

Mr. GOODELL. Of course, if we transfer Federal funds to the State for allocation within the State, then the money frequently if not always becomes subject to State constitutional requirements and State legal requirements.

Mr. PAGE. We have that problem now in title II. My legal counsel tells me I am operating illegally when the regulations state that you will make the funds available and the services available to the students and teachers of the church-related schools.

The constitution and laws of Illinois say you can give no financial assistance to the church-related schools. Our legal counsel interprets that when you help the teacher and student you are giving financial assistance to the schools. So we are in conflict there with the State law.

Mr. GOODELL. May I ask you if you feel this kind of procedure would be workable? With the objective of coordinating the State school system and local school system with the Headstart program, could we allocate money through the State agency, giving the State agency the power of allocation of Federal funds to the local community action boards, poverty boards, who could, in turn, contract with public or private, or both, agencies on a local basis for Headstart?

Mr. PAGE. Mr. Goodell, I am not a lawyer and I am not certain that would be within the framework of the law of the State of Illinois.

Mr. GOODELL. I would not ask your opinion on a constitutional question or legal question as much as whether you think this would—

Mr. PAGE. I think this would be very much of an improvement over what we have. Personally, I would be in favor of it.

Mr. GOODELL. If legal, you would be in favor of it?

Mr. PAGE. Right.

Mr. CHRISTIAN. Mr. Goodell, I could testify to that particular point since the Dade County public schools are the party with whom our local poverty board has contracted to operate the Headstart program.

I happen to represent the school board on the poverty board, and here is a situation where public schools are operating a major size Headstart program as a delegated agency of the poverty program and with some joint control.

It just seems to me, looking at this from a school point of view, that some means of bringing the Headstart program within the school system is pretty much necessary if we are going to get the kind of changes that are required to do an adequate job of educating disadvantaged kids.

It might work that OEO would push for this kind of delegation, forgetting about whether you have to necessarily put it under the Office of Education or not, by having some showing as to why the public schools can't perform. There are some places where the public schools simply don't have the facilities or they may not wish to accept a total Headstart program.

But it would seem to me that if in some fashion OEO should have the burden of showing that the public schools could not operate or did not wish to operate or were not properly set up to operate a Headstart program. In the absence of any such showing, you would get the