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Schools in Society

For use by students in Spring 2013

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Introduction

This is a brief text intended for use in undergraduate school-and-society classes. Your class may also be titled “Social foundations of education.” “Social foundations of education” is an interdisciplinary field that includes both humanities and social-science perspectives on schooling. It thus includes study of the philosophy and history of education as well as sociological, economic, anthropological, and political perspectives on schooling. The core of most social foundations classes lies in the relationship between formal schooling and broader society. This emphasis means that while some parts of psychology may be related to the core issues of social foundations classes—primarily social psychology—the questions that are asked within a social-foundations class are different from the questions raised in child development, educational psychology, and most teaching-methods classes. For example, after finishing the first chapter of this text, you should be able to answer the question, “Why does the federal government pay public schools to feed poor students at breakfast and lunch?” Though there *is* some psychology research tying nutrition to behavior and learning, the policy is based on much broader expectations of schools. In this case, “Children learn better if they are well-fed” both is based on research and also is an incomplete answer.

The six chapters of this text cover key topics: the purposes of schooling, the roles of teachers, demographic diversity, equality of opportunity, schools as organizations, and education policy and reform. Each chapter begins and ends with a framing case, a question that is important to many teachers and parents and whose answer requires you know something about the history of education, different political or philosophical arguments around education, or how sociologists, economists, or anthropologists view schooling. The end of each chapter suggests a way to look at the framing case after you have learned enough several essential concepts. At the end of each chapter, you will find activities to explore these ideas further.

The big question for our field is the relationship between schools and opportunity: do schools promote opportunity and equality, or do they maintain inequality? American history is filled with examples of famous men and women who have proclaimed that public schooling is the “great equalizer” (Horace Mann) or “the only valid passport from poverty” (President Lyndon Johnson). But not everyone agrees with that view, in part because of longstanding, clear inequalities in both schooling and in life after school ends. If you think that schools are fundamentally *meritocratic*, you believe that students can achieve what they deserve to achieve by effort and ability, and you are more likely to conclude that flaws in schools have been or can be fixed.¹ If you think that schools are vehicles for *social reproduction*, you believe that schools have developed in ways to mirror economic and social inequality, not to address it, and you are more likely to conclude that flaws in schools are very difficult to fix. This question appears in some form in every chapter, from our expectations of schools and teachers to the debates over equal educational opportunity and the goals of education reform.

Beginning with chapter 3, I introduce several explanatory models, which you may see described as either *social models* or *social theories*.² I discuss these ideas because social models help to explain something about schooling that appears curious at first glance or to highlight an important feature of schooling. How can unequal outcomes persist in schooling through more than half a century of efforts to reduce inequality? The important piece about understanding models of inequality (or anything else) is to *understand how the mechanism of a model fits into a broader understanding of what schools do*. *Human capital* models assume that one can invest in people and see a *return on investment* in education, a perspective on schooling that focuses on economic consequences of schooling. As a result,

¹ The term *meritocracy* first appeared in Michael Young's 1958 fictional satire, *The Rise of the Meritocracy*, in which advantaged British parents were able to pass on advantages to their children while maintaining a facade of fairness in social and economic competition. Today, the word meritocracy is commonly used without its original ironic meaning.

² I use the term *model* because our field does not have much consensus about explanations of inequality, or at least none to justify the term *theory* as a consensus model with overwhelming evidence. But that is my judgment and choice as an author; others are free to disagree with my choice of words.

that model sees the attributes of an employee and a labor force as the most important determinant of economic outcomes. The collection of models we describe as *social reproduction* assume that schools contain a broad repertoire of dividing students and discriminating among them, a perspective on schooling that focuses on schooling as a consequence of larger economic patterns. As a result, those models reverse the causality of human capital's approach: the broader political economy is the most important determinant of economic outcomes, and the attributes of employees and the labor force (and thus schooling) are less important than the broader social structure.

This text was originally drafted in summer and fall 2012, with classes at the University in South Florida providing initial feedback during those terms. I am vividly aware that despite my best efforts this manuscript has omissions: All texts are compromises between brevity and breadth, as well as informed judgment about when to introduce topics. I welcome **your** feedback on this text at dorn+textfeedback@usf.edu (please use "Schools in society text feedback" as the subject line). If you are a student, you should expect that your professor may assign additional readings to fill in the gaps that she or he sees in this text.

To the extent you find this text valuable, you and I are both in the debt of those who have contributed to my understanding both of central issues in my field and also the needs of undergraduates: my faculty when I was in college and graduate school; my colleagues at the University of Delaware, Vanderbilt University, and the University of South Florida; and especially the more than 2000 undergraduates I have taught in my career.

Chapter 1. The Purposes of Schooling

Key concepts

- Education *for* citizenship and *as a right of* citizenship
- Revolution-Era education plans
- Horace Mann's arguments for education
- Public v. private purposes of schooling
- Individual v. collective purposes of schooling

Framing case: Why are science standards controversial in Kansas?

Two times within a decade, the Kansas State Board of Education voted to deemphasize the teaching of evolution in the state's science standard. Each time, within two years the state board reversed the decision after voters replaced several board members (Manning, 2006). In 1999, a conservative majority of the state board removed most mention of evolution from the science standards for the state, sparking national news coverage and condemnation by scientists. After voters removed several anti-evolution board members in 2000, the new board majority reversed the decision in 2001. In 2005, after another election a new conservative majority again deemphasized evolution in revising the state's science standards. Less than two years later, several conservative board members had been defeated in the fall 2006 statewide election, and for the fourth time in a decade, a new board majority was rewriting the state science standards.

Two years after the latest revision (reinstalling evolution as a central tenet of the biology curriculum), the January 2009 issue of *Popular Science* magazine declared that being a Kansas biology teacher was one of the worst science jobs possible. The magazine quoted Kansas biology teacher Brad Williamson: “The evolution debate is consuming almost everything we do. It’s *politicized the classroom*. Parents will say their child can’t be in class during any discussion of evolution,...” (Weed, Galvin, & Daley, 2009; emphasis added). Williamson's sense that the state's science curriculum had become a political football reflected the reality of Kansas education politics that decade. And the term

he used, “politicization,” suggests that there is a superior alternative to political decisions about curriculum—in his case shared by several national associations of science teachers, that the professional judgment of scientists should determine what is taught in school.

I hope you are asking yourself, why are state standards for science classes a political decision in Kansas? Brad Williamson and many other science teachers think that it is wrong for a political process to decide what is taught in science classes. In some states, as in Kansas, the state board of education is elected, and that provides an obvious avenue for politics to enter education policymaking. In other states, as in Florida, the governor appoints members of the state board of education for fixed terms of several years, and the ends of the appointments rotate so that there is always some continuity on the appointed board. That appointment process is intended to insulate policymaking from direct electoral influences, but many policy decisions still become the target of political debates... including state curriculum standards. Why?

Education and citizenship: A brief history

One important root of education politics is the long history tying schooling to citizenship in the United States. This connection exists in two ways: not only is there a broad expectation that education will prepare children for citizenship as adult members of a society in which they will participate as voters, but there is also strong support for elementary and secondary education as a fundamental right of citizenship. This two-way link did not exist at the time of the American Revolution (1775-1783), but it was clear at least in the North by the Civil War (1861-1865). Because of that link with citizenship, the political nature of education decision-making became commonplace.

Education for citizenship. During and shortly after American Revolution, several politicians and others began arguing that the new republic required a different form of citizenship, something that a consciously crafted education system should shape. Few used the word *system*, but Thomas Jefferson,

Benjamin Rush, Noah Webster, and others argued for a coherence in schooling that did not exist in practice at the time. At the time of the Revolution, hundreds of schools existed along the Eastern seaboard, many of which were operating in shacks or portions of buildings devoted to other purposes. The majority of teachers were men, individuals were commonly part-time educators for the short school sessions in rural schools. Parents paid tuition, or *rates*, unless a town partially or fully subsidized the school or (in a city) poor parents were willing to declare poverty to secure a seat in a charity school. The instructional materials were the most common books in homes, some version of the Bible, or one or another version of early, short texts (such as the *New England Primer*), and the students ranged broadly in age from two or three to the upper teens for the short time children were in school. There were towns where schooling was coeducational, but there were also many schools that were only for boys. In short, while schooling was widespread and many features were common, there was nothing one could call a *system* of education when the colonies broke free of Britain.

That common disorganization was the target of Jefferson and others concerned with the survival of the new nation. Despite the 1783 Treaty of Paris that confirmed the colonists' victory, the new United States was fractious, with a weak central government many saw as vulnerable to both internal disruptions and foreign encroachments. One way to bolster the new nation was through education, or so the proponents of systems thought. At one level, these late 18th century proposals were all failures: no state created a system of schooling in response to these proposals, let alone the country as a whole. Further, the authors of these proposals disagreed strenuously on the specific goals and structure of their proposed systems. But they all thought that schools were important to developing citizenship, and that formation needed to be deliberate. And over the following century, the *idea* of a system of schooling slowly became policy, at first in growing cities and then later in states.

The most famous Revolution-Era proposal for a state system of education was Thomas Jefferson's *Bill for the More General Diffusion of Knowledge*, which he proposed to the Virginia legislature in

1779. In it, Jefferson argued that the state should pay for three years of tuition-free primary education for free children in local schools (both boys and girls, but excluding slaves). The curriculum should be non-religious, or secular, he argued, aimed at producing a general citizenship that could safeguard its rights. At the end of those three years of free schooling, a board of examiners should select the best boy from each local school for a state-subsidized education at regional grammar schools, along with the sons of wealthy landowners who could pay for the grammar school tuition. At the end of grammar school, again there would be selection of the brightest boy from each region of the state who would receive a tuition-free education at William and Mary College, along with the sons of the wealthy. Through this process of merit-based scholarships, Jefferson argued, “twenty of the best geniuses shall be raked from the rubbish annually” for the benefit of the public.

In contrast with Jefferson's notion of a secular education, Philadelphia physician Benjamin Rush argued for a thoroughly Protestant school system when he proposed *a plan for establishing public schools in Pennsylvania, and for conducting education agreeably to a Republican form of government* in 1786. As with Jefferson, he proposed a three-level hierarchy of schools (which Rush called “free schools” at the local level, “colleges” in four regions, and a single state university in Pennsylvania). Rush thought that colleges and universities would be tuition-supported in addition to state-supported, and his argument in favor of partial state support is one that has been repeated for more than two centuries:

But how shall we bear the expense of these literary institutions?—I answer—These institutions will *lessen* our taxes. They will enlighten us in the great business of finance—they will teach us to encrease the ability of the state to support government, by encreasing the profits of agriculture, and by promoting manufactures. They will teach us all the modern improvements and advantages of inland navigation. They will defend us from hasty and expansive experiment in government, by unfolding to us the experience and folly of past ages, and thus, instead of

adding to our taxes and debts, they will furnish us with the true secret of lessening and discharging both of them. (Rush, 1808, p. 4)

To Rush, an education had both practical benefits and the more general benefit of wise citizenship. With regard to that path he shared with Jefferson, however, Rush argued for a different goal, writing “that the only foundation for a useful education in a republic is to be laid in Religion.... A Christian cannot fail of being a Republican.... for every precept of the Gospel inculcates those degrees of humility, self-denial, and brotherly kindness, which are directly opposed to the pride of monarchy and the pageantry of a court” (pp. 8, 9). Rush wanted the New Testament to be a primary text of this school system (in contrast with Jefferson's proposals to use classical Greek and Roman material), along with physical exercise and music lessons, so that students would “perform their parts properly, in the great machine of the government of the state” (pp. 14-15).

Rush argued against both boarding schools for boys and also sending boys from the new Republic away to Europe for an education—the citizens of the new republic should be educated while living in the new country, with their families. He also argued in favor of a general education for girls: “They should not only be instructed in the usual branches of female education, but they should be taught the principles of liberty and government; and the obligations of patriotism should be inculcated upon them” (p. 19). In this way, Rush was part of a more general discussion of the role of women as citizens and as mothers of citizens in a new nation.

Like Jefferson and Rush, Noah Webster was concerned with the stability of the new nation. A former private-school teacher, Webster was primarily concerned with the cultural integrity of the new nation, something he thought was threatened by school materials created in Europe. In the 1780s and 1790s, he campaigned for a cultural nationalism centered on the creation of a uniquely American spelling and grammar. In an essay originally distributed in 1788, Webster argued (like others at the time) for careful guardianship of the nation's citizens:

Education, in a great measure, forms the moral characters of men, and morals are the basis of government. Education should therefore be the first care of a Legislature; not merely the institution of schools, but the furnishing of them with the best men for teachers. A good system of Education should be the first article in the code of political regulations;... (Webster, 1790, p. 22)

As someone deeply involved in the 1780s debates over the wisdom of a national constitution, Webster was sensitive to the fragility of the new country's political institutions:

Our constitutions of civil government are not yet firmly established; our national character is not yet formed; and it is an object of vast magnitude that systems of Education should be adopted and pursued, which may not only diffuse a knowledge of the sciences, but may implant, in the minds of the American youth, the principles of virtue and of liberty; and inspire them with just and liberal ideas of government, and with an inviolable attachment to their own country. (Webster, 1790, p. 3)

Webster wanted education – and education within English – to be the center of a new national culture. Webster's concern with national character became focused on what he saw as a widespread practice of the wealthy “to purchase convicts” from Europe to tutor children: “Gracious Heavens! Must the wretches, who have forfeited their lives, and pronounced unworthy to be inhabitants in a *foreign* country, be entrusted with the Education, the morals, the character of *American* youth?” (p. 19). It was critical to childrearing and to the new nation that teachers be upstanding citizens of unquestioned character.

Webster's curricular plans were idiosyncratic, apart from his nationalistic language urge. Abandon most teaching of the “dead languages” of Latin and Greek, he said, and focus instead on lively teaching of English, with American spelling. Abandon the use of Biblical passages as a means to terrify children into obeying authority, and use the Bible in a positive way to teach morality. Delay difficult subjects

until children are more mature. Focus the curriculum on teaching subjects that would be helpful in business rather than in “learned professions” such as the clergy.

Today, we think of Noah Webster in connection with dictionaries, and his greatest commercial success was in promoting a spelling and pronunciation guide first published in 1785. Webster's “blue-back” spellers became the first commercially successful texts in the new nation's schools, bolstered by Webster's indefatigable travels to publicize his work and persuade legislatures to create copyright laws, laws that would protect his writing from cheap plagiarism by other publishers (Pelanda, 2011).³ That commercial success has left the word *Webster* in modern usage as a synonym for a dictionary, having trimmed away its context in a larger argument that a new nation needed a new culture and its own spelling and pronunciation. In part, we do not have the collective memory of that context because Webster's argument for a system, like Jefferson's and Rush's, fell on largely deaf ears in the state legislatures.

Education as a right of citizenship. Within half a century of the Revolution-Era proposals for education systems, several northern states had begun to move towards school systems, and as importantly, proponents of those systems began to talk about education as a *right of citizenship* as well as education as *preparation for citizenship*. The first reference to a “right to education” in law in the U.S. is an 1826 law in Massachusetts, but the phrase did not mean either tax-supported, tuition-free schooling or universal access to school. Rather, it was a brief reference in a law that explicitly required most parents to pay for schoolbooks.⁴ At the beginning of the nineteenth century, parents who could not afford tuition or books had to rely on charity-supported “free schools” in cities or local arrangements in rural school districts. Over the following few decades, the phrase “right to education”

³ It was common in colonial times as well as in Europe for presses to copy the works of others, without paying any royalties.

⁴ An Act to Provide for the Instruction of Youth, *Law of the Commonwealth of Massachusetts, 1826*, 112, pp. 299-303; published in *American Journal of Education*, vol. 1, 231-234.

slowly became part of debates over both who had access to schooling and the extent of public support of education. In the 1820s and 1830s, skilled workers started publishing local labor newspapers that argued for tax-supported schooling: “Give us our rights, and we shall not need your charity,” wrote William Heighton in 1828 as editor of the Philadelphia *Mechanics' Free Press* (quoted in Kaestle, 1983, p. 138).

Some northern states such as New York began to subsidize schools with taxes in the 1810s, but the spread of such support was slow, creating a patchwork of conditions in different states and schools, and advocates of publicly-supported *common schools* took up the rhetoric of educational rights in the 1840s. Massachusetts lawyer and legislator Horace Mann became secretary of the new Massachusetts Board of Education in 1837, and over twelve years he was the most visible supporter of creating a system of tax-supported schools that all would attend (thus the word *common* in *common schools*). Repeatedly, he argued that taxes were justified by the common good provided by schooling (and thus the long-term self-interest of wealthy men), but in his tenth report in 1836 he argued that it was a matter also of “the *absolute right* to an education of every human being that comes into the world” which “proves the correlative duty of every government to see that the means of that education are provided for all” (Mann, 1846/1872, p. 534; emphasis in original).

This connection of citizenship to education was fragile, shown not only by the long fight for tax support of primary schooling but also by the limits of access to schooling. Southern states had common-school supporters, but their proposals did not extend to slaves, and free Blacks faced increasing white Southern hostility to school access from the 1830s on. Abolitionists in the North used the lack of education as one of their arguments against slavery, and as a Northerner, Horace Mann shared with radical abolitionists a reference to religious principles in arguing for a right to education in the North, “a principle of divine origin, clearly legible in the ways of Providence as those ways are manifested in the order of nature” (Mann, 1846/1872, p. 533). Yet access to schooling was not secure

even in the pre-Civil War North. Schoolteacher Prudence Crandall was criticized harshly by many residents in Canterbury, Connecticut, for admitting a 17-year-old African American girl into her private school in 1833 and then prosecuted by the state for opening a boarding school for African American girls and women (Foner & Pacheco, 1984). While Connecticut repealed the applicable law in 1838, Northern urban schools were commonly segregated by race. In 1848 Benjamin Roberts sued to desegregate Boston's schools, as his eight-year-old daughter Sarah had to walk past the nearest school to attend the one school allowed her by Boston's schoolmasters. The Massachusetts legislature changed the law in 1855, but not before the state supreme court had ruled against Roberts (Kendrick & Kendrick, 2005).

The important issue here is that access to education became a political issue framed as a right of citizens. Since the mid-nineteenth century, arguments for greater equality in educational opportunity have been arguments rooted in a child's rights as citizen of a republic. That argument based on rights became bundled with the earlier assertions that education was important for developing citizenship. Today, most residents of the United States would accept both propositions, that education prepares one for citizenship and is a right of citizenship, and would make little difference between the two. In a key paragraph of the 1954 *Brown v. Board of Education* decision, the Supreme Court acknowledged the multiple roles of schools, especially citizenship:

Today, education is perhaps the most important function of state and local governments.

Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be

expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. (*Brown v. Board of Education*, 1954, p. 493)

In this paragraph, the Supreme Court was justifying its intervention in local schools, its decision to declare segregation laws unconstitutional. It was doing so with claims that the justices knew were uncontroversial, a century after the first lawsuit asserted that equal education was a right of citizenship.

Breadth of expectations

Reread that passage from *Brown*, this time not for the reference to citizenship but for the multiple benefits the Justices saw in schooling: effective participation in the military, fulfillment of other citizenship duties (implied are voting and jury duty), transmission of culture, socialization to behave and everything else captured by the term “adjustment,” and preparation for work. School is what historian Larry Cuban (1992) calls a “legatee institution,” or an organization that picks up obligations to fix a range of needs no other part of society appears to address. These responsibilities have accumulated over several centuries. In 17th century Puritan New England, early colonial governments generally saw families, churches, and masters (of apprentices) as the primary social institutions responsible for socializing children and teaching them how to read and obey civil and religious authority. Within 20 years of the colony's founding in 1630, the Massachusetts Bay colonial leadership added town schools to the institutions responsible for education: in 1647, the “Old Deluder Satan” decree required towns with 50 households to hire a schoolmaster and towns with 100 households to create a grammar school to prepare older boys for potential training for the clergy (and colonial leadership) (Eberling, 1999).

Today, schools carry a broad range of responsibilities, as a result of successful arguments in favor of schools' being responsible for solving so many social problems. Teaching basic academic skills is

but a small part of this set of obligations. Schools are also expected to teach the basics of how government works, the history of the country, patriotism, important parts of cultural heritage, skills associated with specific jobs, public speaking, creativity, and awareness of diversity and the world. Outside classes, schools promote vaccination, feed poor children, keep children safe and busy while their parents are at work, serve as polling sites for elections, and shelter local residents in emergencies. As a whole, schools are expected to contribute a skilled workforce, reduce poverty and crime, and build a nation. Few of these responsibilities would have been accepted roles for schools two centuries ago.

This set of goals is not internally consistent, because it compiles all the competing goals people have held for schools. If someone agreed with *all* of these goals, one would have to believe that schools should teach children how to behave and how to obey authority above all else, but they should also teach children how to be leaders, and also how to stand up for themselves against conformity and peer pressure. This composite set of responsibilities includes teaching children academic subjects at a high level and also vocational skills one can use to get a job immediately. Schools are asked to focus on “the basics” but also teach health and driver education and make sure children are fed and exercised. They should teach art, music, and the heritage of culture, but not at the expense of anything else. They should teach children how to be information-literate and search and absorb knowledge from the Internet, and teachers should model those skills, but public schools are also required by federal law to impose filters on what websites children can access from school grounds.⁵

Schools have accumulated a set of contradictory obligations for several reasons. An important reason is the early two-way connection between schooling and citizenship in the United States. Education became associated as a right of citizenship long before arguments in the United States or other countries about a right to work, to health care, to housing, or other aspects of “social citizenship” (Katznelson & Weir, 1985; Marshall, 1950). Access to schooling thus became a receptacle for a range

⁵ One ironic consequence is that teachers find themselves unable to use free videos in class for instructional purposes.

of aspirations for both practical reasons and symbolic ones. After the Civil War, African American Southerners fought for access to schooling because it was both practical to be able to read and write and also a powerful symbol of citizenship. In late nineteenth century cities, residents pushed school boards to construct more high schools for similar reasons: some high school attendance gave teenagers advantages in the urban labor market, and advocates of more access to high schools had become used to the language of schooling as a right (Labaree, 1988). We still see schools as the place to guarantee a broad range of rights. Political scientists Jennifer Hochschild and Nathan Scovronick (2002) observe that while Europeans see the right to work as a right, residents of the United States see schooling as the place where society assures equal lifetime opportunity. That history has commonly made American schools the place to solve society's problems.

In addition to seeing schools as the place to assure lifetime opportunity, residents of the United States see schools as places to solve social problems during childhood, where they have often perceived the threats to the future come, or at least worry about child and youth behavior as an ill omen for the future. From Puritans worrying about troubling behavior of youth in the 1640s to concerns about violent videogames today, residents of North America have often thought that children need to be guided away from immoral or antisocial temptations. In addition, many have argued for focusing on children as a time when it is easier to shape habits than during adulthood. When explaining to a friend in 1837 why he had resigned his seat in the Massachusetts legislature to head the new state school board, Horace Mann wrote, “Having found the present generation composed of materials almost unmalleable, I am about transferring my efforts to the next. Men are cast-iron; but children are wax. Strength expended upon the latter may be effectual, which would make no impression upon the former” (Peabody Mann, 1865, p. 83). The modern equivalent is the common adage that a year's tuition at a private university is cheaper than the cost of housing an inmate in a prison for a year.

Finally, once several years of formal schooling became a nearly-universal experience by the late nineteenth century, it became a convenient place to focus social reforms aimed at children, because a school became the most common place where one could find children. Schools feed poor children through the federal free and reduced-price school meal program because almost all children aged 5 to 16 attend school for half of the year. Schools require proof of vaccinations, conduct vision screening, require educators to report suspected child abuse, teach teenagers how to drive, and allow military, college, and job recruiters on campus to a great extent because that is where most of the children can be found.

An important factor shaping how schools have responded to pressures for solving social problems is the local nature of school governance for most of the country's history. Until the last few decades, most curriculum and operational decisions have been made by local school boards, or by local staff supervised by school boards. Thus, while there have been broadly overlapping topics most schools teach including basic academic skills, and practices that school boards have shared, there has also been room for individual school districts to expand the curriculum or functions in response to perceived needs. As some school districts copied others in these changes, the functions of schools slowly expanded across the country. But schools did not necessarily lose older obligations, and as a result public schools have accumulated more responsibility over the centuries rather than changing obligations. Arthur Powell, Eleanor Farrar, and David Cohen (1985) described one result of this accumulation as a high school akin to shopping malls, as twentieth century high schools added a class here and there to address growing demands for high schools to prepare teenagers for work, for driving, for citizenship, and other purposes. They argued that as high schools accumulated obligations, they added boutique classes and specialized rooms or wings for small groups of students in the way that shopping malls had boutique shops and niche markets. As long as schools have been able to add a function to address a presumed need, rather than change how they operate at a fundamental level,

modern public schools in the U.S. have found a way to say they address a social problem citizens want them to solve.

Public and private ends, individual and collective goals

One can understand the conflicts between potential purposes of schooling more systematically than just listing the purposes. One can think of and list the distinctions between the public and private purposes of schooling, and between the individual and collective ends schools can serve (e.g., Hochschild & Scovronick, 2003; Labaree, 1997). For example, many parents hope that schools will teach their children the skills they need to succeed in a competitive labor market, or to compete for admission to high-prestige colleges. In this way, schools serve the private interests of families for individual success in a competitive society. But we also expect schools to serve the public purpose of providing equal opportunity to all children, regardless of the advantages that their families might be able to provide outside school. When high schools provide advanced academic opportunities to a limited number of students through advanced classes, they serve the private interests of the children given those opportunities. But those limited opportunities might also undermine the public goal of equal opportunity.

One can also identify tensions between individual and collective goals for schooling. One goal of a private religious school is often the development of a spiritual and moral community, a collective purpose for schooling that a congregation or parents support. Those deliberate choices are fashioned by like-minded adults who have a common understanding of how a school can and should serve their religious community. Within such a school, some individual students might be dissatisfied with that experience, wanting an education that is more focused on what they perceive as their needs to explore different ideas (including exploration of different religions or perspectives on morality). Here, I focus on a private school experience not because similar tensions do not exist in public schools—they

certainly do. However, I describe the potential for such disagreement in a private setting to emphasize that the potential for conflict between individual and collective goals for schooling can be different from the public-private tension described above.

Table 1. Purposes of schooling by public-private and individual-collective dimensions (one version).

	Private purposes	Public purposes
Individual purposes	<ul style="list-style-type: none"> • Teach academic skills and knowledge • Teach economically-useful skills (advance individual interests in a competitive economy) • Personal fulfillment or individual development • Keep children safe while their parents work 	<ul style="list-style-type: none"> • Cultivate creative expression <p>(Why is this cell mostly blank?)</p>
Collective purposes	<ul style="list-style-type: none"> • Socialize children into a group's beliefs and values • Preparing a group's future leadership (e.g., clergy) • Maintain a group language • Maintain a group cultural heritage • Support economic advancement of a group • Support political goals of a group 	<ul style="list-style-type: none"> • Prepare children for citizenship • Expand economic development • Prepare future public officials • Maintain common cultural heritage • Integrate immigrants into a national culture • Support national defense • Support civil order • Reduce threats to public health • Reduce prejudice • Reduce poverty • Reduce hunger • Reduce crime • Host community functions (e.g., serve as polling stations or emergency shelters)

More generally, one could place the various goals for schooling in a two-by-two grid based on both of these dimensions. Table 1 is one way to sort the various potential purposes of schooling into

private, individual goals, private and collective goals, public collective goals, and (for a few potential purposes) public goals that one could identify as mostly benefitting individuals. In several cases one could argue that a purpose belongs in more than one of the table's cells, and the placement of a goal may well have changed over time. In most cases, however, one could identify an argument about the purpose of school as serving individual or collective ends, mostly private or generally public ends.

The history of curriculum politics

With tensions and conflict between goals people hold for schools, one should not be surprised that disagreements over purposes become disagreements over curriculum. In his history of curriculum politics in the late nineteenth and early twentieth centuries, Herbert Kliebard (2004) wrote that advocates of different goals for schools argued for four different curriculum models. Those who thought the most important purpose of schooling was continuation of a cultural heritage advocated a fundamentally academic curriculum, close to what we would think as a college preparatory curriculum. Others thought that the purpose of schooling was *social efficiency*, serving the mechanized industrial economy—these educators and outsiders argued for tracking children into different types of curriculum based on the presumed likely occupations they would hold as adults. Yet others advocated schooling as personal development, where academics and economics were less important than including classes that would make sure students were well-adjusted and happy members of society. Finally, those who thought school should reduce inequalities argued for a curriculum Kliebard labeled *social meliorism* (a term Kliebard created as an historian, not the term used by educators in the early twentieth century). Kliebard's broader historical argument is that when adults have a purpose in mind for schools, they often match their ideal curriculum to those goals, and arguments over curriculum are often arguments about the fundamental purposes of schooling.

Curriculum politics have often focused on one of the following three targets: the broader structure of the curriculum, topics within a specific part of the curriculum, or readings assigned to classes or available in school libraries. Kliebard's history of the curriculum focuses on the broad structure: what subjects should schools teach, and to whom should they teach these subjects? With social efficiency advocates, Kliebard wrote, schools should teach a range of topics, with advanced academic subjects reserved for those who school officials expected would be professionals. Others would be tracked into vocational or other non-academic subjects for a significant portion of schooling. Over the past century, critics of tracking have argued in response that the sorting of students into tracks often limited opportunity by gender, social class, and race or ethnicity as school officials thought their prejudices were justified professional judgments. These arguments are over the big picture of curriculum: how should it operate as a whole?

Often, heated curriculum debates are focused on individual topics within a subject. One example is continuing debates over whether sex education in public schools should include explicit instruction about contraception. Sex education has existed in a large number of public schools for almost a century (Moran, 2002), but adults have held different beliefs about the purpose of sex education, and those disagreements shape their positions on whether sex education should teach children how to use contraception. Those who believe that the purposes of schooling—and sex education—include teaching children how to be moral, and for whom sexual activity outside marriage is seen as immoral, may well view teaching of contraceptive techniques as in conflict with the fundamental obligations of schooling. These Americans would argue for abstinence-only sex education. Those who believe that the purposes of schooling do not include morality, or where the reduction of potential harm from adolescent behavior should outweigh advocacy of specific moral positions, may hold very different views. They might argue that though we may wish adolescent children should not engage in sex, it is more important for them to avoid pregnancy and sexually-transmitted diseases than to hope that abstinence-

only sex education will deter teenagers from sexual activity. This latter view is shared by the majority of parents (Perrin & Bernecki DeJoy, 2003).

In addition to debating the broad structure of the curriculum or the presentation of specific topics, Americans have often fought fiercely over what children should be reading, either texts assigned in class or books available in school libraries. The most common conflicts are begun as attacks on fiction assigned to classes, especially in middle school and high school. The American Library Association (ALA) tracks attempts to ban books from classes and school libraries as well as public libraries and other locations, calling censorship efforts “book challenges” (which include unsuccessful as well as successful efforts to censor books). The ALA reported 4048 challenges of classroom books and 3659 challenges of school library holdings in the 1990-2010 period. Of all challenges in that period (regardless of target), the vast majority were initiated by parents, with sexually explicit content as the most common complaint, followed by offensive language, perceived unsuitability for the age group, and violence (ALA, n.d.). Books assigned for classes that parents or others have challenged since 1990 include *The Catcher in the Rye*, *The Grapes of Wrath*, *To Kill a Mockingbird*, *The Color Purple*, *Beloved*, *The Lord of the Flies*, *Of Mice and Men*, *Brave New World*, *Their Eyes Were Watching God*, *Invisible Man*, *Song of Solomon*, and *Slaughterhouse Five*.

Attempts to censor books are among the most visible and contentious fights over curriculum. What the ALA list of challenged or banned books does not explain is why some challenges succeed while others fail to end in book censorship. More broadly, since schools are under conflicting pressures over the goals and curriculum on a continuing basis, what shapes their response to such pressures? Where there are mandates, such as official state standards, schools and local districts have little choice. The local cultural environment and the tactical skills of local advocates play an important role. What is often understated is the skills of local administrators in responding to pressures, especially if the professional judgment of a superintendent or principal is at odds with the most vocal or popular views

in the community. Historian Jonathan Zimmerman (2002) has suggested that changes to a history curriculum or text often follows a pattern we may describe as a “lesser action” principle: school districts, state textbook committees, and publishers are often willing to change the teaching of history to include new material as long as the overarching story does not change. For American history, Zimmerman writes that the fundamental story of history texts remains a “triumphal narrative,” an overarching positive story that can be (and has been) tinkered with to add women, African Americans, Asian Americans, Latinos, and others as new heroes included in a story whose overall framework does not change. Zimmerman's lesser-action principle identifies schools responding to multiple pressures by bending practices to meet as many explicit or implicit demands as possible. In the case of the history curriculum, the way to respond to pressures to recognize previously-dismissed groups while also responding to pressures that schools uphold a national political culture and identity is to allow everyone to have their own heroes in a generally heroic story about the nation.

Why the politicization of science standards?

Through the middle of this chapter, you should have started thinking about the ways that a supposedly objective subject such as biology could still be subject to political pressures. You now know many of the ways that adults disagree about the basic purposes of schooling. You know that education is tied to citizenship in the United States, often with vigorous political debates over what that connection means. You know that people can argue schools should serve public or private ends, individual or collective end. You know that those disagreements often underlie curricular debates, whether those debates are over the broad structure of the curriculum, individual topics within a subject, or the materials schools provide as textbooks.

The decade-long debate over science standards in Kansas is one of these curricular debates with a deep-seated disagreement over the purpose of schooling. While biology teacher Brad Williamson

complains that science education has become politicized, it is unrealistic to expect education policy *not* to involve politics when we see education as a right of citizenship and education as a primary means of making citizens. The state board of education has become an arena for Kansas politicians to debate the purpose of education, with evolution as an individual topic that is the focus of that debate. When social conservatives have controlled the state board of education, they have diminished or eliminated evolution as a topic of instruction because they see one critical purpose of schooling as preserving their values, including an explicit support of one variety of evangelical Christian belief that is incompatible with accepting evolution as a scientific fact. When social conservatives have lost control of the state board of education, the majority has supported evolution as a topic of instruction because they see one critical purpose of schooling as the advancement of science and understanding of scientific principles, which to them requires the teaching of accepted conclusions of science, including the evolution of and differentiation of species over time.

In the case of the Kansas debates over science standards, the state board of education did not respond to political pressures by the lesser-action principle. As the composition of the state board of education changed, the policy position flipped from solid support of teaching evolution as fact to evisceration of that position, and back again. The late biologist Stephen Jay Gould proposed such a minimal-conflict principle—Gould argued for a concept of separating scientific teaching from religious belief he called “Non-Overlapping Magisterial Authority” (or NOMA) (Gould, 1999). But in the case of the biology curriculum, the members of the state board of education could not find an “everyone wins” response that is the parallel to the history curriculum’s response to pressures that results in a “we celebrate all stripes of heroes” approach. At least for evolution in Kansas over a decade, there was no compromise.

This chapter used the Kansas debates over the biology curriculum as an entry point for exploring the historical and current debates over the purposes of schooling. In learning about ideas that could

explain the Kansas debates, you learned about the evolution of ideas tying education to citizenship, the variety of goals people have for schools, a few ways in which one can divide different goals, and the ways in which curriculum debates reflect deeper disagreements over what the main job of schools is. The rest of the chapters in this text will follow a similar pattern, using a specific problem or puzzle to introduce you to important ideas about the relationship between schools and the rest of society. At the end of each chapter, you should be able to see the connection between the main ideas in the chapter and the framing puzzle.

Questions to explore further

Now that you have finished this chapter, you should also be able to apply what you have learned in a different context. This section provides an opportunity to extend what you know and test your ability to make new connections.

1. Reactions to the framing case: How would you address the issue facing the Kansas Board of Education? Make sure you think about the issues explored in this chapter—you should be able to explain how your proposed resolution addresses the fundamental conflict in the state. Identify key stakeholders who might reject your proposal and anticipate their counterargument. Then dig into your own reaction to the case: what does your proposed resolution suggest about what *you* think the key purposes of schooling are?

2. In the majority of school districts in the U.S., high schools offer select classes to a small number of students, classes that provide an advantage in college to those students. These include Advanced Placement classes, International Baccalaureate programs, and classes where students are dually-enrolled in high school and college. Students who score at certain levels on AP or IB exams can often earn college credit or exemptions from requirements, and passing a dual enrollment class results in college credit. Students who are *not* in these classes or programs do not have an opportunity to earn

college credit in high school. First, identify two or three reasons why it makes sense to spend public funds on these classes that provide limited opportunities. Second, identify two or three reasons why it may *not* be appropriate to spend public funding on these programs. Look through the reasons you have identified: which touch upon the tension between public and private goals for schools? In which ways do individual families benefit from AP classes, an IB program, or dual enrollment? Is there a public purpose to the programs?

3. In early 2008, several large philanthropic organizations helped create the Common Core State Standards, to advocate for a national curriculum framework. With the support of the National Governors Association, the Council of Chief State School Officers (most state superintendents or their equivalents belong), and the Obama administration, Common Core drafted Common Core State Standards in English/language arts and math that were released in 2010 and adopted by 46 states. Visit the Common Core website and listen to some of the “voices of support” (<http://www.corestandards.org/voices-of-support>). What are the reasons for a common curriculum, as stated by its supporters? Match those against the historical expectations people have had for schools.

4. The first standards released (and broadly accepted by the majority of states) were in English/language arts and math. As of late summer 2012, there is also a framework for science standards (National Research Council Committee on a Conceptual Framework for New K-12 Science Education Standards, 2012), which includes evolution as a core concept in life sciences, and a draft of standards in science, but no standards-related publications in other subjects. Why were English/language arts and math the first subjects to have a national set of curriculum standards?

5. There are two prominent sources of opposition to the Common Core (or any national curriculum). One group of opponents are progressive educators who are opposed to any curriculum standards at either the state or national level. In the fall 2011 meeting of the National Council of Teachers of English, a group of members proposed a resolution that would have put the organization on

record opposing national standards. The resolution was edited heavily before it passed in a modified form that did not end up opposing curriculum standards (Gewertz, 2011). The original resolution read in part, “The standards that have been proposed and the kinds of testing they entail rob students of appropriate teaching, a broad-based education, and the time to learn well. Moreover, the cost of implementing standards and electronically delivered national tests will be enormous, bleeding money from legitimate and valuable school activities. Even if the standards and tests were of high quality, they would not serve educational excellence or the American economy” (Ohanian, 2011). Read the draft resolution at <http://www.schoolsmatter.info/2011/10/resolution-ncte-will-oppose-common-core.html> and answer the same questions posed for #4, above: What are the reasons these educators oppose a common curriculum? Match those arguments against the historical expectations people have had for schools.

6. Another group of Common Core opponents are more aligned with a libertarian philosophy of opposing federal government authority, especially in education. Texas is the largest state that has not adopted the Common Core standards in English/language arts and math, and Texas withdrew in 2011 from participation in the Council of Chief State School Officers in part because of the council's support of the Common Core (Cavanaugh, 2011). Neal McCluskey of the libertarian Cato Institute dismissed the effort in late 2011, “Common Core, No Child Left Behind – both are cut from the same, moth-devoured cloth: top-down government control. In light of decades of costly failure, it is well past time we stop entertaining such fixes and move on to something different.” Read the full blog entry at <http://www.cato-at-liberty.org/little-evidence-for-either/>, or the opposition in late 2011 to adopting the Common Core standards by Oklahoma state Rep. Sally Kern (<http://paulsvalleydailydemocrat.com/governmentnews/x1168425178/Kern-Urges-Opposition-to-Common-Core-Standards>). What are the reasons these conservatives oppose a common national curriculum? How do these reasons match up against the historical expectations for schools?

7. For many years, the National Center for Science Education (NCSE) has provided technical assistance to science teachers needing help teaching evolution. In 2012, NCSE added climate change as a topic in science education it provides assistance for. Read the entry page for its discussion of climate change education (<http://ncse.com/climate>) and listen to at least a few minutes of the interview of NCSE director Eugenie Scott on *Science Friday* (<http://www.sciencefriday.com/program/archives/201201201>). Why did NCSE decide to add climate change to the topics it thought important enough to fund activities in? Do you agree with Scott that debates over the place of climate change as a subject in science could have dynamics similar to those of evolution? In making your case, draw on the analysis of curriculum politics in this chapter.

8. In the 1980s, University of Virginia English professor E.D. Hirsch argued that schools should explicitly teach the “tacit knowledge” of culture that the children of professionals absorb without explicit instruction and use to their advantage. This “cultural literacy” argument has been controversial for several reasons, and Hirsch has continued to make this argument, most recently in a 2009 book, *The Making of Americans*. He writes, “Commonality of knowledge requires commonality in schooling. The schools need to impart not only the forms of the standard language but also the unstated knowledge students need in order to understand what is being said in the classroom, in newspapers, and elsewhere in the public sphere. This unstated knowledge is extensive, and it needs to be imparted gradually and securely over the years of schooling. Indeed, the vastness of this knowledge is the chief reason schooling takes so many years” (p. 114). Where does this argument fit in the history of expectations for schools? What else would you want to know about Hirsch's argument?

9. Since the end of World War 2, many school critics have said schools should do more to help the country defend itself from potential and active adversaries. This national-security argument has taken various forms over the decades. In the 1940s and 1950s, Admiral Hyman Rickover and others said that schools should help ensure enough “manpower” with scientific and technical expertise to fight future

wars (Spring, 1976). More than half a century later, in 2012, a Council on Foreign Relations report argued that the nation's future security rested on the success of schools: “The Task Force members believe America’s educational failures pose five distinct threats to national security: threats to economic growth and competitiveness, U.S. physical safety, intellectual property, U.S. global awareness, and U.S. unity and cohesion. The Task Force does not deny America’s military might, but military might is no longer sufficient to guarantee security. Rather, national security today is closely linked with human capital, and the human capital of a nation is as strong or as weak as its public schools” (Klein, Rice, & Levy, 2012, p. 7). If you do not yet know what the term *human capital* refers to, I encourage you to look it up—it will be explained in more depth in chapter 4, but you should know now that it refers to investment in people. Where does this argument fit in the history of expectations for schools?

10. From the late 1960s through the mid-1970s, the U.S. Supreme Court expanded the rights of children within schools, recognizing some rights to free speech (*Tinker v. Des Moines*, 1968) and due process before suspension from school (*Goss v. Lopez*, 1975). Yet that expansion was limited. The Supreme Court has ruled that the First Amendment does not prohibit principals from censoring student newspapers (*Hazelwood v. Kuhlmeier*, 1988), nor does the U.S. Constitution prohibit public school officials from hitting students as part of school discipline, even if parents disagree (*Ingraham v. Wright*, 1977). What roles for schools are consistent with an expansion of student rights? What roles of schools are consistent with a more restrictive view of student rights?

11. An example of the more rights-restrictive court decisions since the mid-1970s is a 2007 case, *Morse v. Frederick*. In January 2002, 18-year-old high school student Joseph Frederick was suspended by principal Deborah Morse for having displayed a banner, “Bong Hits 4 Jesus,” during the time students were excused from school to see the Olympic torch relay as it passed through Juneau, Alaska. Frederick argued he was expressing legitimate political speech (through parody) and doing so outside

school grounds. Eventually, the majority the U.S. Supreme Court sided with the school district, arguing that the event was the equivalent of a sanctioned field trip under school supervision, and that the banner undermined the school's anti-drug-use education. How would you have decided the case, and why? What does your answer say about what you see as the role of schools?

12. Repeatedly over the past century, adults in the U.S. have expressed concern about mass popular culture and its effects on adolescent behavior, from the beginnings of rock music in the post-World War II years to hip-hop music and the Internet today. On occasion, those concerns have become the targets of actions by public officials, such as Congressional hearings in the 1950s on crime-focused comic books or similar hearings in the 1980s on explicit lyrics in rock music, or several laws passed by Congress attempting to censor the Internet or require filtering by school officials (e.g., Castillo, 2011). Currently, federal law requires school districts receiving any federal funding to have filters that block access to inappropriate content. In hundreds of school districts, this filtering includes blocks on Youtube and Facebook. What does this practice of filtering imply about the role of schools? What type of plausible educational activity is prohibited by filters? What role for schools might be associated with the prohibited activities?

13. This chapter focuses on education during childhood, though both individual students and the public spends billions of dollars for schooling for adults, including undergraduate and graduate degrees in colleges and universities. While some argue that college should be a right of citizenship, in general that is not a consensus view, in contrast with the modern acceptance of schooling as a right of children. Why is K-12 schooling clearly considered a right of children by the majority of Americans, but that broad consensus does not extend to attendance at colleges and universities? Which of the general purposes of schooling discussed in this chapter apply to higher education as well as elementary and secondary schooling?

14. This chapter has skipped over the question of what a “school” is, though it has assumed that there is something special about an organization we call school, an organization that we hold expectations for and argue about their purposes, arguments that assume they exist in some reasonably coherent sense. The dividing line between education and formal schooling is fuzzy, and it may help to explore the boundaries of formal schooling. For yourself, explain the difference from formal schooling for each of following: singing to an infant, a religious service, a family trip to a museum, educational television, and a youth sports league. Which of these (or others you think of) are more “school-like” than the others? Why?

15. Since 2002, all states have had their federal aid to schools tied to requirements that the states test all public-school students in third through eighth grade and have accountability measures tied to student test scores. This law, commonly called the No Child Left Behind Act, came after several decades of increasing pressure on public schools in many states to be accountable through student test scores. Originally, states had to apply a rigid set of sanctions for schools that did not meet No Child Left Behind’s Adequate Yearly Progress standards on tests, though states that have received waivers from the federal government can now design different accountability systems, though they must still be based at least on test scores in reading and math. What purpose of schools might be served by test-based accountability? For those who think that schools have different purposes, what might be their concerns with test-based accountability?

Chapter 2. Teaching as an Occupation

Key concepts

- Teachers as moral agents
- Feminization of teaching
- Normal schools
- Certification
- Teacher salary schedules
- Teachers and civil rights
- Unionization/collective bargaining
- Virtue ethics
- Duty ethics
- Consequentialist ethics

Framing case: Should teacher evaluations depend on student test scores?

Since 2009, a number of states have moved towards forms of evaluating teachers and principals that are significantly different from common practices of brief evaluations by administrators that evolved since World War II. These recent changes have been pushed both by a multi-billion-dollar competition held by the U.S. Department of Education, Race to the Top, that encouraged changes in state statutes involving teacher evaluations and also by the 2010 elections that swept conservative Republicans into control of legislatures and executive branches in a number of states. Since the 2010 elections, a number of states and local school districts have changed important parts of how teachers are evaluated as public employees, either in negotiations with teachers unions or without bargaining the changes with teachers.

In Florida, for example, a law passed in 2011 requires that 50% or more of each teacher's annual evaluation formula be based on test-score statistics. (Florida's law is being challenged in court by the statewide teachers union affiliate, the Florida Education Association.) In New York, 20% of evaluations for many teachers will be based on state test-score measures, and 40% of evaluations for all teachers will be based on some mix of student-outcome measures. (New York's new policies were

negotiated with New York State United Teachers, that state's teachers union affiliate.) Tennessee, Colorado, California, and several other states have likewise enacted policies that encourage or mandate the inclusion of student test-score data in teacher evaluations.

These policies come in the midst of other experiments in evaluation. In the past few decades, some school districts such as Toledo, Ohio, have included peer reviews of teachers in the district-wide policies. More recently, other districts have developed evaluations with more extensive observations (either by administrators or both administrators and teachers). Some school districts have made agreements with large charities such as the Bill and Melinda Gates Foundation to experiment with different methods of evaluation, such as evaluation by peers or retired educators trained in classroom observation--this is a project currently in progress in several large public school districts.

The rationale for the broad range of new evaluation policies (especially including test scores) is the need to make outcomes matter in some sense for teacher evaluation. At the same time, however, there is no consensus on whether research supports any specific method of including test-score measures in teacher evaluation. There are significant methodological questions about the most common set of statistical techniques mentioned in the policy debate. So-called “value added” or growth statistics attempt to measure *improvement* in academic achievement from year to year through various techniques. Most specialists in the area agree that value-added measures of student achievement based on a single year's change in achievement are too fragile in a statistical sense to make any robust judgment about the academic growth of any class-sized group of students, let alone a teacher's responsibility for that growth. (There is some agreement that using more years of data increases the robustness of conclusions about groups of students, though the connection with individual teachers is a focus of intense debate.) There is also little robust research on the most recent generation of intense observation, such as the projects sponsored by the Gates Foundation or older peer-reviewed evaluation models (see McGuinn, 2012, for a recent discussion of teacher evaluation policy).

In the absence of any clear finding from research (and often enough even with clear research findings!), policy in education is debated and decided on other grounds. The use of student test scores in teacher evaluation is controversial in part because parents and other adults have different ideas about the purposes of schooling, as Chapter One discusses. But using test scores in evaluation is also controversial because Americans disagree about the proper role of teachers in schools and society. This chapter explores how the occupation of teaching has evolved and the nature of debates over teaching as an occupation. First, it sketches the history of teaching through the nineteenth and twentieth centuries. It briefly discusses popular images of teaching, which play into the rhetoric used in policy debates. The last section will address issues of ethics, including a brief discussion of normative ethics categories and codes of ethics.

Changes in teaching before 1900

In the half-century before the American Revolution (i.e., in the middle of the 18th century), teaching was generally man's work--low-paid, insecure, short-term, and full of indignities shaped by the physical conditions of one-room schools and the low regard in which teachers were held. The inconsistent nature of teaching was consistent with the inconsistent nature of schooling at the time--funded locally, usually charging tuition, with students in various stages of study (and who attended inconsistently), with nothing like "classroom sets" of instructional materials. That low status remained a key trait of teaching as work for the century after American independence, though some features changed. Through much of the nineteenth century, especially in rural areas with one-room schools, teachers were often between other jobs: young men with a little more education than average, or those who were going to college inconsistently, or ordained men without a congregation.

There were four major changes in teaching between the Declaration of Independence in 1776 and 1900: the feminization of elementary teaching, increasing educational attainment of those who taught,

the first involvement of teachers in social reform movements, and the changing role of teachers with the start of school bureaucracies. What did *not* change is as important as what did change: the rough working conditions of teachers and the non-academic expectations for teachers.

Feminization of teaching. By 1860, the feminization of primary teachers was well established in cities and (for rural areas) outside the South, and by the early twentieth century more than 9 of every 10 primary-grade teachers were women (Perlmann & Margo, 2001). *How* teaching of younger children turned from majority male to majority female is a subject of some debate, but the fact and timing of teaching's feminization is not in serious doubt for historians. Women became teachers in urban schools fairly early, and in the countryside the North led with the way, with the upper Midwest and the rest of the West following. Joel Perlmann and Robert Margo suggest that a key difference may have been the history of "dame schools" in the colonial North--when women in small towns would care for small children in their homes, akin to modern home-based child care. That early experience with having women care for children may have made women teaching primary schools acceptable earlier in the North.

Myra Strober and David Tyack (1980) suggest that there were several factors that fit with the timing described in the prior paragraph. First, women's teaching followed coeducation in schools in the late 18th and early nineteenth century, as younger women became more likely to be literate and thus be qualified to teach. Second, growing manufacturing freed many women from intensive household production tasks. Third, changing gender roles in the early nineteenth century gave a new argument to advocates of women as teachers such as Horace Mann or Catherine Beecher. Mann, Beecher, and others claimed that the (presumably natural) nurturing role of women included both childrearing and the teaching of young children. This new argument about the role of women as nurturing implied that they were superior teachers. Fourth, the push to expand schooling in the common-school era gave schools an incentive to seek the cheaper labor of women, especially if the length of school sessions was

to increase. The first urban school systems could hire women at higher wages (for the women) but at lower cost (for the system) than if men had been hired. Strober and Tyack speculated that men continued to dominate teaching in rural areas because one-room schoolteachers needed to be able to discipline older (teen) boys and because there was a political role for schoolmasters in the community--something that became the role of managers (principals and superintendents) in city systems while women were teaching primary grades. That speculation does not fit the regional split--Midwestern teaching was dominated by women even while it was predominantly rural, while Southern teaching remained a male field long after other regions. However, it is possible that what was important was local belief about what was necessary to discipline older boys. Certainly, women could wield a hickory stick as easily as a man, and in nineteenth century schools, discipline was often rough no matter who was the teacher.

Teachers' educational attainment. While teaching remained a low-status occupation with tough working conditions, teachers themselves were changing as a population. These changes were not just the feminization of teachers but also the education they brought with them to the front of the class. Even if the nature of instruction remained stable--rote memorization remained a significant part of schools throughout the nineteenth century despite arguments in favor of changed pedagogy--teachers at the end of the century had more formal schooling as students than their predecessors one hundred years earlier. One significant reason was coeducation (or the education of girls alongside boys in the nineteenth century), which approximately doubled the proportion of adults who had at least a little more education than students.

A second important reason was the expansion of educational experiences for a minority of students through the widespread creation of various "secondary" schools--academies, grammar schools, high schools, normal schools, seminaries, and colleges. The word *secondary* is in quotation marks because the nineteenth century did not have a formal sequence of educational levels in the way modern schools

have. In the nineteenth century, schools that called themselves colleges often competed for the same students as academies and high schools. Because education was predominantly local (very few moved specifically to attend a school), any local school beyond primary grades was often used by nearby residents as the primary opportunity. That adaptation by local communities is reflected in the history of many former state normal schools that became teachers colleges and then parts of state university systems.

For example, Illinois State University is in Normal, Illinois, because it used to be the normal school for Illinois (see Ogren, 2005). Teachers who had education beyond primary grades may have acquired that extra education in normal schools, high schools, academies, seminaries, or colleges--and in retrospect, it is often hard to distinguish between the different categories. Normal schools may have had pedagogical training in the curriculum, but their students were often as interested in a general education as training to be teachers.

Throughout the nineteenth century, only a minority of students ever completed something called a high school or college, but a significant number attended secondary schools in some Northern states (Vinovskis, 1980). At the time, “completion” was not as important as we think high school or college degrees are today, and even a year or two of more advanced education had significant value both in labor markets and as a marker of educational accomplishment (Labaree, 1988). In that context, even if educational attainment only crawled upwards a small amount per decade, a significant number of “more educated” Americans would have included those who taught for a least a few years. By the end of the nineteenth century, American teachers may have included only a minority who dedicated a career to teaching, but teachers on the whole were more educated than at the beginning of the century, and the adult population had more individuals who had enough education to be roughly eligible for teaching from an academic standpoint. That incremental change made possible an explosion of high schools in the early twentieth century (e.g., Goldin & Katz, 2008).

Teachers and social reform. The third significant change in teaching in the nineteenth century was the involvement of rank and file teachers in three broad social reform movements. The common-school era did not involve most teachers except in the creation and spread of normal schools (or teacher training schools) in the United States. The first normal schools taught relatively few teachers, but this was the first effort in North America to treat teaching as an occupation requiring formal training and preparation. However, there were three other social reform movements that did involve teachers. Two were mid-century systems of sending educated young adults (often women) to areas needing teachers: either the newly-settled West or the post-Civil War South. Missionary teachers received relatively little support from the sending organizations, which relied on the zeal of young adults to keep them teaching in distant lands, far from family and logistical support. It is important not to overestimate the role of missionary teachers in each case—for example, the majority of Reconstruction’s teachers in schools for African American were from the South—but the existence of missionary teachers fit with the presumed “nurturing” role of primary teachers and was the first public image of teachers as social heroes, at least in public rhetoric (e.g., Jones, 1992). Decades later, many teachers became involved in the Progressive Era social reform movements, including activism in cities to create new opportunities for poor children and poor communities. The first attempt to unionize teachers (in Chicago) included a lawsuit, joined by other self-identified Progressives to force collection of unpaid corporate taxes to boost municipal coffers, including school budgets (Addams, 1910).

Teachers and school bureaucracy. The fourth significant change in teaching before 1900 was the growing proportion of teachers who taught in multi-room schools. One way to measure the early history of school bureaucracies is in the growth of multi-room, graded schools in cities. An earlier experiment in very large classrooms--so called monitorial schools with one teacher and several hundred students divided into small groups--founded by the 1840s, and the self-contained classroom became the dominant organizational unit. These multi-room, graded schools changed teaching from work

isolated from other adults to work in buildings with other adults, even if teachers were still isolated in individual classes. It is hard to estimate the numbers of multi-room schools, but in the second half of the century, urban school systems generally became organized around large schools. These schools were collections of “self-contained” classrooms with one teacher and several dozen students in a room. Students were divided into grades, presumably grouped by instructional level to simplify curricular organization. The development of multi-grade schools varied by city and neighborhood, but it was fairly common at the end of the nineteenth century for large cities to have schools with grades 1-6 or 1-8, with one or a few high schools as the pinnacle of the system. The existence of multi-room schools changed the nature of teaching in cities, making primary teachers subordinate to the head of a school (first called the *principal teacher* and then just *principal*). The principal in turn would report to supervisors, headed by a superintendent.

What did not change: rough work and non-academic emphasis. From the second half of the nineteenth century, we have the writings of teachers themselves to indicate the tough life they often led: teaching in unheated shacks where they were responsible for maintenance as well as coaxing some effort from their students who often ranged from our modern “preschool” age to late teens (e.g., Zimmerman, 2009). Whether the diaries and letters are from men and women teaching on the Oregon frontier, in Midwestern towns, or the post-Civil War South, teachers wrote about the frequent small indignities and the occasional victories. Even in the post-Civil War South, where former slaves were eager for any and all schooling, there were tensions between teachers and the communities (e.g., Jones, 1992). Edward Eggleston’s 1871 novel *Hoosier Schoolmaster* starts with the head of the local school committee describing the fundamental disrespect a teacher could expect: “Want to be a school-master, do you? You? Well, what would you do in Flat Crick deestrick, I’d like to know? Why, the boys have driv off the last two, and licked the one afore them like blazes. You might teach a summer school, when nothin’ but children come. But I ’low it takes a right smart man to be school-master in Flat Crick

in the winter. They'd pitch you out of doors, sonny, neck and heels, afore Christmas.” Teaching in the nineteenth century was not an easy job.

Eggleston's novel highlights the second consistency in teaching as an occupation: the lower emphasis on academic qualifications. Instead, the role of teachers continued to emphasize the moral and disciplinary role of teachers. Despite incremental increase in educational experience, academic qualifications were less important than the personal attributes of a teacher. As Webster and others in the late nineteenth century argued that the character of teachers was crucial to socializing children, school committees saw personal characteristics as more important than academic training. The lower priority placed on academic training was true whether the desired characteristic was nurturing as Horace Mann would prefer or the ability to discipline older boys, as the fictional trustee in *Hoosier Schoolmaster* implied. This lower emphasis on academic training is consistent with the multiple and often conflicting needs that people have thought schools should meet; if one believes that a primary goal of schooling is moral education (as was common in the nineteenth century), then personal character of a teacher is more important than academic knowledge.

Twentieth-century changes: Teaching an institutional society

At the start of the twentieth century, most primary-grade schoolteachers were women, a growing number taught in expanding (or metastasizing) city school bureaucracies, and they were generally more educated than their predecessors. During the twentieth century, changes to teaching as an occupation reflected both growth in school bureaucracies and changing notions of what schools are for. Notable changes included licensure (or certification) requirements for teachers, the development of a single salary schedule, involvement of teachers in the modern civil rights movement, and unionization.

Inventing certification. The development of formal licensure or certification standards in the twentieth century was part of the incremental growth in school bureaucracies. Urban school systems in

the nineteenth century occasionally developed their own teacher development programs, including some city normal schools (or teacher training schools) such as in Oswego, New York. Some states such as New York created systems of examinations for teachers, though the states had little power to mandate that teachers in scattered villages all pass those exams (Angus, 2001). In the twentieth century, state governments began to exercise additional authority over schools, building on the moderate success they had experienced in applying compulsory education laws in the late nineteenth century and reflecting the growing power of school administrators, what David Tyack (1974) called the movement of “administrative progressives.” One such effort included pressure on small rural school districts to consolidate, a state-level parallel of bureaucratic growth in cities. A second effort was the slow creation of licensure standards for teachers, or certification. According to David Angus (2001), a majority of states accepted graduation from normal schools as proof of professional qualification by the end of the nineteenth century

Modern systems of licensure or certification evolved in almost 40 states between the turn of the century and the end of the Great Depression. These systems scaled down examinations in return for requirements for study beyond a high school diploma, with courses in pedagogy, or how to teach. (Requiring some college was more feasible in the Great Depression with its substantial unemployment at all levels of education and a shrinking cohort of schoolchildren, with declining fertility.) While some Southern states retained lower requirements and had “county training schools,” by the end of World War II most states had acquired some state-centered licensure or certification systems. After the development of certification systems came growing specialization of teachers, not only based on content for high school classes but on the growing number of specialists that eventually included special education teachers and teachers of subjects as varied as music, art, physical education, and vocational subjects, as well as school counselors, school psychologists, speech and language specialists, principals, superintendents, and central district supervisors.

There are significant exceptions to certification standards. Most states created allowances for temporary licensure for older adults or graduates of colleges without teacher education programs, or systems of 2- or 3-year certificates while someone with a temporary license acquired a permanent license through evening or summer post-baccalaureate classes. And all states allow substitute teaching to extend to “permanent substitutes” who receive lower pay even while being a daily classroom teacher for months. Substitute teachers do not generally need to be certified, and some states only require a high school diploma for substitutes—but some form of certification is generally required for full-time teaching.

Formulaic salaries. Another consequence of growing school bureaucracy has been the creation of salary formulas or schedules. The evolution of formulaic salaries began in the nineteenth century, but in a way that created inequalities. In the eighteenth century, when most schools consisted of one teacher and was the only school or one of a few schools in the community, the idea of a complicated salary formula was not part of the operation of most schools. In the middle of the nineteenth century, as the first urban school systems developed, so did a variety of rules, including for salaries (Katz, 1987). By the end of the nineteenth century, extensive salary schedules put a variety of inequalities into concrete form. In the South, African American teachers had lower salaries than white teachers by the salary schedules. In urban school systems, elementary school teachers commonly paid less than teachers in the more prestigious high schools (e.g., Labaree, 1988). Because elementary teachers were predominantly women while high school teachers were from both genders, the differentiation of salaries by school level created fundamental inequalities in salary by gender.

In the twentieth century, those inequalities were the subject of fights that resulted eventually in the maintenance of standardized salaries that were reconfigured to eliminate the gross inequalities that existed at the turn of the century. One of the targets of civil rights lawyers in the 1930s and 1940s was the lower pay for nonwhite teachers in the South. When a federal appeals court ruled in *Alston v.*

Norfolk (1940) that unequal pay by race was unconstitutional, lawyers followed up in school districts where they could find teachers willing to be plaintiffs (and risk their jobs). Teacher pay equity lawsuits forced Southern schools to consolidate their teacher salary schedules, though they sometimes created other mechanisms that allowed salary inequities (Shircliffe, 2012). In later decades, as teacher associations became more aggressive and began unionizing, they pushed for the final elimination of pay inequities by sex, assisted by civil-rights laws in the 1960s and 1970s. The result over several decades of effort in the middle of the century was the broad acceptance of salary schedules that treated all educators alike by school level and sex or racial identity.

Teachers and social reform. If teachers were the beneficiaries of some civil rights efforts, they were on occasion also advocates on behalf of children. One of the legacies of the first effort to organize teacher associations in the Progressive Era at the turn of the century was a small tradition of creating political coalitions to advance specific policies. Unionization of teachers mostly stopped between World War I and after World War II, but local teachers associations made common cause with other local civic organizations. Local organizations of African American teachers in the South worked with local and national civil rights organizations, and many teachers were critical dues-paying members of local NAACP chapters. It is important to understand that the context of civil-rights struggles varied by geography and decade. In some towns and cities, advancing the interests of teachers sometimes *did* constitute the local meaning of civil rights activism (e.g., Dougherty, 1998; Shircliffe, 2012). Southern state teachers associations that had been segregated eventually merged in the 1960s and the early 1970s, unifying the staff and political organizations of teachers across race boundaries. While the relationship between labor unions and civil-rights organizations was in (sometimes creative) tension in the decades after World War II, growing unionization of city teachers in the 1960s and later gave local civil rights leaders additional potential allies, especially in the defense of civil-rights mechanisms in the 1970s and 1980s whose beneficiaries had become union members.

Unionization. The unionization of teachers across most of the country after 1960 was a substantial change for teaching as an occupation. For many decades, administrators controlled the leadership of private national organizations such as the National Education Association, which was *not* a union officially or in behavior before the late 1960s. Efforts to organize teachers to advocate for themselves and schools before World War II had often been stifled in the early twentieth century, as in Chicago in the 1910s. As Marjorie Murphy (1992) explains, the small number of teachers unions before World War II had little success at gaining recognition from school boards and the right to negotiate pay and other terms and conditions of employment. In this way, teachers were much like other workers who had no legal right to negotiate collectively with employers before the Great Depression. The 1935 Wagner Act created a right of private workers to unionize and funded organizing efforts more broadly. After World War II, efforts to unionize public employees expanded, with teachers as an important group in that effort. Few unionization efforts succeeded in the 1940s and 1950s, but unionization accelerated in the 1960s. With increasing class sizes from the Baby Boom cohort and feeling both frustrated and patronized by mostly male administrators, teachers had significant motivation to support unions. While some unions successfully started to bargain with school boards before the 1960s, large strikes by teachers in New York City and Florida in the 1960s forced the recognition of public school teachers unions, even though the 1968 strike in Florida was seen as ineffective at the time. In many northern and western states, new laws set the parameters for how and what unions could bargain, and in Florida a new state constitution in 1968 guaranteed a right to collective bargaining by public workers (including teachers) as well as prohibiting strikes by public employees.

By the late 1970s, unionization was supported by both the American Federation of Teachers (who organized teachers in many cities) and the National Education Association (often in suburban school districts). In states that allowed or mandated collective bargaining, teachers and other public workers could elect union representation by petition and secret-ballot elections. Such unions were given the

right to bargain uniform contracts on behalf of all teachers in a district--contracts that determined salaries, the hours teachers had to be at a school, the expectations principals could have (and their limits) as well as rights to health insurance, pensions, sick leave, a lunch free of responsibilities, and other matters, as well as binding arbitration to settle conflicts over alleged violations of these contracts. Together with civil-rights laws passed in the 1960s and 1970s, unionization set minimum standards for working conditions of teachers by the end of the century. As public-school teachers unionized, in a number of cities teachers in Catholic schools also unionized. Catholic teachers unions are less common than public-school teachers unions; as of the writing of this text, seven states have local affiliates of the National Association of Catholic School Teachers.

The unionization of public-school teachers has been challenged at times, especially in the past decade. In the South, only teachers in Florida have the legal right to unionize as public employees. In a small number of states in the past five years, legislatures have directly or indirectly limited or challenged the collective bargaining rights of teachers. In 2011, the Wisconsin legislature passed a budget that included language stripping most public employees of the right to bargain any wage increases that would increase a public employer's budget more than the increase in the consumer price index as well as eliminating collective bargaining rights for a number terms and conditions of employment (2011 Wisconsin Act 10). The same law had provisions restricting union activities that eventually were ruled impermissible by a federal judge, who struck down clauses that prohibited collection of union dues through payroll deductions and also would have required annual recertification of unions (a very laborious process that usually happens once for a school district). The 2011 budget rider in Wisconsin prompted recall petitions against Wisconsin's governor, Scott Walker, and several state senators. The recall election against Governor Walker did not result in Walker's removal, but the recalls of state senators changed the partisan balance in the chamber. The Wisconsin state senate

flipped from majority Republican to majority Democratic control between spring 2011 and summer 2012.

In early 2011, Alabama's legislature likewise prohibited dues collection for unions through payroll deductions. Similar bills were introduced in the Florida legislature in 2011, though none became law. A bill passed in Ohio in 2011 that would have restricted collective bargaining by teachers and other public employees in several ways was struck down in a voter referendum in fall 2011. Florida's 2011 law affecting evaluations, job security, and pay for teachers is under legal challenge, with the Florida Education Association original complaint arguing that in each case, the legislature encroached upon the right of public employees to bargain (a protection in the Florida state constitution). That lawsuit will require months if not years to resolve.

Images of teachers: From Ichabod Crane to Ferris Bueller's economics teacher

Often, teachers or other educators speak vaguely about some time in the moderately-distant past ("back in the day") when teachers were respected by students, parents, and communities. Unfortunately, that nostalgia is not based on any real time. While the working conditions of teachers vary by time and location--certainly there are some specific times and places when *some* teachers were more respected by their students than happens *on average* today--there has never been a golden age of universal respect for teachers, let alone high pay. That low social status is reflected in cultural images of teachers. The low status and working conditions of male teachers in the late eighteenth and early nineteenth century is part of why nineteenth-century storyteller Washington Irving (1821) made Ichabod Crane the victim of the Headless Horseman in "The Legend of Sleepy Hollow": Crane was the stereotype of the effete schoolmaster who had the respect of neither his older students nor the community. He was a natural victim as an image of the teacher at the margins of many rural

communities, if not the criminal-hired-as-tutor that Noah Webster had publicly fretted about and despised.

The substantive changes in working conditions for teachers since the early nineteenth century did not eliminate the older cultural stereotypes of teachers. Fiction has continued to present stereotypes of either the incompetent, powerless teacher (the modern Ichabod Crane) or the teacher-hero (akin to the missionary teachers of the nineteenth century), with little nuance between. In particular, television and movies have maintained these cultural tropes because they rely on archetypal characters. Beyerbach's (2005) literature review and database of teacher portrayals in film suggests that the stereotypes are divided by location. Suburban movies such as *Fast Times at Ridgemont High* or *Heathers* have portrayed adolescents as smarter than largely incompetent, powerless teachers. For example, in *Ferris Bueller's Day Off*, the economics teacher is the modern Ichabod Crane, pleading for responses from the disengaged class:

In 1930, the Republican-controlled House of Representatives, in an effort to alleviate the effects of the... Anyone? Anyone?... the Great Depression, passed the... Anyone? Anyone?...

In contrast with the feckless economics teacher in *Ferris Bueller* played by Ben Stein, the protagonists in movies set in urban schools are often frustrated teachers such as the characters played by Sidney Poitier in *To Sir with Love*, Hilary Swank in *Freedom Writers*, and Edward James Olmos in *Stand and Deliver*. These movie teachers are lonely heroes connecting with their students on a personal, often charismatic level. Television also portrays teachers through stereotypes, sometimes part of the corruption of big cities (Season 4 of HBO's *The Wire*) and sometimes as the lonely hero (such as the character of teacher Gabe Kotter in the 1970s situation comedy *Welcome Back, Kotter*). The stereotypes that developed in the nineteenth century have changed, but they still exist and help to perpetuate older images of teachers.

Teaching and Ethics

The term “ethics” refers to overlapping but different concepts: general expectations for professional conduct by teachers and other educators, formal codes of conduct whose violation can result in a suspension or revocation of a state license to practice, and the academic systems of ethics proposed and analyzed by philosophers. In many school districts across the country, part of the employee orientation includes formal training that stretches across these areas or includes others. This section discusses popular or informal expectations, the legal context of codes of ethics, and more abstract concepts of normative ethics.

Historical expectations of teachers. As described earlier in this chapter, for most of the past two centuries academic skill was less important as a teacher qualification than virtuous conduct or the ability to control a class. This expectation was fed by the feminization of teachers, justified by stereotypes of women as essentially nurturing, and used to give local communities and administrators considerable control over the personal life of teachers. For many decades starting in the nineteenth century, school districts commonly required women to resign upon marriage or (after married women were allowed to teach) to take maternity leave as soon as a pregnancy became visible. These maternal-leave policies as applied in practice often required that leave start with the fifth month of pregnancy. In some communities, clauses in contracts that allowed termination of teachers for “moral turpitude” were interpreted to include drinking in a bar or similar socializing as moral turpitude. The longstanding belief that a main purpose of schooling is to socialize children has sometimes led to requiring cultural and political conformity as well, a behavior that had its peak in anti-Communist hysteria, loyalty oaths, and investigations of teachers for their political associations and beliefs. Unionization, civil-service protections for public employees, and the civil rights movement have scaled back many of these applications of community standards and inserted others--teachers who discriminate against or humiliate students are now viewed publicly as unethical. But there are still expectations that teachers be

models of conduct. In discussion of ethics, historical beliefs about schools and teachers have changed but not disappeared (see Altenbaugh, 1992, as well as other sources cited in this chapter).

Licensure and ethics as administrative law. Before the expansion of statutory and administrative law addressing public employee rights and responsibilities after World War II, the formal expectations of teachers were covered by boilerplate contractual language or state law, including loosely-defined categories such as prohibitions on immoral conduct (“moral turpitude”). These categories allowed teachers to be dismissed for violating local norms of conduct as well as generally-accepted norms. Today, the tie between licensure and a formal expectation of ethical conduct is common and also legalistic, requiring formal hearings. In most states, licensed educators are held to a formal code of ethics tied to licensure (or “certification”). There are relatively few cases where teachers or other educators are stripped of licenses to teach in a state, but the formal code of ethics is the general basis for such actions (such as Florida Administrative Code, 6B-1.006). This action is different from being fired by a school district: if one is terminated from a job, one can look for a similar job in other school districts. If one’s license is removed, then one cannot work as a teacher (or other licensed educator) in any public school district in the state, or in charter schools where a state requires charter-school teachers to carry state licenses. In cases of egregious conduct, such as sexual relationships with students, school districts will refer such cases to the state agency that investigates and conducts formal hearings to strip educators of a license. In other cases, such as termination of a teacher for incompetence, referral to the state agency is a matter of discretion, and school districts will commonly decide *not* to refer cases where the cause of termination was ineffectiveness rather than active misconduct.

Normative ethics principles and teaching. In the abstract, philosophers generally divide systems of ethics into three categories: virtue ethics, duty ethics, and consequentialist ethics systems.⁶ Virtue ethics systems (such as that advocated by Aristotle) revolve around the inherent purposes of acts or objects and the personal characteristics that make one presumably fit for an occupation such as teaching—teaching should be matched to those who can teach best. Duty ethics systems (including a number of religions) are based on rule-like principles for action: one should avoid work on the Shabbat/Sabbath (Judaism and Christianity), treat others as people with their own needs and not just as means to your desires (Kant, 1785/1993), or prioritize freedom except where restrictions on liberty are necessary to improve life for the weakest and most disadvantaged (Rawls, 1971). Consequentialist ethics systems are based on end results: Jeremy Bentham’s (1789) utilitarianism assumes some measurable “good” (utility), and in this system one should maximize the total sum of all individual utility. This categorical division of ethics systems is based on underlying principles rather than the society that would result from application of a particular system. For example, one could create two systems that appear entirely antagonistic: an egoism system where one makes decisions based on maximizing *your own* utility, and an altruism system where one makes decisions based on maximizing the utility of everyone *but* you. One generally would think of these ethics systems as diametrically opposed, but both are also consequentialist because the key decision rules are based on results. A very rough rule of thumb for understanding the categories is that a virtue ethics system describes what people should *be*, a rule-based system describes what people should *do*, and a consequentialist system describes what people should *accomplish* as a result of action.

In practice, teachers have encountered all of those types of expectations, even if no policy or public expectation comprises a carefully constructed system of ethics. The historical emphasis on

⁶ The online *Stanford Encyclopedia of Philosophy* has a longer overview for each category; see plato.stanford.edu for more.

teachers' moral character is closest to virtue ethics, and common media portrayals of teachers habitually attribute success or failure to personal virtues or defects: the altruistic teacher, the smart teacher, and the inspiring teacher, or the lazy teacher, the incompetent teacher, and the abusive teacher. Formal codes of ethics often have a mix of some virtue-ethics-like statements with an emphasis on rule-like statements. For example, the Florida code of ethics for educators contains 31 "shall" and "shall not" statements such as an obligation of educators to "make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety" (Florida Administrative Code, 6B-1.006). These *shall* (not) statements are generally components of duty-based ethics systems. One could reasonably argue that current test-based accountability systems have a consequentialist emphasis on results.

Should teacher evaluations depend on student test scores?

Debates over teacher evaluation practices reflect many of the issues discussed in this chapter, as well as in Chapter 1. When a policymaker argues in favor of including student test scores in teacher evaluation, she or he is making an argument not only about the purpose of schooling but also the proper role of teachers. One can tie that argument to historical changes in the roles of teachers: at what point did it become possible to persuade Americans that the role of teachers was primarily to improve the academic achievement of students? It also touches upon changes in working conditions, especially the role of teachers unions in negotiating the working conditions of their members. Finally, any formal evaluation system embodies at least some notion of what ethics apply to teachers on the job, and the argument in favor of using test scores as a partial or majority factor in evaluations is firmly within one type of normative ethics tradition. One can perform the same analysis with opponents of using test scores in teacher evaluation. What argument is being made with respect to the purpose of schooling, to

the primary role and qualifications of teachers, who controls teacher time, and the ethical obligations of teachers and other educators?

Questions to explore further

1. Reactions to the framing case: Should teacher evaluations include student test-score data as a component?

2. Philosopher Nel Noddings has argued that caring for others should be an explicit core of ethical principles, of caring for others and being cared for in a way that prioritizes close relationships. With regard to education, she argues, “Schools as institutions cannot care directly. A school cannot be engrossed in anyone or anything. But a school can be deliberately designed to support caring and caring individuals, and this is what an ethic of caring suggests should be done” (Noddings, 2003, p. 182). Read the two paragraphs on Noddings in an online encyclopedia article on care ethics ([Sander-Stault, 2011](#)). In which ways is this argument in favor of care-based ethics similar to or different from the three categories of normative ethics that this chapter describes?

3. Compare Noddings' ethic of care to the range of expectations for teachers held by parents and the general public. Think of which historical expectation fits an argument that educators should be “caring individuals,” and which historical or current expectations ask very different things from teachers. Think of teachers you have had whom you would describe as caring. Also think of at least one or two teachers you know who were outstanding but whom you would *not* describe as particularly caring in the way that came to mind in the prior sentence. Should we expect all educators to be caring as a primary attribute and qualification?

4. On occasion, writers will compare the status and pay of teachers with the status and pay of doctors and lawyers, which is generally higher (at least in pay). Compare the three occupations in the following areas: what the general public believes about the knowledge required to perform the job,

what is required to enter the occupation, and what type of control and autonomy one has on the job.

How does teaching differ from the occupations of doctor and lawyer in ways *other* than status and pay?

5. The prior question was designed to emphasize clear differences rather than to put teaching as an occupation in the context of the full range of occupations. Thomas Friedson (1984) describes three different dimensions of *professionalization*, which correspond to the prompts in the prior question: the dimension of acknowledged expertise, the dimension of access barriers/standards, and the dimension of authority and autonomy. In each of these dimensions, doctors and lawyers are towards the more professionalized end of the scale. Put teaching somewhere on the scale for each dimension and identify some other occupations that are closer to teaching than to doctor or lawyer. In which ways might the occupation of *teacher* be closer to occupations such as *nurse* or *court reporter* than to *doctor* or *lawyer*?

6. In the last two decades there has been some moderate roll-back in the role of certification as a licensure requirement for teaching. Several states have loosened restrictions on entry into permanent teaching positions. In addition to the existence of teaching substitutes and temporary-license programs mentioned in the main text in the chapter, some states operate on-the-job mentoring program run by school districts, or allow recruits from outside organizations such as the non-profit Teach for America to place a few dozen recent college graduates in schools serving poor neighborhoods (generally after short summer training sessions in classroom management and instructional techniques). How do such alternative entry paths to teaching change the nature of teaching as an occupation?

7. Since the deep recession of 2007 began, one subject of education policy debate has been layoffs by seniority—or the order of terminations when school districts are under financial pressure and managers or a board of education decides that teachers must be laid off (terminated due to financial exigency). In many states, the decades-long policy has been based layoff order by length of employment within categories of employment (which includes teaching specialization), either in statute

(law) or in contracts between school districts and teachers unions. In a seniority-based system, a teacher with 10 years of experience in a district has either partial or absolute preference for employment over a teacher with less experience and the same qualifications and evaluations. In several states in the past few years, legislatures have debated the removal or deemphasis of seniority in layoff procedures. Identify the benefits of seniority layoff rules for both teachers and school districts. Identify the reasons why some might oppose seniority layoff rules. What do the advantages and disadvantages of a seniority-based layoff procedure tell us about teaching as an occupation?

8. One potential reason in favor of greater job security for teachers is the desire to protect public school teachers from political pressures. In the Progressive Era at the turn of the twentieth century, the perception of corruption in public schools was prompted in part by several scandals where teachers had to bribe city school board members to acquire or retain jobs (Issel, 1970). In the middle of the twentieth century, political pressures on schools revolved around fears of Communism. Efforts to identify and eliminate any members of the Communist Party from public employment went far beyond the military or federal intelligence agencies and included explicit targeting of teachers. Many states such as California or cities such as New York created a requirement to sign a loyalty oath that specifically mentioned membership in the Communist Party, and school districts invested significant effort into investigations and firings of teachers (e.g., Perlstein, 2004). Should teachers be protected from political pressures and threats? Think about these examples of political pressures as a potential reason for treating teachers differently from those in other jobs. Does either the purpose of schools or the nature of teaching as an occupation justify or require different types of qualifications or working conditions for teachers?

9. Thus far, this text has discussed primarily elementary and secondary education, but both K-12 teachers and faculty in colleges and universities were subject to political pressures in the post-World War II eras. Dozens of faculty in colleges and universities were either asked to sign loyalty oaths that

referred to political affiliations, as in California's public colleges and universities, or were dismissed by administrators after quieter political pressure on the administrators (Schrecker, 1986). Several landmark court decisions ruled such pressures impermissible, but those decisions did not end all political intimidation of college-level faculty. In Florida, for example, a state legislative committee chaired by state Senator Charley Johns started looking for Communists among public university faculty and then, in the mid-1960s, started looking for gay and lesbian faculty and students. As Karen Graves (2009) explains, the Johns Committee intimidated and pushed for the firing of both K-12 teachers and faculty in higher education, followed by efforts to find and dismiss gay and lesbian teachers in the 1970s. In both political pressures in the post-World War II era and in other ways, how are K-12 teachers' jobs similar to or different from the jobs of faculty in colleges and universities?

10. Your answer to the last question may have focused on full-time faculty in colleges and universities. Currently in the United States, the majority of instructors in college classes are not full-time faculty who have the job protections of tenure or are seeking tenure. Rather, the majority of higher-education faculty are graduate student teachers, part-time faculty commonly called “adjuncts,” or full-time instructors who are not eligible for tenure. Why are the majority of public-school teachers full-time employees during the academic year? How would the roles of K-12 teachers change if the majority were part-time employees? Would that change be different for elementary schools in contrast with secondary schools?

11. In 1998, California voters approved Proposition 227, an amendment to the state constitution that prohibited transitional bilingual education except where parents explicitly requested it. This new part of the state constitution eliminated classes where English language learners spent one or more years learning content in their first language while they learned English. Two years later, Arizona voters approved Proposition 203, which prohibited all instruction in any language other than English, and in 2002, Massachusetts voters approved Question 2, which banned all transitional bilingual

education in favor of a one-year English immersion curriculum for English language learners. These “Unz initiatives,” sponsored by California software engineer Ron Unz, were a substantial change from common practices that had developed since the 1960s (Ryan, 2002). In 1997, Ron Unz argued in a Los Angeles Times opinion column that if the initiative he first sponsored in California passed, “all of California's immigrant schoolchildren finally will be granted the right to be taught English, the universal language of advancement and opportunity, supplementing their own family languages. Only by ending our failed system of bilingual education can we foster the true growth of bilingualism and the unity and prosperity of our multiethnic society.” What vision of education is stated or implied by Unz in arguing against bilingual education? How does the role of a general classroom teacher change when students learning English are in his or her class the entire day? Keep these questions in mind for the next chapter.

Chapter 3. Diversity

Key concepts

- Racial segregation
- Massive resistance
- *De jure* and *de facto* segregation
- Catholic education in the nineteenth century
- Indian boarding schools
- Individuals with disabilities and education
- Immigration since 1965
- *Enculturation* vs. *acculturation*
- Construction of racial and ethnic categories
- Segmented assimilation

Framing case: Why did California, Arizona, and Massachusetts ban bilingual education?

In 1998, 2000, and 2002, voters in different states each voted to approve the “Unz initiative” described in the last discussion activity in the first chapter. First California and then Arizona and Massachusetts restricted the ability of schools to offer academic instruction in languages other than English. The last question in the last chapter asked you to identify the purpose of schools that sponsor Ron Unz was using in arguing against bilingual education. But looking for the purpose of schooling is abstract, and the arguments over bilingual education address a very specific social context, the growth of immigration and demographic diversity since 1965. The first two chapters did not address the history of immigration in this country and the ways that schools have interacted with demographic diversity. And that history is essential to understanding the controversy over bilingual education. The controversy is not just about what people see in general as the purpose of school, nor is it just about evidence about effective instruction. Instead, the controversy touches deeply on the question of what it means to be an American and, in a diverse society, whose interests schools should serve.

This chapter explores the relationship between diversity and schools in several ways. The first major section discusses the history of how schools have marginalized minority populations and the debates about equal rights in connection with several specific conflicts. The second section discusses the question of national identity and the range of cultures in the United States. The third section describes several social-science models that may be helpful in thinking about demographic diversity and schooling. At the end of this chapter, you will understand the ways in which current controversies over bilingual education reflect longstanding tensions over what it means to be an American and what schools can do to further that national identity.

History of marginalization and equal-rights discussions

Post-Civil War segregation and modern desegregation. The dominant narrative about civil rights and diversity focuses on the experience of African Americans. This section begins with but does not end with that focus. In Chapter One, you learned that discrimination against African Americans was not isolated in the South: before the Civil War, many Northern states also treated African Americans as second-class citizens. After the Civil War, the U.S. Congress required that Southern states rewrite their constitutions for re-entry into Congress, and it was in the postwar rewriting of state constitutions that public education first appeared in most Southern state constitutions. None of the postwar constitutions required racial segregation in schools (Foner, 1988). While separate education by race was common, it was not a part of official state policies and mandated until the end of the nineteenth century, several decades after the Civil War and after the end of postwar Reconstruction.

This timing is curious: why did Southern states create official segregation law decades after the war? Historians C. Vann Woodward (1955) and John Cell (1982) have pointed out that segregation laws were written in the same era that Southern states wrote laws restricting voting rights for African Americans (and for many poor white citizens as well), after the U.S. Supreme Court struck down

several post-Civil War civil-rights laws. Cell notes further that segregation policies developed in the Southern cities that were rapidly growing in the last decade or more of the century, arguing that segregation was part of a package of laws dividing poor white Southerners from African Americans. The U.S. Supreme Court's 1896 *Plessy v. Ferguson* ruling upholding segregation as “separate but equal” came in a case involving segregation on rail cars—schools were part of a much larger system of second-class citizenship. In creating segregation, Southern political elites also turned public schooling from a highly controversial institution—schools were a prime target of terrorist “nightriders” after the Civil War—into an institution that was safely divided by race, with resources apportioned unequally and controlled by white-only school boards. It was only after segregation laws were written (and upheld by federal courts) that high schools became common in the South—high schools commonly available for white students and available only sparingly for African Americans. It is notable that the only nineteenth century decision on school segregation by the U.S. Supreme Court was one that upheld the closure of an all-Black high school (*Cumming v. Richmond County*, 1899; also see Kousser, 1980).

African Americans have fought segregation laws in multiple eras, but efforts to chip away at the new Southern segregation laws in court did not make significant headway until the 1930s, after the small legal team for the National Association for the Advancement of Colored People (NAACP) created a strategy to undermine the legal basis for segregation bit by bit (Kluger, 1975). The NAACP's lawyers first attacked the empirical claim behind Southern states' reliance on “separate but equal” by demonstrating inequality in the conditions of all-White and all-Black schools—different session lengths, unequal salary schedules for white and African American teachers. The first federal appeals-court ruling on unequal teacher salaries came in the late 1930s, and Southern states responded to these pressures in different ways, including an increase in investment in all-Black schools in the 1940s and 1950s. In addition, the NAACP attacked segregation in public graduate schools, winning cases that first forced Southern states to create (very expensive) separate graduate schools and then to integrate law

schools. It was only after two cases striking down public law-school segregation in 1950 that the NAACP filed cases in federal court that led to the 1954 *Brown v. Board of Education* decision striking down Southern segregation laws as a violation of the Fourteenth Amendment.

The fact that the Supreme Court struck down segregation laws did not end segregation immediately, or even within a decade. Through a variety of techniques, Southern states and school systems delayed desegregation. The most visible response was so-called “massive resistance,” including promises by Southern politicians such as U.S. Sen. Harry Flood Byrd to protect segregation and bombastic moves such as Arkansas Governor Orville Faubus calling out the Arkansas National Guard to “keep the peace” in Little Rock in 1957—but allowing white mobs to attack the nine students desegregating Central High School as school opened. Some school systems simply closed schools: Little Rock's school board closed Central High School in the fall of 1958 to avoid further desegregation, and the Prince Edward County school board in Virginia closed all of its schools in fall 1959, moves eventually reversed by federal courts but not before disrupting schooling for thousands of children. More widespread than “massive resistance” was bureaucratic resistance. Virginia created pupil-placement laws, replacing race-based placement in schools with bureaucratic language that resulted in the same outcome. Virginia also created a “freedom of choice” system that allowed white parents to choose schools that were not included in desegregation plans. Nashville's public schools began desegregation in 1957 with a limited number of first-grade classrooms with a court-approved plan that would have desegregated a grade a year.

The U.S. Supreme Court struck down the key bureaucratic tools to delay desegregation in several rulings in the mid-1960s and in 1968 placed the burden on segregated school systems to take action to eliminate the key components of “dual” (or segregated) systems (*Green v. New Kent County*, 1968). Together with Title VI of the 1964 Civil Rights Act, which made federal aid contingent on nondiscrimination, the new judicial assertiveness finally started to move significant numbers of

Southern school systems towards desegregation in the late 1960s. In 1971, the Supreme Court ruled in *Swann v. Charlotte-Mecklenberg* that federal judges had the discretion to order student reassignment (including expanding busing) to accomplish desegregation's ends, and following *Swann* local federal judges ordered the larger Southern school systems to begin busing. According to statistics gathered by Gary Orfield, the proportion of African American Southerners attending majority-white schools rose significantly between 1967 and 1973 and continued to rise until the late 1980s (Orfield, 1993).

By the late 1970s, efforts to make desegregation more widespread faltered for several reasons. First, mid-1970s court decisions limited court intervention in segregated schooling. While the Supreme Court ruled in 1973 that school systems outside the South could be ruled segregated in an unconstitutional manner when there was evidence of a history of segregation, the court limited that scope in the next year. In *Milliken v. Bradley* (1974), the Court's majority ruled that segregation *between* school districts (that is, where one local school district is mostly white while an adjoining district has very few white students) could only be ruled unconstitutional where there was evidence the pattern was the result of intentional discrimination by public officials rather than the result of residential segregation. This decision means that federal courts have the authority to intervene in cases of *de jure* segregation, where law or official action creates segregated schools, but not in so-called *de facto* segregation, where actions outside the schools and government policy creates segregated schools.⁷ Because large Northern and Western metropolitan areas are spread among many school districts, *Milliken* effectively limited what court decisions could do outside the South.

In addition to the limits of *Milliken*, by the end of the 1970s few politicians openly supported busing or other extensive methods to advance school desegregation. Less conservative Southern governors in the early 1970s such as Jimmy Carter (Georgia) and Reubin Askew (Florida) argued that

⁷ The Court did not consider the extent to which residential segregation was the result of government action, such as redlining maps created by the federal government in the 1930s, or what the appropriate remedy would be.

it was important for their states to educate everyone equally, but that was very far from enthusiasm for deep intervention in schools, especially busing. Though busing plans in the 1970s typically put a much larger burden of busing on African American students, opinion polls showed that both Northern and Southern whites opposed busing at much higher rates than African Americans (where a slight majority opposed busing for desegregation in the mid-1970s, opposition that had eased by the mid-1980s) (Orfield, 1995). By the mid-1990s, a loose popular consensus affirmed the positive value of school desegregation but without support for intrusive efforts to guarantee integration. In that light, federal court decisions since 1990 easing supervision over desegregation reflected the political reality that requiring busing for desegregation on top of transportation to nearby schools has remained unpopular.

On the other hand, there is more political support for programs structured to encourage diversity through voluntary choice, which began in the 1970s under the term “magnet programs” (to attract students from a broad geographic area). Whether or not they carry the term “magnet schools,” such policies have become popular in many districts and are a politically acceptable tool for desegregation. Magnet programs often were created with additional financial support, such as through the 1970s-era federal Emergency School Aid Act, and many districts today continue those programs even without additional support. Some districts will provide the extra transportation at no cost to students, but other magnet programs and magnet-like programs require parents to provide partial or complete transportation to the school where children do not live within the existing busing network for the school.

I would urge you as a reader to consider this a very brief introduction to the history of segregation and desegregation, as the section of any text. As an historian, I am well aware that eight paragraphs is an insufficient length to provide a full history of segregation and desegregation. In addition, many important topics related to this topic are located either in the discussion activities for this chapter or in other chapters.

Religious minorities and public schools in the nineteenth and early twentieth centuries. Before World War II, Catholics were often the target of focused discrimination in a way that is absent from postwar experiences. In the nineteenth century, Catholics were disproportionately immigrants from Europe, especially before the Civil War. In the 1830s and 1940s, during the first large wave of immigration after independence, schooling became a flashpoint of conflict over immigration, with religion as a focus for anti-immigrant or Nativist views. New York City was the site of one vigorous debate. Between 1838 and 1840, New York's Catholic community complained publicly about the anti-Catholic texts used in tax-supported school and the anti-Catholic attitudes of the Protestant teaching force. New York's new bishop, John Hughes, was determined to put Catholic education on an equal footing with what he perceived as public schooling dominated by Protestant assumptions. At the time, municipal taxes were funneled through a private organization called the New York Public School Society, which was public in the sense of receiving public support if not being controlled through public governance—it had been founded as the New York Free School Society in 1805 and had eventually acquired a monopoly over municipal support of schooling. (This was part of a broad experimentation at the time about the relationship between the public and private spheres, including religion: in some cities, a range of religious schools received public support in addition to nondenominational schools, even if New York City funneled school funds to one private organization.) After several years of debate, the state legislature resolved the conflict by dissolving the New York Public School Society and replacing it with a public agency, and also by forbidding any public funding from supporting religious schools. In one sense, Hughes and his fellow Catholics had won by the dissolution of the insensitive Public School Society, but at the cost of a policy distinguishing between public and private schooling and forbidding public funding of schools run by a Catholic diocese or a Catholic order.

Another target of religious conflict was the use of Bibles in schools. Horace Mann and other common-school advocates thought that they were catering to diversity and reducing social tension by arguing schools should eliminate religious instruction by denomination (e.g., Congregational, Baptist, Methodist, etc.). Instead, they favored more general instruction of morality and reading of Bible passages. But *which* Bible? In Philadelphia, Catholics negotiated in the early 1940s for their children to be able to use the Catholic-approved Douay translation instead of the King James or other Protestant translations. In the anti-Catholic fervor at the time, rumors spread that a Catholic school director had insisted on the ending of Bible reading in a girls' school. The rumors became debate and then rampant religious rioting over several nights in May and then again in July 1844. Churches, Catholic schools, and other buildings were destroyed or damaged, and several dozen people died (Green, 2012).

In response to the riots in Philadelphia and other conflicts, Catholic bishops slowly turned from an attempt at inclusion within public school funding and towards the creation of a separate network of schooling instead. In constructing the parallel system, Catholic bishops and school officials were determined that their parochial school system would be inferior in no way (Leavy, 1989). By a national meeting of American bishops that met in the 1880s, the system was on its way to completion, and at the end of that meeting American Catholic bishops decreed that Catholic parents should send their children to Catholic schools except where a bishop explicitly approved otherwise. That was neither the first nor last time that a directive to American parents was honored inconsistently: in many cities, the bulk of Catholic children attended parochial schools, but in many other cities the majority of Catholic children attended public schools. Part of the tension eased by the second and third decade of the twentieth century, as the children of Catholic immigrants became teachers in public schools, and immigrant communities had both influence and a concrete connection to public schools (Perlmann, 1988).

Anti-immigrant sentiment continued into the twentieth century, and as states first wrote and then enforced compulsory school laws, the effort to mandate schooling became entwined with anti-

immigrant and anti-Catholic sentiments. During American involvement in World War I (1914-1918—the U.S. officially entered the war in 1917), symbols of German culture were attacked—even after the war, such as in Nebraska, which forbade teaching German in 1919. A private school teacher, Robert Meyer, was fined in 1920 for teaching German to a 10-year-old student. Meyer's fine was overturned by the U.S. Supreme Court in 1923, in the first of two decisions that protected private schooling. The Supreme Court ruled that parents had the right to hire private teachers, including to teach German: [Meyer's] “right thus to teach and the right of parents to engage him so to instruct their children, we think, are within the liberty of the [Fourteenth] Amendment” (*Meyer v. State of Nebraska*, p. 400). Two years later, the Supreme Court expanded this general notion to a more explicit right of parents to shape their children's education. In 1922, voters in Oregon had eliminated private schooling as an alternative to compulsory attendance in public schools. In *Pierce v. Society of Sisters*, the court gave a broader scope to “the liberty of parents and guardians to direct the upbringing and education of children under their control” (pp. 534-35): “The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations” (*Pierce v. Society of Sisters*, 1925, p. 535). In both cases, the majority opinion acknowledged the right of states to require education but not entirely to restrict how parents would shape the education of their children. But these were not First Amendment cases as decided; both the *Meyer v. Nebraska* and *Pierce v. Society of Sisters* opinions relied on the Fourteenth Amendment's protection of due process rather than the First Amendment protection of religious expression.

Indian boarding schools. For several centuries, schools comprised a significant part of the troubled relationship between Native Americans and Europeans and their descendants in North America. This

subsection focuses on a small part of that larger history, the development and eventual abandonment of Indian boarding schools as a model for socialization of minority cultures or what historian David Wallace Adams (1995) called “education for extinction.” In the late nineteenth century, as federal troops were suppressing the last resistance from Native Americans in the mountain western states, Protestant missionary societies and the federal government's Office of Indian Affairs promoted boarding schools on and off reservations as an effective tool for incorporate Native American children into “American” culture—by which they meant the dominant culture of native white Protestants. These boarding schools included both children who were (often forcibly) separated from parents and also young adults, such as those in the boarding-school program for Native Americans at Hampton Industrial School in Virginia (Engs, 1999). When brought into off-reservation boarding schools, children and adults were forbidden from practicing essential parts of their culture, from familiar personal appearance to their cultures' religious rituals. Long hair was cut; traditional dress was forbidden; familiar foods were excluded from the institutional diet; Native religious practices were prohibited; use of languages other than English was punished.

The organized attack on Native American cultures in Indian boarding schools was consistent with the long history of the hostile treatment of Native Americans in North America. From the late nineteenth century through the first decades of the twentieth, both on and off reservations, schools organized by the Office of Indian Affairs were underfunded, overcrowded, frequently run by incompetent or unethical teachers and administrators, treated youth as sources of labor rather than children to be educated, and had their problems often ignored by upper-level administrators in the federal Interior Department. When Lewis Meriam published a report in 1928 on the Interior Department's practices towards Native Americans, boarding schools came in for particular criticism not only for the poor material conditions of life in the schools but also for the standardized curriculum and the way the department had ignored teacher incompetence. Some of the most infamous boarding

schools such as the Carlisle Indian Industrial School in Pennsylvania had closed before the Meriam report, and the federal government ended forced enrollment in them, but the boarding schools in many cases continued to exist for decades after the Meriam report.

Students with disability. The last example in this section is the changing relationship between schools and children and youth with disabilities. Until the mid-1970s, there was no clear guarantee of a right to education for children with disabilities—a longstanding exception to the general packaging of schooling with citizenship that Chapter 1 discusses. For a significant number of children receiving special education services today, they would not have been seen as having disabilities in the nineteenth century—approximately half of the 5.4 million students with disabilities aged 6-17 in fall 2011 were served under the label “specific learning disabilities,” which was far from any concept of physical or mental impairment recognized 150 years ago (U.S. Department of Education, n.d.). For those who had physical or mental disabilities “visible” to others, local schools were often closed to them. The creation of schools for children with visual and hearing impairments was a signal accomplishment of the wave of state-level social reform that also generated the common school movement in the early nineteenth century. For example, Horace Mann was a supporter of one of the earlier state schools for blind children in Massachusetts when he was a state legislator, before becoming secretary of the state's board of education (Scheerenberger, 1983). These schools were segregated, and for many children they were the only opportunity for formal schooling.

At the turn of the twentieth century, urban school systems took several steps that led to segregated classrooms for many children with disabilities and exclusion for others. First, activist educators such as Elizabeth Farrell in New York City experimented with alternatives to graded elementary classes for children having difficulty in the regimented urban schools of the time (Hendrick & MacMillan, 1989). Farrell's “ungraded” classroom was copied elsewhere, in other cities as well as in New York City (where Farrell became the first supervisor of the network of such classes). At approximately the same

time, schools began systematic efforts to classify students in different ways, to sort them into graded classes and also to exclude some students whom superintendents and others thought were uneducable. As the second generation of psychologists and others developed what became known as IQ tests, schools used these new instruments as part of the existing classification repertoire, which already had subject-specific standardized tests. The spread of IQ tests in the 1920s thus served preexisting routines and preferences of school bureaucrats trying to manage quickly-growing numbers of children in cities. The combination of the new testing industry and the experimental “ungraded” classrooms gave school bureaucracies an opportunity to make segregation and exclusion a rule-based routine: based on IQ tests or the professional judgment of a school official, children could be classified either as retarded and ineducable (and thus excluded from school) or retarded and educable (and placed in separate classrooms) (Osgood, 2008). In line with prejudices of the day, immigrants and children of immigrants were more likely to be classified as retarded than native white students, a pattern echoed decades later as African Americans became more likely to be classified as disabled during and after the peak of desegregation.

The post-World War II decades saw an early expansion of segregated schooling for children with disabilities and a slower (and conflict-filled) negotiation over the place of children with disabilities in schools (Osgood, 2008). In multiple parts of the country, parents of children with disabilities began to push for the inclusion of their children in local public school systems. In many cases groups parents with some resources created private day schools for children with moderate developmental disabilities, and these parents often simultaneously pressured local schools to create classrooms supported by public funds. When school districts accommodated parents of children with disabilities in the 1950s, they commonly did so with separate classrooms—redrawing boundaries of which children with disabilities were welcomed to school but still excluding some children and limiting where others were schooled. Between 1965 and 1975, the modern civil rights movement inspired advocates for

individuals with disabilities to push assertively and force public schools to serve the needs of children with disabilities, using lawsuits and lobbying for legislation. These efforts existed at both state and federal levels. Two federal lawsuits filed against schools in Pennsylvania and the District of Columbia were settled in 1972, and federal laws in 1973 and 1975 established a civil-rights framework for analyzing discrimination against individuals with disabilities and also a structure of regulations and administrative legal processes to resolve disputes between families of children with disabilities and school systems.

National identity and culture

The notion of national identity has been a significant source of tension in the education of various cultures in North America. In Chapter 1, you read of Noah Webster's belief in the late eighteenth century that the new nation required a unified culture to survive the inevitable challenges. To Webster, a national culture included a single language as well as what we might today call both “high” and “low” culture. Webster has not been a lonely voice—national identity and the use of languages has been a consistent source of conflict, though the voices of uniformity have not always determined practices in schools. As Paul Ramsey (2010) has observed, other languages were historically used for instruction in many schools, especially in communities dominated by immigrants from one language group. This “polyglot boardinghouse” pattern was true with European immigrants in the nineteenth-century Midwest, with both Spanish-speaking natives in New Mexico and Texas, and with European immigrants in late nineteenth-century Texas, where many county judges saw the use of a variety of languages as a tool to attract children to schools for assimilation into American culture. At a time when local judges supervised schools in Texas, the official view did not require the abandonment of other languages for someone to be a good American. This sometimes-forgotten history of languages of

instruction illustrates the variety of ways people have thought about the incorporation of immigrants into national culture and society.

The view accepting polyglot school instruction changed in Texas near the end of the nineteenth century and during the beginning of the twentieth century, and many districts and states outside Texas also ended instruction in other languages. With a new wave of immigration from Europe, especially from Eastern and Southern Europe, many native whites were concerned about what the newcomers might bring in terms of culture and language. As in prior decades, social reformers turned to schools as a key agent of social change, in this case ensuring the incorporation of the new immigrants into American society (or what they thought American society should be). The effort to “Americanize” immigrants narrowed the meaning of cultural incorporation to the official enforcement of English as the sole language of instruction in Texas and many other states. Schools also began the explicit teaching of how to be an American—it was around the turn of the twentieth century that national-identity and patriotism rituals such as the Pledge of Allegiance became common in public schools (e.g., Sica, 1990). The conflation of language and national identity and culture was common at the peak of Americanization practices. In a fashion parallel to the attacks on Native American culture in Indian boarding schools, it was common in the early twentieth century for public-school teachers to punish immigrant children and children of immigrants for speaking their families’ languages. When they grew up, such children frequently encountered barriers if they wanted to teach because of their accents or other features of their heritage that made them viewed as not “ethnically qualified” to be teachers (Collins, 2011).

The new immigration. The current wave of immigration from around the world began with a loosening of restrictions on immigration in 1965. During and after World War I, the U.S. Congress passed several bills restricting immigration from Europe. Between 1924 and 1965, there were more severe limits on immigration than in any other era in the country's history. In the 1960s, immigration

policy changed not only with a broad legal reform in 1965 but also with the first of several actions welcoming immigrants from specific countries, starting with Cubans after the Communist revolution, repeated later with both public and private efforts to welcome refugees from Vietnam in the 1970s and 1980s and other countries in later years. The long-term consequence of a more open immigration policy has been a half-century of growing demographic diversity in the United States. In 2010, the United States passed the tipping point beyond which there is and will be no “majority” race or ethnicity among children born in the country (U.S. Census Bureau, 2012). Several states such as Hawaii or New Mexico have had no “majority” among either children or the total population for a number of years, but the new cultural diversity is not restricted by geography. In the past quarter-century, many metropolitan, suburban, and rural areas that were all or almost-all white in 1990 have experienced a demographic transition.

The broader context for our recent national experience with diversity is growing global migration. The early-twentieth-century wave of immigration from Europe came not just to the United States but to South American countries as well. This new wave of immigration comes from and to every populated continent on Earth. Two features of this new immigration are important in discussing the politics of national identity, culture, and language. First, the spread of commercialized culture during and since the middle twentieth century included a large part of commercialized culture from North America—in movies, music, and books—and in many ways that spread preceded the new wave of immigration. The spectre of a wave of alien culture sweeping through the United States seems much less plausible today than a century ago; young Egyptians protesting in spring 2011 spoke to international news reporters in American-accented English. Second, as with the wave of immigrants a century ago (e.g., Morawska, 1985), most international migrants today have been thoroughly incorporated into markets and market mechanisms before stepping foot in the United States. But today, unlike a century ago with many

immigrant business owners, international entrepreneurs are recognized as important components of an open, robust market system.

The more welcoming attitude in modern international migration has not ended conflicts about national identity or culture. One strain of concern is associated with undocumented immigration—with rhetoric and policies aimed at “illegal immigrants.” Over the past half-century, there have been several local or state efforts to make civil life more difficult for international migrants who do not have official approval to live in the United States. In 1975, Texas eliminated state funding for public elementary and secondary education of children of undocumented immigrants, and enabled local Texas districts to bar such children from school. In 1982, the Supreme Court struck down such denial of education as an abridgment of Fourteenth Amendment protections (*Plyler v. Doe*). Eight years earlier, the court had ruled that the San Francisco public schools had violated the Civil Rights Act of 1964 by taking federal funding and then making no provisions for the education of Chinese-American children for whom English was a second language (*Lau v. Nichols*, 1974). Together, these decisions imposed a legal obligation on schools to meet the needs of English language learners. The exact shape of the obligation to teach English language learners has consistently been a matter of debate, from the proper language of instruction to the incorporation of English language learners' academic achievement in state accountability systems.

Varied responses to “national culture.” The discussion thus far in the chapter has paid more attention to arguments among members of a dominant culture in the United States than to the response by members of other cultures or marginalized groups. Historian Jeffrey Mirel (2010) has argued that many European immigrants participated in early-twentieth-century Americanization to an extent that suggests it was not entirely imposed by a dominant Protestant practice; instead, Mirel argues Americanization was a set of partially negotiated practices. On the other extreme, in different eras and communities there have appeared consciously separatist practices. Some portion of homeschooling

parents do so in rejection of dominant cultural practices, and some African-American schools in the last half-century have used or currently use an explicitly Afrocentric curriculum.⁸

The more common pattern is a mix of cultural maintenance and teaching some version of national identity. At certain points, the mixed feelings or ambivalence required by inequality has been painfully obvious. In the middle of the Great Depression, frustrated civil-rights activist and sociologist W. E. B. Du Bois explained his own ambivalence about battles over segregation:

A mixed school with poor and unsympathetic teachers, with hostile public opinion, and no teaching of truth concerning black folk, is bad. A segregated school with ignorant placeholders, inadequate equipment, poor salaries, and wretched housing, is equally bad. Other things being equal, the mixed school is the broader, more natural basis for the education of all youth. It gives wider contacts; it inspires greater self-confidence; and suppresses the inferiority complex. But other things seldom are equal, and in that case, Sympathy, Knowledge, and the Truth, outweigh all that the mixed school can offer. (Du Bois, 1935, p. 335)

The ambivalence is not isolated to members of African-American communities. Members of many cultural groups have pieced together a patchwork of institutional arrangements and approaches based on needs of the moment and judgments about what is feasible. This patchwork has been most frequent when specific communities do not have the size or resources to support private schooling and mix the use of local public schools with other arrangements. For example, many American Jewish congregations have run after-school or weekend religious schools when the majority of parents in a community sent children to public schools but wanted to maintain their religious heritage, including the teaching of some Hebrew. But that pattern is far from isolated, given the long history of Protestant Sunday schools, many of which served individual ethnic communities. Even isolated communities have

⁸ It is important to note that the adult members of these communities are generally law-abiding citizens, or about as law-abiding as members of other groups without separatist school practices. A separatist educational philosophy is not inherently in conflict with an orderly society.

worked hard to find arrangements in the midst of harsh circumstances; a small group of Chinese immigrants living in the Mississippi Delta in the early twentieth century used private Baptist mission schools to maintain what they viewed as important aspects of their culture while they survived in the Deep South (Lim de Sánchez, 2003).

Contemporary debates about immigration and education thus echo the varied conflicts and tensions over national identity that have played out over several centuries. Today's children may be the first generation to enter adulthood in a United States that has no majority race or ethnicity, but they are not the first to have significant number of immigrants, English language learners, and members of a number of cultures. Language has repeatedly been a point of conflict over culture and national identity, and questions about the relationship between minority and dominant cultures have been important for members of all cultures and communities.

Useful social-science concepts for analyzing immigration and education

Given this history of conflict, tensions, and ambivalence about cultural and national identity, it is important to look for useful analytical handles beyond the vague term “assimilation,” which many read as the incorporation of members of minority cultures into a dominant and static culture, consistent with the metaphor of the United States as a “melting pot” for immigrants. This section presents three concepts that may be useful in analyzing the relationship between education and demographic diversity: anthropological concepts of enculturation versus acculturation, the notion that demographic categories are socially constructed and contingent, and the modern sociological concept of segmented assimilation as a common cultural repertoire.

Anthropological concepts of learning culture. Cultural anthropologists view all human societies as generating and seeking to maintain important practices and beliefs that we call culture and that requires members to learn as part of a process of socialization. Those who grow up within a society live through

a process of *enculturation*, while individuals or groups who move between societies go through *acculturation* (e.g., Redfield, Linton, & Herskovits, 1936). While the distinction is somewhat arbitrary (what about enculturation of members of minority cultures?), the useful concept is the idea that human beings must learn cultural practices whether they are born within a culture (and thus learn it more easily while young) or move between cultures, and that humans in *all* cultures act both by habit and consciously to continue what they see as valuable aspects of their cultures. In this framework, the use of formal schooling to address concerns about immigration is part of universal human behavior... as is the complicated response of minority cultures.

The historical construction and contingent nature of racial, ethnic, and other cultural categories.

The relatively easy part of understanding racial and ethnic labels and categories is seeing that they are not tightly tied to biology—they are constructed by historical legacy and reconstructed by societies in each generation. They depend on the specifics of social history, and they are thus what historians call contingent on events that could have played out differently. Thus, the common usage and boundaries of terms such as “white” can shift dynamically (e.g., Ignatiev, 2008). The contingent nature of racial and ethnic terms (and other social categories) does not make them any less emotionally charged. And the meaning of labels can change. Socially-constructed categories commonly have multiple meanings, depending on context and the social position of the person using a label. Because there is no way to avoid categories—or no society has yet invented a way to avoid categories and labels—the construction of identity is intimately tied to existing labels and all their legacies (good and bad), with appropriation of existing labels for new purposes, or a layering on of new meaning.

Segmented assimilation. In the past twenty years, sociologists of immigration have created a substantial literature exploring the tactics and strategies of new immigrant groups in the United States. Alejandro Portes and colleagues have argued that immigrant groups have different ways of approaching the dominant culture—what they see as a differentiated pattern of transcultural adaptation,

or segmented assimilation (e.g., Portes & Zhou, 1993). For these sociologists, the most effective collective strategy has been one of partial, strategic assimilation, or accommodation of preferred habits and behaviors of the dominant culture where it is relevant to economic and political success while protecting in-group cultural practices where they do not interfere with economic success and where they are critical to the culture's social identity and group cohesion. The Cuban-American community in South Florida is commonly used as an example of a new immigrant group that has been successful not just because of explicit welcoming policies of the federal government and the educated, middle-class background of immigrants coming to the U.S. before 1980. The Cuban-American community in Florida also demonstrates how leaders of an immigrant community make strategic decisions about the relationship between that community and the dominant culture in the United States. One of the first two-way bilingual immersion schools in the post-WW2 era was in South Florida. Cuban-American professionals in Florida are commonly successful in formal schooling and are also commonly bilingual.

Why the banning of bilingual education in California, Arizona, and Massachusetts?

The new wave of immigration into the United States since 1965 has restarted earlier debates over national identity, culture, and language. In many ways, the new immigration raises those questions in a new context—the civil-rights movement has provided protections for the education of immigrant children and the idea of the rights of language minorities to an appropriate education. But the debates over the Unz initiatives in California, Arizona, and Massachusetts were not just about civil rights or effective instruction but also about the idea of cultural integration (e.g., Crawford, 2004). Part of the appeal of English-only initiatives is the historical association of the use of English with national culture that is rooted in Noah Webster's time, when the uncertain future of a new nation appeared to revolve around the fragile national identity.

If the recent birth of the independent United States fed Webster's obsession with language in the 1780s and 1790s, a different uncertainty has fed debates over bilingual education and languages of instruction in the past 15 years: in many ways the history of marginalization in a diverse country makes the unequal outcomes of schooling difficult to trace. To what extent are unequal outcomes of schooling the result of discrimination in other spheres of life that affect schoolchildren: the labor market, housing, and health care? Even just within schools, the genealogy of failure is complex, and there are multiple parents of inequality. In that environment, the first and boldest explanation of ineffective education has an advantage in public debate, because some small part of it may well be true. In each of the states where the Unz initiative passed, some feature of bilingual education may have played a role in the problems of English language learners even if it was not the existence of bilingual education: in a large state with uncertain budgets and complex bureaucratic rules, one can predict multiple interpretation of the term *bilingual education*, problems in hiring effective teachers, and ineffective supervision as playing as much of a role in student outcomes as whether any instruction occurred in languages other than English. The debates over those problems and the meaning of equal educational opportunities is the subject of the next chapter.

Questions to explore further

1. Exploring the framing case: If you had been a voter in California in 1998, Arizona in 2000, or Massachusetts in 2002, how would you have voted on those states' Unz initiatives? Why?

2. In the space of less than three years in the 1940s, the U.S. Supreme Court issued two diametrically opposed rulings on the ability of public schools to compel students to say the Pledge of Allegiance. Both cases were the result of the refusal of Jehovah's Witness members to salute the flag, on the decision by the denomination's leadership that saluting a secular symbol was forbidden. In 1940, in *Minersville School District v. Gobitis*, the court ruled 8-1 that public schools could force students to

salute the flag and say the Pledge of Allegiance, with the majority writing that the secular purpose of national unity justified the compulsion. In the weeks after the decision, Jehovah's Witnesses experienced harassment in many communities, including the burning of a Kingdom Hall in Maine (American Civil Liberties Union, 1941). Within three years, in the middle of World War 2, the Court had reversed itself. In the majority opinion in the new case, Justice Robert Jackson wrote, "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein" (*West Virginia State Board of Education v. Barnette*, 1943, p. 642). How could both decisions come from the same court, and could both be consistent with the relationship between schools and cultural or religious minorities?

3. One of the more difficult technical issues in test-based accountability is assessment of populations that do not fall in the "easy" assumptions about the scope and sequence of instruction. Students with disabilities sometimes have instruction set at curriculum levels different from standard grade-level curriculum standards. The assessment of English language learners inevitably conflates facility in English (as a second language) with content knowledge. Even if one were to examine these assessment issues in only a technical sense, they would be difficult to address. However, the issues may *not* just be technical. What other issues (including potential political issues) are hiding in the wings with the assessment of students with disabilities and English language learners?

4. In Florida, there are a number of immigrant populations: Cuban-Americans, Haitian-Americans, Mexican-Americans, more recent and growing Columbian-American communities in Central Florida, and smaller communities from the Caribbean and Latin America. The passage in the chapter on segmented assimilation describes Cuban-Americans in South Florida as an example of an adaptive acculturation strategy, mixing maintenance of important cultural attributes (including a commitment to bilingualism) with successful integration in the Florida economy. For other immigrant groups in

Florida, *if the hypothesis of segmented assimilation is correct*, what would you expect to be associated with more or less successful outcomes? Where would you look for evidence to either confirm or undermine the hypothesis?

5. The “model minority myth” in the United States is the stereotype of Asian American communities and Asian American individuals as uniformly successful in education and in adult life. Keith Osajima (1988) identified the late 1960s as the origin of the myth in commercial print and broadcast media. The reality of Asian American communities is much more complicated than the myth: the new immigration wave of the past half-century includes Asian American groups that have been immediately successful in the United States and also groups that formed communities under adverse circumstances, such as the Hmong community in St. Paul, Minnesota, which formed in the 1970s and 1980s with a refugee exodus from Laos (e.g., Her & Buley-Meissner, 2012). How would you put the model minority myth in the context of the broader history of demographic diversity and education?

6. Over more than a decade, proponents of financial support for college students who were brought as young children to the U.S. without official papers have supported the DREAM Act (Development, Relief, and Education for Alien Minors Act), originally introduced in Congress in 2001 by Democratic Illinois Senator Dick Durban (Illinois) and Republican Senator Orrin Hatch (Utah) arguments. The DREAM Act would provide a path to permanent residency for young adults who are undocumented immigrants who either enlist in the military (and complete service with an honorary discharge) or enroll in and complete a college degree (B.A. or higher). Several versions of the DREAM Act would also provide financial-aid eligibility for college students who are undocumented immigrants. Proponents of the DREAM Act argue that it serves the public interest to support education of young adults who did not make the decision to be undocumented immigrants, both in terms of justice and in terms of taking advantage of the skills and talent of the beneficiaries. Opponents of the DREAM Act (and specifically financial aid for undocumented immigrants) argue that it is inappropriate public

policy to provide any social benefits to undocumented immigrants, regardless of the age of migration. How is this debate about higher education and immigration similar to or different from debates over immigration and K-12 schooling?

7. Since 2010, several states have enacted state-specific legislation to deter undocumented immigration. Arizona's 2010 legislation was focused on law enforcement, and specifically the obligation of state and local law enforcement to check the immigration status of anyone stopped who the law-enforcement officer has a reasonable suspicion of being an undocumented immigrant. In June 2012, the U.S. Supreme Court struck down several provisions of the Arizona law and indicated that the immigration-status check could be stopped if there were evidence it was applied in a discriminatory manner (*Arizona v. United States*, 2012). Alabama's 2011 law on immigration is more general, including a provision requiring schools to ask about the immigration status of both children and their parents. A federal judge quickly blocked implementation of the school reporting provision, and Alabama's Governor Robert Bentley (who had signed the 2011 law) requested that the state legislative session remove the school provision (no action was taken in the 2012 session; Chandler, 2012). How do these recent actions by state legislatures fit into the broader history of immigration and education?

8. In May 2012, U. C. Berkeley public policy professor David Kirp wrote an opinion piece for the *New York Times* decrying the decline of desegregation. Kirp criticized a 2007 Supreme Court decision that severely limited the use of race in enrollment decisions for magnet-school enrollment and other choice programs (*Parents Involved v. Seattle*). Kirp's editorial is an example of the occasional published lament about the decline of aggressive efforts to desegregate public schools. In the past decade, the only type of new desegregation effort sponsored by schools and *not* successfully challenged in court has been the type of plan implemented in Raleigh, North Carolina, that desegregates schools based on indicators of socioeconomic status (such as eligibility for the federal free- and reduced-lunch

program). For different groups in the United States, what is the current meaning of desegregation efforts?

Chapter 4. Equality of Opportunity

Key concepts

- Equality of access vs. equality of outcome
- Coleman report
- Federal policy and debates over equality of educational opportunity
- Human capital
- Social capital
- Cultural capital
- Institutionalized inequality
- Tracking
- Correspondence principle
- Social reproduction
- Resistance models

Framing case: Can schooling minimize inequality in Raleigh, North Carolina? If so, how?

In spring 2011, the board of the Wake County Public School System in Raleigh, North Carolina, ended several decades of policies encouraging integration of schools by pupil assignment and busing. The board replaced mandatory assignment for purposes of integration with a plan to give parents significant choice in the schools their children attended (Winerip, 2011). Like many school systems before it, the Wake County board asserted that it would be replacing mandatory assignment with a more politically viable choice system, and that its values remained equality of educational opportunity. As had happened in many school systems, local critics of the system remained concerned that a choice system would leave schools resegregated (e.g., Keung Hui, 2012). Unlike in many other school districts, however, the Wake County board was ending a system based not in race but in socioeconomic status. When a court had ruled in 2000 that the schools serving the Raleigh metropolitan area could no longer assign students by race, the board had replaced race-based integration with integration based in social-class (Winerip, 2011). The school board decreed that schools could have no more than 40% of its students eligible for federally-subsidized school lunches (i.e., children whose families' income was

below 185% of the federal poverty line). That shift from race to class insulated integration in Raleigh from court interference.

According to one reporter (Winerip, 2011), the pressure to end integration by social class was the result of tremendous growth in the school-aged population in Wake County and the dissatisfaction of parents, many of whom were new to the South and did not share the older community members' commitment to integration that used busing. A new conservative majority of the school board elected in 2009 ended class-based integration in 2010. National attention to the local decision, including ridicule by Stephen Colbert, brought continued debate over the policy change. In fall 2011, the school board switched back to a slim 5-4 Democratic majority (Keung Hui, Goldsmith, & Garfield, 2011). The new board majority has not changed the policy, but they did terminate the contract of the superintendent hired by the prior board majority. A report by the Brookings Institute in April 2012 added to the debate by concluding that poor children in Wake County were *less* vulnerable to being enrolled in low-performing schools than poor children in the rest of the study's 100 metropolitan areas in the analysis, and the study author concluded that the previous class-based integration was responsible (Rothwell, 2012).

Did the Wake County board make the correct decision in 2010, one that is consistent with expectations for equal educational opportunity and the best interests of children? Before its end in 2010, the Wake County class-based integration had been praised by a number of education policy writers, most prominently Richard Kahlenberg. Kahlenberg's most recent (2012) book argues that class-based (or socioeconomic) integration would help fulfill the promise of the *Brown v. Board of Education* decision. His argument is one response to the slow retreat from court-supervised desegregation discussed in Chapter 3: if we cannot integrate by mixing students by race and ethnicity, we should do it by economics. But Kahlenberg's answer is not a consensus. For almost sixty years, advocates of educational equality have wrestled with what equality means and how best to expand

equality of educational opportunity. This question is broader than desegregation, though racial desegregation dominated the debate over equality of educational opportunity for several decades.

An open question is the extent to which schools should provide equality of educational opportunity. While it is settled law that publicly-funded schools cannot discriminate on the basis of race, sex, national origin, language, and disability, it is not always clear what constitutes discrimination, nor the extent to which schools are obligated to compensate for differences in opportunity that result from factors outside schools. The history of local school governance complicates the discussion because adjacent neighborhoods, communities, and school districts often have very different economic circumstances and demographic profiles, and residential boundaries between school attendance zones and school districts can either reinforce those inequalities or moderate them. This chapter begins with a discussion of the role of schools specifically with regard to equality of opportunity and then moves to a range of social-science models of inequality and schools' role in either perpetuating or moderating inequality.

The roles of schools

Historical arguments about schools and equality. As Chapter 1 discussed, there has been a broad range of views in the United States on the purposes of schooling, covering both public and private goals, individual and collective ends. Many of them are unrelated to questions of equal opportunity, but two historical arguments are directly related: Thomas Jefferson's sketch of a scholarship system for Virginia schools and the growing acceptance of the tie between schooling to citizenship. Each argument is about citizenship and public goals, and each has an implicit model of what equality of opportunity means. To Jefferson (1779/1904), a minimal level of schooling for free children was an ample basis for most citizens—three years at the local schools he called hundreds—and additional public investment should focus on free boys who demonstrated sufficient academic merit to warrant

public support in grammar schools or at William and Mary College. His casual quip that such a system would reveal geniuses “raked from the rubbish” demonstrates his sense that there was a natural aristocracy of talent if not an inherited one in the British royalty. Jefferson's vision was never confirmed by his peers in the Virginia legislature, but it survives in the sense that schools should reward academic achievement by providing additional opportunity for the talented. In this way, modern followers of Jefferson defend the vision of schools as a meritocracy, or a system rewarding achievement. To defenders of a meritocracy, equality of opportunity should allow inequality where the results reveal differential talents, effort, or grit.

Does that legacy of Jefferson's mean that the alternative view of equal opportunity meant equality of outcomes (a common contrast in abstract)? Not quite: For more than a century, the contrast with Jefferson's implicit meritocracy was not equality of attainment but equality of access. During most of the nineteenth century, beyond primary schooling, there was a much smaller group of students who would continue in education, and as that group expanded, the school structures were not always available. In some cities, parents in the late nineteenth century pressured urban school systems to open more high schools (Labaree, 1988). That press for more access did not mean that students generally completed high school—at the time, a high school credential was not required in the labor market, and even a year or two of high school conveyed an advantage in the labor market. But access was important as a symbol of educational rights and as a concrete opportunity for *some* to receive advanced education—that was a significant motive behind the lawsuit that followed the closure of an all-Black high school in 1890s Richmond, Georgia (Kousser, 1980).

One additional view of education and inequality is important to consider: the argument that providing *some* avenue for upward mobility can reduce social tensions. Horace Mann made the argument explicit in his final report on the state of education in Massachusetts in 1848:

According to the European theory, men are divided into classes,—some to toil and earn, others to seize and enjoy. According to the Massachusetts theory, all are to have an equal chance for earning, and equal security in the enjoyment of what they earn. The latter tends to equality of condition; the former, to the grossest inequalities (Mann, 1848/1872, p. 664).

In the same year as many attempted or successful European revolutions, Mann argued that education not only was the cure of inequality in fact but was also the cure of class divisions: “Now, surely nothing but universal education can counter-work this tendency to the domination of capital and servility of labor.... Education... is the greater equalizer of the conditions of men” (pp. 668-669).

Mann's rhetoric was far from unusual in the middle of the nineteenth century: As the first phase of industrial capitalism in the United States was encouraging the growth of cities and drawing workers to wage labor, many would-be social reformers looked to schools as one type of social institution that could ameliorate the worst side-effects of market capitalism. Schools were not the only target of social reformers—many also looked to asylums, hospitals, juvenile reformatories (or Houses of Refuge), and prisons to cure the insane and chronically ill, rescue young delinquents, and save criminals. But over time, schools were the institution that inherited the bulk of Americans' desire to solve social ills through prevention.

Schools and social inequality after World War II. In the quarter century after the end of World War II, arguments over the obligations of schools shifted, and after the enactment of the Elementary and Secondary Education Act in 1965, the federal government had endorsed the role of schools as the primary means of equalizing opportunity in the United States. This role for schools was not new after World War II; what was new was the role of the federal government in endorsing and supporting the role of schools as “great equalizer.” The Supreme Court decisions on segregation comprised one part of this shift, but ruling segregation laws unconstitutional did not guarantee equality of opportunity—the courts only prohibited one specific form of inequality. The 1944 law commonly termed the G.I. Bill of

Rights also expanded the role of the federal government in providing educational access—in the case of the G.I. Bill, college financial aid for World War II veterans. Another expansion of federal capacity to support education came with the National Defense Education Act of 1958 (NDEA), passed the year after the Soviet Union put the first artificial satellite in orbit. Together, these actions expanded the federal role in education in a piecemeal fashion (Spring, 1976).

The commitment of the federal government to education as an equalizing force required both expansive acts of the federal government on behalf of education as a life-changing institution and an intellectual defense of such broad action that could sustain federal intervention on a long-term basis. The expansive acts of the federal government came in the mid-1960s with the presidency of Lyndon Johnson. The Equal Opportunity Act of 1964 created Head Start, supporting preschool for poor children. The Elementary and Secondary Education Act of 1965 (ESEA) included Title I, which directly supported the budgets of schools in poor communities. The Higher Education Act of 1965 broadened federal support of college financial aid beyond veterans, targeting aid to young adults from low- and moderate-income families. Across all levels of education, President Johnson pushed education as the solution of multiple ills, such as in his remarks upon signing ESEA: “As a son of a tenant farmer, I know that education is the only valid passport from poverty” (Johnson, 1965).

The intellectual rationale for Johnson's expansion of federal aid to education came from economists such as Gary Becker and Ted Schultz who saw education as a form of investment, a concept they termed *human capital* to suggest that investment in people could create a return on that investment parallel to the returns expected from other capital investments (e.g., Schultz, 1961). As historian Maris Vinovskis (1995) has suggested, the postwar concept of human capital was the modern, technical economic equivalent of Horace Mann's older view of education. Those who sought additional spending on education readily grasped the political implications of human capital: educational spending

was investment, and the public good could be seen as a return on that investment. Education was not only the solution to inequality but was a critical investment in the future.

The Coleman Report and modern debates over the role of schools. One seed of dissent over human capital was planted in the Civil Rights Act of 1964, which authorized a study of the requirements of equal opportunity in education. Two years later, the report by the research team headed by sociologist James Coleman (1966) concluded that at least as measured in the study, resources were not what mattered most in academic achievement. Rather, Coleman and his coauthors concluded, peers and families were the greatest influences on school achievement. Readers of the Coleman Report interpreted the conclusions in different ways, but the report challenged the role of schools as the primary determinant of student success in schools, and thereby the potential for schools to address inequality except indirectly, such as desegregation to change the mix of peers.

In many ways, the Coleman Report established the terms of the intellectual debate over the role of schools for the following half-century. Many educational researchers tried to document either the influence of educational spending on academic achievement or the lack of such influence. This debate among researchers had at most a muted influence on policy, as the federal and state politics of education funding revolved around other issues: lawsuits to equalize education funding, growing unionization of teachers, the aging of the Baby Boom out of elementary and secondary school ages, and both state and national politics about the proper size of government. The debate has been resuscitated in the past 10 years, as a new version of the Coleman thesis has come from critics of the No Child Left Behind Act (the 2002 reauthorization of ESEA). The best-known of these researchers is Richard Rothstein, whose 2004 book *Class and Schools* argues that improving outcomes for poor children must include significant investments in programs outside schools, including addressing the burden of poverty for parents as well as for children.

Rothstein does *not* argue that investment in schools has no effect. Rather, he and others who make similar points argue that it is unreasonable to expect schools to carry the bulk of responsibility for eliminating poverty and unequal life opportunities. Apart from the rigor of the research involved and debates over specifics, there are two political difficulties with making this argument. First, the great historical legacy of education politics is a long history of arguments that schools matter. After more than 150 years of hearing arguments that schools can address poverty, it is difficult to reverse direction. Second, because most schools are publicly funded, it would strike many voters as odd for educators to ask for funding on the one hand and claim that they are largely powerless, on the other. Why should people pay taxes to support schooling if schools are *not* responsible for addressing important social goals? (This point is a bit of rhetorical sleight-of-hand: what public goals are omitted from this way of framing the policy question?) While there are some arguments that the federal government should not be involved in public schooling—mostly from libertarians—no state has given up federal education funding in the past half-century, regardless of the disagreements state and local politicians have had with federal education goals. While the level of federal funding for local schools has risen and fallen based on national politics, the principle of *some* federal funding and oversight remains. Thus far in the postwar era, nothing has reversed the federal government's sponsorship of schools as a vehicle for equality of opportunity.

Social-science models of schooling and inequality (selected)

With the implicit consensus that schools should provide equality of educational opportunity, an important question to answer is, why is there inequality if there is more exposure to formal schooling in the United States today than at any point in the past? This question goes to the heart of the relationship between schools and the rest of society: are schools contributing to equality of opportunity or to inequality? Jefferson's meritocratic vision held out the hope of schooling that could result in unequal

outcomes and remain fair. But whether that happens in reality is often in the eye of the beholder. The social-science models described in this section address different potential mechanisms for schools to contribute to either equality or inequality. The terms attached to specific models are less important (if still useful) than the mechanisms they propose for the relationship between schooling and life outcomes. These mechanisms include the distribution of both tangible and intangible resources. Other proposed mechanisms include the match between school structures and sorting filters or the structure within labor markets. Still others suggest more subtle connections: a hidden curriculum of school structures, or the complex and paradoxical relationship between social identity and attitudes towards schools.

Institutionalized inequality. One mechanism for connecting resources outside school to what happens inside schools is the marshaling of resources and opportunities through school-system structures, what one can term institutionalized inequality (Larson & Ovando, 2000). One historical form of institutionalized inequality was and remains unequal funding. Before the NAACP's lawyers began attacking segregation in the 1930s, Southern school districts routinely spent more per pupil in all-White schools than in all-Black schools. After such explicit racial disparities were prohibited in the first half of the twentieth century, there were still ways in which states have allowed unequal funding of schools. As Jonathan Kozol described in his 1991 book *Savage Inequalities*, many states had a long history of unequal funding by community wealth. Until the 1970s, many states required local districts to fund schools using primarily local property taxes, with some state aid that was distributed to local school districts regardless of local wealth and poverty. As a consequence, most states through the late 1960s had dramatically different per-pupil funding depending on whether a school district was wealthy or poor. Inspired by legal efforts to eliminate segregation, many advocates of equalized funding in the late 1960s and early 1970s began filing lawsuits in both state and federal courts. Lawsuits in state courts commonly argued that the state constitution prohibited unequal funding. In 1971, the California

Supreme Court issued the first state-level equalization order (*Serrano v. Priest*), with a few dozen states to follow in the next two decades, with each state court relying on its own state constitution. At the federal level, the Supreme Court stopped such efforts in a 1973 decision that ruled community wealth was *not* a constitutionally suspect classification when it came to government actions (*San Antonio v. Rodriguez*). In this decision, the Court ruled that community wealth was unlike race, sex, or other individual characteristics. Since the 1973 *San Antonio* decision, all efforts to equalize resources have relied on lawsuits in state courts.

Two states are notable in the history of funding equalization efforts. Illinois is currently the largest state without a court order or statute requiring some form of funding equalization between school districts. The contrast in per-student funding can reach 2:1 or more between wealthy school districts and poor communities in Illinois, despite national visibility for several decades (e.g., Kozol, 1991). By contrast, Florida is the largest state with a funding equalization law enacted without a court order (in 1973). Without the equalization law, Florida would face disparities similar to those in Illinois. Florida's system sets a per-pupil operational spending base, then a "required local effort" through property taxes, and finally fills in the difference with state funding. For example, in 2012-13, the total base funding for operating public schools in wealthy Sarasota County is \$203 million, of which Sarasota must raise \$183 million (or 90%) through local taxation. In contrast, the total base funding for adjacent, poorer, and more populous Polk County is \$472 million, of which Polk must raise \$134 million (or 28%) through local property taxes (Florida House Appropriations Committee, 2012). Without state funding, the wealthier counties would be able to spend two or three times as much per child as the poorest counties in the state, differences common in virtually every state before funding equalization efforts began in the late 1960s. Florida's funding system does not address within-district inequalities, inequalities in capital construction, or several other funding issues, but the Florida Education Finance

Program does address some basic inequalities in community resources, inequalities that still exist in some other states.

A different form of institutionalized inequality is unequal access to curriculum. One of the discussion questions at the end of Chapter 1 discusses limited-entry opportunities such as Advanced Placement classes or International Baccalaureate programs. Each of these is a milder version of tracking, or differential curriculum offered students based on current performance or school system judgment of potential. Extensive tracking developed in the first few decades of the twentieth century, as schools responded to the large wave of immigration by dividing students long lines of race, ethnicity, gender, and social class (e.g., Tyack, 1974). More challenging academic classes were available to wealthier students and to white students than were available to either nonwhite students or poor students (of all races and ethnicities). Industrial vocational tracks were a prominent end for working-class native white and immigrant students. Vocational tracks with “training” in domestic service were the common offerings for African American students. And home economics tracks appeared in the first few decades of the twentieth century for many girls of all backgrounds. As Jeannie Oakes (1985) explained, the existence of tracking poses significant challenges to the claim that schools provide equal opportunities, not only because the history of tracking in the twentieth century is full of examples of explicit bias in who had more academic classes available to them but also in terms of the types of teaching that occurred in different tracks. In her large study of dozens of classrooms, Oakes found that the interactions in lower-track classes were far less encouraging of discussion or independent thought than higher-track classes.

These patterns of inequality are maintained by bureaucratic routines. In thinking about institutionalized inequality, the specific historical mechanisms are important--unequal funding and tracking by race, class, or gender still have effects on schools--but the broader principle is essential: schools operate by complex rules, and even supposedly neutral routines can generate or maintain

inequality. An example of such a system is the debate over public-school choice processes in Wake County (Raleigh), North Carolina. If you give parents a choice of where their children attend school, is that choice likely to reduce or increase equal opportunities? The consequence depends on the structure of choice mechanisms--what is the default school if a parent does not take action, is transportation provided, what information is available to parents and how much effort would a parent need to exert to learn about available choices? Critics of the 2010 pupil-assignment system in Wake County suspected it would lead to greater segregation and inequality in educational opportunity. It is the interaction between these routines and out-of-school factors such as residential segregation that led Ladson-Billings (2004) and others to conclude that *Brown v. Board of Education* had not necessarily led to increased mixing of students or equal opportunity.

Human capital. Like those who are concerned about institutionalized inequality, the human capital perspective focuses on tangible resources and opportunities. Unlike Oakes and others who are concerned about inequality they see in many places, both inside and outside schools, Schultz (1961) and his fellow economists portray schooling as a largely beneficent process. The key insight in human capital is viewing education as an investment in people, just as buying capital equipment is an investment for manufacturers. And if one views education as an investment, one can estimate and analyze returns on that investment in like fashion. In a human-capital perspective, public investment in education is logical if there is a large aggregate return on the investment for the public. On the private side, investment in education is sensible if an individual or family can expect a return on the investment, which can come either in the form of cash payments such as for tuition or through loans, by borrowing money to pay tuition. Thus, if a college education is likely to benefit an individual with lower expected lifetime unemployment and higher lifetime income, then student loans are a logical commitment in the same way that corporate borrowing to buy equipment is logical if the return on that investment is greater than the cost of the loan.

From a human-capital perspective, unequal outcomes in life are directly related to unequal human capital. That can either be the quantity of investment/capital (e.g., less schooling, or less effort on the part of students) or the quality (such as worse schooling, or perhaps less effort on the part of students). The solution is to provide more human capital--encourage students to stay in school longer, push school reforms that might improve the quality of schooling, encourage job training for those who are not in college, allow more borrowing to enable people to attend college, provide or secure postgraduate education for mid-career professionals, and so forth. In a human capital perspective, apart from poor-quality schooling there is no such thing as too much schooling--just a calculated tradeoff among alternative investments in oneself or others.

Social capital. The fundamental assumption of human capital is that one can invest in *individuals'* skills, knowledge, and habits, with the critical benefit that no one can take away the human capital that any individual has. But those types of resources are not isolated in individuals; one can share both tangible and intangible resources. A formal hypothesis explaining the value of such sharing comes from James Coleman (the same sociologist who headed the *Equality of Educational Opportunity* study in the 1960s). In a 1988 article, Coleman argued that when people have access to the skills, knowledge, and habits of their social circles, those cultural and knowledge resources can become used by anyone in those circles. When examined through the lens of social capital, knowledge is thus a family and community resource. The same family in two different neighborhoods or cities may have the same material resources and human capital, but because the neighborhoods or cities contain different networks and sets of resources accessible to residents, the family has access to *different* resources in the two locations, though they may be the same individuals.

Through the lens of social capital, inequality can come from unequal investment in individuals *and also* through unequal access to resources through social circles, or unequal social capital. For example, if friends share information about how to apply for magnet schools and other tips of accessing

resources for their children, the boundaries around such social circles effectively give an advantage to those within a circle... and provide unequal access for the children. If the solution to inequality in a human-capital framework is better investment (for schooling, more or better-quality schooling), then the solution to inequality in a social-capital framework can address human capital for individuals *and* address the resources available through social circles, encouraging more efficient sharing of information and resources. In a social capital analysis, schooling may add human capital, but one must also ask whether the arrangement of schools facilitates access to resources through social capital in a way that promotes equal opportunity or inequality.

Cultural capital. Thus far, the mechanisms analyzed in this chapter focus on resources--tangible resources such as school funding and access to different types of curriculum, investment in individual human capital, or access to resources through social capital. But not everything in education or adulthood is about accessing identifiable resources. In many cases, success in school and life revolves around subtler issues--the ability to negotiate social norms, accumulate small behaviors and skills that help one succeed, or master the semi-articulated skills Polanyi (1958) and Collins (1974) called "tacit knowledge." In her 2003 book *Unequal Childhoods*, Annette Lareau argued that one could see the development of inequality through different parenting styles, especially the deliberate choices of middle-class parents to make sure their children learned these subtler skills and habits--cultural capital--through a range of activities and interactions. Lareau called the aggressive, highly-scheduled parenting style she witnessed "concerted cultivation," and she argued that unequal outcomes for the children come in large part from the differences in accumulated cultural capital.

From a cultural capital perspective, inequality comes from the range of experiences that provide different types of intangible, shadowy skills--skills that help one succeed in school and in other spheres of life. Addressing inequality could involve making the tacit knowledge much more explicit and available--teaching children the socially-mobile methods of talking with adults, working with peers,

directing others, setting priorities, managing time, and being appropriately assertive (for whatever is appropriate for the dominant culture).⁹

Correspondence principle. The last example of cultural capital illustrates the discrimination possible in the application of a “success” mechanism in a society with inequality in its social structure--what is success to one individual could be domination or harassment to others depending on the tools used. The seamier side of social norms and education was explored more fully by Sam Bowles and Herbert Gintis (1976) in the concept of a correspondence principle--that in many cases, schools socialize children into the workplace roles of their parents (or their presumed place as adults), or schools teach roles for students that correspond to presumed roles as adults. Teaching poor children to obey step-by-step instructions without any encouragement of discussion or independent judgment is an example of their correspondence principle--in this case, teaching obedience as a principle of social relations corresponds to the obedience that may be expected in low-wage employment. By contrast, teaching the children of middle-class professionals how to make independent judgements and craft sophisticated arguments corresponds to the types of judgments and discussions managers make.

To Bowles and Gintis in the mid-1970s, the correspondence principle comprised one part of the broader system of schooling that reproduces social inequalities. Along with tracking and unequal funding, the correspondence principle contributed not to education as Mann’s “great equalizer” but as an ideological sham, providing lip service to upward mobility but a reality of unequal opportunities for advancement in education and in life. Any upward mobility represents exceptions to encourage a belief in upward mobility rather than illustrating an open society. To Bowles and Gintis at the time, inequality begins outside schools, in the labor market and broader society, and schools by themselves cannot

⁹ Addressing inequality in a cultural-capital context can also involve making certain norms less powerful for generating or maintaining inequality. In this context, the presence of sexual or racial harassment in school or the workplace could be seen as a form of unequal cultural capital requiring students or employees to negotiate racist or sexist jokes or other behaviors, and forceful moves by employers or educators to eliminate harassment can change the cultural capital required to succeed.

interrupt this intergenerational inequality. Instead, one must address inequality *primarily* in the labor market and in other spheres, not relying on schools to change life chances. In reproduction models, school reform does not change the basic pattern that schools help ensure that the wealthy stay wealthy, the poor stay poor, and the rest of us stay nervous. Together, institutionalized inequality and the correspondence principle are part of a broad argument that schools reproduce inequality. This social reproduction perspective sees schools pessimistically, in contrast with the optimistic view of those who see education as an investment in human capital.

Resistance models. Thus far, the social-science models described in this section discuss ways that schools can serve as benefactors for the upwardly mobile or collaborators in an unequal society, as well as how ambitious families and students could invest in human capital or mobilize social capital. But what about students who apparently reject the value of schooling? If one is to take the social reproduction argument seriously, then maybe students who resist or reject formal schooling run by the dominant culture are correct to violate the behavioral expectations of school officials or drop out of school. In his 1977 book *Learning to Labour*, Paul Willis argued that working-class youth in one 1970s English community did not have a clearly-articulated rejection of school norms; instead, rejection of school norms was part of a process of disengagement with schools and the construction (or reproduction) of a particular form of working-class masculinity. In the end, Willis argued, these youth (generally boys) limited their own opportunities. While other contributors to the literature on resistance to school norms have identified more articulate rejections of schooling, the common portrayal is one of an unpleasant dilemma: one can reject the norms of a society's dominant culture and social structure, but that act of rejection does not generally lead to an economically viable adulthood.

Is rejection of norms by a group any more productive than rejection by individuals? John Ogbu's (1985) model of oppositional cultural frames of reference suggests not. In Ogbu's framework, the relationship between schooling run by a dominant culture and minority cultures within a society is

shaped by the history of broader relationships. New minorities can choose to accept dominant social norms required for success while retaining key aspects of their own cultures (Ogbu's version of a productive form of segmented assimilation, which he termed "different cultural frames of reference"). But to Ogbu, minorities with a long history of subjugation face a dilemma: in many ways, acceptance of the dominant culture represents rejection of the minority culture's values as shaped by the long history of oppression and discrimination. Here, the dilemma has consequences for an entire culture, with lower achievement in areas critical for adult success and the maintenance of the oppositional cultural frame of reference.

Incomplete nature of models. In this section, I have presented each model or class of models separately, to make it easier for you to identify the key mechanisms in each model. In many respects, this hermetic presentation of models is inaccurate: many researchers discuss multiple mechanisms and use a mix of what I have presented as separate concepts. But to some extent the hermetic appearance of models is a reflection of a narrow focus by some writers. A key example of this narrow focus is the literature on funding inequality in education. If examined by itself, unequal funding of schooling looks both unethical and a key mechanism of inequality in American society. But if compared with other areas of life, even unconscionable inequalities in education funding look tepid: the 2:1 ratios of per-pupil funding between wealthy and poor communities in some states pales when compared with the inequalities in other areas of life. The ratios between the most and least advantaged are much greater than 2:1 in income, wealth, transportation, housing, or access and quality of health care. What makes education among the *least* unequal sectors of American life? Carnoy and Levin (1985) argue that it is the connection between schooling and citizenship that moderates inequality in education. The influence of democratic principles and processes does not make schooling equal, but it makes it more equal than many other areas of life.

Choices in Wake County?

At one level, the choices faced by the Wake County Public Schools (in Raleigh, North Carolina) are a legacy of historical conflicts over desegregation. The 2000 decision by the school to switch from a desegregation plan based on race to one based on economic data (or social class) is a specific response to a trend in court decisions restricting race-based assignment plans when there was no court supervision of desegregation. The class-based plan operating in the Wake County schools was not vulnerable to lawsuits; even after the 2007 *Parents Involved* Supreme Court decision, the plan operated without legal challenges. At the same time, the Wake County board had made a commitment to distance itself from the history of past segregation; there was both a political and an economic value to policies that marked the Raleigh community as modern, post-segregation (for a similar case in Charlotte, North Carolina, see Smith, 2004). Ironically, it was the success at promoting Raleigh to newcomers that undermined the community support for desegregation using busing; the migrants to the community from outside the South were less committed to desegregation than those who had lived in the community for decades. The growth of the metropolitan area put both practical and political pressures on the school system in ways that undermined the local legitimacy of class-based desegregation.

At another level, the debate over desegregation in Wake County was also a debate over the role of schools in moderating inequality and (less clearly) the appropriate “theory of action” for how schools should provide equal opportunities. As has happened elsewhere, opponents of pupil reassignment for desegregation chafed against what they saw as using schools for “social engineering”--or, if one views all schooling as social engineering, the type of social engineering they view as inappropriate or undesired. Proponents of class-based integration had an implied model of schools as facilitating social capital--the peers you sit with are important enough to your ability to learn and your long-term future

that the composition of one's peer group in a class can change academic achievement and lifetime outcomes. For the proponents, schools have an obligation to alter the resources available to poor children by deliberately arranging the opportunities they have to learn from other children. (The proponents of class-based integration such as Richard Kahlenberg frequently use schools in Raleigh as an example of the benefits for academic achievement; is there another argument one can make for class-based integration that includes the effects of peer groups on children from middle-class and wealthier families?)

Across the South, opponents of mandatory student reassignment for busing either dismiss the importance of social capital or view the costs of mandatory assignment as outweighing the benefits of attempting to equalize social capital. Skeptics of mandatory student assignment include many African American parents who are familiar with the history of disproportionate busing for African American children and who have witnessed the robust nature of institutionalized discrimination--modern tracking and resegregation within schools that undermines the asserted social-capital effects of desegregation, or disproportionate identification of African American children for placement in special education (e.g., Patton, 1998). They may view the resources within their families, neighborhoods, congregations, and other social circles as more accessible and more important for their children's success than a school that is an hour's ride away. They may view themselves as more capable of teaching the essentials of cultural capital to their children than teachers they rarely meet and who they know are being pressured to focus on tested subjects. As with most other parents, their concerns for their children know both the hope of human-capital rhetoric and fears that their children will disengage from school. The challenge of being a parent is not being able to run social experiments; you must choose among a limited set of options. The mechanisms tying schools to private advancement, equal opportunity, or the maintenance of inequality are not abstract; they are the deeply-worn grooves a community has walked in or the trails

a community tries to blaze, the terrain of families' lives, and the trenches within which children battle for their future.

Questions to explore further

1. Exploring the framing case: If you were sitting on the board for the Wake County Public Schools, what would be the key questions you would ask the superintendent and professional staff about options for student assignment?

2. Suppose federal courts did not impose busing in the 1970s but instead required residential integration as the remedy. How would society have looked different as a result? While there have been some efforts at integrating public housing, there have been few such efforts in private housing. Why did such efforts *not* happen on a widespread basis?

3. The No Child Left Behind Act (the ESEA reauthorization in 2002) required disaggregation of test results by demographic group (i.e., test scores broken down by race/ethnicity, lunch-program participation, English language learner status, disability, or any other significant group identified by a state). How is this consistent with policy of the recent past? Who might be concerned by this, and why?

4. In the early 1970s, the New York City school system wrote a contract with a test company to run a local assessment system that would compare schools' test scores to those of schools with similar demographic (i.e., racial) characteristics. The psychologist whose work was quoted by the Supreme Court in *Brown*, Kenneth Clark, exploded in criticism: comparing school performance by demographic characteristics would "concretize class stratifications and ... racial distinctions," argued that the proposed plan was a "sham," and saw the issue of separate expectations as a civil-rights issue (Buder, 1971, p. 25). Does Clark's argument surprise you? Why (not)?

5. Suppose you could "rerun" your life, with a roulette wheel to determine what type of family you would have. What type of policies affecting children's inequality would you want, knowing you might

be in any type of family from poor to wealthy, kind to cruel, in a culture that is dominant or minority, in any health status, and so forth?

6. The question asked in the prior discussion item is the “original position” framework John Rawls establishes in his 1971 book *A Theory of Justice*. Rawls’ underlying theory of ethics is rule-based: make decisions based on what a theoretical “person without knowledge of their status in life” would accept. At the end of the book, Rawls argues that from such an acontextual stance, a rational person would want the maximum liberty in life except for policies that would guarantee a minimum floor in the living conditions and dignity of all individuals. That suggests that apart from some minimal guarantees of health care, housing, and education, Rawls would accept open competition in education as satisfying both the liberty and minimal-guarantee conditions. How else have people made arguments about school policies and equal educational opportunity?

7. The table below displays the official unemployment rate and the employment/population ratio for [April 2012](#) for the U.S. civilian population 25 years of age and older:

Educational attainment	Unemployment rate	Employment/ population ratio
< high school diploma	12.5%	40%
H.s. graduates, no college	7.9%	55%
Some college/A.A./A.S.	7.6%	64%
Bachelor's degree+	4.0%	73%

Note: Data is seasonally adjusted. The official unemployment rate measures unemployment among those working or looking for work. “Discouraged” workers are excluded from the calculation.

What conclusions can one draw about education and the labor market from this table? What additional information would you need to distinguish among different explanations? Does a [related chart](#) on earnings from the Bureau of Labor Statistics help? Or [a table on monthly income and education that also includes sex, race, and ethnicity](#), from the Census Bureau?

8. What are the differences among human capital, social capital, and cultural capital?

9. What would be the argument in favor of using schools to provide social capital or cultural capital for children who might otherwise have fewer opportunities to access them? What would be the argument against doing so?

10. Both the human capital and cultural capital perspectives assume that there are some identifiable skills and knowledge (for human capital) or subtle behaviors or habits (for cultural capital) that are critical to success in an economy and society. But those needs can change: the distribution of jobs with different skill requirements change, and one can argue that social norms change as well. How do individual families adjust to those changes? Should schools?

11. In what ways may you or friends have been a beneficiary of institutionalized inequality in schools when growing up? In what ways may you or friends have been someone who lost out of opportunity because of institutionalized inequality when growing up?

12. Bowles and Gintis wrote about the correspondence principle in the 1970s, before microcomputers and the shift of much manufacturing capacity to other countries. In what ways may economic changes since the 1970s either maintain something like a correspondence principle or change the relationship between the styles of communication/management in schools, on the one hand, and workplace expectations, on the other?

13. The main text of the chapter implies that the most common ways of resisting the dominant culture's preferred ways of surviving are unproductive in the long run, whether the resistance is based on clearly articulated (or unarticulated) beliefs. Is there a way out of this dilemma, a way to provide an alternative set of values to the dominant society or school behaviors and still end up with a sustainable life as an adult?

14. Consider public libraries as both a place you experienced and as an institution that is not a school but has some educational function. Thus far in the course, we have not discussed their role in education. In terms of the debates over purposes of schooling in Chapter 1, what are the potential roles

of public libraries? In terms of the social-science models discussed in this chapter, what are the *possible* roles of libraries in maintaining inequality or equalizing opportunity?

15. In 2002, Florida voters approved an amendment to the state constitution capping class sizes for core academic classes (with lower caps in younger grades). What are the possible explanations for the value of the class-size cap in Florida? What models in this chapter are closest to each of those explanations?

16. Some critics of human capital models point out that some part of the economic value of a high school or college degree is the fact that some people have the degree, while others do not -- in this credential or sheepskin-effect argument, most of the value of a degree is related to its scarcity, not what students learn while in a program (e.g., Freeman, 1976; Seidman, 1996). Is there any way to disentangle the effects of learning valuable skills while in a program, on the one hand, from the effect of having a degree that other job applicants do *not* have, on the other?

17. For two of the models discussed today, identify a few strengths of that model (potential evidence) and a few potential weaknesses. What type of evidence would be persuasive to you in resolving whether the model is an adequate explanation of patterns of inequality you know about?

18. The class-based integration effort in Wake County between 2000 and 2010 implies that there is a tipping point with peers in a school--beyond a certain proportion of children from poor backgrounds, having a school with a large proportion of students who are from poor families changes the nature of the entire school *beyond* the tangible needs of the children. How is this argument different from arguments about the demographic composition of teachers--arguments that children from certain groups need at least a critical mass of teachers from same demographic group? What types of commitments are required to make that happen, within legal constraints?

Chapter 5. Schools as Organizations

Key concepts

- Formal vs. informal rules
- Legal discretion
- Second-generation segregation
- Schools as arenas for conflict, targets of interest groups, or actors in themselves
- Policy feedback
- Street-level bureaucrats and loosely-coupled systems

Framing case: How do schools respond to competing demands and difficult challenges?

The puzzle for this chapter is more conceptual than in previous chapters, each of which focused on a single case. Here, we consider a cluster of issues related to teacher recruitment and demographics: desires to address shortages in an area of the curriculum (science and math education, now often lumped with technology and engineering in the STEM acronym), in a specialization requiring technical skills (special education), or with individuals from a group underrepresented as teachers in certain schools (African American men as teachers in elementary and middle schools). In both discussions and practice, school districts have taken very different approaches to perceived teacher shortages in these areas—though in each case, the problem is a matter of a shortage.

In each case, concerns about the shortage stretch back several decades. The oldest is the concern with math and science (or STEM) teaching, which was a focus of education policy debate in the 1940s and 1950s, during the Cold War (e.g., Levin, 1985). At that point, the reason why policymakers were concerned about a shortage of math and science teachers was the perception that the Cold War with the Soviet Union was going to be won or lost in large part by the supply of technical and scientific expertise available to the military, the U.S. State Department, and other federal agencies that focus on foreign policy. For more than a quarter-century, that concern has been dominated instead by economics—the belief that the United States is still in an international competition requiring scientific and technical expertise, but an economic one instead, and matched by discussions about paying STEM

teachers more than other teachers (e.g., Levin, 1985; Rumberger, 1987). Discussions of the shortage of special education teachers at a national level came later—discussion was consistent among the small group of faculty who prepared special educators in the 1950s and 1960s, before federal law began requiring states to prepare special educators in the 1970s. But as states began to have a legal obligation to educate all children with disabilities, and state plans for special education had to include the preparation of teachers with appropriate skills, both states and the federal government invested both money and policy in the training of special educators (e.g., Kleinhammer-Tramill, Tramill, & Brace, 2010).

Concerns about declining numbers of African-American educators—and specifically a shortage of African-American men as teachers—became a national discussion in the late 1980s and early 1990s (e.g., Farrell, 1990). Many argued then and today that African-American teachers and especially African-American men were important for a variety of reasons (e.g., Hope King, 1993). In the late 1980s, African-American teachers were more likely to leave teaching in the first few years on the job than white teachers. Richard Murnane (1991) tied that pattern to the school districts where African American teachers worked, which were more likely to be large, city districts: white teachers in the same school districts were as likely to leave in the first few years as African American teachers. This discussion about the shortage of teachers from minority backgrounds, especially men, echoed much earlier debates at the turn of the twentieth century over the importance of having men as teachers in general (Tyack & Hansot, 1990). Then, critics of the feminization of teaching argued that schools were hostile to boys, and that gendered culture of schools were why boys were more likely to leave school in their early teens than girls. (In reality, the ability of teenaged boys to get jobs was the dominant factor.)

Despite the fact that these are all perceived areas of shortage, the policy debates around the shortages emphasize different potential solutions: higher pay for STEM teachers, specialized training for special education teachers, and specialized recruiting efforts for teachers from racial and cultural

minorities (especially men). Why are the responses different? To explain these responses, one should first understand that schools, districts, and states are in a generally weak position with regard to recruiting teachers. While many parts of running school systems are routinized, teacher recruitment is different, as the roles of most teachers are relatively fragmented. With the exception of general-education elementary school teachers, any teacher in a school can count only a small minority of peers as belonging to the same specialization, and principals and other administrators cannot wave a magic wand and transform a social studies teacher into a chemistry teacher—that happens on an emergency basis, but not advisedly and primarily as a consequence of schools' weak positions in the labor market.

As explained in Chapter 2, teaching has never benefited from high social status, nor from high wages. In the post-World War 2 decades, teaching became a more stable occupation that pays more than it did a century ago, but schools compete with alternative employment: industry for science and math teachers, and the entire labor market for members of minority groups who face far less job discrimination since the Civil Rights Act of 1964 (see Hope King, 1993, for an explanation of these dynamics with regard to recruiting and retaining African American teachers). In many ways, one can examine the responses to teacher shortages as the behavior of school systems under enormous challenges, problems whose features develop well outside the system and that are not obvious or easy to solve.

This chapter is different in an important respect from the first four chapters: It focuses on bureaucracy, a phenomenon we live with every day but something that is difficult to define and analyze. The first four chapters in this text start with active debates over the purposes of school, the roles of teachers, how schools respond to diversity, and the definition of equal educational opportunity; but few students find bureaucracy a particularly exciting topic, except as a subject of complaint. As a result, I have started this chapter with an intellectual puzzle: why do schools treat similar issues (teacher shortages) in different ways? This chapter may not make bureaucracy the most thrilling subject

of discussion in the history of the world, but it describes several issues that shape both policy and practice in schools—school law, the politics of bureaucracies, the position of teachers within bureaucracies, and the subtler ways in which demographic changes affect schools.

Throughout this chapter, it might be useful to compare my description of school bureaucracies with the more abstract discussion of federalism you may have heard in a high school government or civics class in the United States. You may have read or heard that both state governments and the federal government have three branches: a legislative branch that writes laws, an executive branch that carries out laws, and a judicial branch that interprets laws and resolves conflicts. You may also have read or heard that the federal government is supreme in areas where it has clear authority—so the decisions of the Supreme Court of the United States have authority over *all* state and federal courts when it interprets the United States Constitution. Typically buried somewhere in that discussion, civics texts mention the fact that the federal government does *not* have authority over states in all areas, and education is one of the topics that the federal Constitution does not mention.¹⁰ As a result, while states may have many *common* features in their education policies, state constitutions and state laws are crafted *within and by each state*. For example, the authority and roles of local school districts are created by each state’s constitution and laws—while some states may have countywide school districts, others have very small school districts, far more numerous than others. And one state—Hawai’i—has only a single school district, at the state level. Yet there are many similarities among states, and as long as you understand the importance of differences between states, one can still learn about common behaviors of school bureaucracies across many states.

¹⁰ *Brown v. Board of Education* and other federal court cases in education typically apply federal civil-rights laws and the Constitution where they apply—i.e., the federal government cannot tell states what to do in education, but a public education system of a state may not violate the rights of citizens under the Fourteenth Amendment, and where a state accepts money voluntarily from the federal government it must adhere to the conditions of accepting the money.

School law: How school administrators follow six impossible decrees before breakfast

One way we can learn how schools respond as organizations to difficult external challenges is to see how they respond to legal requirements—which can appear confusing and contradictory to school administrators as well as to the general public. When school systems respond to legal requirements, that activity is as much a matter of long-term informal negotiation of rules as it is following clear guidelines (which do exist, but not everywhere). That negotiation exists because the nature of legal rules are sometimes formal and sometimes informal, because the state of school law is often in flux, and because the key decision-makers in law (especially judges) have to exercise their discretion in when and how to respond to nominal violations of rules.

Formal and informal rules. One part of the confusion around legal restrictions on schooling comes from the multiple ways in which formal rules governing schools can arise. There is no single “look here for all information” source of formal rules in education law. Because most elementary and secondary schools are parts of public agencies, they must follow both state laws and federal laws as well as any provision of the state constitution or federal constitution. (Private schools also have to follow legal requirements, but public agencies have many more rules and laws they have to follow.) So a public-school principal or district superintendent must be careful in how she or he addresses religion in schools, because of how courts interpret the federal constitution: the First Amendment to the U.S. Constitution restricts what schools may do that appears like endorsement of a specific religion but also what schools may do that appears like unreasonable infringement of students' rights to religious expression. There may also be state constitutional provisions addressing religious expression or aid to religious institutions. Because the wording of a single sentence in a constitution or law is often unclear, in many cases interpretation of that wording (and thus what schools may do) is contained in appeals

court opinions, the explanation of case rulings made by the majority of a court's justices. (The U.S. Supreme Court is the highest appellate court in the country; most states mimic the federal judiciary in having single judges at the local level and an intermediate level of appeal before each state's highest court.) Similar confusion may surround statutory obligations of schools (in laws written by legislators at the state or federal level). Sometimes the vagueness in a law is clarified by a regulation issued by an executive branch (the U.S. Department of Education or a state Board of Education), and sometimes by courts. As a result, the formal legal rules for running a public school may appear in various places: constitutions, laws, court opinions, or regulations.

If the formal rules can be confusing to follow, the informal rules of thumb can be maddening to teachers and administrators who want to focus on issues of practice in a school. School districts commonly have in-house lawyers or retain a law firm for either advice or responding to specific legal issues (especially for very small districts that do not hire a full-time lawyer). The majority of work for either in-house lawyers or school lawyers on retainer is the behind-the-scenes work involved in advising administrators about specific issues as they arise as well as keeping on top of changing legal obligations. The advice given by such lawyers is based on experience in school law—thus, they apply to specific situations the type of tacit knowledge that requires understanding the informal rules of thumb for legal obligations. One example of such rules of thumb concerns the formality of pre-discipline conferences that a Supreme Court decision requires for suspensions (*Goss v. Lopez*, 1975). The majority opinion in this case required that there be *some* form of pre-suspension due process, but the majority of the Court also recognized that such due process need not (nor should) be close to the rules of a courtroom's evidentiary hearing. In which situations does an administrator need to have a formal “informal” meeting with some minimum time to prepare an agenda, and in which cases may a short conversation with the student serve as both notice of and opportunity to respond to allegations?

Even after many court rulings, the boundaries are not clear (e.g., Center for Law and Education, n.d.; Ellis, 1976).

Another rule of thumb concerns documentation: for many areas of school law, school districts are in a better legal position if they document specific steps taken to satisfy legal obligations. For new teachers, school districts will often have multiple hours of formal orientation, which includes a general orientation to the district and the teachers' specific areas but also segments devoted to documenting that all new teachers are aware of key district policies (or have been given an opportunity to learn about those policies). For the purpose of documenting a district's preemptive approach to its obligations (or at least a preemptive approach to documenting satisfaction of its obligations), it does not matter if a new teacher has learned in college about normative ethics or a state's code of ethics for teachers. Regardless of prior exposure to professional or normative ethics, many districts will require *all* new teachers to sit through a workshop for several hours specifically about ethical obligations, with signed evidence of attendance. The precise extent of documentation that is advisable is a matter of judgment, and even within a single state, different in-house lawyers will give their districts different types of advice.

Rules in flux. Of the four sources of school law—constitutions, laws (or statute), court opinions, or regulations—only the first is reasonably stable. State legislatures write new education statutes every session, court opinions respond to whichever cases are brought to the judiciary, and relevant agencies issue or revise regulations whenever new statutes require them or when the agencies decide regulations need updating. Responding to those changes can be a challenge no matter what the size of a school district. Small districts with a few hundred students and a few dozen employees may have insufficient internal capacity to understand the nuances of more complicated changes in law. But changing the behavior of an entire system can be a challenge in New York City, which teaches more than a million students with approximately 75,000 teachers. Because school districts operate on an annual cycle, most changes in law are accommodated or managed on that annual cycle. Professional associations of

administrators or school district lawyers within a state will often organize specialized meetings once a year to understand the latest changes in state education law as well as important new court opinions and anticipated conflicts. In those meetings, or within single districts, lawyers and administrators decide which new rules constitute large or small risks based on current practices, which changes are immediate as opposed to long-term priorities, which can be accommodated easily or require additional resources (especially time). Following six impossible decrees before breakfast is usually a matter of judging which ones must be swallowed before or with breakfast and which can wait until dinner...or the next day's breakfast. School lawyers usually spend much more time and effort understanding the practical implementation of a new law on teacher evaluations as reading court opinions on constitutional law. This is a practical art of anticipating the likely boundaries of school authority and obligations.

Discretion of legal authorities. A key tool in predicting those boundaries is understanding that human beings staff agency boards and sit as judges, magistrates, and arbitrators—the set of legal and quasi-legal authorities with the power to order school districts around. Apart from the formal rules of law and precedent, those who *might* intervene in a school district's operations must be *willing to* intervene... and follow up. As a result, legal authorities in many cases may operate according to newspaper columnist Barry Sussman's (1985) informal “porcupine theory,” taking extraordinary steps to intervene when they see signs of dramatic trouble but not otherwise. In special education, for example, many administrative law courts and federal judges see adherence to the minutiae of due process requirements as important signals of a school system's professionalism. If a school district can document it took appropriate professional steps to make instructional decisions and also followed all of the required due-process requirements, then it can often prevail over parents who disagree with a school district on issues such as an appropriate placement of or program for a student with disabilities,

especially in cases where the appropriate decision is unclear and a matter of judgment. (For more detail about special education law, see Yell, 2006.)

The key to understanding that reluctance to intervene is understanding that when a substantive decision is a matter of judgment, legal authorities who overrule professional judgment must be willing to substitute *their* judgment for the judgment of a public agency. Judges and other legal authorities who wanted to exercise judgment in education every day would have chosen another career, and where an authority has been professionally trained in a specialized area (including any judge, administrative hearing officer, and arbitrator), she or he understands that a professional exercises judgment based on considerable experience as well as explicitly learned knowledge. Where there is evidence that a public official veered significantly away from professional judgment, legal authorities may well see that evidence as a trigger to investigate the substantive judgment closely. But without evidence of clearly unprofessional or illegal conduct, many legal authorities will refuse to intervene.

Desegregation as a case study. Because of the long history of desegregation—including lawsuits, court opinions, and federal law—one can see several of these dynamics in the evolution of desegregation since the 1950s. In the aftermath of *Brown v. Board of Education* (1954), one could see the bureaucratic resistance of Southern states and school as a shrewd reading of federal district judges. (See Chapter 3 for the details of bureaucratic resistance.) School officials and politics developed grade-a-year plans, pupil placement laws and regulations, and freedom-of-choice plans with the guess that federal judges who lived in the South would prefer to trust school districts and states as long as they paid some lip service to *Brown*—and for a decade, the guess was correct. By the mid-1960s, the U.S. Supreme Court became the porcupine with its quills out: Southern school district intransigence had become impossible to ignore.

If one uses this lens to read the 1971 *Swann v. Charlotte-Mecklenburg* decision—where the Supreme Court gave district judges overseeing desegregation the authority to order pupil reassignment

and busing—one sees the end result of 17 years of growing Court irritation with school districts that the federal judiciary would have preferred to design desegregation without close supervision. One complicating factor is the passage of the Civil Rights Act of 1964, which gave the federal government an additional tool to prod desegregation: the threat of withholding federal aid to states and school districts that discriminated on the basis of race. In this case, the changes in federal statute worked together with the ratcheting up of pressure on school districts from the federal courts. With this (relatively rare) convergence of changing law, Southern school districts began to desegregate with more seriousness in the late 1960s, a change accelerated by *Swann* and busing orders in dozens of districts in the early 1970s. Within two decades of *Swann*, the composition of the U.S. Supreme Court and lower courts began to change, and the Supreme Court had begun to shift away from an active interventionist approach. In that environment, school districts again had to guess what their obligations were in a changing legal environment. For school boards that wanted to continue desegregating by race after the end of court supervision (in many communities, a complete reversal of the immediate post-*Brown* responses of prior board members), they had to rely on the professional judgment of their lawyers to understand the possible boundaries of their authority to assign pupils away from schools nearest their homes. The school board in Raleigh, North Carolina, switched from race-based desegregation to socioeconomic desegregation in part to avoid court challenges. For many years before the 2007 *Parents Concerned* decision, school boards knew (or had heard advice from lawyers) that they had less legal room to assign students by race.

But court decisions did not cover all circumstances, even in the years when the federal judiciary became more active in supervising school districts. In some cases, later court decisions answered critical questions: was intentional segregation unconstitutional outside the South? In 1973, the U.S. Supreme Court said yes, any intentional acts by public schools to segregate children by race was constitutionally suspect (*Keyes v. Denver*). What about segregation that was not the result of decisions

focused on race but the result of other factors, such as residential segregation? In 1974, the Court said no, judges could not intervene in cases of so-called *de facto* segregation (or segregation in fact or circumstance as opposed to *de jure* segregation, or segregation required by law or created by intent; see *Milliken v. Bradley*). What about programs that created divisions inside schools, such as honors tracks or special education classes, where students in each of the tracks had noticeably different demographic statistics, and where students from those groups rarely interacted? Such second-generation segregation happened at schools that may look integrated from the outside but frustrated the goals of integration within schools (e.g., Ladson-Billings, 2004; Meier, Stewart, & England, 1989).

Second-generation segregation was subject to court scrutiny in one case in the late 1960s where it appeared in the District of Columbia that it was used explicitly to avoid segregation (*Hobson v. Hansen*, 1967), but it has typically escaped court scrutiny. As one author observed about data collected in the late 1990s, “[S]omeone familiar with the historical relationship between tracking and race who observed a math, science, social studies, or English class in any of [Charlotte's] 11 regular high schools could accurately identify the academic level of the course simply by noting the racial composition (Mickelson, 2001, p. 216). For years before the *Parents Concerned* case, judges would have been reluctant to intervene in second-generation segregation because of the growing conservative impulses of the federal judiciary and also because judges finding unconstitutional segregation within schools would have had additional responsibilities for oversight. In this case, the changing temperament of the nation's judges combined with the porcupine instinct to leave second-generation segregation alone.

In the narrative of desegregation history, many of the early post-*Brown* responses of school districts put school officials in the role of villain, delaying desegregation through a variety of tactics. And many of the actions *were* explicitly designed to defend segregation as long as possible. Those tactics did not evolve out of thin air but from the repertoire of mature organizations with experience in responding to mandates and external pressures by prioritizing and planning. That process was not

perfect—the collective guess by segregationists that federal judges would tolerate delay was correct, but only for a decade. But it was illustrative of the ability of school districts to respond to shifting and uncertain demands and sometimes succeed in strategic or tactical decisions. If one uses this perspective, seeing school district leaders as people accustomed to improvising in an uncertain legal and political environment, we should perhaps understand other responses (including in teacher recruitment) as a form of bureaucratic improvisation, a repertoire of practices designed to satisfy six impossible decrees before breakfast.

Politics and bureaucracy

The view of school systems as bureaucratic improvisers is focused on the capacity of schools responding to external demands, but does not address the relationship between schools and those external demands. But we can learn from the description of those responses. If education law is partly informal, somewhat shifting, and subject to the human judgments of legal authorities, we should not be surprised. One might even suspect that education law is political, if by political we mean both the ability of ideology to motivate policy action (or partisan politics) and also the result of human decisions made as the result of deeply-held values (in Aristotle's sense of humans as political animals). As explained in Chapter 1, once education is tied to citizenship, politics is involved. The same is true for school systems as organizations. There may be a politics of bureaucracy in the sense of internal politics, but there is a larger sense of politics in bureaucracy, of a connection between the actions of systems such as school districts and the debates in civil society and political venues. But *how* are school systems related to broader political dynamics? The following paragraphs describe several common descriptions of school systems within a broader political system, taken from several studies with strong arguments about schooling and both civil society and politics as a whole (e.g., Carnoy & Levin, 1985; Katznelson & Weir, 1985; Manna, 2006; McGuinn, 2006; Peterson, 1985).

Arena for conflicts. In one model, school systems are vessels into which the victors in any political contest (such as elections) can pour their ideals and policies. In this model, there is a clear, direct relationship between political struggles and what happens in schools, and policymakers have broad discretion and authority to impose their will. This model is strongest in explaining vivid debates over school policy and practices that change in response to political dynamics. Some of the examples from prior chapters present evidence of this model: both the Kansas Board of Education and the board of the Wake County Public Schools in North Carolina saw turnover in elections, with some clear examples of policy changes as a consequence of those elections. This model is weaker in explaining coalitions between otherwise polarized policymakers. The passage of the No Child Left Behind Act in 2002 is difficult to square with seeing school systems as arenas for conflict—the key co-sponsors in Congress were Democrats George Miller (in the House) and Ted Kennedy (in the Senate), who worked with Republican President George W. Bush (2001-2009) to change the central mechanisms of the Elementary and Secondary Education Act in its latest reauthorization. No Child Left Behind was the result of a coalition, not a conflict.

Interest-based school politics. Political pluralism provides a stronger explanation of the passage of the No Child Left Behind Act. In most variants of pluralist models, most reasonably-effective representative systems have multiple outside groups exerting pressures on the political system. Because a combination of these interest groups can veto policy decisions, the normative behavior in functioning political systems is for compromise to result from explicit bargaining among the interest groups. In pluralist models, such bargaining is not necessarily a matter of corruption if it expresses the real sentiment of the population towards important policy matters. In this model, the No Child Left Behind Act was possible because a coalition of civil-rights advocates (such as Rep. Miller and Sen. Kennedy), governors who wanted federal assistance with reform at the state level, and a newly-elected president who wanted to confirm his record as a “compassionate conservative” worked together to enact a bill

that all could support, at least early in the Bush administration (Manna, 2006; McGuinn, 2006).

Political compromises such as No Child Left Behind provide the strongest evidence of pluralism acting in education. Other evidence would be the inertia against change in complex education policies; pluralist models would explain the inertia as the natural result of interest group coalitions defending existing policy. Pluralist models that focus on interest-group dynamics are less effective in explaining strongly polarized political dynamics that conflict-oriented models can easily describe.

Both conflict and pluralist models tend to see school systems (and government agencies in general) as passive, receiving the results of political dynamics. When faced with evidence of activist agencies, such models generally explain the evidence as the result of hypothesized outside pressures or the result of incompletely-representative political systems (such as corrupt relations between government agencies and outside groups that can pressure political branches of government).¹¹

Policy feedback. There are alternatives to the relatively passive view of public agencies embedded in the more pure versions of either conflict or pluralist (interest-group) models. This view sees agencies as have the capacity to shape their own future (e.g., Galambos, 1970). The most immediate application of this perspective to schooling is that of policy feedback (e.g., Pierson, 1993). The general principle of policy feedback is that the existence of a program shapes debate over the program as people experience it and begin to see it as part of the fabric of their lives. In policy feedback, public agencies do not need to be corrupt to affect their future, as the routines of program operations structures debate about the relevant policy.¹²

¹¹ Such corruption and pressure is sometimes called by the term *iron-triangle relationship* or *regulatory capture* in the literature on regulatory politics

¹² Universal insurance programs such as Social Security generate broad support in part because working-age adults want to live long enough to retire (and receive Social Security pension payments), while support is more complicated for means-tested family support programs (whether cash supports or in-kind programs such as Supplemental Nutrition Assistance Program, formerly food stamps). In contrast with how working adults view Social Security's pension program, nobody wants to have income low enough to benefit from means-tested programs (for a history of these programs see Skocpol, 1992).

An example of policy feedback in education is the relationship between prior school experiences and debate over testing and accountability (e.g., Dorn, 2007). Testing is now a widespread experience of adults, remembering their own experiences as students or as professionals seeking qualification for licensure in a field in part through testing. Being judged by test results is part of their memory of schooling. One of the proposals for accountability that took advantage of policy feedback from that broad experience was then-Florida Governor Jeb Bush's proposal in 1999 to label each public school in the state with a “letter grade” based primarily on student test scores. Because adults have the memory of being labeled with letter grades themselves while students, they were and remain likely to see the application of letter grades to schools as a reasonable extension of what *already happens* in schooling. Politically, Governor Bush's idea was ingenious.

Teachers and bureaucracy. If one sees bureaucratic dynamics as behavior embedded in a broader political context, then issues around teacher recruitment are not just about the practical issues of filling vacancies. Some pieces of that process are practical management issues: as stated earlier, personnel management is more difficult when most teachers are not easily substituted for each other. The behavior of school systems can also be considered to be the result of conflict, of interest-group negotiations, or of complicated policy feedback. One should thus look to potential constraints on teacher recruitment that flow from these dynamics... or freedom of action that might also be generated.

Teachers and others within school bureaucracies

The potential constraint on schools may not be generated either by uncertain legal constraints or political dynamics. The nature of internal managerial control is also related to such constraints. Thus far, this chapter has treated a school bureaucracy as a black box, a single entity that responds to responsibilities, is buffeted by political forces, or sometimes shapes its future by shaping the experiences of students and parents. But no school system is a monolith, and the teachers at the focus

of intense recruiting efforts (or at least discussion) will be working within specific systems, bureaucracies with proper nouns and individual supervisors. How much power does a superintendent have to order principals and teachers to do her or his bidding *exactly*? Karl Weick (1976) and Michael Lipsky (1980) argued separately that the level of control within school bureaucracies is incomplete. At the time, they concluded, schools did not operate as direct-order, top-down systems. Rather, they were “loosely-coupled systems” (in Weick's phrase), and principals tried to satisfy competing demands by making decisions as “street-level bureaucrats” (Lipsky's term). As teachers sometimes say, they have the power to close their doors.

That classroom autonomy may have shrunk in the three decades since Weick and Lipsky's work. Did the growth test-based accountability and the establishment of curriculum standards reduce teacher autonomy? Historian Larry Cuban (2009) thinks teachers still have considerable discretion in how to respond to accountability pressures, at least within older traditions that include basing instruction on textbooks. The precise level of autonomy will depend on the specific district and administrators. To the extent teachers experience pressures as a result of accountability and curricular standards, such pressure may not be a significant break from the past so much as an intensified version of the patronizing treatment many have experienced over decades (Apple, 1986). The post-WW2 growth in teacher unionization may have assisted teachers with concrete working conditions, but providing teachers with intellectual freedom is a much more complicated task than the bargaining and enforcement of union contracts.

Outside the classroom, the incomplete nature of managerial control leaves critical individuals leeway where an issue is not a high priority of upper-level administrators. Such individuals have the freedom to take initiatives in important areas, for one to be an “intrapreneur” within a school system (Pinchot, 1985). Ironically, the moment at which a school principal or someone in a human resources department loses autonomy on recruitment is when teacher recruitment becomes a high-priority

concern of superintendents or school boards. But while the advantage of “intrapreneurship” is freedom to take initiative, there may be a significant disadvantage in terms of broader issues of recruiting teachers: intrapreneurs cannot marshal the resources of an entire school system in the same way as an initiative with resources and attention focused from the top.

Demographic changes and schools

There is one last factor shaping school system responses to perceived teacher shortages: demographics. In Chapter 3, you learned about important demographic changes among students, changes in that case in the composition of the American population by race and ethnicity. This section describes the relationship between demography and bureaucracy. More importantly for the purpose of the chapter, it views demographic changes from a planning perspective, the point of view of a public agency trying to operate schools during uncertain times. The first important point is that predictions at the national level are less useful for individual districts and largely irrelevant for individual schools. Thus, it was reasonably predictable from the late 1960s on that the years of peak enrollments nationally with the Baby Boom (with a peak total fertility rate of women in the U.S. in the late 1950s; Westoff, 1986) would be followed by a much smaller cohort of children, and then another bump in population with the children of the Baby Boom (the Baby Boom echo). Many school districts would be faced with decisions to close schools in the 1980s but precisely *which* schools would close was not as easily predicted. Some states and regions would continue to have expanding student populations with internal migration from other regions or immigration from outside the U.S. Because of migration to the so-called Sunbelt states, Northeastern states experienced a much greater decline in student populations as a result of both the end of the Baby Boom’s childhood years and migration out of the region. Because of both migration from the North and immigration, in the 1980s and 1990s Florida’s school districts continued to build schools, hire more teachers, and teach more children.

Today, the same prediction problem exists with the aging of the Baby Boom: one can predict that teachers who were born in the Baby Boom will be retiring in the next decade. As with the national decline in school enrollment beginning in the mid-1970s, the specifics will vary by location and the composition of staff at individual schools. In many schools, the retirement of teachers born in the Baby Boom will be swamped by the number of teachers leaving for other reasons: teachers who move out of a community, teachers who resign, and teachers whose contracts are not renewed. Because of the uncertainties in making exact predictions over the long term, in a practical sense school districts make year-to-year decisions for many issues. (Building schools when school-age populations increase is a different matter because of the multi-year lead time in securing land, planning a school, and hiring and supervising construction contractors.) This year-to-year nature of planning is especially true for hiring employees. As teachers resign or retire, or as administrators decide whether to retain teachers in probationary status or on annual contracts, vacancies open up, often late in the spring or during the summer. At the level of the individual school or small district, one cannot make long-term plans to recruit specific types of teachers. Principals may be opportunistic, such as when they receive good reports about student teachers in internships or substitutes looking to be hired full-time, but planning to fill teacher shortages in the abstract is not easily amenable to solutions at the school level. From the perspective of a larger school district, demographics are predictable for the medium-term and for large enough populations, but most school districts are generally not large enough to be as predictable beyond a few years.

The second important point to understand about demography and bureaucracy is that most discussions of teacher recruitment focus on only one or two segments of the “pipeline” for generating teachers, targeting those segments closest to the hiring process. (The metaphor of a pipeline is problematic--to pick one phenomenon omitted by a pipeline metaphor, many teachers leave and reenter teaching during their careers--but it is useful for this discussion.) If one thinks of a pipeline slowly

narrowing from “all adults” to adults with a college education, then narrowing further to college-educated adults interested in teaching, college-educated adults interested in and with some preparation in teaching, and finally those adults looking for a job in a specific school or district, the “teacher-shortage” discussion often focuses on either interesting college-educated adults in teaching or on recruiting people into teacher preparation (or placement) programs and supporting those programs. Some states address the final step with job-hiring fairs where candidates can meet administrators from a range of districts or schools, but such efforts are still narrowly targeted, organized more to facilitate matches for all teachers and schools rather than to solve teacher-shortage problems.

The genesis of various shortages (and unexamined solutions) may not be where the discussion or various programs focus attention. A shortage of physical-science teachers may originate not only in a competitive labor market that pays physics and chemistry majors much more in private industry than in teaching but also in the generation of potential physical-science majors--high school programs that place physics last in the standard sequence of science courses and chemistry after biology, so that new college students are far less likely to have taken physics than biology. The paucity of male teachers from minority races and cultures is partly related to “leaks” in the pipeline both before college and after hiring as teachers: the lower rate of high school and college graduation for African Americans and the higher attrition in school districts where African Americans are more likely to start teaching (e.g., Murnane, 1991). The shortage of special education teachers may be related to the “interest” filter in the pipeline, with a dominant image of special educators as patient, caring, and nurturing (the ultimate stereotype of teachers as substitute mothers) instead of special education teachers as observant, well-organized, level-headed, and self-disciplined.

What has shaped responses to teacher shortages?

We now return to the question asked at the beginning of the chapter: why has the response and proposed solutions been different for teacher shortages in STEM education and in special education, and to perceived shortages of male teachers from racial and cultural minorities? To this, we can add a second question from the prior section: why have the proposed solutions focused on only a few parts of the “pipeline” to teaching? One possible explanation would be the improvised, often ad-hoc nature of bureaucratic responses to problems. In the same way that school districts respond to shifting and uncertain legal mandates by prioritizing and managing the response to mandates, one can see that school districts, states, and the federal government have responded to perceived teacher shortages with piecemeal approaches that look different for each defined shortage because the recognition of each as a problem happened at different times. In essence, the proposed and attempted solutions look different because they have never been seen as similar problems within school bureaucracies.

A second possible explanation is rooted in political-science models of bureaucratic politics. Perhaps the discussion of perceived teacher shortages have varied because the politics of each perceived problem is different. Whether one views schools more as recipients of political pressures (in the conflict or interest-group models) or more as active participants in shaping debate through policy feedback, the reason for the differing definitions of teacher shortages as problems could be rooted in the broader politics of education. In this possible explanation, the different interests and priorities among different stakeholders in each case and lead to different responses. For the case of STEM teachers, those attending to and defining the problem in the 1950s or today would be leaders in the military and in industry, respectively. For special education teacher shortages, those attending to and defining the problem since the 1960s have been parents of and advocates for students with disabilities as well as government officials concerned with meeting legal mandates. And those concerned with an

insufficient number of male teachers from minority backgrounds would be parents and education activists concerned with equality and effective education for students from diverse racial and ethnic groups. These groups may well overlap, but the overlap is small. Whether one sees the politics of education as rooted in conflict, bargaining among interest groups, or shaped by feedback from prior and current practices, the differences in stakeholders will lead to different definitions of the cause and potential solutions.

Neither the improvisation hypothesis nor a model of political dynamics can by themselves explain why the explanations of cause and potential solutions for teacher shortages are as restricted as they are, limited to a few segments of the total pipeline to teaching. Perhaps analyzing school districts as incompletely controlled systems might help. If school districts have loose coupling (or decisions are made by “street-level bureaucrats”), many decisions in school systems will happen without tight coordination, especially in realms that are not the focus of supervision by the upper level of management.¹³ With local views in either elementary and secondary schools or colleges, the first (and certainly one sensible) target of analysis is the dynamic within one’s local system. If the annual routine of your district is spring and summer hiring, your thoughts about recruitment focus on that individual act and not on the broader system of decisions that attracts potential teachers to a school. The same is true for someone working in a teacher-preparation program, where the internal routines focus on recruitment and eventual placement of students. Or, for policymakers dissatisfied with a standard college-based preparation program, the first choice might be a teacher-recruitment program that runs parallel to teacher education programs but not contained within a college or school of education. Shrinking a teacher education program down to a summer’s length may appear to be a dramatic change, but it substitutes a different (shorter) pipe segment instead of looking at a different segment of

¹³ The same is true for higher education, where individual teacher preparation programs may have a history of decentralized control.

the total pipeline. In each case, isolated analysis can arise from the fragmentation of control in school organizations.¹⁴

Questions to explore further

1. Address the issues in the framing cases: is there a unified way in which public policy could address teacher shortages? If not, how should states set priorities when faced with potential shortages of teachers in different areas?

2. The court precedents (binding opinions in historical cases) on religious expression in schools is fairly settled: prayer initiated by students is protected, but schools may not act to sponsor prayer during the school day or at most school-sponsored events. Despite this, especially in the South there are regularly a small number of lawsuits each year when students or parents are upset with prayer that is initiated by teachers or sports coaches. What can the ideas in this chapter contribute to our understanding of this pattern?

3. The same settled law on religious expression makes clear that public schools do not need to be sanitized of all religious expression. For example, it is legally acceptable to study religions in history classes, in humanities classes, or as a standalone subject as long as religion is the object of academic study with secular goals (a class that is a vehicle for proselytizing would be vulnerable to lawsuits). But relatively few school districts have such classes. What might be some of the reasons? If you were a

¹⁴ The tentative explanations explored in the last few paragraphs are rooted in organizational analyses of school systems. There are other possible explanations, which one should not discount. First, the segmentation of labor markets may make the choices of potential STEM teachers dramatically different from potential special education teachers, thus justifying the focus on salaries for the STEM teacher shortage. Second, there may be idiosyncratic fragmentation of resources to support training in certain areas--special education for almost half a century, or reading coaches more recently--happenstance circumstances that would be difficult to replicate in other circumstances. There have been programs that provide unified approaches to teacher shortages, such as a state-level program of tuition support in Florida for students in teacher preparation programs for any area designed by the state as having a shortage of qualified teachers. The existence of such programs in a few places suggests that the history of individual programs (such as federal special-education personnel preparation programs, but only for special education) is a surprisingly powerful structure for determining later activities and not one easily generalized beyond an identified problem. I mention alternative explanations because the exploration of this topic in framed specifically as a device to understand different models of school systems as organizations. The question of who are qualified to be teachers and how to raise the status of the profession extends well beyond the nature of schools as bureaucracies; here, the challenge of recruiting teachers is a lens through which we can examine school bureaucracies.

school board member, and a high school principal came to you stating that there is interest in her school to have a religious-studies class, what would be the questions you would ask your district's lawyer?

4. The New Jersey Supreme Court has issued many rulings about school funding in the state, beginning with *Robinson v. Cahill* (1973), *Abbott v. Burke* (1990), and a number of sequels for each case when the state's highest court had to address questions about the specific implementation of a prior order (sometimes deciding that the state legislature had not yet complied with a prior order, and sometimes endorsing the legislature's actions). What concepts in this chapter *might* explain the long history of school funding decisions at the highest state court in New Jersey? (You do not need to know the details of the state's education system to draft hypotheses.)

5. In the 1980s, a number of states created test requirements for obtaining professional certification for teachers. These so-called proficiency tests were supposed to guarantee that new teachers met some minimal standards, and they still exist. The pass rates are generally very high--for example, [in New York State the 2009-10 pass rates](#) for the vast majority of subjects were over 90%, with the exceptions of several language tests, dance, and the hard-of-hearing teacher proficiency tests. Why are the passing rates of teacher candidates in New York over 90% for most subjects?

6. Take two or three cases explored in earlier chapters of this text (or other cases discussed in your class) and test the political-bureaucracy connection for each. Is the case better evidence of a conflict model, an interest-group bargaining model, or a policy-feedback model? Is there another, unstated model of political dynamics that explains the issue?

7. In California in the early twentieth century, private "commercial" schools began offering classes in typing, stenography, and basic business accounting to teenagers and adults. According to Harvey Kantor in his book *Learning to Earn*, the public high schools in California schools began to offer those classes. But we know that the equipment for typing classes and the requirement to hire teachers with

those skills would have been expensive, without any promise that local taxes would have supported the extra costs. Why would a school system commit to such additional spending to compete with private schools for students, many of whom were not expected at the time to enroll in public schools?

8. Think back to the teachers you had in elementary and secondary schools. Gauge the “schools as loosely coupled systems” hypothesis by what you observed. How much did they have the freedom to shut the door and make decisions in the classroom, and how much did they have to respond to directives from the principal or other administrators?

9. Take any topic discussed in your class (or that was the subject of a paper earlier in the semester) and look at it through the lens of this chapter. Are there any additional insights you have in the topic?

10. In Florida, the state legislature has tried to write mandates for teacher merit pay several times beginning in 1999, from requiring that each county have a plan for distributing some merit pay to threatening administrator salaries. Despite these mandates, until the 2011 session when a new law prohibited step-and-lane salary systems paying teachers for seniority and graduate degrees for new teachers, the step-and-lane system remained the model for Florida’s public school systems. In at least one case (Pinellas County), newspaper reporters hinted that the school district and the local teachers union arranged a merit-pay agreement in the first few years of the century so that no teacher in the school district would be eligible for it, thus keeping all permanent pay increases in the step-and-lane model. As of the drafting of this chapter, the state teachers’ union affiliate is challenging the legislature’s attempt in 2011 to end the step-and-lane system and make all permanent pay increases depend on performance evaluations. What concepts in this chapter explain the back-and-forth between a legislature pushing for merit pay and local school districts maneuvering to avoid it?

Chapter 6. Education policy and reform

Key concepts

- Performance pay or merit pay
- Common school reforms
- Pedagogical progressives
- John Dewey
- Administrative progressives
- Tracking
- Manpower
- War on Poverty
- A Nation at Risk (1983)
- Accountability
- Common Core State Standards
- Charter schools
- Vouchers

Framing case: Why is there support for performance (or merit) pay, when the research does not support it?

In October 2012, the school board and the teachers union in Newark, New Jersey, agreed to a contract that included so-called performance pay, or bonuses if they were judged highly effective (Heyboer, 2012). As explained in Chapter 2, recent laws in Florida have mandated that evaluations and pay increases depend heavily on student test scores, but in Newark, in large part because the agreement was negotiated by a union, performance pay will depend less on student outcomes and more on peer evaluations of teachers or on the role teachers have within the system (such as bonus pay for teachers in math and science courses, where qualified teachers are scarce). Even though this was a negotiated agreement that the majority of teachers approved in a vote, it was still controversial among a large minority of Newark teachers, who are skeptical of the details of performance pay or who disagree on principle (Zernike, 2012). The Newark contract is not the first union-negotiated agreement to include performance pay (which also appear in collective bargaining agreements in Denver and Washington,

D.C., among other places). Nor are Newark's teachers the first to be skeptical of performance-pay proposals.

What is not controversial among education researchers is the disappointing evidence on performance pay. The theory of action for performance or merit pay is to create incentives for teachers to work harder, and performance-pay experiments have occurred on occasion over several decades (for the history of such efforts, see Tyack & Cuban, 1995). However, the results have generally been disappointing. Over the past half-decade, school districts and states have now seen a new wave of such proposals and experiments, including some supported by federal grants or charitable foundations (such as in Newark and Washington, D.C.). Recent experiences have results similar to the older disappointing attempts: carefully-designed experiments in New York City and Nashville did not produce meaningful improvement for students when teachers were provided monetary incentives (Fryer, 2011; Springer et al., 2010).¹⁵ At least for now, the advocacy of performance pay is well in advance of the evidence that it “works” in the sense of improving outcomes for students.

The gap between this specific reform and the underlying research is a puzzle. Why would school districts and states push for performance pay for teachers if the research base does not support such policies? But this puzzle does not apply just to performance pay, since there are many school reforms (present and past) that are vigorously proposed and enacted without a solid base of research and sometimes in defiance of what rigorous research suggests.¹⁶ At least at the surface level, the introduction of performance pay at the district or state level includes three traits: little evidence of success in outcomes, persistent arguments in favor of the proposed reform, and resistance to the reform

¹⁵ More recently, Fryer, Levitt, List, and Sadoff (2012) suggest that one can create an effective incentive for teachers by promising a bonus with the threat of withdrawal if test scores are low. Whether that provocative study allows one to draw implications for policy is a separate question, and as of the writing of this chapter, that paper is the only attempt to apply models of asymmetrical incentives to teachers.

¹⁶ Depending on one's definition of rigorous research, one could conclude at least partially that a good number of reforms were proposed and enacted long before there was any rigorous educational research. Such an explanation is progressively less satisfying as one approaches the present.

by a significant portion of school stakeholders (in this case, teachers). In addition, it is notable that the proposal for performance pay is a change to the *structure* of schools (in this case, salaries), rather than a direct attempt to change *everyday practices in the classroom*. To what extent is this dynamic common in educational reform? To understand the debate over merit pay and other current reform proposals, the history of school reforms can help explain the frequent focus on structures outside classrooms as well as the language reform advocates use and the relative successes and failures of different types of reform proposals... at least success in terms of survival, if not improving outcomes in any of the many goals Americans have held for schools.

Older reforms

The successes and limits of common school reforms. Previous chapters have described the ideas of Horace Mann as a representative of the mid-nineteenth century common-school reform movement. What you have not yet learned is the set of specific ideas common-school reformers proposed or the fate of those ideas. In many ways, the most significant long-term accomplishment of common-school reformers was the coherent definition of public elementary and secondary education by the end of the century: publicly financed, publicly controlled, with clear public aims, broadly accessible to the public (with significant limits until the second half of the twentieth century), and separate from private schooling. The success of common-school reformers in defining public education over several decades marks the start of system-building, half a century after the first arguments in favor of school systems by Thomas Jefferson and others. It also marks the start of a common pattern in school reform, much greater success in changing the *structure* of schooling than in changing *everyday practices* of school.

While Horace Mann, Henry Barnard and other common-school era reformers were successful in pushing structural change, their proposals for changing instruction were far less successful.¹⁷

Specific proposals of the common-school reform movement targeted three broad goals: expanding exposure to formal schooling in a common environment, standardizing important aspects of schooling, and improving classroom instruction. At the beginning of the nineteenth century, attendance was inconsistent, even if the vast majority of children in the mid-century North had attended at least a little bit of school. Common reasons for inconsistent attendance included bad weather, illness, and competing obligations at home (either farmwork or domestic work). In addition to these difficulties, local schools often required that parents pay some tuition, and in many villages and towns, the local school taught explicit religious lessons in the (Protestant) denomination of the population's majority. Many common school reformers proposed to address the tuition issue through tax-supported, tuition-free primary schooling. Beginning early in the century, many Northern states saw partial subsidies of local schools, then some cities abolishing tuition in publicly-supported schools, and finally the end of tuition statewide for publicly-supported primary grades. Many common-school reformers also proposed that explicit religious instruction should be replaced by unvarnished readings from the King James Bible. And in 1852, Massachusetts was the first state to pass a compulsory school attendance law, which at least on the surface required children aged 8 to 14 to attend school twelve weeks per year.

It is important to note that common-school reformers did not address the out-of-school factors that led to inconsistent attendance. The first compulsory attendance laws were not enforced consistently for many decades, and family and work expectations continued to interfere with teenagers' school attendance well into the twentieth century (e.g., Lassonde, 1996). In a tactic that has been repeated in

¹⁷ For a more detailed discussion of common-school reform, including dissents, see Kaestle (1983). See Katz (1987) on the common-school reform movement as an antecedent to bureaucracy.

later reform efforts, reformers focused on in-school factors, and we have inherited their proposals in one or another form. Slowly over a century, public-school elementary and secondary attendance became tuition-free, first in Northern cities and then Northern states and finally the South; and for the most part public elementary and secondary schools have remained tuition-free.¹⁸ The elimination of explicit religious instruction in public schools was controversial in the 1800s, as both Protestants and Catholic opponents of common-school reforms argued in mid-century that common-school reformers were either irreligious or disrespectful of parents' religious traditions. In addition, Catholic parents and clergy experienced public schools as hostile because of discrimination they witnessed in teachers, in textbook bias, and in the use of the King James Bible (see Chapter 3). But the change stuck, and until the U.S. Supreme Court's decisions in the 1960s that barred school-sponsored prayer, explicitly Protestant prayer was common official practice in public schools. Finally, all states have compulsory school laws today. Today, public schools operate for 35 weeks or more each year, and the vast majority of children aged 6-16 attend school for most days that schools are open for students, with the bulk of students nationwide in public schools.

If common-school reformers wanted children to attend school more regularly, they also wanted schools to be more consistent in a variety of ways. *How* to make schools more consistent was not entirely clear, but common school reformers participated in a variety of experimental efforts to standardize school practices. The creation of the first high schools in the early nineteenth century was not primarily a matter of standardization. However, the common practice of administering entrance exams in early high schools gave Henry Barnard of Connecticut an idea: if grammar school principals wanted to gain prestige by sending their best pupils to high schools, then high school admissions tests would push them to improve their schools (Barnard, 1865). Reformers used variations on the theme of

¹⁸ The tuition-free aspect of schooling is generally restricted to basic attendance. Especially in high schools, parents may be expected to pay some of the ancillary costs related to club and sports participation.

indirect pressure because there was no school system in the early nineteenth century, nor a clear concept of what one would look like in the United States. The first state boards of education had little or no coercive power at hand, only persuasion. For twelve years as the secretary of Massachusetts's board, Horace Mann spoke in public and wrote annual reports arguing in favor of public support of schools and the attendance of the wealthy and poor in the same schoolhouse, but he also proposed specific practices in schools and castigated teachers and school masters for what he saw as damaging habits such as humiliation and abuse of students.

The first state school boards were under consistent attack by opponents of any symbolic moves towards centralization, opponents such as Orestes Brownson, who saw such efforts as the first steps towards centralized control over education: "The truth is, we have, in the establishment of this Board of Education, undertaken to imitate despotic Prussia,..." (Brownson, 1839, p. 406). Brownson was especially worried about the creation of schools to train teachers, or normal schools. In Prussia, he argued,

The government establishes the schools in which it prepares the teachers; it determines both the methods of teaching, and the matters taught. It commissions all teachers, and suffers no one to engage in teaching without authority from itself. Who sees not then, that all the teachers will be the pliant tools of the government, and that the whole tendency of the education given will be to make the Prussians obedient subjects of Frederic the king? (p. 407)

In reality, the first normal schools each taught at most a few dozen students per year, in no ways close to the majority of teachers in Massachusetts or any other state. Advocates of normal schools hoped that their students would become models of teaching, indirectly improving teaching practices. But Brownson was concerned with the potential for such schools to control the supply of teachers exclusively.

Eventually, school systems did become the centrally-controlled bureaucracies that Brownson feared. However, bureaucratic control of schools did not grow primarily through normal schools, or at first through state boards of education. Instead, the path to bureaucracy started with the growth of urban school systems, such as that of Boston. Boston's principal teachers (or schoolmasters) formed a close professional network, and over several decades an incipient bureaucracy created a hierarchy with rules (Katz, 1987). Only decades later did state school boards and state departments of education seek to control local education in the way Brownson predicted. In the nineteenth century, the early school bureaucracies were in cities.

Those early bureaucrats were not necessarily of the same mind as common-school reformers, even if both believed in the value of some standardization. One of the ironies of bureaucratic growth in school systems is that the school leaders in Boston were opponents of Horace Mann in the area where common school reformers had their greatest failure: in changing teaching practices inside classrooms. In his seventh school report, Mann advocated what he called the “whole-word” method of teaching reading, based in part on a desire to maintain children's interest in reading. Boston's school masters fought back with a pamphlet arguing that Mann had no classroom experience, misunderstood the requirements of learning to read, and was advocating the coddling of youth instead of mental discipline:

Here, it seems, Mr. M[ann] would have the teacher first amuse the child, so as to gain his goodwill, at any expense, and would, then, have him attend to duty as a secondary matter. This is reversing the true order of the two. Duty should come first, and pleasure should grow out of the discharge of it.... he, who would substitute pleasure for duty, or would seek to make that sweet, which is of itself bitter, and to make that smooth, which is naturally and necessarily rough, is actuated by a misguided philanthropy. Hence, we dislike all attempts to make easy, and to

simplify, that which is already as easy and simple as the nature of the case will allow.

(Association of Masters of the Boston Public Schools, 1844, p. 85)

Mann also argued that teachers could and should be much gentler with students. Mann contrasted his experiences observing schools in Prussia with Massachusetts practices:

[D]uring all the time mentioned, I never saw a blow struck, I never heard a sharp rebuke given, I never saw a child in tears, nor arraigned at the teacher's bar for any alleged misconduct.... [I]t was impossible to put down the questionings of my own mind,—whether a visitor could spend six weeks in our own schools without ever hearing an angry word spoken, or seeing a blow struck, or witnessing the flow of tears. (Mann, 1844, pp. 356-357)

Boston's school-masters responded by pointing out what they saw as an important purpose of schooling, to socialize children into civility, and the futility of relying entirely on nurturance for that end:

[T]hat implicit obedience to rightful authority must be inculcated and enforced upon children, as the very germ of all good order in future society, no one, who thinks soundly and follows out principles to their necessary results, will presume to deny. Yet, it is quite offensive now-a-days to ears polite, to talk of authority, and command, and injunction. We must persuade, and invite, and win. Respect for law is hardly sufficient to insure the infliction of its severer penalties.

(Association of Masters, 1844, p. 128)

Some educators agreed with Mann on pedagogical practices; for example, in upstate New York Edward Sheldon taught different methods at the Oswego Normal School. But the views of Boston's school masters were a better reflection of teachers' views at the time than Mann. In the end, Mann's and other common school reformers' arguments for changed practices fell largely on deaf ears: schools in Massachusetts and elsewhere continued to rely on rote instruction (memorization), and physical punishment of students remained the norm well into the twentieth century. Common school reformers

succeeded in changing the structure of schooling and the meaning of the term “public education,” but were far less influential in the classroom.

Progressive-Era reforms: pedagogical progressives, administrative progressives, and business rhetoric. A half-century later, another wave of reform arguments swept through public education in the United States. The Progressive-Era reforms are more difficult to describe than common-school proposals, because many people with widely varying views all called themselves progressives. Here, I will use David Tyack's (1974) division of reformers into *pedagogical progressives* and *administrative progressives*. Both types of progressives in education were responding to the social changes brought by two major developments in the United States: mechanized industrialization and the wave of immigrants at the time from southern and eastern Europe to both North and South America. This was an era with the creation of laws that segregated schools and made voting more difficult in the South, the widespread creation of railroad and utility monopolies, and violent clashes between workers and industrial companies. As had happened earlier, before the Civil War, the Progressive Era witnessed a broad range of social reform movements, including a push for expanding the vote to women, the creation of family courts, the creation and expansion of public health departments in cities, and the creation of the federal Food and Drug Administration after the publication of Upton Sinclair's *The Jungle* (1906). Social reformers in the late nineteenth and early twentieth century were often struggling to make sense of the new industrial chaos in different ways, and the reform movements came in part out of this “search for order” (Wiebe, 1967). Yet the various reform ideas in the Progressive Era were not coordinated or coherent in a way recognizable to us in the twenty-first century; many white Southern promoters of utility regulation, public-health promotion, and other “good government” reforms were also supporters of segregation. One could be a supporter of voting rights for all women... or for all but African-American women. Thus, the division here into pedagogical progressives and administrative progressives should be considered tentative at best.

In many ways, pedagogical progressives were the intellectual descendants of Horace Mann and Edward Sheldon when they spoke about classroom instruction: concerned with the tradition of rote instruction, they wanted students to be motivated by interest and proposed a range of techniques that were either new or presented as new. Philosopher John Dewey (1859-1952) wrote extensively about democracy, community, and the purposes of education, but he is probably better-known among teachers for being a prominent voice of pedagogical progressives. When he taught philosophy at the University of Chicago in the 1890s, he also led a demonstration school for children and turned several lectures for teachers into a short book, *The School and Society* (1900).¹⁹ In those lectures, he argued that one could teach a broad range of traditional academic material while engaging students' interest. If one led students from the raw materials of flax, cotton, and wool to finished clothing, he argued, you could teach children about science, technology, economics, geography, and history and in a manner likely to interest students more than by requiring extensive memorization of the same material.

In practice, it is difficult to specify precisely what “progressive instruction” meant (Cremin, 1961). Did it mean one reorganized academic subjects to engage students, as Dewey's description of lessons in textiles suggested? Did it suggest abandoning older notions of academic subjects to focus on student interests? Not only was Dewey not clear in his articles and books, neither were his readers! In terms of Herbert Kliebard's (1986) division of the Progressive-Era curricular goals (see Chapter 1), pedagogical progressives could be advocating a humanist (or older academic) curriculum, a curriculum focused on student personal development, or a curriculum focused on fixing social ills. What tied pedagogical progressives together was not a coherent view of the purpose of schools but a vision of school

¹⁹ Dewey may also be better remembered as a voice of pedagogical progressivism because *The School and Society* (1900) is one of his most accessible writings.

environments as kinder, more engaging places.²⁰ Larry Cuban (1993) argues that such “student-centered” ideals changed twentieth-century classroom practices in a limited fashion, with teachers picking some techniques and blending them into hybridized instructional techniques, but maintaining teacher control in significant ways. Though some teachers adopted some practices advocated by pedagogical progressives, memorization and teacher-centered classrooms continued to dominate instructional practices in most schools.

Administrative progressives were more focused on school structures than pedagogical progressives. Closely aligned with the *social efficiency* curriculum (in Kliebard's typology), administrative progressives pushed city school systems to divide students by their presumed futures as adults and provide a curriculum designed for those predicted adult jobs. This development of *tracking* led to different opportunities by social class, race and ethnicity, gender, and disability: by the late 1920s, poor students, immigrants, African-Americans, girls, and students with disabilities were often shunted into classes with minimal academic content, with many children with disabilities excluded entirely from schools. In some cases, as with race and gender, discriminatory tracking was open and explicit. In addition, however, administrative progressives used the new industry of standardized testing to track students—whether using tests in academic subjects or so-called intelligence tests, schools began making curriculum decisions based on test results. The ways in which the use of those tests often led to discriminatory outcomes did not worry early testing advocates—and often justified their prejudices (Gould, 1996; Tyack, 1974).

When comparing the impact of pedagogical progressives and administrative progressives, the pattern echoes the impact of common-school reform: structural changes were deeper and more likely to survive. Testing, segregation, and tracking grew in the first half of the twentieth century, as well as

²⁰ Dewey (1938) and Bode (1938) are examples of two pedagogical progressives who became disenchanted with some of the directions others had taken in designing curriculum. For three different views of this debate, see Cremin (1961), Kliebard (1986), and Ravitch (2000).

non-academic classes. At most, pedagogical innovations inside classrooms became blended with older practices. In addition to inheriting structural changes in schools from prior waves of reform, we have also inherited the language that administrative progressives used to argue for reform. When school administrators or others advocated testing and tracking, they often used the rhetoric of private businesses to justify more centralized control over schools. Stanford University education professor Ellwood Cubberley (1916) compared the two explicitly:

Our schools are, in a sense, factories in which the raw products (children) are to be shaped and fashioned into products to meet the various demands of life. The specifications for manufacturing come from the demands of twentieth-century civilization, and it is the business of the school to build its pupils according to the specifications laid down. This demands good tools, specialized machinery, continuous measurement of production to see if it is according to specifications, the elimination of waste in manufacture, and a large variety in the output. (p. 338)

Cubberley's metaphor looks crass a century later. It is remarkable in part because it would not have been considered remarkable at the time—it appeared in a commonly-used text for classes in school administration and was representative of arguments at the time that schools needed to be efficient. To administrators at the time, business-like efficiency meant testing and tracking based on the testing (Tyack & Cuban, 1995). While business rhetoric around school reform declined by the middle of the twentieth century, it never disappeared entirely, and business-derived rhetoric roared back by the end of the twentieth century, in the midst of national debates about the latest goals for schooling.

Nationalized debate since World War 2

Since the end of World War 2 in 1945, education has consistently occupied a much more visible position in public national discussion than before the war (e.g., Johanningmeier, 2009; Spring, 1976).

There has often been discussion of education that has been *common* among states, and both common-school reform rhetoric and the business rhetoric of administrative progressives was used in many places. However, it is only since 1945 that public debate and politicians have assumed that education is a *national* concern. The calls by Thomas Jefferson and other founders for a system of education to protect national interests finally became the view of a broad swath of the general public nearly two centuries later. While this nationalized debate has sometimes been tied to specific policy questions facing the federal government, the visibility of education at a national level has been broader than just policy. In at least four areas, arguments have assumed or asserted that schools need to play a significant role in meeting national needs.

Fighting the Cold War. National defense was one area where the federal government helped expand the accepted role of education. Towards the end of World War 2, military planners in the federal Department of Defense assumed that the Soviet Union would be the primary international adversary of the United States after the defeat of the Axis powers. Further, they saw the next phase of military conflict being one where technology would be more decisive than the ability to wield millions of troops and tanks. As a result, they saw the fundamental needs of the military as tied to the scientific and technical expertise of the country. From the 1940s through the 1960s, military administrators thus saw “manpower” needs as requiring the encouragement and training of bright boys and young men in fields useful to the contest between the Soviet Union and the United States. (While the National Manpower Council issued a 1957 pamphlet called *Womanpower*, military planners and many other policymakers in the Cold War assumed that the target for such efforts comprised mostly or entirely male students.) For example, in the 1940s, Admiral Hyman Rickover castigated American high schools for being insufficiently rigorous (Spring, 1976). This argument about manpower and technical expertise came more than a decade before the Soviet Union launched the first artificial satellite in 1957. When the Soviets put Sputnik into orbit, the administration of President Dwight Eisenhower (1952-1961) and

its allies in Congress used the existing argument about manpower to push through the National Defense Education Act of 1958.

The National Defense Education Act included funding for high school counselors (to encourage bright boys to attend college) as well as funding for training teachers in technical fields and foreign languages, fellowships to college students studying in some area related to national security, and loans to college students who were either interested in science, math, technology, or foreign language or who had a “superior academic background” and were interested in teaching. That law expanded the federal role in education, especially in higher education, but was not the first federal policy in the twentieth century linking education to national defense. The G.I. Bill of Rights in 1944 gave considerable college assistance to military veterans, and federal military-draft policy during and in the two decades after World War 2 gave deferments and thus incentives for students who were progressing through college or enrolled in graduate programs judged by the military to produce support professionals (Spring, 1976).

Fighting the War on Poverty. If schools were called upon in the 1940s and 1950s to help the country win the Cold War, they were asked to help fight the War on Poverty in the 1960s. Both President Kennedy (1961-1963) and President Lyndon Johnson (1963-1969) argued that education was a critical tool in a national effort against poverty and the effects of poverty. While the conditions of poor and working-class Americans had been the focus of national debate before, especially in the New Deal administration of Franklin Delano Roosevelt (1933-1945), it was in the 1960s that presidents first argued that there was a national interest in improving education as a means to reduce poverty and its effects. In 1964, Lyndon Johnson signed the Economic Opportunity Act, the so-called War on Poverty law that established Head Start for poor pre-school children. In 1965, Johnson signed the Elementary and Secondary Education Act, which provided federal aid to schools with concentrations of children

from poor households. In the same year he also signed the Higher Education Act, which created a grant and loan program for low- and moderate-income college students.

In each case, Johnson argued that schools were the tool that society used to increase opportunity. In signing the Elementary and Secondary Education Act, for example, he said,

By passing this bill, we bridge the gap between helplessness and hope for more than 5 million educationally deprived children. We put into the hands of our youth more than 30 million new books, and into many of our schools their first libraries. We reduce the terrible time lag in bringing new teaching techniques into the Nation's classrooms. We strengthen State and local agencies which bear the burden and the challenge of better education. And we rekindle the revolution—the revolution of the spirit against the tyranny of ignorance. As a son of a tenant farmer, I know that education is the only valid passport from poverty. (Johnson, 1966)

As explained in Chapter 4, Johnson's speech echoes the human-capital model in arguing that education was a tool to reduce poverty, repeating the arguments made by many others, including Horace Mann, now at a national level. To Johnson and most presidents since, improving educational access was a crusade, with teachers as missionaries and human-capital theorists as the high priests. Whether this crusade is winnable is a different question—see Chapter 4 for the arguments on that question. But the post-World War 2 call for schools to help fight poverty was part of the growing debate over the national role of schools.

Fighting discrimination. Schools were also at the center of another postwar national battle, the fight over inequality and prejudice. In this case, segregated schools were a prime target of the civil rights movement, and the battle over racial desegregation set the stage for similar efforts to equalize educational opportunity over the following decades. As the Supreme Court struck down state segregation laws in *Brown v. Board of Education*, both the decision and the broader civil rights movement inspired other efforts to attack inequality inside and outside schools. Title IV of the Civil

Rights Act of 1964 tied federal funding to nondiscriminatory action of public agencies, and by 1980 similar language tied federal funding not just to nondiscrimination by race and national origin but also to nondiscrimination by sex and disability. Lawyers inspired by the civil rights movement filed right-to-education cases in federal courts on behalf of children with disabilities excluded from school, on behalf of English language learners, and on behalf of children living in poor communities where property taxes yielded a fraction of the revenues that wealthy communities could raise for schools.

In some of those cases, courts were receptive to arguments parallel to those seeking racial equality in schools. The legacy of *Brown* for the rights of children with disabilities is easiest to see. After two settlements of lawsuits that boosted the educational rights of children with disabilities involving Pennsylvania and the District of Columbia, several dozen right-to-education lawsuits filed after the settlements, and two state laws mandating education for children with disabilities (in Tennessee and Massachusetts), states sought a uniform federal law on the rights of students with disabilities. President Gerald Ford (1974-1977) signed that basic federal special education law in 1975, which provided federal aid to support special education in return for states' providing a “free appropriate public education” to children with disabilities. Advocates of educational rights in other realms also won significant victories. Several years earlier, the Supreme Court had interpreted the Civil Rights Act of 1964 in a way that required schools to pay attention to the needs of English language learners. And several state courts began to rule against unequal funding of schools in the 1970s, based on language in individual state constitutions.

But there were also limits to the extension of the civil-rights argument in education. While many state courts mandated less unequal school funding based on their own state constitutions, in 1973 the Supreme Court rebuffed a similar argument based on the federal constitution. In *Rodriguez v. San Antonio*, the court's majority ruled that the U.S. Constitution did not forbid inequality based on community wealth. In addition, beginning in the 1970s federal courts became more skeptical of efforts

to equalize education based explicitly on racial categories when there was no court mandate to remedy an historically unconstitutional system. As mentioned in Chapter 3, the Supreme Court limited federal judges' authority to order remedies to racial segregation to cases where there is explicit (or *de jure*) segregation. In addition, in 1978, the Supreme Court ruled that public law schools could not impose quotas by race on admitted classes (*Regents v. Bakke*). In two cases in 2003, the court ruled 5-4 that public universities could not create different admissions standards by formula, but that they could use a “holistic review” in a way that included race or other categories of historical disadvantage into account. While the University of Michigan's undergraduate admissions was formulaic, the law school asserted a holistic review of applicants. Justice Sandra Day O'Connor was on the majority side in both cases, and her majority opinion in *Grutter v. Bollinger* argued that society has a legitimate interest in law school graduates who understood diversity in multiple dimensions. In that opinion, Justice O'Connor acknowledged a public interest in using education to promote broader understanding of diversity. Even as she voted in one case to restrict mechanical efforts to diversify public higher education, she acknowledged the value in using education (including admission of a diverse group of students) to promote understanding.²¹

Fighting for economic competitiveness. These three arguments about the roles of schools in serving national goals all began before 1980—various arguments that schools should help win the Cold War, the War on Poverty, or the battle against discrimination. Since 1980, a fourth argument has dominated national debate over the goals of education. In the past three decades, this fourth argument has been on the lips of every president and governor arguing in favor of some flavor of school reform, an argument that is a variant of the human capital perspective: schools should help the nation's

²¹ In October 2012, the Supreme Court heard oral arguments in a new affirmative-action case in higher education, *Fisher v. University of Texas*. That case should be decided by the end of June 2013.

economic competitiveness in a globalized economy. In 1983, the National Commission on Excellence in Education issued a report titled *A Nation at Risk*, where the commission wrote,

We report to the American people that while we can take justifiable pride in what our schools and colleges have historically accomplished and contributed to the United States and the well-being of its people, the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people. What was unimaginable a generation ago has begun to occur—others are matching and surpassing our educational attainments. If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war. As it stands, we have allowed this to happen to ourselves. (p. 5)

The commission pointed to the perceived main economic competitors in the early 1980s—Japan, South Korea, and West Germany—and asserted that a weak education system threatened our ability to compete with emerging industrial powers. In one form or another, that same argument has been used repeatedly in the past several decades to argue for different types of education policies. While other goals of education are mixed in with the argument about economics, the dominant theme of education policy debates for more than a quarter-century has been the theme highlighted in *A Nation at Risk*: international economic competitiveness.

Growing and reimagining central control

This long history of school reform has both come from and led to a broad role for schools in society; we continue to identify various goals for elementary and secondary schooling in addition to older historical goals. In addition, successive rounds of school reforms have expanded the roles of various bureaucracies—first in cities, then in states, and now the federal government. The national debates over education since World War 2 has reinforced that tendency towards centrally-controlled

reforms. In the past half-century, education reform has expanded both the demands on and the powers of state governments and the federal government.²² This section addresses several reform efforts that either rely on or reimagine centralized control of education: test-based accountability, curriculum standards, charter-school laws, and private-school voucher programs. In each case, modern vocal school reformers have continued the historical pattern of focusing on and being more successful at changing structure rather than the everyday practices of schools.

Test-based accountability: state policies. Beginning in the 1960s and 1970s, state legislatures and state departments of education began developing state-level testing programs and applying test results in some form of early accountability. More than a dozen states created tests required for standard high school diplomas by 1980, and both the testing programs and the consequences of test results accelerated in the 1980s and 1990s. By the end of the 1990s, Texas, Florida, California, and North Carolina had created large test mandates that included multiple tested grades, multiple tested subjects, and labeling of schools based on students' test results. The details of these policies varied from state to state, but the political push for test-based accountability was firmly at the state level throughout the last quarter of the twentieth century (e.g., Dorn, 2007).

Test-based accountability: federal policy. Throughout the early phase of test-based accountability, the federal government had some testing requirements for schools receiving federal aid to support the education of poor children, but these tests applied only to the students receiving services, and there were no federal test-based consequences that applied to individual students, teachers, or school districts. Beginning with the 1994 reauthorization of the Elementary and Secondary Education Act, the

²² Many of the details of these efforts appear in earlier chapters of this text—teacher unionization, changing teacher evaluations, and debating the role of seniority in layoffs (Chapter 2); bilingual education or its prohibition, racial desegregation, and the guarantee of an education for children with disabilities (Chapter 3); expanded aid to college students, efforts to equalize school funding, and expansion of access to Advanced Placement and similar classes (Chapter 4); and effective recruitment of teachers, or requiring schools to provide some minimal due process before disciplining students (Chapter 5).

federal government required that states receiving federal funds test students in at least one grade per level of school (elementary, middle, and high school grades) and judge attainment by state-set *adequately yearly progress* standards. Three years later, the reauthorization of the federal special education law required that states test students with disabilities along with the general student population and report test results for students with disabilities as a separate category.

When George W. Bush campaigned for the presidency in 2000, he married his experience in state-level accountability policies as a governor in Texas to the civil-rights rhetoric that had been a part of national education debates for more than 40 years. After winning the presidency, his aides negotiated with both Republicans and Democrats in Congress to craft the No Child Left Behind Act (NCLB), which was the 2002 reauthorization of the Elementary and Secondary Education Act. NCLB intensified the mandates of the 1994 reauthorization, requiring testing at seven grade levels in reading and math; the identification of “proficiency” on each of those tests; a goal of 100% proficiency by 2014; the setting of adequate yearly progress standards based on the 2014 100% proficiency goal; identification of schools failing to meet those standards for the entire school or any subgroup identified by poverty, disability, English language learner status, or race/ethnicity; and mandated interventions in schools that fail to meet those standards.²³ NCLB was a bipartisan bill supported by key liberal Democrats as well as Republicans, and also by state governors hoping to use the threat of federal pressure to encourage change that they wanted in their own states (Manna, 2006).

Within five years, NCLB had become highly controversial, as many states saw a dramatic increase in the number of schools identified as failing to meet adequate yearly progress. In Florida, for example, the state's accountability policy identified two thirds of schools as highly achieving in 2006, while the

²³ Advocates of the No Child Left Behind Act argued that most states ignored the mandates of the 1994 reauthorization. This distrust of states is mirrored within individual states, where state-level policymakers and officials often distrust the intentions of school districts.

state also used NCLB to identify two thirds of schools as failing to make adequate yearly progress.²⁴

Many state and local officials also criticized the straitjacket nature of interventions that NCLB required for such schools, including after-school tutoring paid with part of the federal aid to schools. Schools could be put on the intervention list for missing any of more than two dozen requirements and not be given credit for the improvements they *had* been making. And many critics argued that NCLB encouraged test preparation and a narrowing of instruction rather than effective teaching (e.g., Ravitch, 2011).

Several attempts to change the law in Congress failed in 2007 and later. By late 2011, the Obama administration was designing a process to give states waivers from the adequate-yearly-progress standard and several other NCLB provisions, and by the start of the 2012-13 school year, the majority of states had received either a waiver of several NCLB provisions or a temporary excuse from the state's prior adequate yearly progress standards for the year. At the time this chapter is written, the fate of NCLB's provisions is up in the air, with Congressional gridlock expected to continue after the 2012 elections.

Curriculum standards. A second thrust of recent school reform efforts has been the creation of curriculum standards and advocacy of a common set of curriculum standards across the states. While there have been curriculum politics for several centuries (see Chapter 1), official decisions about the formal curriculum were commonly made at the local level until the late twentieth century. In the twentieth century, some states such as Texas, New York, and California imposed an indirect control of the curriculum through an official textbook approval process that most observers judge as heavily political (e.g., Ravitch, 2004). Effectively, then, many school districts in smaller states had the choice of whatever textbooks larger states had approved; if there was a national default curriculum before the

²⁴ Since 1999, Florida's state government has labeled individual public schools with A-F "grades" based entirely or largely on test scores. In 2006, two-thirds of Florida's public schools were given an A or B grade.

1990s, it was one imposed by the educational textbook market.²⁵ In the late 1980s and early 1990s, first the federal government under President George H. W. Bush (1989-1993) and then individual states began drafting curriculum standards—not a day-by-day list of what teachers must teach but an underlying framework or skeleton for the curriculum. The effort of the first President Bush fell apart as the national curriculum committees had problems composing coherent standards or were attacked by political opponents of the standards (as in the case of the U.S. history standards) (Dorn, 2007).

While the first effort to draft national curriculum standards failed, states took up the call for centralized curriculum standards, crafting early versions of state standards in the mid-1990s, together with state tests that were supposed to be tied to the standards.²⁶ A common criticism of the first wave of state standards was that they were either too vague or too rigid and detailed. In part because of that criticism of state standards, a coalition of governors, state school superintendents, and corporations interested in education argued in 2008 for national standards that would be created from scratch (National Governors Association, Council of Chief State School Officers, & Achieve, Inc., 2008). To avoid the political hot potato of federally-mandated national standards, the language in the 2008 report was an argument in favor of “a *common core* of internationally benchmarked standards in math and language arts” (p. 6; emphasis added). In 2009, the new Obama administration included a major policy initiative in the economic stimulus bill that would turn the voluntarily-adopted common-core concept into a requirement for a set of very large grants, at the same time as the new, privately-written common-core standards were being written.

²⁵ This was not new in the twentieth century: Noah Webster's spellers and the *McGuffey* readers were popular in the nineteenth century and, again, effectively encouraged instruction that used the material.

²⁶ Despite the criticism, in many states because of the lengthy process to draft and approve curriculum standards, the first versions of state standards were not revised until almost a decade later. Kansas's debates over science standards (described in Chapter 1) represented several revisions of the state standards in a decade, much more frequently than was common in other states.

The 2009 economic stimulus bill set aside \$5 billion for the U.S. Secretary of Education to use for any competitive grant program the federal Department of Education constructed. The bulk of that funding was devoted to what Secretary of Education Arne Duncan called the Race to the Top competition, mentioned in 2009 for the incentives it created regarding state teacher evaluation policies. The Race to the Top application required states to promise several types of reform, including changing teacher evaluation and participation in a multi-state consortium to improve curriculum standards. Since there was only one such consortium in existence at the time (the common-core standards initiative), participation in the common-core standards was effectively required for states to be eligible for a Race to the Top grant. Within weeks of the initial math and English/language arts standards' release in 2010, more than half of the states committed themselves to the new standards (Lewin, 2010), and eventually 46 states agreed to follow the math and English/language arts standards. As of the writing of this chapter, the science portion of the common-core standards is in draft form. It is not yet certain whether science standards would be adopted as broadly as the math and English/language arts standards.

Charter schools. In the second half of the twentieth century, there were a number of proposals and attempts to undermine school bureaucracies.²⁷ Some of these attempted to reduce the problems of school bureaucracies by modifying the structures of large city school systems, such as the division of New York City's schools into several dozen districts in the late 1960s. In other cases, states or cities tried devolving authority to the school level, such as a 1988 law in Illinois that gave Chicago's public school teachers, parents, and community members the right to elect representatives to local school councils that had a number of powers, including the authority to hire and fire principals. One such idea that was first floated in the 1970s and emerged as a serious policy in the late 1980s was to give parents or teachers the ability to run their own public school with an agreement or charter: the autonomous

²⁷ A number of books in the 1960s and 1970s criticized school systems for being stultifying, discriminatory, and resistant to change (e.g., Kozol, 1967; Rogers, 1968).

school would be released from direct supervision by a large school district in return for meeting certain agreed-upon goals (Budde, 1988). That notion of a tradeoff between autonomy and accountability for results was given credibility on a national stage in a March 1988 National Press Club speech by the president of the American Federation of Teachers, Al Shanker:

The school district and the teacher union would develop a procedure that would encourage any group of six or more teachers to submit a proposal to create a new school. Do not think of a school as a building, and you can see how it works. Consider six or seven or twelve teachers in a school who say, "We've got an idea. We've got a way of doing something very different. We've got a way of reaching the kids that are now not being reached by what the school is doing." That group of teachers could set up a school within that school which ultimately, if the procedure works and it's accepted, would be a totally autonomous school within that district. (Shanker, 1988, p. 12)

A group of activists in Minnesota pushed for the enactment of charter-school legislation, which was approved by that state's legislature and governor in 1991. Currently, 41 states and the District of Columbia have some charter-school law that has at least some resemblance to the original idea of trading autonomy for accountability.

In most states, charter schools are treated as public schools in some ways while treated separately from local public schools in other ways. Charter schools receive public funding, generally fall under a state's (and NCLB's) testing and accountability mandates, and in some cases must hire teachers who have state certification. In many states, charter schools must provide equal access in terms of attendance, accepting all applicants who live in a certain region or select students by lottery if there is more demand than capacity. In other ways, states treat charter schools as private entities: they are managed and operated privately, and many states allow the non-profit boards of charter schools to hire either non-profit or for-profit businesses to manage them as part of a chain of schools. In addition, charter schools have far fewer reporting requirements that public schools must meet. Finally, there are

a number of issues that put charter schools in an ambiguous area between public and private. There are regular debates over whether charter schools are required to or meet requirements to provide access to students with disabilities, English language learners, and others who may be more difficult to educate. Charter schools often have stricter behavioral standards than local public schools and may have considerably more freedom to expel students for behavioral reasons and return them to local public schools. It is also not entirely clear how much charter schools can include religious principles or practices; many are sponsored by churches or church-related charities, and in many cases religious practices may not fall under the same type of scrutiny as would happen in local public schools.

Voucher programs. If charter schools were an attempt to undermine school bureaucracies with publicly-funded schools that were treated in some ways as private, there was a second and more radical proposal in the second half of the twentieth century to tear the divide between public and private schooling. In 1955, Milton Friedman proposed to eliminate the dominant model of local public schooling with a system of vouchers, where parents would receive the right to use public funding as tuition for any school they chose. In 1989, the Wisconsin legislature approved the first voucher program in Milwaukee, where several thousand low-income parents were given vouchers to use in local private schools that would accept the vouchers as tuition payments. Voucher programs were later introduced into Cleveland schools in the early 1990s, in three statewide voucher programs in Florida in the late 1990s, and in the District of Columbia and several states in more recent years. In 2002, the federal Supreme Court ruled that the First Amendment did not prohibit a voucher program from funding explicitly religious schooling even if the vast majority of options available to parents were religious schools (*Zelman v. Simmons-Harris*, 2002). There is thus no federal prohibition against voucher programs operated by states.

There have been two major arguments in favor of vouchers, one based on Friedman's economic argument and one that revolves around equity. The economic theory of vouchers is that they create a

market system of schooling rather than a largely bureaucratic system. In contrast with the school system that evolved in the late nineteenth and early twentieth centuries, where most students attend schools based on residence, most goods and services are purchased in markets that are more fluid and where competition drives down prices and improves quality. This *competition effect* is an abstract argument in favor of a less rigid divide between public and private. In addition, proponents of vouchers have argued that voucher programs provide an element of choice to disadvantaged students that wealthy families use regularly—wealthy families can pick public schools by being able to pick where they live. In the late 1980s, civil-rights activist and former Milwaukee school superintendent Howard Fuller became persuaded that nothing other than vouchers would address the inequitable education many children in Milwaukee faced. He collaborated with conservative Republican legislators to support a voucher program that targeted poor families, and most of the operating voucher programs in the United States similarly target vouchers for students disadvantaged in one form or another: by income, by the presence of disability, by the performance of the local public school, or by some other means so be able to claim that the voucher program serves the goals of equal educational opportunity.

Opponents of vouchers generally raise one of four arguments against voucher programs. One is skepticism about the competitive-effect argument; public schools in most parts of the country face at least some competition from Catholic and other religious and non-religious private schools, and based on the existence of such competition, one would expect additional competition through vouchers to have minimal effects. A second argument is concern that public funding might directly support religious instruction; while the Supreme Court has ruled that the federal constitution does not prohibit a voucher program that supports religious schools, this concern is still a *political* argument about what public funding should support. A third argument is concern that private schools would receive public funding for activities that are not consistent with the public interest in appropriate instruction, such as reports that a Louisiana voucher program created in 2012 includes private schools that do not teach a

standard science curriculum that includes evolution (e.g., Robelen, 2012). A fourth argument is more general, that voucher programs do not hold participating schools to the same standards as local public schools—usually, students in voucher programs do not participate in the same state testing program as local public-school students, voucher-receiving schools do not have labels applied to local public schools in state accountability systems, voucher programs do not require schools to teach a curriculum that meets state standards, and voucher programs do not require schools to give students the same substantive and procedural due-process rights that local public schools must give their students.

Do they work? In the descriptions of reform proposals above, there is no discussion of whether a particular reform “works” in the sense of accomplishing the goals of its advocates. In no case described in this section is there a research consensus that a particular variety of modern school reform works, though its advocates and opponents often marshal a range of evidence to make such claims. The history of school reform suggests that one should not necessarily look to the advocates of a specific reform as the best gauge of a reform's consequences. In most cases, the most strident advocates of a particular school reform have overpromised what a reform can accomplish, especially advocates of structural reforms (Tyack & Cuban, 1995). We should perhaps expect similar overpromising from today's reformers and expect somewhat less from any particular reform than what is promised.

Why do school reforms go well beyond what research might support?

By the time this chapter began discussing the post-World War 2 arguments over schools, you may have realized that there have been common patterns in successive waves of school reforms. The current wave is not the first to use business or economic rhetoric in favor of reform, not the first to focus on change *outside* classrooms, and not the first where reformers overpromised what the reforms could deliver. Educational researchers and others might hope that school policies are tied tightly to the pace and extent of research, but reformers and reforms do not generally come from the world of research.

Instead, the urge to reform schools come from all of the goals that the public has for schools, from the successive demands that schools solve social and now national problems. Those expectations are not limited to the questions that research can answer, and in many cases the proposals for reform satisfy very different desires.

The rhetoric of school reform tells us a great deal about those impulses. If schools are to help the nation fight its wars, whether it is the Cold War or the War on Poverty, then schools are being asked to do much more than teach academics. Then again, schools have never been just about teaching academic subjects. If schools have been entrusted with some part of socialization for several centuries, then it is a smaller jump than one might think from saving society from chaos to saving the nation from the Soviet Union. In that context, proposed school reforms touch a much deeper, more emotional set of motivations than the types of questions research can answer. That fact does not mean that good educational research cannot inform policy, but that good research competes with a number of other reasons why the general public and policymakers might prefer certain policies.

In addition to addressing the multiple, conflicting goals for schools, modern educational reform proposals are debated in an environment filled with skepticism about the public sphere and government. After the Watergate scandal in the 1970s, and after long wars in Vietnam and Iraq that much of the general public believes was based on lies, public institutions such as local school systems are distrusted to a greater extent than one might have found 80 years ago. This greater trust exists even though schools decades ago openly discriminated against racial minorities, immigrants, girls, children with disabilities, and poor children of all groups. The political urge for test-based accountability comes in large part from that distrust of government and the public sphere, and the renewed rhetoric that schools should be “run like businesses” is also a reflection of that distrust (Dorn, 2007; Tyack & Cuban, 1995). Performance pay for teachers scratches both of those itches, promising to hold teachers

more directly accountable for student outcomes with a tool that its advocates compare to private industry practices.

The irony of such motives is that reformers who distrust bureaucratic school systems often propose policies that increase the level of bureaucracy and top-down reform. As with reform waves in the past, many of the reforms put into place do not focus on direct changes in classroom or other everyday practices inside schools. Curriculum standards are set at the state (or now national) level. Test-based accountability requires assessment mandates and the production of test-based statistics, school labels, and mandated intervention at the state level.²⁸ Performance pay in Florida will be determined at the district level, but using measures of student performance and the “value added” by individual teachers calculated at the state level, with evaluation standards that can be approved or rejected by the state. All of these policies are outside the classroom, hoping to change the experiences of teachers and students by indirect action. Even policies that attempt to break up school bureaucracies remain structural, outside classroom practices: charter schools are supposed to work by releasing schools from bureaucratic control, and voucher programs are supposed to work by the competitive effect of a market.

At their roots, school reform rhetoric and policies are often utopian. The history of school reform is one of high ideals, attempts to meet those ideals through changing the structure of schools, and overpromising what reform can accomplish. Reformers often attempt to impose relatively simple models on the behavior of complex organizations (schools), in large part because the means of school reform can rarely match the goals of reformers (for schools to save the world, at least in the abstract). Proponents of performance pay are unlikely to pay attention to research that undermines the model of performance-pay policies because the research would have a very unpleasant message: “You may not

²⁸ While No Child Left Behind is a federal law, most of the mandates require *state* action to fulfill the national policy requirements.

be able to accomplish your goals through schools.” That skeptical message conflicts with the highest ambitions Americans hold for schools.

Questions to explore further

1. Reactions to the framing case: What is *your* judgment of proposals to pay teachers at least in part on their evaluations? Has your view changed since you read Chapter 2?

2. In summer 2011, the Los Angeles Unified School District first imposed a limit on how much homework grades could affect student semester grades and then withdrew the new policy within three weeks (L.A. Unified suspends new homework policy, 2011). When introducing the new policy, district officials explained that while homework was important in many classes, students should not be overly penalized (such as failing a class) when outside obligations made it difficult to complete homework. Within three weeks, however, the outcry from both teachers and the general community forced the new superintendent John Deasy, to withdraw the policy for additional “input from parents, teachers and board members.” In what ways does the sudden withdrawal of the new policy reflect the history of school reform? What else does this reveal about the local politics of school reform?

3. In the November 2012 elections, Idaho voters repealed a new state requirement for schools to purchase laptops for students and for high school students to earn at least some academic credit from online classes (Popkey, 2012). A relatively common concern expressed by voters was stated by Carole Robinson, interviewed by Dan Popkey on election day: “Parents should provide laptops, not taxpayers. I raised six boys. I know they’re hard on things like that.” How much does her concern and the defeat of the laptop reflect common dynamics in the politics of school reform? More generally, what would you predict about educational technology policy from the history of school reform?

4. In the past two decades, a number of cities have seen their school systems change from an elected school board to a system that the elected mayor controls, including Boston, Chicago, Baltimore,

Cleveland, Philadelphia, New York City, and Washington, D.C. Proponents of mayoral control argue that elected school boards are more likely to be captured by special interests (including teachers) than a mayor who is visible and thus accountable to the entire city, while opponents fear the loss of democratic and open input into school governance (Wong, Shen, Anagnostopoulos, & Rutledge, 2007). In what ways does the existence of mayoral control as a reform mirror the history of school reform? What topics are omitted by changing the structure of school-system governance?

5. In both the federal government and many states, there has been a recent emphasis on trying to improve student achievement in and recruit teachers for so-called STEM fields (Science, Technology, Engineering, and Medicine). For example, in summer 2012, President Barack Obama (2009-) announced his intention to create a STEM Master Teacher Corps of 10,000 new math and science teachers. (There was no clear managerial structure or funding stream for this proposal—it was a statement of intended policy only.) White House Office of Science and Technology Policy research assistant Phil Larson (2012) wrote on the White House's blog, “A world-class STEM workforce is essential to virtually every goal we have as a nation – whether it’s broadly shared economic prosperity, international competitiveness, a strong national defense, a clean energy future, and longer, healthier, lives for all Americans. If we want the future to be made in America, we need to redouble our efforts to strengthen and expand our STEM workforce.” Larson is teaching upon several themes of national education debates since World War 2: which ones, and how? How is his argument similar to or different from the argument of Joel Klein, Condeleeza Rice, and Julia Levy (2012; described in discussion question 9 of Chapter 1)?

6. Analyze a current education reform debate you choose, a controversy that is the subject of multiple news articles in the past 6-12 months. Pick your own example of reform and ask the following questions: How do the arguments reflect assumptions about purposes of schools? What is the relationship of the proposed reform to the roles of teachers and other educators within schools? What is

the relationship between the proposed reform and long-term debates over diversity and equality of educational opportunity? What is the “theory of action” of the reform (the “this is how this would improve schools” explanation)? How realistic is this to happen in schools as they are currently organized (or reorganized by the reform)? Finally, how does the debate over the proposed reform fit into the larger history of school reform?

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