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Panel Discussion: The Right to Education: With Liberty, Justice, and Education for All?

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Symposium: The Right to Education:
With Liberty, Justice, and Education for All?

Panel Discussion

TRANSCRIPT OF PROCEEDINGS held at Northwestern University Pritzker School of Law, 375 East Chicago Avenue, Chicago, Illinois on the 8th day of March, 2019, at 9:25 a.m.

INTRODUCTION BY: ANNA CHOI, KRISTEN FROESE, KYLA TAYLOR, Symposium Directors, Northwestern University Pritzker School of Law Students, JD '19.

MODERATOR: DESTINY PEERY, Associate Professor of Law at Northwestern Pritzker School of Law.

PANELISTS

CHARLES PAYNE, Henry Rutgers Distinguished Professor of African-American Studies and Director of the Joseph Cornwall Center for Metropolitan Research, Rutgers University-Newark.*

CARTER G. PHILLIPS, Partner, Sidley Austin LLP.

LISA SCRUGGS, Partner, Duane Morris LLP.

DISCUSSION

MS. TAYLOR: Hello. We're going to get started with the panel now. Professor Peery has graciously agreed to lead the panel. And we'll leave time for Q&A at the end.

PROFESSOR PEERY: All right. Okay. The place I wanted to start is part of the discussion here has been about educational equity and quality education or basic education or a right to education. And I also want to pick up on what Lisa was saying. The Court has punted on answering the question of what quality education is, so I'm going to try to throw that question to you to get us started since we've been using the language. Maybe it's helpful for you all to articulate how you all think about what quality education looks like or what that means. I have a sense we all know where you all stand on whether there is a right to education, but to the extent that that's part of your thinking about what a quality education looks like or means when we are having this conversation about educational equity.

* Professor Charles Payne received a Bachelor's Degree in Afro-American Studies from Syracuse University in 1970 and a Ph.D. in Sociology from Northwestern University in 1976. He has held professional positions and endowed chairs at several American institutions. He currently is the Henry Rutgers Distinguished Professor of African-American Studies and Director of the Joseph Cornwall Center for Metropolitan Research at Rutgers University-Newark. Dr. Payne has also been active in the creation and direction of several organizations intended to address issues of social justice. He is the founding director of the Urban Education Project in Orange, New Jersey, a community-based effort to provide advanced career training for local youth. His most recent books are *So Much Reform, So Little Change* and an anthology about the African-American tradition of education for liberation entitled *Teach Freedom*.

MS. SCRUGGS: Well, I definitely believe in the right to education, definitely. I wish that we did a survey of all the state constitutions and the language in each of them that are guaranteeing the right to education in some way or another in trying to think about what a federal right to education looks like. It's a preface to say there was very little agreement about what that should look like, so that gives you a sense of the debate in trying to figure out what it means to have not just a right to education, not just an access to education, but a right to quality education. You just get into a whole another realm of impossibility I think in terms of gathering consensus around that.

But that being said, in my experience, I think what a quality education looks like is one that's focused on what it prepares you for and maximizes your opportunity. It's one that prepares you for continued learning and a life of being an informed citizen. That also has to be part of it, and then there is the work part, which I'm a little less certain about.

I think it's interesting: this question of college preparation, whether or not when you look at pre-K to 12 education ... whether we should be preparing all students to go to college or whether we should be perfectly comfortable with saying that certain students should be headed straight to the work force or vocational education.

While I think if that resonates to some extent, my concern is the who. Who gets to decide? Who gets to decide which trajectory my child is on and how flexible that course is? When you start thinking about systems of education and setting up a system that ensures the first part of what I talked about, that all students are given the basic tools that they need to take the next step in their lives, no matter what that is—at what point do we decide, oh, no, you're vocational education, you're college prep? How inflexible are we in terms of moving on? That's my try to answer this question?

MR. PHILLIPS: In Detroit, we are so far from quality education that I don't even think in terms of quality. I want to be in a position where every single student literally has some realistic access to literacy. And at this point, just the building blocks, just books and paper and pencils, and I mean we're talking old technology.

You would think in the world we live in today, one of the more operating aspects of all of this is computers. None of these children has access to a computer. I mean the idea that you are going to go through K through 12 never having access to a computer and then off to college, I mean that's inconceivable.

And frankly, even just trying to work on the, even if you are going to do a book report these days, you know, as much of a dinosaur as I am, I still have to be at least reasonably literate to use a laptop if nothing else. It places them at such an extraordinary disadvantage that, you know, I'd love to be in a position where I could start to talk about quality, but I just have to get them to a point where they have the basic physical assets available to them that would make it possible to get out from the bottom of the mark at this point.

PROFESSOR PAYNE: For me, I think the short version of how I think about the end of the work is that we want disadvantaged students to come to the age of eighteen with choices. One of them has to be if you choose to go to college, you should have the skills to do that, but we don't want to make them do that. If they choose to start a business, they should have the capacity to learn how to do that. They can make choices and they should

not be restricted to one thing. The other part of that point, about what Lisa was saying, is that they should be able to critique the choices they make. That is, they should be able to think about how what they are doing will look from different social viewpoints. If you go into corporate America, what's your particular corporate America? That touches on some things I think we're going to talk about later on about where we are in this historical moment, but I think using only one viewpoint is dangerous in every situation.

PROFESSOR PEERY: Obviously, in doing advocacy work, we tend to focus on the things that need to be fixed. I think Charles kind of opened this up in the beginning to thinking about what we are starting to learn and what we know that actually works? What are things that move us closer? Whether it's leaders, maybe it's teachers and principals or it's more equitable funding? Or what would you say are the things that we should be looking to in this space as examples of what works—where are people getting it right and what's moving the ball closer to educational equity?

MS. SCRUGGS: I work with a lot of entrepreneurs and innovators, and that can that can have good and bad connotations I think for a lot of people nowadays ... when I'm working with them, it can be painful, but it's definitely a positive thing in my experience. And I think one of the things that whenever you do see things that work, you see individuals, leaders who are never satisfied, who have the highest of expectations.

When you look at the movements in Chicago around principal selection, and I've been at CPS at a few different points in my career ...when those initial discussions were happening under Arne Duncan's administration, there was a lot of fear and concern about what that would mean and whether or not that would mean racial disparities in terms of who were the leaders. I think what was critical in advancing that ball was not being halted. The effort didn't stop and the goal and the aspiration were great enough. The expectations were great enough that we didn't stop trying to improve the pool and bring in really talented people. It was trying to figure out, okay, this is not going to keep us from doing it, but how do we address that concern so that we can continue with the ball? The same is true with funding. This notion of trying to figure out, okay, yes, we have a limited pie, but then what does that mean? We have to double down on how we spend the money. We have to be smarter about how we spend our money and just never allow the barriers to stop us from trying to achieve the things that we want.

PROFESSOR PAYNE: I think the thing that I want to say about the question is understand that there is not—I do not believe there is such a thing as everybody wins together, that is, if—whatever you do, if it's going to make substantial change, it's going to create new winners, but it's also going to create new losers. Someone has to give up something for other people to get something.

I was speaking to a group of California superintendents last weekend, and I suggested that they didn't need to bring me all the way across the country to talk about how to do better work with Black and Latinx students. All they had to do was take the best teachers in their district and make sure that minority students had access to the best teachers in the district. And they without exception agreed with me. However, they all said we'll be fired the next day. The teachers who teach middle and upper class kids have a political constituency behind them, and now, they're going to be teaching the poorest kids in their

districts who don't have that political constituency behind them. Although, I have been quite amazed that there are places where they have been able to move resources around and survive.

I heard the superintendent of Charlotte-Mecklenburg said that she has moved over two dozen principals from the wealthiest schools in her district to the poorest schools in her district. They have created a culture in which the best principals know in advance and expect that they will be assigned to the toughest schools. It's become a badge of honor in that culture to be assigned to those schools and a mark of shame if they assign you to the school where everybody's daddy is a doctor or a lawyer. That's something you can do work with those kinds of kids. They have been able to do it. She says she's never had a significant complaint.

I know in other districts that have tried that ... such as, superintendent, Jerry Weese, [it] made large differences in achievement for minority students in Montgomery County. He ...told parents in these wealthier schools that you paid all this money to buy expensive homes in this district. If the district overall does not do well, it threatens the value of your home.

The general point I want to make is that we have to think in terms of some people are going to lose resources. Chicago, I think, is the first city to try, at scale, what I think is a short answer to all of this stuff: treat poor children as if they were rich children. A form of education which most literally embodies that might be international baccalaureate. That literally was created to be education for some of the diplomats around the world, and so all kinds of assumptions about quality education are built into that. They would say, whatever it is you study, study the nature of truth in that field. That's a powerful question. Most college students never get to that.

And Chicago, as far as I know, led the country with what would happen if you began giving that kind of education. Chicago gave that education to children in neighborhood high schools, and not to the upper crust, not to even the best students. Well, it turns out that so long as you're talking about students in Chicago's achievement distribution above the 50th percentile. We have no evidence that I know of that this is going to work below the 50th percentile. Most of the kids with support can do it. They may have trouble with the amount of work, but there are ways to solve that.

And now, Chicago probably has international wall-to-wall baccalaureate schools. We're not screening kids in the traditional way. The ones that are successful, which is not all of them, are in some of our worst neighborhoods. They're doing some of the best work in the city.

Of course, that is back to my point, how do you institutionalize high expectations? Expectations cannot be just a matter of what one individual teacher thinks is good or bad, it has to be that the whole institution is built around the notion that all these kids can work at that high level. IB is one other way to do that.

At the other end, in terms of academic rigor, Chicago has 142 community schools, which try to provide high-quality after-school programs. The last I knew, there was not a dime of CPS money going [to these programs]. They need easily \$200,000 apiece. And the office that oversaw this was a pariah office in this district. It was essentially unfunded. And staff had to go out and figure out on their own how to get federal money and state money to keep these after-school programs going.

What is valuable to me is a huge part of what American poverty and American racism does—it makes kids live such isolated lives. They never get to experiment and to see what it is like to do something other than play basketball. These after-school programs introduce them to all kinds of experiences the kids in the inner cities almost never get to experience. It may or may not show up in test scores. I'm not worried about that. It is clear that the kids who are strong in after-school programs are more likely to graduate. They come to school more often. They're more likely to go to college, and when they're twenty-five, they're more likely to be voters. They feel connected to the school which helps them connect to society. That's another thing: enriching an out-of-school experience.

I won't say anything about leadership, except that I will just mention that the Wallace Foundation is leading a national movement around improving the quality of leaders in our schools. And the University of Illinois, Chicago's, graduate educational school is the local leader. They're introducing new principals who seem to be accounting for significant quality changes.

PROFESSOR PEERY: Okay. I'm going to shift a little bit to using your expertise as advocates and litigators, to thinking about approaching the issue and building on what each of you said in your morning talks. In thinking about the routes to raising issues and addressing educational equity issues, we've heard a little bit about litigation and some of the constraints or the challenges to litigation as a route.

What additional pathways, even as litigators, do you see besides the courtroom for addressing these issues? And Charles, you're coming at it from a slightly different angle, so what's the kind of full slate of routes to or groups that might be involved in pushing these issues forward?

MS. SCRUGGS: Well, certainly, in my experience, organizing, good old grass roots or current-day organizing can be extremely effective in stimulating change and creating political will where it is lacking. I can cite just a few examples.

Just recently, maybe in the last week, a bunch of teachers called in sick in Kentucky, by using textbook organizing, drawing attention to the issues in that state. Kentucky is a state where certainly they are on the lower half of resource allocation but also have not had either political circumstances or the political will to dedicate more resources to teachers and to schools.

And so drawing attention to that locally and nationally is something that can stimulate change. You've seen that in Colorado. You saw it in West Virginia as well in the last few years. Teachers organizing and taking to the streets through formal legal organizing and strikes—but also just making their presence felt in ways maybe they haven't in the past.

Our Urban League lawsuit culminated with a very popular state senator and pastor organizing his congregation. They boycotted the Chicago public schools and refused to start school on the first days of school when it was really critical for CPS to have a stable population of students in their school because that's when they actually count to determine how money is allocated. They very strategically planned to have parents keep their kids out of school for those days.

And I will tell you, I got calls during that time saying, “Okay. We are going to do something. We are all going to get together and figure out how to do this.” They can have

real consequences. People kept schools open by not eating. That's happened in Chicago as well. You had a group of schools in Little Village where people didn't eat. They got CPS to reverse a decision to close the school permanently. As someone who has worked on the inside, that can be extremely challenging to deal with, but it does work. It's smart organizing and using the media wisely and strategically can create political will where it is lacking.

MR. PHILLIPS: I don't really have a good answer. I'm a litigator. I don't think about other ways to solve problems. They certainly don't occupy my time. But I do think one of the points that Lisa made, and I think that I was trying to make as well, but less articulately than she did, is you have to be nimble when you're litigating. There are inherent limitations in what you can accomplish through the judicial process.

I was never at the point where I was an idealist who actually believed that institutional litigation was the answer to all problems. I had serious misgivings about that approach from the day I was in law school all the way through. That was probably why I'm the right person in some ways to handle the litigation like this because I had significant self-doubt about it. On the other hand, when you get a responsive opponent who is sympathetic to your problem, then you've got to change. You've got to take your foot off the pedal. You've got to be willing to seriously sit down and say, "Okay. What are we going to do now?" You know even if I get everything I want to get out of this litigation, it's only going to get me so far, and it's still going to be dependent on who is doing what and how the work gets done.

And candidly, you're going to end up using a ton of resources in the fight. I don't mean my resources, I'm talking about the state's resources. Those resources can and would be much better used if they were just put into the school system to begin with. To me, from a litigator's perspective, you have to try to figure out how to improve the quality of education.

If you have to litigate, great. But don't think, one, that you're going to get everything you want to get out of that process. Two, recognize who is on the other side. If that changes, you really do have to be nimble.

PROFESSOR PAYNE: I don't know if I can add too much. You don't know how hard I find it to think about this question. Absolutely, community organizing is potentially one method that you work with. I worked with several of them over a number of years, and ultimately, very good things came out of that work. I'm hesitating, in part, because one of the fears that I have is, the American right is not done. And they learn. And they learned a lot from the Civil Rights Movement about how you manufacture and control a penny.

When I was your age, the reason I came to college in Chicago at Northwestern was because I thought Chicago was the seat of community organizing in this country. There was a young fellow named Arthur Frasier in Woodlawn. And he had the city. He had poor people organized. And they were running the exploiters out of that. And I wanted to learn. And, as it turned out, it was thirty years before I got to work with him. That's just the way life goes. But I was happy to do that. I think what is happening now is you often find groups [such as] Stand for Children, which uses the language, the coloring of community organization, to run an agenda that's coming straight from the right, from American

conservatives. And their agenda is about restricting school funding. They want more charters.

It is exactly the same agenda that you would find in a great many corporate boardrooms. And yet the language they use and the processes they use—are the processes of community organization. They will come into a community and say: “what do you want, which is like the Alinsky organizers, but they have an idea about the direction in which they are going to take it.”

What I'm trying to say is to go back to Alinsky and one of the old organizers. There are only two kinds of power: either the power of money or the power of organized members. It was power of organized members when they got themselves together and organized. What I'm saying now is that there is some power. There may be some significant adaptation of that process going on. It's not clear to me that some of our community organizations would have the kind of independence.

MS. SCRUGGS: I think it's interesting. I definitely agree. I think one of the other paths, and there is an interplay with organizing and with litigation as a pathway, is information and research. The years that I spent not finishing my Ph.D. was because I knew the power of academic research. And as an advocate, I thought it was really critical to understand that. When I was in grad school, I got pretty cynical about it because I saw how the facts could be used to marshal support for varying agendas. I think that's even more true now as we think about organizing. I think there is an inherent good in organizing, particularly in this country, democracy and all. I do really believe in that power, that there is real power in organizing. But I also think it's critical to utilize and marshal evidence, facts, and research in support of that organizing because without it, that's the capacity to take it sideways.

Depending on what information you have and what your access to additional information is, that can impact the kind of interaction meant for you and whether you're willing to take action and go forward in that direction. An informed citizenry, folks who have real facts, evidence, and research are tools to use to ensure organizing.

PROFESSOR PEERY: Well, I would just add that you both talked about the power of litigation to help get that information. Well, I would just add that lawyers can use their processes to get information that otherwise might be hidden or kept back from. Then it becomes a matter of working with organizers and communities. The relationship between litigation and lawyers and what's going on in the communities with the organizers, et cetera, is important. So sorry to interrupt you.

PROFESSOR PAYNE: No, no. I was going to say something like that. And I couldn't agree with you more about the importance of getting information to people who ordinarily don't have that kind of access to it. And one of the things that public school systems traditionally has been is that they operate in the dark because there is a lack of transparency. And you're right, that can be a tactic. When I was in Chicago, we had several different projects in which we tried to increase the research capacity of educational organizing groups. And the truth I think what we learned is that there are groups, I'm not going to name them, that just don't have the patience that it takes to walk through a body of literature.

Almost everybody is kind of cool when you can give them detailed information on the school in the neighborhood because they can go out the next day and tell parents this is what your kids are saying about third grade: ‘did you know that?’ That can be this extreme or that extreme. That stuff, they can use right away.

But in terms of developing the skills on their staff to do their own research, in terms of spending enough time with the research to come up with a strong sense of what does research say about teacher evaluation, that's only a handful. No, no. I shouldn't say that. Some can and some can't. Some of them are still in that Chicago organizing mode: attack power. That's not our job. We don't need to read anything. When we have an election, who is in power, right? And again, all the respect in the world for that position. You know, you can't deny they made some changes in this city.

I went to Logan Square, that was another group I worked with, Logan Square Neighborhood Association. At the other end of the spectrum, they soak up research, right? Their parent organizing, which I think is some of the best in the country and is becoming a national model, is widely built around the notion of finding out what the parents want and developing it. While they're developing it, some of those parents become quite sophisticated about educational policy and educational research. Then they can put that together with what their deep personal knowledge of the families in the neighborhoods and can come up with ideas that can never—are unlikely to be—generated by academics alone. I'm going to say one other thing, kind of a funny thing for me to say—and if anybody quotes me, I'll probably just deny it. It's inadmissible. Partly because of my history in Chicago, I've got a deep and abiding anger to teachers unions. As I have known them in this city, they didn't cause a problem. The problem was caused by other things.

But when those problems were established, teachers unions became overwhelmingly predatory in my estimation, and for twenty, thirty years, they just took the corpse of these systems, and they took what they could get out of it for the members. And that's my personal opinion.

People are overblowing the degree to which the new teacher movement is progressive. If you are a progressive, I want you to stop defending incompetent teachers in court automatically. I want somehow the union to stand up and say, there is some minimum. I mean there is—that we are going to defend internally. We are not going to defend anybody in the classroom until they get to the back. It's hard for me to accept some of the progressive rhetoric that comes out of this new union leadership. That said, some of the people—I will say in Chicago, some of the union leaders, when they were classroom teachers, they were damn good classroom teachers. They have this—not to be corny, they have some heart for children.

There are some real elements that were not there I'm going to say ten years ago. And the irony is that at the national level, I am dead convinced that part of what's making union progressives is those charter schools that they whined about all the time. They got the idea that the charters are coming, and if they did not articulate educational policies, they would take over. There have always been progressives inside the union. In the last ten years, they've become more powerful than the voice of the union because now, they are the people who can articulate ideas that they thought would slow down the march of charters.

The other thing is that young teachers coming into the profession right now are clearly different. They're committed to their professional prerogatives and the need to

protect themselves as teachers but also to balance that with the needs of the children. The incoming core really does feel differently.

PROFESSOR PEERY: So that's a good segue actually to ask what the future of this work looks like. If we start from here—and you can do a shorter term—what does the next five years of litigation or advocacy look like? It doesn't have to be through a lawyer's perspective. What does the next five years on this issue look like?

MS. SCRUGGS: Well, just to help Dr. Payne, I'll just say you can attribute his remarks on the unions to me, that would be perfectly fine, having had to engage in those the same way, I think in my experience was very similar. The future—I think we will continue to grapple with this question of equity and equality as well. That's one where the legislative change that was secured for the funding system in Illinois is helpful.

Basically, what they said was if we ever allocate more money, we're going to do it in a way that is equitable. We're going to make sure that it's targeted, and we have a formula to do so. And that is helpful. People have embraced this notion of equity, embraced the notion that sometimes, we're going to have to do things in order to narrow the funding gaps. We are going to have to give more money to District A and that means School District B is going to get less. That is something that is a huge development, people using the language of equity.

But I don't think that fight is over. I think that fight tends to change as our resources change. If the pile gets smaller, you can bet we're going to be back here because those gains are not permanent, and the needs are not permanent. We still have significant achievement gaps. As the research and people continue to focus on that, I think you'll continue to see proposals for change, legislative and policy-wise, that will create more litigation because there can be winners and losers.

I think the other area—you kind of raised it—this question around the new teaching core—like what it means to work in education. I think, we didn't talk at all about TFA, but TFA I think had a significant influence in this thinking around what it means to be a teacher. Particularly in rural and urban areas, TFA folks remain as teachers but also a lot of them are still in education even though they didn't stay in classrooms. There are a lot of them in charters and in other educational organizations. The whole question of organization within charters, organization within traditional school systems, and getting change without striking, without organization, that's going to be another ripe area.

Finally, all of the litigation around forms of school organization. You had charter school expansion; now, they're experiencing charter school contraction in a lot of places, and fights around that will continue.

MR. PHILLIPS: I mean if I were going to guess where I think litigation is going to go, I don't think it's going to go much in federal courts. I think you're going to have fights, and you're going to continue to focus more on the state courts because you can't litigate a federal mandate or have obvious rights that you can enforce. It made sense to me because Detroit was such an outlier to pursue a federal court case there and also the Michigan Supreme Court ... essentially, their constitutional protection is out of the law anyway. If we were going to go to court and were going to have to get some court to rethink its prior decisions, it arguably would be easier to get the U.S. Supreme Court at least to recognize that our

facts are extreme. I just don't know that there are going to be a lot of cases along the same line. I do think the structure of education will continue to be litigated. I see most of those as involving state law questions; that's probably where the resources will be expended.

PROFESSOR PAYNE: I have been in various conversations about what it will mean if the Democrats take control over national funding in 2020, and I am less optimistic about what that will mean than many of my colleagues are. They're happy because they expect that this era of, if you will—and excuse my language—of artificial austerity—that schools have been struggling with for thirty years now may be coming to an end. There will be more money for schools. I applaud that. As I said earlier, money without strategic direction—well, it's something, it's something, right?

But the other issue though is that Democrats nationally are not particularly in a position to ask for accountability around what happens with that money, right? And expenditures without significant accountability top to bottom of an organization, again, just scares me greatly.

Related to that, I have been more critical in support of charter schools for the last ten or fifteen years ... the impact they have on systems. But now, I am afraid that as Democrats came back into control in some states and nationally, the things that are positive about charter schools will be thrown out with the things that were negative. And so I want some thoughtful transition around that issue. We're in power now. Let's just wipe the slate clean.

The last thing I want to say before I lose the power of speech altogether is that we have alluded either directly or indirectly several times today to a New Jersey institution: the Education Law Center, which led the *Burke v. Abbott* fight in which the New Jersey Supreme Court made a decision which led to something like the twenty-five most urban districts in New Jersey getting substantially more funding.¹ One of the really successful things they have done with that funding is make full-day three- and four-year-old preschool available for children in certain high-impact districts. That's been a big win in terms of the impact on those children, changing life trajectories, everything you would want.

That group of lawyers is out of the Education Law Center in New Jersey, and at least I will mention the name of the director, David Sciarra. That's one thing you guys might want to take a look at if some of you have an ongoing interest in this.

The other thing is this guy, the second name up there, Bob Moses, if you study the Civil Rights Movement, he is an iconic figure in the movement of the 1960s. He was pretty much the head of civil rights operations in Mississippi for four or five years in the early 1960s and did some of the most distinctive, impactful work in the movement. He is now arguing, one, that education is the civil rights battlefield of our time as the right to vote was the civil rights battlefield of his youth, and that education, a quality education as a constitutional right is where we should be.

And this movement is actually gaining some kind of traction now, and the organization that does the most, another organization that he set up, is the Algebra Project. That has spawned a project called “We the People,” a national coalition of pushing this idea of quality education as a constitutional right. So anyway, those are some possible

¹ See generally *Abbott v. Burke*, 100 N.J. 269, 495 A.2d 376 (1985) (Abbott I); *Abbott v. Burke*, 119 N.J. 287, 575 A.2d 359 (1990) (Abbott II); *Abbott v. Burke*, 136 N.J. 444, 643 A.2d 575 (1994) (Abbott III); *Abbott v. Burke*, 149 N.J. 145, 693 A.2d 417 (1997) (Abbott IV).

resources.

PROFESSOR PEERY: I want to pause here to see if we have any questions from the audience for our panelists.

MR. RUBINOWITZ: Charles, you asked to trust you, that trust is important. I trust you. Trust is important, I know that.

PROFESSOR PAYNE: The short version of it, it's based on research in Chicago, a couple of these schools, if you look at schools in the city that are low-performing but high-trust elementary schools ... compare them to schools that are low-performing, but where faculty trust one another, and they trust the principal.

At the time of this research, probably ten years old, that something like just under half the faculty in the city said that they trusted their colleagues. We can go back, we can talk later about what's behind that, but the point is that trust—and it's hard to come by trust in dysfunctional institutions.

When everything is going wrong around you, you blame the people around you. Then there are a whole set of issues about trust across racial lines, a whole another set of issues about teacher-parent trust in these highly variable schools. When you look at the schools which have high trust and compare them to schools which have low trust among faculty. I forget whether it's three or four years, come back and look at the data, schools that are high trust are three times more likely to be improving than schools which are low trust, all of them starting out at roughly the same point in terms of academic ability.

Trust is a kind of a lubricant. Whatever it is you're doing, if you trust that when the principal comes to talk to you, the principal is coming for the right reason, that's one thing. If you think the principal is just filling out a form in order to please his or her bosses, that's a whole another thing in terms of how you interact.

Trust is—if you look at it another way, if I can do this, I have a slide with this particular—if you go around Chicago high schools and you ask high school students, I think freshmen—I'm not sure about that though—do you generally trust your teachers?

What students think of their teachers makes all kinds of difference, all kinds of things from seeking help to showing up at class on time for students. If you compare high trust schools to low trust schools, you will find that in schools where students say we trust teachers, they get one and a half fewer Fs per year. They come to school about a week more per year. The only thing that we know of that's varying, right, is the trust issue. And graduation rate over time in high-trust schools, trying to control for everything we can ... will be about ten percent higher.

I don't know if you ever have any interest in schools, go to the Chicago Consortium's website and look—the five essentials, right, these five things are necessary for schools to change. And it's very good. It's not complete in my mind, but it's really good. But if you look at the way in which they measure those things, a lot of them have to do with adults trusting adults.

And if you want to think about what's the nature or disadvantage of urban minority populations, they work in environments where the adults don't trust one another. So it doesn't matter what your program is, what your letter is, distrust corrodes everything. That's a shame.

MS. TAYLOR: Some thank you's. I want to thank the keynote speakers, thank the symposium editors, Anna Choi and Kristen Froese and Emily Kath; Jim McMasters and Eileen McAleer for all your help to plan this day. And then, of course, our fearless leader, Len Rubinowitz, who has always guided JLSP through everything. Thank you all for attending. We really appreciate it. We hope you have a wonderful day.