.

### Summary

In summary then, I would say that in order to establish a high standard of school building service, attention should be given to the following pertinent points:

1. Provide proper supervision (including inspection service.)
2. Secure potentially capable people for the custodial positions.
3. Train the employees for the jobs to be done.
4. Set up appropriate written work schedules, and provide adequate man power to carry out these schedules.
5. Provide appropriate tools, supplies, and equipment in adequate amount.

There are, of course, many other miscellaneous points that could be mentioned relative to the topic, and especially the matter of the physical condition of school plant in which the custodial employees have to work, but the five major suggestions just outlined strike me as being the most pertinent.

## LOOKING AHEAD IN PUBLIC EDUCATION IN KENTUCKY

(Address by Dr. Robert R. Martin, Superintendent of Public Instruction, before the Advisory Council on Public Education in Kentucky, December 14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky).

Ladies and Gentlemen :

This meeting of the Kentucky State Association of School Administrators comes at a particularly auspicious time. Our nation has become more education conscious in the last month than it has been since the struggle to establish free public education through the twelfth grade.

Two months ago, on September 25, at the Second Annual Governor's Conference on Education, I made an address from which I would like to repeat one paragraph.

"We live in a world in which education is all important. It is education more than any other single factor that has made America the greatest industrial nation in the world's history. It is education more than any other single factor that has enabled the Soviets to develop the Russian nation to the point that it now poses a threat to American supremacy. It is education which has given our Western culture its dominant position in the world for the last 400 years, and it is the growth of education that has now enabled new nations in Asia and Africa to shed Western political dominance and join with the Western nations as free and equal partners in world community."

I made that statement as I have said on September 25 of this year—that was before the Russians launched their first Sputnik. Although the Conference was covered by the press, the statement I have just repeated did not make the newspapers. At that time such a statement was not news; it was the kind of thing we educators have been telling each other for a long time, of course—that education is the foundation upon which our entire civilization is built—but it was not news which the general public would have been interested in reading about in their daily newspapers.

Today I have repeated that statement which I made two months ago and I dare say that once again it will not be reported in the newspapers but this time for a very different reason—since the Russian launching of Sputnik I and Sputnik II, the whole nation has been

asking how the Russians got ahead of us and the answer seems to be through education. The papers have been filled with news stories comparing Russian education with American education. My statement to the effect that education is the very foundation of our whole civilization will not be reported in the press this time because it is no longer news—by now everybody already knows it.

This new-found public awareness of the importance of education is an opportunity, a challenge, and also a potential danger for American education.

It is the opportunity that we have needed and have waited for to bring about real public understanding of what all of us in education have known and have been trying to tell people for a long time—that public education is in bad shape because of public neglect. The public has neglected to finance our schools, to pay our teachers, to build buildings, and to interest themselves in the day to day operation of our schools. We now have the opportunity to correct this.

It is a challenge to public education to actually come across with the better schools which we have promised we could produce if only we were given the opportunity.

It is a potential danger because in their concern during this moment of crisis, educators may not make themselves heard or the public may not listen to them and may choose the wrong ways of meeting this crisis and do permanent damage to education in America.

I would like to dwell on these three points—the ways in which the present crisis constitutes an opportunity, a challenge, and a potential danger to education.

### **THE OPPORTUNITY**

That the present crisis is an opportunity for educators to be listened to at long last is already abundantly apparent. Each day's newspaper now has three or four articles comparing Russian education with American education.

Many of the things educators have known and have been trying to say for a number of years are now being said for them by the press. I find that some of the facts which I have known for some time take on a new and frightening appearance when I read about them in the newspapers. For instance, a Russian elementary and high school teacher earns one and one-half times as much as a Russian skilled worker, whereas, an American teacher earns less than a skilled worker. Class size in the Soviet Union is limited to 17 or 18 stu-

dents, whereas, Americans have become accustomed to 30 or more students in the classroom. Russian schools now graduate 60,000 engineers a year and American schools graduate about half that number—about 34,000. The Russian child graduates from high school in ten instead of 12 years and in those ten years he has had five years of physics, four years of chemistry, five years of biology, and ten years of mathematics including algebra, geometry, and trigonometry. In many Kentucky schools we are still trying to find the funds to build the laboratory and pay a teacher who will teach our children one year of physics or one year of chemistry before they graduate from high school.

These figures are startling; they are frightening; they are being presented to the American public with all the skill possessed by our great American free press. The result is greater public concern over American education. We are just beginning to feel this public concern. Without doubt, it will grow stronger and stronger in the next few months. The public is becoming convinced that there is something wrong with American public education. We who are in education have been trying to tell them that for a long time.

Here are some of the things we have been trying to tell them in Kentucky. At the time of Pearl Harbor, Kentucky employed 18,800 teachers who met full certification standards at the time and there was a large oversupply of qualified teachers. Before the close of the 1940-1941 school term, Kentucky started running out of qualified teachers and issued 164 emergency certificates. That number increased rapidly until it reached 5,300 in 1947-1948. The number then declined for a few years but has started upward again and this year we will issue 3,000 emergency certificates in order to fill vacancies.

If all the teachers prepared in Kentucky colleges had accepted teaching positions in Kentucky, there would be no great shortage of teachers. The Kentucky colleges have produced, during the last 10 years, 15,389 college graduates qualified as elementary or secondary teachers. During that 10-year period, 20,000 teachers have withdrawn their teacher retirement funds and quit the profession in Kentucky—most of them going into the teaching profession in other states.

The State Department of Education has given to the public, through its own releases and through the *COURIER-JOURNAL* and other papers, these facts year by year as an evidence of its deep concern about the quality of education. It is poor economy to prepare

teachers for other states when Kentucky children do not have qualified teachers.

A large percentage of the best prepared teachers moved on to other states where salaries were higher and the poorly prepared teachers used their own meager salary to upgrade themselves year by year. In 1939-1940, the last normal year just prior to Pearl Harbor, only 40 per cent of Kentucky teachers were college graduates. This past year, 60 per cent of the teachers in Kentucky were college graduates.

The State Department of Education has indicated its concern for improving the quality of education as it made efforts to consolidate the small one, two, and three teacher schools. It took buildings and roads to make it possible to consolidate. Kentucky was concerned about the education the children received in these schools as it made efforts to consolidate the schools and bring the children into larger schools.

Prior to World War II, there were 5,367 one-teacher schools. In 1949-1950, there were 3,127. Today, there are 1,523.

We have been concerned about improving the quality of education in Kentucky in our effort to extend the term length. Any advance we make in education in Kentucky represents long years of struggle. For example, the Legislature of 1842 set the minimum length for the first time—the term was three months. Fifty-one years later, 1893, the minimum term was set at five months. Eleven years later, in 1904, it was advanced to six months. After another 20 years, in 1924, it was fixed at seven months. Then, in 1946, 22 years later, we had the beginning of a period in which every child in the elementary as well as in high school was guaranteed a school term of eight months. It was not until 1956 that the Legislature guaranteed to every child in Kentucky a term of nine months and, even now, Kentucky ranks seventh from the bottom in the number of days Kentucky children attend school. In Kentucky, the children go to school 172 days while in our neighboring state, Illinois, where the school term is the longest, the children go to school 187 days. The average in the United States is 178 days.

Research in the State Department of Education shows that in 1944-1945, when there were 405,830 children in membership, 81,118 failed to be promoted—approximately 20 per cent. Twenty-six per cent of those enrolled in the schools with the shortest term length—seven months—were not promoted. Twenty-one per cent of those

enrolled in schools that had eight-month terms were not promoted and 12 per cent of those in schools with nine and ten-month terms were not promoted.

The supply of teachers as well as the caliber of the people who choose to prepare for teaching is related to salaries. In 1956-1957, Kentucky ranked 46th among the states for salaries of teachers with an average of \$2,900. Mississippi, with an average of \$2,500; and Arkansas, with an average of \$2,430, are the only two states which fall below Kentucky in average salary of instructional staffs in the public schools. The Arkansas Legislature this year made an added appropriation of \$14,300,000 which will increase teachers' salaries on an average of \$800, raising the average to \$3,200. This will leave only Mississippi with salaries below Kentucky. The average in the nation is \$4,330 and the top average is found in New York where the average is \$5,700. In Illinois, it is \$4,785, and in Ohio, \$4,500.

The problem of teacher shortage—the problem of securing and retaining a good teacher for every classroom remains a pressing problem for the total leadership in every local community and for the leadership of the total Commonwealth.

This mounting public concern over education is the opportunity that we have waited for. Now is the time for all of us to exert every effort to tell the people just what it is that is wrong with education. In each community it is somewhat different but it follows the same general pattern all across our Commonwealth and across the Nation. Teachers' salaries are too low. We cannot recruit promising young people into the profession. We cannot even hold people in the profession who have trained themselves in college to be teachers. We do not have enough buildings in which to house our schools and too many of the buildings we have are old and inadequate. Even if we had enough teachers we could not appreciably reduce the size of our classes because we do not have buildings in which to put them. If the Federal government were to give us the money to hire science teachers tomorrow, many of our schools would not have laboratories in which they could work. In many communities we do not have the active support of the public for any part of the school program except athletics, (and in some communities the public does not even support athletics.) The Russians have given us the opportunity to tell these things to a newly-interested and newly-frightened public. We must grasp this opportunity while it is ours.

### **THE CHALLENGE**

The present crisis is a challenge in many of the same ways in



which it is an opportunity. It is a challenge to make ourselves heard; it is a challenge to take advantage of the opportunity; but it is a challenge in another way, too—it is a challenge for us to **produce** in some of the areas in which we have been doing a lot of talking. If we take advantage of the opportunity which the Russian Sputnik has given to American education, we will undoubtedly have more to work with in the next few years. The public will become more willing to build buildings and more willing to pay teachers. The public will be asking questions about curriculum and teacher training and a lot of other subjects, and if we take advantage of our opportunities, they are going to follow our advice on a lot of these matters. Therein lies the real challenge. When we are given the wherewithal to improve American education, how successful will we be in actually bringing about improvement? How much of what we have been saying we want to do can we actually put into practice and make work? Many of you will soon have the opportunity to put a lot of things into operation that we have been pleading for in vain heretofore. What we accomplish when we are given this opportunity will determine the future of education in this country.

#### **THE DANGER**

I said that the present crisis is potentially dangerous to education. It is potentially dangerous because the public is becoming excited and it may follow the wrong leadership. There are those who blame the American schools for the present crisis without tempering their judgment with consideration of what the schools have been given to work with. These people and others would offer their own solutions to our educational problems regardless of whether their proposals conform with the best in educational research and educational thought. Educators can forestall this danger by seeing to it that the public is made aware of the real problems in education and the real solutions to them.

There is an acute danger in the present situation that attention will be focused exclusively on mathematics and the sciences. Science and mathematics are important, but other subjects are important too. We would be foolish, indeed, to let the present Russian breakthrough on the scientific front convince us that science is the only important subject in our schools. To launch into a crash program in science and mathematics to the exclusion of other subjects would do permanent damage to our young people and to our schools. Furthermore, a crash program in science would certainly be only the beginning of a series of crash programs each time the Russians displayed superiority in

some new field. What is actually needed in our schools is a **balanced** improvement in the quality of the entire program.

I would like to discuss this need for a balanced program for a moment. We have been told in the last month or two that American schools are behind Russian schools in teaching science, mathematics, and foreign languages. This is true. We are told that we must close the gap in these fields and produce scientists, mathematicians, and foreign language experts in the same quantity and the same quality as the Russians or the Russians will eventually conquer us. I expect this is also true.

On the other hand, the defenders of American schools point out that there is a difference in purpose between **American and Russian** schools. One of the major purposes of Russian education is to turn out scientists, mathematicians, and language experts. American schools, on the other hand, are broader in their purpose. They train students from many backgrounds for many fields of endeavor and in addition to academic training they seek to teach all young people how to live in a democratic society. At their best, our American schools achieve both of these goals. Many others do remarkably well with limited sources. Some, unfortunately, use such phrases as "Training for Democracy" as a camouflage for an inadequate program. At its best, nevertheless, the American school seeks to train broadly and to train for democratic living.

Some of the recent articles in the press have made it appear that Americans must choose between a good academic program in science and mathematics and the broader purposes which have heretofore characterized American schools. This is not true. Part of the challenge which now faces American schools is the development of a program which will achieve something comparable to what is being achieved in Russian schools and hold to the ideals of American education. This is a greater challenge than the one that faced Russian educators before they developed their present system of education because we must achieve in our schools what they have achieved in theirs **and** we must do this without sacrificing the essential elements that characterize American education.

#### **A PLAN FOR ACTION**

We must examine very carefully the impact upon American life and upon our free institutions of the recent developments in the fields of science and technology. Along with this re-examination, I believe we should reaffirm our faith in the American system of education with its democratic goals of educational opportunity and free-

dom of choice for all youth, and recognize that it still constitutes democracy's most effective weapon for combatting the threats posed by the Soviet Union and its satellite nations.

I call upon all boards of education, school and college authorities and their faculties to meet fully and effectively their increased responsibilities in this period of crises by taking the following actions:

1. Each school should examine its curriculum in order that we may determine that it is adequate for the stern requirements of this day.

The State Board of Education has authorized the Superintendent of Public Instruction to appoint three committees composed of lay citizens and professional educators in order that we may thoroughly examine our accreditation standards and our program of studies for all the schools across the State. It is imperative that each school district do this same thing for itself.

2. While public opinion at this time is essentially focused on science and mathematics, it is essential to improve the teaching of other basic studies and activities required for proper balance in education. As has been stated, "The defense of our democratic society lies in a citizenry whose members have attained an emotional and intellectual balance, high standards of moral and spiritual values, and the ability to make intelligent decisions as individuals and as a group."

3. Our public schools and colleges should strengthen their guidance and counseling services in order that each student may be assisted in making wise choices to the end that his capabilities will be realized to the maximum extent. We know that all students cannot become mathematicians and scientists—it would be foolish to undertake such a proposition.

4. Principals, supervisors, teachers, and all others who are in any way associated with the learning process should redouble their efforts to assume in a new way their responsibilities for identifying talent and ability and in motivating and encouraging students who possess unusual talent and ability to develop it fully.

5. School districts should give attention to the reorganization of elementary and secondary programs by the establishment of schools which are large enough in size to permit the

development of, in an efficient and economical manner, a broad program of education which will make it possible for students to develop to the maximum extent.

6. Schools should experiment with and explore practical ways to enrich the program of gifted youth. This may be done through longer school days, special plans for further development during vacation periods, as well as through individual attention and instruction.

In order that we who work directly in the field of education may have the strength and encouragement equal to the task which faces us, I call upon our State and National leaders in government, industry, agriculture, and labor; and more especially on each individual citizen to give support and understanding to our schools and universities in this time of national crisis. The ultimate responsibility and obligation for the welfare of education and the training of youth rests upon this State and this Nation. The public must be willing to accept the financial responsibilities which are necessary in order that education be improved to meet the challenge of this day.

There are no panaceas—no easy solutions—the neglect cannot be overcome by crash programs, but only by thorough analysis of the American education program and the willingness to give to it the support and understanding which are necessary for its fulfillment.

Kentucky has made a great investment in education—hundreds of thousands of dollars, as well as the time, talent, and devotion of thousands of dedicated teachers. All of this has been with the aim of assisting young people of the State in securing a good education and to preserve and strengthen the American Way. Therefore, I think it is fitting that I call upon each student in the schools of this State that the student recognize his responsibility for greater effort to work to his full measure in order that he develop his abilities and talents to make him a worthwhile citizen in the years which lie ahead. Only in this way can he serve in the highest sense his country as well as himself.

This is the day of a new opportunity for all of us in education, it is the day of a new challenge fraught with imminent dangers. I know you will seize the opportunity, you will accept the challenge in order that we may avert from education and from American life the inherent dangers of the present situation. You will be equal to the task.

## IMPORTANCE OF STATE BOARD OF EDUCATION REGULATIONS

(Address by Robert F. Matthews, Jr., Assistant Attorney General, before the Advisory Council on Public Education in Kentucky, December 14, 1957, Sheraton-Seelbach Hotel, Louisville, Kentucky).

Upon reflection, I have come to the realization that "The Importance of State Board Regulations" is a most important subject because for reasons which will be discussed such regulations have the force of law and reign in importance alongside the statutory provisions found in the law books.

As you know, the State Board of Education, under statutory provisions, has the management and control of the common schools in Kentucky. Under specific statutory provisions the State Board is given the power to issue regulations in furtherance of its operation of the schools in Kentucky.

Of course, the general framework of school law is provided by the statutes and the regulations issued by the State Board are in amplification of this general statutory law.

Statutory boards, whether state or local, must be ever careful not to usurp the legislative function when passing regulations.

Public bodies must be ever careful of observing this distinction between legislative and administrative enactments. In principle, legislation and administration are quite distinct powers. But in practical application, the line which separates their exercise is not clearly marked or easily defined.

However, the distinction between the legislative and administrative functions is fundamental. In their definition and in the practical application lie the difference between government by legislation and government by bureaucracy. The authority to make rules and regulations to carry out a policy declared by the law maker is administrative and not legislative. The legislative enactment is found in the Kentucky Revised Statutes and the administrative regulations which lend completeness and cohesion to the legislative fiats are found in the State Board Regulations.

In a similar position to the State Board are the local boards of education which have the statutory power to issue regulations

in furtherance of their control and management of the public schools in the local districts.

Yet, actions taken by the local boards must be consistent with the regulations issued by the State Board of Education. Therefore, we can see a definite tie-in between local boards and the State Board, and we realize that under specific statutory direction the State Board regulations control all school activity in the state in the field in which the regulations apply.

To carry out effectively the broad school policy evident through State Board action, there must be a spirit of cooperation. And there is a spirit of cooperation, as I have noticed, among local boards and the State Board.

Our Court of Appeals has upheld many times the authority of the State Board and, in fact, local boards to pass regulations which assume under proper adoption the force of law.

In fact, the Court has stated emphatically that knowledge of the regulations on the part of a complaining tax payer or complaining third party is not essential.

In other words, if the regulation has been properly adopted, then whether or not some third party has actual knowledge of its existence is of no importance. This idea dovetails with the old adage of the law that ignorance of the law is no excuse.

You have seen examples of this wherein a local board has a regulation stating that certain conditions must be met before a bid is acceptable. Or again the case wherein the chairman of the local board executed a contract with some third party and he, in doing so, exceeded the authority given him by the board according to the minutes or regulations of the board. As you know, this contract is not enforceable against the board, for reasons that the chairman had exceeded the authority lodged in him and the Courts hold that all persons dealing with a board are on notice of the board's powers, as found in its minutes and regulations, whether they actually know them or not.

As the Court of Appeals pointed out in a case on this point: "Persons dealing with a municipal corporation are bound at their peril to know that the contracts made by the officials of such corporations are made in the mode pointed out by the chairman and ordinances and if they fail they must suffer the consequences."

Of the same force and effect are State Board regulations.

Hence, we can see that because of the binding effect of State Board regulations, it is very important that school administrators

and school officials familiarize themselves as best they can with the State Board regulations, and it is further incumbent upon you persons in responsible school positions to keep abreast of the amendments and changes that occur regularly in State Board regulations.

I admit that this is a difficult and a continuing job because of the multifarious nature of your duties, but I cannot underestimate the importance of your so doing.

State Board regulations operate in many fields of education. These include the district allotments under the Minimum Foundation Program, the certification of teachers, the makeup of budgets, etc.

A familiarity with regulations in all fields will enable you to remove a lot of guesswork from local school administration and enable you to become much more efficient in the administration of your position.

The compilation and new assemblage of State Board regulations recently completed by the Department of Education should be of great assistance to you. You will now have at your fingertips, in one volume, all effective regulations of the State Board of Education.

Their enforceability is unquestioned the same as the unquestioned enforceability of school statutes. Knowing most of you all personally and realizing that you are conscientious and able administrators, I feel confident that you will do an outstanding job in your local school districts.

We in the Attorney General's office always stand ready and eager to assist you to the extent of our ability.

We would enjoy and appreciate a visit from each of you whether you have a particular problem upon which you seek advice or whether you would desire to discuss your school problems generally.

The welcome mat is always out.

## GROUP DISCUSSION SUMMARY

Following the several general sessions during the conference the participants met in previously determined groups for the purpose of exchanging ideas and securing solutions to problems.

Each group was headed by a chairman and had the services of a recorder and several consultants. Appreciation is expressed to these leaders for their fine contributions toward the success of the meeting.

No attempt was made in these group meetings to reach a consensus. Their whole purpose was to stimulate discussion and furnish opportunity for the exchange of ideas. Although no consensus was reached, a number of ideas recurred in the several groups. These are listed below :

### 1. Legislation Regarding Liability Insurance

This problem was mentioned many times. The participants felt generally that legislation should be enacted permitting boards of education to purchase liability insurance on vehicles other than school buses. Because the courts of the nation have tended to disregard the principle of governmental immunity to an increasingly greater degree, it was thought that liability insurance on officers and employees should be made a part of the district insurance program.

### 2. Desirability of Co-Insurance

There was almost unanimous agreement that co-insurance was desirable, probably at 90 per cent. When the co-insurance feature is utilized the appraisal of buildings must be realistic and the total value should be insured.

### 3. Boiler Insurance

The regular inspection service provided probably makes boiler insurance desirable. However, some districts using low pressure steam only, and having a large number of plants may not want to carry this type of insurance and instead contract for inspection. In large districts with few losses and a number of the schools it may be desirable to have inspection performed in this manner.

### 4. Preventive Maintenance Programs

The groups felt that each school district should plan a preventive maintenance program and follow it insofar as possible. Preventive maintenance is economy in the long run.



#### 5. **Appraisal of Property**

Each school district should have an adequate appraisal of the school plant. Such an appraisal is absolutely necessary under a co-insurance program.

Appraisal may be secured by utilizing local contractors, engineers and architects, professional appraisal firms or by competent insurance men. This last method is usually the least desirable.

#### 6. **Improving Rates**

There are many minor corrections that may be made that will reduce the rates on school buildings appreciably. Any changes made should be reported immediately to the Kentucky Inspection Bureau in order to get the advantage of rate changes. The Bureau can be of help in planning buildings so as to secure low rates. However, where extra construction costs are involved the saving in rate should be balanced against the increased costs since in some cases the rate saving will not justify the added cost.

#### 7. **Department of Education Insurance Service**

Several groups went on record as recommending the provision of consultative service on insurance problems in the Department of Education. These groups also indicated that a need existed for a bulletin on the subject.

#### 8. **Custodial Training Programs**

A number of groups recommended that the State Colleges and the University provide short intensive courses for the training of custodial personnel.

#### 9. **Department of Education Services**

General appreciation was expressed to the Department of Education for providing service in the area of building maintenance and plant operation. A bulletin on procedures and materials was requested.

#### 10. **Use of Teaching Personnel in Maintenance Work**

This question was discussed quite thoroughly. There was general agreement that this practice improved morale and made it possible to hold some teachers who might otherwise be lost from the profession. However, the practice should not be utilized to the point where certain jobs are costing the district more than they would if carried on in some other manner.

## CONFERENCE PARTICIPANTS

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