



on equal terms

the constitutional politics
of educational opportunity

DOUGLAS S. REED

On Equal Terms The Constitutional Politics Of Educational Opportunity

Emily Zackin



On Equal Terms The Constitutional Politics Of Educational Opportunity:

On Equal Terms Douglas S. Reed, 2003 **On Equal Terms** Douglas S. Reed, 2021-03-09 Since *Brown v Board of Education* and the desegregation battles of the 1960s and 1970s the legal pursuit of educational opportunity in the United States has been framed largely around race But for nearly thirty years now a less noticed but controversial legal campaign has been afoot to equalize or improve the resources of poorly funded schools This book examines both the consequences of efforts to use state constitutional provisions to reduce the resource segregation of American schools and the politics of the opposition to these decisions *On Equal Terms* compares the relative success of school finance lawsuits to the project of school desegregation and explores how race and class present sharply different obstacles to courts Since a 1973 U S Supreme Court decision that effectively deferred to the states in the matter of educational equity about a third of state judiciaries have mandated reform of state level educational funding systems Douglas Reed analyzes both the rhetoric of reform and the varying effects of these controversial decisions while critiquing the courts failure to more clearly define educational equity Well written with keen insight throughout the book concludes with an intriguing policy proposal that acknowledges obstacles to such efforts This proposal aims to enhance education by fostering racial and economic integration locally Setting the stage for a more coherent debate on this controversial issue and expanding our understanding of constitutional design *On Equal Terms* will have far reaching implications for law public policy politics and not least the future of American education

Critical Social Issues in American Education H. Svi Shapiro, 2004-09-22 This text reader brings together powerful readings that critically situate issues of education in the context of the major cultural moral political economic ecological and spiritual crises that confront us as a nation and a global community It provides a focus and a conceptual framework for thinking about education in light of these issues Readers are exposed to the thinking of some of the best and most insightful social and educational commentators *Critical Social Issues in American Education Democracy and Meaning in a Globalizing World Third Edition* is intended to work on two levels First it helps readers to develop an awareness of how education is connected to the wider social structures of cultural political and economic life Second it encourages not only a critical examination of our present social reality but also a serious discussion of alternatives of what a transformed society and educational process might look like The editors goal is to deliberately engage readers in connecting the work of teachers to an ethically committed politically charged pedagogy The assumption on which they base the text is that educators must see their work as inextricably linked to the broader conflicts stresses and crises of the social world it is not otherwise possible to make sense of what is happening educationally What happens in school or as part of the educational experience reflects expresses and mediates profound questions about the direction and nature of the society we inhabit The text is organized thematically into five sections which address respectively social justice and democracy consumerism culture and public education marginality and difference moral and spiritual perspectives on education and

globalization and education Each section is preceded by a brief essay that introduces the readings This Third Edition includes many new readings and addresses issues that have more recently emerged as especially significant such as concerns about the implications of globalization and the post 9 11 world commercialism violence and the ever increasing influence of high stakes testing This compelling text is relevant for a wide range of courses in educational foundations educational policy curriculum studies and multicultural education that address the social context of education cultural and political change and public policy **Equality in Education Law and Policy, 1954-2010** Benjamin M. Superfine,2013-03-11 Examines how the concept of equality in education law and policy has transformed from Brown v Board of Education through the Stimulus

The Oxford Handbook of the U.S. Constitution Mark Tushnet,Mark A. Graber,Sanford Levinson,2015-07-31 The Oxford Handbook of the U S Constitution offers a comprehensive overview and introduction to the U S Constitution from the perspectives of history political science law rights and constitutional themes while focusing on its development structures rights and role in the U S political system and culture This Handbook enables readers within and beyond the U S to develop a critical comprehension of the literature on the Constitution along with accessible and up to date analysis The historical essays included in this Handbook cover the Constitution from 1620 right through the Reagan Revolution to the present Essays on political science detail how contemporary citizens in the United States rely extensively on political parties interest groups and bureaucrats to operate a constitution designed to prevent the rise of parties interest group politics and an entrenched bureaucracy The essays on law explore how contemporary citizens appear to expect and accept the exertions of power by a Supreme Court whose members are increasingly disconnected from the world of practical politics Essays on rights discuss how contemporary citizens living in a diverse multi racial society seek guidance on the meaning of liberty and equality from a Constitution designed for a society in which all politically relevant persons shared the same race gender religion and ethnicity Lastly the essays on themes explain how in a globalized world people living in the United States can continue to be governed by a constitution originally meant for a society geographically separated from the rest of the civilized world Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U S constitutionalism today Courts and Kids Michael A. Rebell,2009-11-15 Over the past thirty five years federal courts have dramatically retreated from actively promoting school desegregation In the meantime state courts have taken up the mantle of promoting the vision of educational equity originally articulated in Brown v Board of Education Courts and Kids is the first detailed analysis of why the state courts have taken on this active role and how successful their efforts have been Since 1973 litigants have challenged the constitutionality of education finance systems in forty five states on the grounds that they deprive many poor and minority students of adequate access to a sound education While the plaintiffs have won in the majority of these cases the decisions are often branded judicial activism a stigma that has reduced their impact To counter the charge Michael A

Rebell persuasively defends the courts authority and responsibility to pursue the goal of educational equity He envisions their ideal role as supervisory and in Courts and Kids he offers innovative recommendations on how the courts can collaborate with the executive and legislative branches to create a truly democratic educational system Besieged William G. Howell,2005-04-01 School boards are fighting for their survival Almost everything that they do is subject to regulations handed down from city councils state boards of education legislatures and courts As recent mayoral and state takeovers in such cities as Baltimore Chicago and New York make abundantly clear school boards that do not fulfill the expectations of other political players may be stripped of what few independent powers they still retain Teachers unions exert growing influence over board decision making processes And with the passage of the No Child Left Behind Act the federal government has aggressively inserted itself into matters of local education governance B esieged is the first full length volume in many years to systematically examine the politics that surround school boards A group of highly renowned scholars relying on both careful case studies and quantitative analyses examine how school boards fare when they interact with their political superiors teachers unions and the public For the most part the picture that emerges is sobering while school boards perform certain administrative functions quite well the political pressures they face undermine their capacity to institute the wide ranging school reforms that many voters and local leaders are currently demanding Judicial Process and Judicial Policymaking G. Alan Tarr,2019-06-04 An excellent introduction to judicial politics as a method of analysis the seventh edition of Judicial Process and Judicial Policymaking focuses on policy in the judicial process Rather than limiting the text to coverage of the U S Supreme Court G Alan Tarr examines the judiciary as the third branch of government and weaves four major premises throughout the text 1 Courts in the United States have always played an important role in governing and their role has increased in recent decades 2 Judicial policymaking is a distinctive activity 3 Courts make policy in a variety of ways and 4 Courts may be the objects of public policy as well as creators New to the Seventh Edition New cases through the end of the Supreme Court s 2018 term New case studies on the Garland Gorsuch controversy plea negotiation of special relevance to the Trump administration and the litigation over Obamacare as well as brief coverage of the Kavanaugh confirmation Expanded coverage of the crisis in the legal profession sentencing with attention to the rise of mass incarceration and the issue of race constitutional interpretation and the rise of originalism and same sex marriage Updated tables and figures throughout A new online e Resource including edited cases a glossary of terms and resources for further learning This text is appropriate for all students of judicial process and policy **Opportunity Lost** Marcus D. Pohlmann,2008 In Opportunity Lost Marcus D Pohlmann examines the troubling issue of why Memphis city school students are underperforming at alarming rates His provocative interdisciplinary analysis combining both history and social science examines the events before and after desegregation compares a city school to an affluent suburban school to pinpoint imbalances and offers critical assessments of various educational reforms In addition to his analysis of the problems

Pohlmann lays out educational reforms that run the gamut from early intervention and parental involvement to increasing teacher compensation improving time utilization and more Pohlmann's illuminating and original study has wide application for a problem that bedevils inner city children everywhere and prevents the promise of equality from reaching all of our nation's citizens Book cover

Other People's Children Deborah Yaffe, 2007-11-15 In 1981 when Raymond Abbott was a twelve year old sixth grader in Camden New Jersey poor city school districts like his spent 25 percent less per student than the state's wealthy suburbs did That year Abbott became the lead plaintiff in a landmark class action lawsuit demanding that the state provide equal funding for rich and poor schools Over the next twenty five years as the non profit law firm representing the plaintiffs won ruling after ruling from the New Jersey Supreme Court Abbott dropped out of school fought a cocaine addiction and spent time in prison before turning his life around Raymond Abbott's is just one of the many human stories that have too often been forgotten in the policy battles New Jersey has waged for two generations over equal funding for rich and poor schools Other People's Children the first book to tell the story of this decades long school funding battle interweaves the public story an account of legal and political wrangling over laws and money with the private stories of the inner city children who were named plaintiffs in the state's two school funding lawsuits Robinson v Cahill and Abbott v Burke Although these cases have shaped New Jersey's fiscal and political landscape since the 1970s most recently in legislative arguments over tax reform the debate has often been too abstract and technical for most citizens to understand Written in an accessible style and based on dozens of interviews with lawyers politicians and the plaintiffs themselves Other People's Children crystallizes the arguments and clarifies the issues for general readers Beyond its implications for New Jersey this book is an important contribution to the conversations taking place in all states about the nation's responsibility for its poor and the role of public schools in providing equal opportunities and promising upward mobility for hard working citizens regardless of race or class

Frontiers in Sociology of Education Maureen T. Hallinan, 2011-07-13 Scholarly analysis in the sociology of education has burgeoned in recent decades Frontiers in Sociology of Education aims to provide a roadmap for sociologists and other social scientists as they set bold new directions for future research on schools In Part 1 of this forward looking volume the authors present cutting edge research to set new guidelines for the sociological analysis of schools In Part 2 notable social scientists historians administrators and educators provide a wide ranging array of perspectives on contemporary education to insure that scholars make creative and broadly informed contributions to the sociological analysis of schools The contributors to this volume examine events currently influencing education including globalization expansion of educational access the changing significance of religion new family structures and curriculum reform Frontiers in Sociology of Education offers an innovative collection of research and ideas aimed at inspiring new analyses of schools better linked to changing societal conditions

Civil Liberties and the Constitution Lucius Barker, Michael Combs, Kevin Lyles, H Perry, Jr., Twiley Barker, 2018-10-24 Updated in a new 9th edition this casebook explores civil liberty problems

through a study of leading judicial decisions It offers a reasonable sample of cases across a broad spectrum of rights and liberties This book introduces groups of featured cases with in depth commentaries that set the specific historical legal context of which they are a part allowing readers to examine significant portions of court opinions including major arguments from majority concurring and dissenting opinions

Other People's Children Joanna Trollope,1999 When Josie Carver marries Matthew Mitchell it is the second marriage for them both Each has children from their former marriages and the formation of the new step family causes much pain and divided loyalties All the members must overcome difficulties and grow through change in order to affirm their new family ties

Politics and Public Policy Donald C. Baumer,Carl E. Van Horn,2013-07-09 Getting beyond the traditional policy cycle discussed in most textbooks the fully updated fourth edition of Politics and Public Policy offers a more comprehensive and realistic view of policymaking in the United States one that looks beyond the jockeying between presidents and members of Congress and explores the influence of corporate leaders interest groups bureaucrats judges and journalists The book explores six distinct yet connected policy domains Boardroom Politics decisions by business leaders and professionals Bureaucratic Politics rule making and adjudication by administrators Cloakroom Politics lawmaking by legislators Chief Executive Politics decision making by presidents governors mayors and their advisers Courtroom Politics rulings by judges and Living Room Politics opinions expressed through the mass media grassroots movements political activists and voters The authors unique framework prepares students to evaluate the strategies of various political actors within each domain

Shaping Education Policy Douglas E. Mitchell,Dorothy Shipps,Robert L. Crowson,2017-09-27 Shaping Education Policy is a comprehensive overview of education politics and policy which provides conceptual guideposts for future policy development and strategies for change Leading scholars explore the interacting social processes and the dynamics of power politics as they intersect with democratic ideals and shape school performance Chapters cover major themes that have influenced education including the Civil Rights Movement federal involvement the accountability movement family choice and development of nationalization and globalization This edited collection examines how education policy in the United States has evolved over the last several decades and how the resulting policies are affecting schools and the children who attend them This important book is a necessary resource for understanding the evolution current status and possibilities of educational policy and politics

The Foundational Handbook on Improvement Research in Education Donald J. Peurach,Jennifer Lin Russell,Lora Cohen-Vogel,William Penuel,2022-03-30 The Foundational Handbook on Improvement Research in Education is a pathbreaking effort to build a field of research committed to producing the practical knowledge needed to advance educational access quality and equity This is research distinguished by the use of inclusive iterative approaches to analysis design implementation and evaluation to understand and address educational opportunities needs and problems grounded deeply in school and community contexts Designed for researchers students and educators the handbook elaborates the intellectual foundations explores the

organizational and policy contexts reviews approaches and examines methods of improvement research It features contributions from a plural community of researchers with expertise in the learning sciences instructional improvement organizational and policy studies and research methodologies many with extensive experience collaborating with teachers leadership families and advocates in local problem solving and design

Power, Constraint, and Policy Change Robert M. Howard, Christine H. Roch, Susanne Schorpp, Shane A. Gleason, 2021-02-01 Power Constraint and Policy Change analyzes state court influence on state education finance reform Beginning in the early 1970s litigants began filing suits in state courts to change state education funding in order to prevent disparities in education resources between wealthy and poor communities These cases represent a fundamental policy debate in American society pitting the importance of education against the cost and method of funding it Through education finance the authors explore how and why courts often end up determining and resolving policy funding debates Education funding has involved both the federal constitution and state constitutions as well as legislation and court mandated remedies which ultimately determine who and how we pay for this critical American value

Law's Allure Gordon Silverstein, 2009-02-09 Law's Allure explains how when and why America's reliance on legal rules and judicial decisions shapes constrains saves and sometimes even kills politics

Looking for Rights in All the Wrong Places Emily Zackin, 2013-04-21 Unlike many national constitutions which contain explicit positive rights to such things as education a living wage and a healthful environment the U S Bill of Rights appears to contain only a long list of prohibitions on government American constitutional rights we are often told protect people only from an overbearing government but give no explicit guarantees of governmental help Looking for Rights in All the Wrong Places argues that we have fundamentally misunderstood the American rights tradition The United States actually has a long history of enshrining positive rights in its constitutional law but these rights have been overlooked simply because they are not in the federal Constitution Emily Zackin shows how they instead have been included in America's state constitutions in large part because state governments not the federal government have long been primarily responsible for crafting American social policy Although state constitutions seemingly mired in trivial detail can look like pale imitations of their federal counterpart they have been sites of serious debate reflect national concerns and enshrine choices about fundamental values Zackin looks in depth at the history of education labor and environmental reform explaining why America's activists targeted state constitutions in their struggles for government protection from the hazards of life under capitalism Shedding much needed light on the variety of reasons that activists pursued the creation of new state level rights Looking for Rights in All the Wrong Places challenges us to rethink our most basic assumptions about the American constitutional tradition

The End of Exceptionalism in American Education Jeffrey R. Henig, 2013-01-01 Over the past fifty years the special status of education decision making has been eroded Once the province of local and state school boards decisions about schools and schooling have begun to emerge in every level and branch of government In The End of Exceptionalism in American

Education Jeffrey R Henig traces the roots of this tectonic shift in school governance Carefully reasoned astutely observed and thoughtfully presented this volume promises to become a classic work in our understanding of education policy and an invaluable resource for those seeking to influence its future trajectory

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