

Introduction

A Measure of Our Soul

WHY WE NEED A CHILDREN'S EDUCATION BILL OF RIGHTS

New York City has a public school population of approximately 1.1 million children and young people. The total population of the United States is slightly over 300 million. This means that roughly 1 in every 300 Americans is a New York City public school student. Let's expand our database a bit further: The ten largest school districts in the United States are New York; Los Angeles; Chicago; Miami-Dade County, Florida; Clark County, Nevada; Broward County, Florida; Houston; Hillsborough County, Florida; Philadelphia; and Orange County, Florida—the total student population of these school districts is just under 4 million. Wyoming, Vermont, North Dakota, South Dakota, Alaska, and Delaware have a total population of just over 4 million—these six states have 12 U.S. senators and 6 members of the House of Representatives.

Children, however, have no political representation.

Let's think even more broadly: The total student population of the United States is 56 million; 50 million attend public schools—more people attend public school than live in Texas and New York. By the end of the decade we will add another 10 million students. Yet children have no vote, very little voice, and few rights.

Children are our disinherited class. How we care for, educate, and prepare these young Americans to thrive and lead in an uncertain and challenging world is and will be the measure of our national soul.

We live during one of the great transition periods in the human journey; our world is becoming more diverse, more complex, more innovative, and, yes, more dangerous. Our relationship to the earth is strained, and as the world's population grows—there are 6.6 billion of us today—our natural resource base is strained to the point of collapse (Diamond, 2005; Sachs, 2008; Wilson, 2006).

Box I.1—The Condition of American Children

Let's look candidly at the condition of our children:

- Twenty percent of American children live in poverty.
- This number is growing every day, and poor means poor; 39% of the nation's children—over 28 million—live in low-income families. More than 1 million kids go hungry every day; 40 million American adults and children struggle with hunger every day.
- Fifteen percent of American children—10.7 million girls and boys—live in families with monthly incomes of less than \$1,500 per month.
- Over 1.3 million children are homeless on any given night.
- The United States ranks first among the richest countries in the world in percentage of children living in poverty.

This book is about recapturing our soul as a people by becoming stewards of the future and by protecting, nurturing, educating, and celebrating our greatest national asset—our children.

The condition of our poor children is a national scandal. We live in three Americas—those with surplus wealth and income, those with enough income to get by, and those who struggle every day to survive. A September 2010 report by the U.S. Census Bureau indicates that the income gap between the richest and poorest Americans is the widest on record and that young people and children, in particular, are struggling to stay afloat. Income inequality is at its highest level since the Census Bureau started recording household income in 1967.

Arianna Huffington (2010) has coined the phrase “Third World America”—perhaps a dramatic characterization, but then again perhaps not. It may be all too accurate. It is the children who are the canaries in the mine shaft of impoverished America; they take the brunt of the blows poverty inflicts on the economically disadvantaged and desperate (Anyon, 2005; Coleman, Hoffer, & Kilgore, 1982; Darling-Hammond, 2010; Edmonds, 1977; Fine, 1991; Kozol, 1991; MacLeod, 1987; Perry, Moses, Wynne, Cortes, & Delpit, 2010; Persell, 1977; Vinovskis 2009).

Poverty and deep inequality are the parents of unequal education. Just as we have three wealth and income Americas, we have three elementary and secondary public school systems: one for affluent, one for the declining middle class, and one for the poor.

Educational reformer Linda Darling-Hammond (2010, p. 30) identifies five factors responsible for creating and maintaining unequal and inadequate educational outcomes in the United States:

- the high level of poverty and the low levels of social supports for low-income children's health and welfare, including early learning opportunities;
- the unequal allocation of school resources, which is made politically easier by the increasing resegregation of schools;
- inadequate systems for providing high-quality teachers and teaching to all children in all communities;
- rationing of high-quality curriculum through tracking and inter-school disparities; and
- factory-model school designs that have created dysfunctional learning environments for students and unsupportive settings for teaching.

The issues that Darling-Hammond identifies are not new; in her book *The Right to Learn* (1997), she makes a strong argument that every child is entitled to an excellent education. Since the 1960s, we as a people have engaged in a series of educational reform efforts to improve public education generally and to create compensatory educational programs for the poor at the federal, state, and local levels—unfortunately, these efforts have fallen short (see Resource 1 for a brief overview of the cycles of American educational history). Maris Vinovskis (2009, p. 236), an expert on federal educational policy, expresses it this way:

When existing federal education programs—well intentioned though they may be—are ineffective, the problem is not just misused tax dollars but wasted chances to help those most in need. The promises of compensatory programs raise the expectations of those who have the least to look forward to and dash their hopes by failing to really help them escape poverty. The overall experiences with federal compensatory education programs such as Title I and Head Start have frustrated many Americans who have sacrificed to pursue these programs' lofty goals but now find that little real progress has been made during the past 40 years. For many disadvantaged students who pass through these programs and are not significantly helped, however, the results are more than just frustrating. They are precious opportunities lost forever.

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We need a Children’s Education Bill of Rights because it is the most direct, unequivocal, and actionable step we can take in reclaiming the American Dream, not just for the lucky few, but for all. We cannot afford to lose any more precious opportunities.

If I were to summarize the three most important reasons for reading this book, they would include the following:

- A children’s education bill of rights provides a framework for consensus and constructive action that can build bridges of hope and understanding over the chasms of misunderstanding and mistrust that divide us.
- The organization of the book supports educators, parents, caregivers, and community members. Public education is our national civic commons; by organizing educational improvement issues in a sequential manner, *Sacred Trust* can be used by educators in their work and by grassroots community groups.
- *Sacred Trust* can be used to promote conversations in schools, school districts, parents’ groups, and community organizations about the right of all children to receive a world-class 21st-century education.

This book invites readers’ participation by asking tough questions, providing new data to fuel debate, including provocative stories and statistics to deepen our understanding of the real condition of children today, offering practical solutions to our most pressing educational problems, inviting readers to seek their own solutions, fielding book study questions at the end of each chapter to extend the conversation, and, lastly, suggesting possible action steps at the school and community levels.

The goal of this book is to reempower all those interested in the welfare of children. *Sacred Trust* should not be treated as a book to be read and shelved. It invites discussion, disagreement, and thinking differently. It asks questions and invites readers to let their imaginations open up and come alive. The questions are nearly endless, the answers elusive, but the journey is well worth the time and effort—the end game is a more perfect public school system and a country that loves, protects, and takes pride in its children.

A CHILDREN’S EDUCATION BILL OF RIGHTS

Quality education for all has always been a central objective of the civil rights and human rights movements. In 1967, six months before his assassination, Martin Luther King Jr. spoke to students at Barratt Junior High School in Philadelphia. Here are his words:

I want to suggest some of the things that should begin your life's blueprint. Number one in your life's blueprint, should be a deep belief in your own dignity, your worth and your own somebodiness. Don't allow anybody to make you feel you are nobody. Always feel that you count. Always feel that you have worth, and always feel that your life has ultimate significance.

The most fundamental civil and human right is the dignity and worth of every person (Banks, 1996, 1997; Barber, 1992; Cookson, 2001a, 2001b; Gutmann, 1987; Locke, 1693/1979, 1888; Mill, 1859/1947; Rawls, 1971; Strauss, 1950; Wright, 1995). The struggle for genuine civil and human rights almost always arises from the grassroots (Anyon, 2005). History is beckoning to us to expand our vision of the possible and to rise above the needless conflicts that inhibit clear thinking and shared responsibility.

In 2005 Robert P. "Bob" Moses, a hero of the civil rights movement and the founder of the Algebra Project, called together civil rights workers and educators from around the country to create a grassroots movement to demand that quality education become a constitutionally guaranteed right.

Participant and author Theresa Perry puts it this way:

Now is the time for ordinary people to be heard, to demand that government at all levels (federal, state, and local) guarantee quality education, and for ordinary people to offer robust descriptions of quality education, ones that can be encoded in law and monitored by appropriate governmental agencies as well as an organized and vigilant public. (in Perry et al., 2010, p. xv)

Acting on this impulse to create a quality public school system that serves all children, in March 2009 Congressman Jesse Jackson Jr. proposed a resolution for a constitutional amendment:

Section 1. All persons shall enjoy the right to a public education of equal high quality.

Section 2. The Congress shall have power to enforce and implement this article by appropriate legislation.

This simple resolution speaks to the very heart of who we are as a people and the decisions we are going to have to make if we are to fulfill our historic destiny as the world's greatest democracy.

In this book I argue that building on the work and dedication of so many others, we need to take the next step in the evolution of our

commitment to children and public education by ensuring that all children receive a world-class 21st-century education. (See *The Partnership for 21st Century Skills*, 2010, for a discussion of the skills, values, and dispositions needed for success in the 21st century.)

I believe we must embrace a transformative ideal—the ideal set forth by our Founders that states that every American deserves full educational citizenship. I also believe that educators have a central role in turning the Founders’ ideals into reality. Educators stand up for students’ rights every day with courage, humility, and compassion. Teachers, in particular, are the stewards of the future—the fate of the country rests in their hands. In this sense, this book is dedicated to them.

I have tried to capture our fundamental right as American citizens to a world-class education in the form of a children’s education bill of rights (see Cookson, 2009a). I am convinced that every American child and young person has

1. the right to a neighborhood public school or a public school of choice that is funded for excellence;
2. the right to physical and emotional health and safety;
3. the right to have his or her heritage, background, and religious differences honored, incorporated in study, and celebrated in the culture of the school;
4. the right to develop individual learning styles and strategies to the greatest extent possible;
5. the right to an excellent and dedicated teacher;
6. the right to a school leader with vision and educational expertise;
7. the right to a curriculum based on relevance, depth, and flexibility;
8. the right of access to the most powerful educational technologies;
9. the right to fair, relevant, and learner-based evaluations;
10. the right to complete high school.

These 10 rights are basic rights. It is possible to think of other rights, and it is more than possible to expand these 10 rights with additional commentary. A Bill of Rights, however, is not a set of laws or administrative prescriptions. A Bill of Rights lays out the principles by which we treat each other in public life. Rights are the scaffolding or framework of a social and political structure based on a fundamental understanding of the nature of civil society.

A Children's Bill of Education Rights is a means to an end—the goal is not to establish a set of formal rights that lack substance, but to create the conditions whereby every American child is offered the opportunity to develop his or her talents; every American child and young person is protected and celebrated; and every American child feels that he or she is participating in a grand effort to make the world a better place, not just for the fortunate, but for those who struggle. Every generation should be the greatest generation.

Box 1.2—The Universal Appeal of a Children's Education Bill of Rights

- The concept of ensuring the rights of children has universal appeal. As early as 1959, the United Nations adopted a resolution entitled the "Declaration of the Rights of the Child," which consisted of 10 principles, all of which aimed at protecting children and providing a "happy" childhood. Principle 7 stipulates that all children were entitled to a free education. It reads, "He [*sic*] shall be given an education which will promote his general culture and enable him, on the basis of equal opportunity, to develop his abilities, his individual judgment, and sense of moral and social responsibility, and to become a useful member of society." Article 26 of the United Nation's Declaration of Human Rights states that "Everyone has a right to education" and that "Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms."
- One outcome of the 2000 Millennium Summit was a set of goals to be achieved by 2015; Goal 2 is to achieve universal primary education for all children. Throughout the world countries are treating free universal education as a right. Governments in Bangladesh, Pakistan, and India have recently amended their constitutions to include the right of free and universal education for all children. The Charter of the Fundamental Rights of the European Union includes the right to education and vocational training. Article 13 of the International Covenant on Economic, Social and Cultural Rights recommends compulsory primary education and equal access to secondary and higher education. And most recently, UNESCO's "Universal Declaration on Cultural Diversity" emphasizes the role of education in promoting tolerance and cultural diversity as a method for overcoming violence and hatred (see the *Millennium Development Goals Report*; United Nations Development Group [2007], and the World Bank's report [2010] on the progress made thus far in reaching the Millennium Goals).

The 10 rights can be paired in couplets: Rights 1 and 2 are foundational rights to safe and fully funded public schools for all children, while at the same time allowing for innovation and parental choice; Rights 3 and 4 protect the cultural and individual rights of students; Rights 5 and 6 guarantee children high-quality instruction and school leadership; Rights 7 and 8 establish the principle that all children are entitled to world-class 21st-century curriculum; and Rights 9 and 10 establish the right to equality opportunity for all students.

THE MISSION OF SACRED TRUST

The mission of this book is to awaken our generous spirit of fairness and to provide teachers, support staff, guidance counselors, and administrators at every level with ideas to spark conversation and to offer some suggested action steps. When enacted, this Children's Education Bill of Rights will be the legislative and administrative framework for a socially healthier and more economically productive United States. This means that the conversation must be inclusive, open, and honest.

This book is also meant for parents, early childhood workers, legislators at all levels of government, public librarians, foundation officers, and community members because while we already have many solo singers, we need a chorus of goodness and the commitment of all if the world is to hear the message of educational excellence and justice—we need the voices of the whole community if we are to have the greatest public schools in history.

It is my hope that this book will ignite a positive, purposeful national conversation about the future of public education. If *Sacred Trust* provokes a national conversation and a call to constructive action, it will have served its purpose.

It is this sense of mission that caused me to use the phrase *sacred trust*. We have a covenant relationship with the generations that preceded us and those that follow (Niebuhr, 1932/1960). This commitment is not conditional or dependent on events—it is deep, lasting, and real. The commitment to American democracy, individual freedom, community, and learning transcends our differences and elevates us as a people.

Today, more than ever, we need long-range planning; quick fixes and silver bullets will only deepen our confusion, waste precious resources, and delay justice. It is only by engineering backward from the goal of a world-class public school system for all children that we can create a road map to success.

In the early 1970s I started my career in education as a fifth-grade teacher in rural New England. I remember the first day of teaching with near total recall: the expectant faces of the students; my nervousness about teaching; my unfamiliarity with school culture and politics; and

always, the question of what I was going to do to make my classroom a place of genuine, joyful, lasting learning. In some sense, I remain a fifth-grade teacher in the way I see education. In the end, it really comes down to the basics: caring, knowledge, planning, emotional and intellectual honesty, patience, and persistence in the face of resistance.

I should say emphatically that I know that there are many positive and wonderful experiments going on in education today. Every day hundreds of thousands of teachers and tens of thousands of administrators and support staff work to make education exciting, rigorous, and meaningful. Very often these accomplishments happen in spite of hardships and obstacles. The indomitable spirit of so many educators is what keeps the system from collapsing. There are truly great schools and there are truly exciting improvements; our next task is to organize this creativity and dedication so that all children experience the uplift and happy energy of true learning moments. There can be no real excellence without equity; we need to use what we know about what works in education to liberate the natural genius of all our children.

Experts offer us helpful information and ideas, but until every American feels a stake in the conversation, we are likely to keep spinning our wheels. We educators are not afraid of difficult conversations; we have them every day—we should raise our voices to be heard because after the dust settles around the latest educational policy controversy, it is we who pick up the pieces and go about the business of educating children. Honest debate and searching for the truth are the cobblestones of a new education road leading to consensus, commitment, and collective action. We can *build* this road and we can *be* this road together.

THE NEED FOR A NATIONAL VISION OF 21ST-CENTURY PUBLIC SCHOOLS

One of the distinctive features of *Sacred Trust* is that it calls for a *national* vision of educational renewal. This is not an original idea; the Founders placed public education at the very center of their hopes for a lasting democracy. Thomas Jefferson wrote to James Madison in 1787, “Above all things I hope the education of the common people will be attended to, convinced that on their good sense we may rely with the most security for the preservation of a due degree of liberty.” In 1810 he wrote to William Duane, “The information of the people at large can alone make them safe as they are the sole depository of our political and religious freedom” (Wills, 2002). For the Founders, public education was the foundation of freedom; democratic education was the lifeblood of liberty. The history of

the United States would be far different and sadder without our public schools. Public schools are not just an article of faith in the American political imagination—they are the very lynchpin of liberty.

In 1932 Franklin Roosevelt addressed the San Francisco Commonwealth Club. He was speaking as the Depression was unraveling the fabric of American society. Here are his words:

Faith in America, faith in our traditions of personal responsibility, faith in our institutions, faith in ourselves demands that we recognize the new terms of the old social contract. . . . [F]ailure is not an American habit; in strength of great hope we must all shoulder our common load.

Faith in public education gives meaning to the social contract because it is our collective commitment to each other that ensures that the American Dream passes from generation to generation. One hundred thirty years earlier, Jefferson spoke of the importance of government at his first inaugural address in 1801:

I know, indeed, that some honest men fear that republican government cannot be strong, that this Government is not strong enough; but would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm on the theoretic and visionary fear that this Government, the world's best hope, may by possibility want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest Government on earth. I believe it the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern.

We ought to take Roosevelt's and Jefferson's words to heart; without faith in people and without faith in our collective will and intelligence, there can be no inclusive and ennobling patriotic dream, no path to a lasting and just peace, no shared understanding of what constitutes justice for all, and no shared and predicable path to sustainable productivity. A healthy society requires healthy schools open to all (Crew, 2007; Kilgore, 2010). An honest patriot would expect nothing less.

Imagine graduating young men and women from high school with open inquiring minds, moral courage, and an eagerness to serve the common good; imagine young men and women who are self-confident, full of energy and wholesome pride. Imagine walking into a school where genuine learning is going on; where every child, no matter his or her family

background, is given the opportunity to develop his or her talents; imagine a school that is connected to the world through technology and curricula; imagine a school where instead of mass education, we have personalized and customized education; imagine a school where every child feels cared for and protected; imagine a school that welcomes parents no matter what their backgrounds. This vision is not pie-in-the-sky; it is within our grasp.

The debate concerning the role of the national government in education reform has generated much heat, but little enlightenment. We need a new reform vocabulary that includes a unifying vision. The effort of the nation's governors and state school chiefs to create and disseminate a set of common standards for English and math is one kind of vision (Lewin, 2010). The educational philosophy behind "No Child Left Behind" is another kind of national vision that maintains we can build a world-class public school system by concentrating on standards, testing, and private enterprise.

The vision of this book is quite different from either common core standards or "No Child Left Behind." I begin with the concept of the Founders that universal public education is the foundation of democracy. I look to Jefferson and Madison for wisdom because it is they who understood that without an enlightened citizenry, democracy is fragile and vulnerable to despotism. They wanted us to become a nation of learners.

To become a nation of learners will require a national network of 21st-century public schools. A national network of innovative, demanding, and inclusive public schools will bring us together as a people. There will always be room for private education, home schooling, and sound experiments within the publicly funded sector, but all of these efforts are tangential to achieving a national consensus and providing equality of educational opportunity for all.

THE ORGANIZATION OF THE BOOK

Sacred Trust is organized with the reader in mind. Following this preface is a chapter that lays out the historical and policy rationale for a Children's Education Bill of Rights. The next five chapters are organized around the 10 rights. Each chapter consists of two coupled rights. The chapters include a discussion of the current educational and social contexts, explain why a particular right is required, and describe some of the educational issues that the right addresses. Chapters are enlivened with relevant quotes, stories, and facts; my perspectives are revealed, but they are meant to serve as sounding boards, not panaceas and prescriptions. Each chapter also includes book study questions, possible action steps, and suggested further readings. The last chapter consists of some thoughts about how the U.S. Department of Education might best contribute to the long-term improvement of American public education.