



**Agenda for Education in Pennsylvania**  
**The Pennsylvania State Conference of NAACP Branches**  
**2010 - 2011**  
**Summary of Agenda Items**

**Dr. Joan Duvall-Flynn**

Chair, Education Committee

**Mr. J. Whyatt Mondesire: President**

Pennsylvania State Conference of NAACP Branches

**PA NAACP Advocacy Item:** The state must support, through regulation and through funding, strong early childhood education and equity in the provision of instruction, instructional supports and resources.

**PA NAACP Advocacy Item:** Language proficiency evaluations must be performed for all students when they enter a school district, restrictive barriers must be removed from access to vocational education programs, and alternative forms of entrance assessments for accelerated and gifted classes must be available for students seeking access to such programs.

**PA NAACP Advocacy Item:** Expanded school services that provide education advocates, mentors, service-learning projects, on-site access to health care and on-site access to mental health professionals must be available where needed and adequately staffed and funded.

**PA NAACP Advocacy Item:** The social isolation of Pennsylvania's children must not be perpetuated by law. Consistent with Title VI, Local Education Agencies should not increase school based poverty concentration and racial isolation; nor should state or federal funds be used to create new racially concentrated or high poverty schools.

**PA NAACP Advocacy Item:** Beyond monitoring test scores to measure for AYP or to evaluate improvement in pupil learning:

- Charter schools must be monitored for and assessed on contributions to the field through innovations that are shared with other public schools, and which improve professional practice.
- Charter schools must be monitored for and assessed on the development of new professional opportunities for teachers.
- Charter schools must be monitored for and assessed on contributions to the variety of educational programs available in the public system.
- Charter schools must be monitored for and assessed on contributions to the field in the way of innovative and replicable improvements to the accountability systems.
- Charter schools must be monitored for and assessed on a quantitative atmosphere of flexibility and innovativeness that supersedes that of non-charter, district schools, and
- Charter schools must be monitored for and assessed on compliance with all laws governing diversity of population.

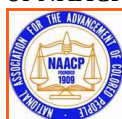
**PA NAACP Advocacy Item:** The eradication of economic inequality is a human rights issue. Withholding the high school diploma from students who have satisfactorily completed a school district course of study exacerbates this inequality. Regulations requiring the withholding of the high school diploma from students who have satisfactorily completed a school district's course of study must be repealed.

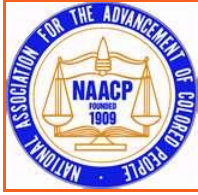
**PA NAACP Advocacy Item:** All local education agencies receiving public funds must review discipline records to assess for racial disparities in discipline. Mandated zero tolerance policies must end. Harsh, denigrating language must be removed from legislation concerning the education of children.

### **PA State Conference of NAACP Branches Education Committee**

Joan Duvall-Flynn: Chair

J. Whyatt Mondesire: President, PA State Conference of NAACP Branches





## The Pennsylvania State Conference of NAACP Branches

### Agenda for Education in Pennsylvania

#### **PREAMBLE**

The battle for the billions of dollars spent to fund schools in the United States has been raging for more than two decades. The intent to fragment, decentralize and privatize universal public education has been cloaked behind the mantle of “choice.” The National Association for the Advancement of Colored People believes, as put forward by Chief Justice Warren in 1954, that education is a civil right. We hold with Thomas Jefferson that the purpose of education is to develop human potential; that there is genius to be found amongst all groups of people; and that universal, free public education is imperative for the survival of democracy.

We maintain that for most of us, education is the gateway to the economic mainstream. As well, our public schools are the only civil institution where our diverse population: persons of difference races, creeds, and cultures, are assured to be brought together and to learn the commonness of our humanity.

For these reasons, we advocate for universal public education that is free and appropriate, and available to every child; and we seek to eliminate the disparate educational experiences encountered not only by communities of color, but by all communities that struggle economically.

We ask the questions: *What are the current policies that result in vast disparities between the quality of education received by children in different communities? Why do we allow these divisive policies to continue? Why are some policy makers seeking to exacerbate the existing divisions in education? If each school within the Commonwealth of Pennsylvania was adequately funded and resourced, why would parents need to search for and seek out quality educational placements for their children?*

#### **OUR AGENDA**

##### **Resource Equity**

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.<sup>1</sup>

The state must carry out its role in creating and supporting a fair and substantive opportunity to learn for all students. Disparities in education resources apparent by race and economic condition are a travesty, and the Commonwealth can no longer tolerate this. Nor should legislators seek to provide relief to a selected few. All children of Pennsylvania must have equitable<sup>2</sup> access not only to the tangible factors: building, curricula, technology, highly effective teachers [culturally competent, strong in pedagogy, strong in content area knowledge, strong in classroom management skills] whose salaries reflect their training and experience, strong principals, strong educational leaders [including competent and certified superintendents], but also to intangible factors such as research-proven educational practices, small class sizes, access to extracurricular activities, and supports for their overall wellness and well being.

**PA NAACP Advocacy Item:** The state must support, through regulation and through funding, strong early childhood education and equity in the provision of instruction, instructional supports, and resources in all public schools.

### **Open Access to a Range of Programs**

Given the uniqueness of human attributes, all students will not pursue college. There must be a range of programs open to students through the system of universal public education to equip non-college-bound youth to enter the economic mainstream in ways that fit their individual natures.

Foremost, language proficiency assessment must be done for any student registering in a school district, and those who demonstrate the need must receive language development experiences regardless of the primary home language. At the same time, the need for language development should not prevent access to programs appropriate either to a student's intellectual capacities or academic drive.

As well, there must be universal access to high quality vocational training programs. In light of research that reveals the disproportionate inequalities in both in-school and out-of-school suspensions, racially biased data such as discipline records and attendance records must not be used as barriers to accessing vocational programs as a choice for secondary training.

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<sup>1</sup> Chief Justice Earl Warren, *Brown v Board of Education Topeka, Kansas*. 1954

<sup>2</sup> <http://dictionary.reference.com>. *eq·ui·ta·ble—adjective* 1. characterized by equity or fairness; just and right; fair; reasonable: *equitable treatment of all citizens*. 2. *Law*. a. pertaining to or valid in equity. b. pertaining to the system of equity, as distinguished from the common law. [*equity—noun, plural -ties*. 1. the quality of being fair or impartial; fairness; impartiality: *the equity of Solomon*. 2. something that is fair and just. 3. *Law*. a. the application of the dictates of conscience or the principles of natural justice to the settlement of controversies. b. a system of jurisprudence or a body of doctrines and rules developed in England and followed in the U.S., serving to supplement and remedy the limitations and the inflexibility of the common law

Furthermore, artificial barriers that prohibit universal access to college preparatory curricula in the form of accelerated classes and gifted education programs must be removed. Hence, academic tracking must be eliminated and alternative forms of evaluation, specifically non-verbal assessment tools, must be available to students.

**PA NAACP Advocacy Item:** Language proficiency evaluations must be performed for all students when they enter a school district, restrictive barriers must be removed from access to vocational education programs, academic tracking must be eliminated, and alternative forms of entrance assessments for accelerated and gifted classes must be available for students seeking access to such programs.

### **Support Services**

Due to social conditions, to language barriers, or to a lack of developmental opportunities, regular education students frequently need support to effectively access education.

A strong relationship exists among class, income and segregation by race. Current research reveals that Black and Latino students attend schools where the poverty rate is twice that as is experienced by white students. In addition, racially and socioeconomically isolated schools tend to have unequal educational resources. As a consequence, racial and socioeconomic isolation relate highly to assessment outcomes, high school graduation rates, and drop out rates.<sup>3</sup> Given this knowledge, it is a compelling government interest to use public resources to provide services to ameliorate the impact of poverty.

**PA NAACP Advocacy Item:** Expanded school services that provide education advocates, mentors, academic supports and tutoring, service-learning projects, on-site access to family health care, and on-site access to family mental health services must be available where needed and adequately staffed and funded.

### **Ending Pathways of Flight**

Much has been written concerning the *academic achievement gap*, referring to the differences in scores on statewide school assessment tests and national assessments. On such tests, Asian children score the highest, with white students scoring higher than Latino, African American, and Native American children.

For years, the national conversation was skewed to focus on the differences among scores of white children, of black children, and of brown children; and it failed to acknowledge the gap between the higher scores of Asian children and the lower scores of their white peers. The skewing of the conversation toward the performance of children of color, compounded by the political fervor and “mean speak” perpetuated around the discussion, has created “illegitimate notions of racial inferiority”<sup>4</sup> and lends itself to fear driven politics.

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<sup>3</sup> Civil Rights Project, “Civil Rights Project’s Response to ‘Re-analysis’ of Charter School Study”, April 29, 2010.

<sup>4</sup> Justice Anthony Kennedy, Concurring Decision: PARENTS INVOLVED IN COMMUNITY SCHOOLS V. SEATTLE SCHOOL DISTRICT NO.1 *et al.* June 29, 2007.

In addition, based on these scores, and ignoring the gap in opportunities associated with income, a harsh culture of abandonment of public education has arisen. Cruel, demeaning, and objectifying descriptors, such as “Drop-out factories;” “failing schools;” or “low performing students,” have desensitized the nation to the human struggle of the children who do not do well in underfunded, under-resourced, underserved environments. Despite the growing attention to the failure of United States students as a whole to perform well on math and literacy assessments in comparison to students of other industrialized nations, this overall academic focus (although used to push forward the acceptance of a national Common Core of Standards) has not ameliorated the political trend to encourage flight from schools populated by African American, Latino, and poor students.

Legislation pushed forward to improve school outcomes proposes harsh and punitive solutions and consequences that assign benefits and burdens based on the location and social condition of a child. Perspectives that drive this demeaning treatment are, in the words of Justice Kennedy, “masked deep within the social order...”<sup>5</sup> and advocate the firing of professional staff and the dismantling of systems as solutions to unaddressed social conditions and needs. These perspectives are only the more egregious as they are given the cover of law.

In the end, students bear the brunt of such language, public denigration, and political assaults. Many legislators are by virtue of their professions unfamiliar with the real work of schooling: to protect, to nurture, to encourage, and to guide, as well as to instruct. As a result, these policy makers are determined to impose a business model for the improvement of educational outcomes. Sadly, the consequence of this misguided effort “generates a feeling of inferiority as to their [the children’s] status in the community that may affect their hearts and minds in a way unlikely ever to be undone...”<sup>6</sup>

Instead of bringing intellect, energies, and funds to bear on programs, services, and resources that have been proven to create equity in education and demonstrated results for all children, much has been done to create pathways of flight from public schools. Regulations designed to reassign the use of public tax dollars (charter schools, vouchers, and cyber schools) have created a sub-system, weakening the school systems and re-segregating the nation’s children.

Using state data, the U. S. Department of Education concluded that charter schools are more segregated than traditional public schools. They are increasing both segregation and concentrations of poverty. As well, data shows that the absence of free transportation and federal lunch support are associated with white flight from public schools attended by diverse populations.<sup>7</sup>

Although it is clear that promoting diversity is in the public’s best interest, elected officials continue to promote, through statute and rules, increases in the number of charter schools and cyber schools and

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<sup>5</sup> Ibid.

<sup>6</sup> Chief Justice Earl Warren, *Brown v Board of Education Topeka, Kansas*. 1954

<sup>7</sup> Civil Rights Project, “Civil Rights Project’s Response to ‘Re-analysis’ of Charter School Study”, April 29, 2010.

push forward the use of vouchers. This drive under the banner of “choice” can clearly be seen, through data analyses of the U. S. Department of Education, to establish *de jure* segregation.

[S]chools of white segregation - as well as those that concentrate students of color - do not provide the educational opportunities for students to learn to challenge stereotypes and live and work in a diverse society. These are vital skills for 21st century citizens and workers, and are among the reasons that it is critical to consider not just whether families have access to schools, but also the demographic composition of students in those schools.<sup>8</sup>

Currently, outer suburban whites are the most segregated students in the United States. These children are not receiving the education necessary to participate in a global economy on a planet where the majority of people are people of color.

It is altogether possible to improve all schools. Much research has been done on successful schools, and many examples of school improvement against the odds exist. As well, paradigms for maintaining the diversity of population that correlate with improved academic performance surround us. States neighboring Pennsylvania, such as Delaware, Maryland, and New Jersey, all have models wherein school districts employ socioeconomic status in some fashion to assign students to schools.<sup>9</sup>

**PA NAACP Advocacy Item: The social isolation of Pennsylvania’s children must not be perpetuated by law. Consistent with Title VI, Local Education Agencies should not increase school based poverty concentration and racial isolation, nor should state or federal funds be used to create new racially concentrated or high poverty schools.**

### **Monitoring:**

Thomas Jefferson, in his 1806 message to Congress, wrote:

[A] public institution can alone supply those sciences which, though rarely called for, are yet necessary to complete the circle, all the parts of which contribute to the improvement of the country, and some of them to its preservation.<sup>10</sup>

Jefferson did not entrust education to private enterprise. He placed it “...among the articles for public care...”<sup>11</sup>

PA NAACP believes that tax dollars should be spent for public schools that provide equity in education across class and culture. Fully ninety-seven per cent of United States children attend conventional school

<sup>8</sup> Orfield, Gary. qtd in Bordas, H. . “Desegregation Now. Segregation Tomorrow?” Harvard Graduate School of Education. 2001.

<sup>9</sup> Richard D. Kahlenberg, “Turnaround Schools That Work: Moving Beyond Separate but Equal”. New Century Foundation. Nov. 12, 2009.

<sup>10</sup> Thomas Jefferson: 6<sup>th</sup> Annual Message, 1806

<sup>11</sup> Ibid.

district schools. At the same time, Pennsylvania parents have full choice in the education of their children. In addition to regular public schooling, parents may choose to home school; they may choose to send their children to private school and pay tuition; or they may choose to send their children to a public charter school or a magnet school.

PA NAACP holds that if a school is designated a public charter school, funded by taxpayer dollars, then it must be monitored for adherence to the intentions of Act 22 of 1997, as well as adherence to civil rights legislation. We believe that failure on the part of the PA Department of Education and the chartering school district to look holistically at charter schools and to assess them across the range of the intentions of Act 22 of 1997 and civil rights legislation results in a misuse of public funds. Such a failure to monitor appears to demonstrate a lack of caring for students in poorly functioning or re-segregated schools. Concurrently, at the same time that it supports noncompliant entities, such a failure to monitor facilitates the draining off of much needed funds from the local school district.

Charter schools that do not fulfill the intentions of Act 22 of 1997 or who do not comply with civil rights legislation have no legitimate standing to receive taxpayer funds.

**PA NAACP Advocacy Item:** Beyond monitoring test scores to measure for AYP or to evaluate improvement in pupil learning:

- Charter schools must be monitored for and assessed on contributions to the field through innovations that are shared with *other* public schools, and which improve professional practice.
- Charter schools must be monitored for and assessed on the development of **new** professional opportunities for teachers.
- Charter schools must be monitored for and assessed on contributions to the variety of educational programs available in the public system.
- Charter schools must be monitored for and assessed on contributions to the field in the way of innovative and replicable improvements to the accountability systems.
- Charter schools must be monitored for and assessed on a quantitative atmosphere of flexibility and innovativeness that supersedes that of non-charter, district schools.
- Charter schools must be monitored for budgets use so that they do not become vehicles and instruments for personal financial empowerment, and
- Charter schools must be monitored for and assessed on compliance with all laws governing diversity of population.

### **Equitable use of Student Assessments**

As a political instrument, public education's role is to sort the members of our society. Designations such as "special education [with its 14 categories]" and "gifted education," in part, facilitate such a function; are assigned through evaluation; and come with attending benefits as prescribed by an individualized program and under civil rights law. With the reauthorization of the Elementary and Secondary Education Act under the title *No Child Left Behind*, public schools became required to also sort the "regular education" population into categories: Below Basic, Basic, Proficient, and Advanced-Proficient. Along with these designations are attached punishments or rewards.



Since the passage of NCLB in 2002, both the use of high-stakes tests and the severity of the consequences attached to them have risen dramatically, leading to a rapidly dwindling set of opportunities for students who do not score well on these exams. Moreover, this “test and punish” approach has had a devastating effect on the quality of education being offered at many schools. Because of the severe consequences attached to these tests, many schools have been turned into test-prep factories, with narrowed, distorted, and weakened curricula often dominated by mindless drilling [and] rote memorization exercises....<sup>12</sup>

At the same time, there is a pressing demand that students demonstrate levels of success on tests presupposed to substantiate that they are college and career ready. Despite the fact that academic content driven tests do not assess the set of human attributes that predict success, there is associated with performance on such tests the lifelong threat of social rejection for students who fail to achieve arbitrarily assigned scores designated to validate proficiency.

“[I]t is well known that many school districts and schools lack resources they need to enable all children to reach high levels of achievement.”<sup>13</sup>

As demonstrated by the Costing-Out Study of 2007<sup>14</sup>, few schools in Pennsylvania spend enough funds per student to prepare them to score successfully on state assessments.<sup>15</sup> In spite of this knowledge, legislation that holds students accountable for the inadequacy of their preparation is pushed forward. Most punitive of all is the withholding of the diploma based on end-of-course test scores. Most unfair in this is holding young people differently situated and from vastly different conditions to the same measurement.

The withholding of the high school diploma will effectively terminate the economic life of many young people. It will limit where they can expect to live, the quality of food they can eat and feed their children, the nature of their health care, their chance to further their own education; and will impact the quality of education available to their children.

In a nation where approximately one third of adolescents leave school prior to graduation, the withholding of the high school diploma is a cruel and unusual punishment for those who remain through the entire course of study, yet do not meet the arbitrarily set cut off scores for designated cumulative assessments. Moreover, this practice condemns yet more people to a life of poverty in a nation where currently one in eight Americans struggle with hunger each day, one in every seven people live in poverty and one of every three of Pennsylvania’s children live in poverty.

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<sup>12</sup> Advancement Project. TEST, PUNISH, and PUSH OUT: How “Zero Tolerance” and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline. March 2010 (revised)

<sup>13</sup> National Academy of Education, 1995; NCR, 1999.

<sup>14</sup> Augenblick, Palaich and Associates of Denver, Colorado "Costing Out the Resources Needed to Meet Pennsylvania's Public Education Goals", November 14, 2007. Commissioned and funded by the PA General Assembly and supervised and released by the State Board of Education, the study was designed to understand what it costs for all students in Pennsylvania public schools to receive an education that will allow them to meet state standards for academic achievement.

Hence, the practice and procedure of withholding the diploma results in significant differences in the benefit of schooling; and this difference is significantly related to race, national origin, and intellect. At the same time, it is an unnecessary practice. There is no social benefit inherent to the denial of a diploma. Placing tests scores on a diploma will satisfy society's need to know a graduate's level of success on assessments.

**PA NAACP Advocacy Item:** The eradication of economic inequality is a human rights issue. Withholding the high school diploma from students who have satisfactorily completed a school district course of study exacerbates this inequality. Regulations requiring the withholding of the high school diploma from students who have satisfactorily completed a school district's course of study must be repealed.

### **Removal of Disparate Discipline Policies**

By all appearances, zero tolerance discipline policies are the new form of racialized social control. In effect, the education system is, through legislation, being strategically employed to force African American and Latino youth "... into a system of extreme repression and control."<sup>16</sup> Based on discipline incidents, students are assigned to alternative education settings for behavior problems – a step down from the juvenile justice system. As well, in many systems, students are also excluded from vocational technical programs because of discipline incidents or attendance records.

Furthermore, related to the disproportional representation of African American and Latino populations in prison is the disproportionate representation of these same student groups in in-school and out-of-school suspensions. Yet, even given the trauma and social stigma of such discipline, schools have neglected to develop reentry models to help students readjust to their peers, their teachers, or their academics.

At the same time, buried in present day, socially acceptable rhetoric about "good schools," "turn around schools," and "choice," are the indications/implications through proposed or passed laws that certain children are "an under-civilized lesser race ... lacking in intelligence and laudable human qualities."<sup>17</sup> Hidden behind politically charged discussions concerning "law and order" and "the value of the high school diploma" is the perspective reportedly shared by President Richard Nixon as attributed by his aide: "It's all about those Negro-Puerto Rican groups out there."<sup>18</sup>

Given this permission to abandon some students:

Because of the focus on test scores and the severe consequences attached to them, if a student acts up in class, it is no longer in an educator's self-interest to address it by assessing the student's unmet needs or treating the incident as a "teachable moment." It is much easier and more "efficient" to simply remove the child from class through punitive disciplinary measures and focus on the remaining students."<sup>19</sup>

<sup>16</sup> Michelle Alexander. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New York Press, 2010). 22.

<sup>17</sup> *Ibid.*, 25.

<sup>18</sup> *Ibid.*, 46.

<sup>19</sup> Advancement Project, *TEST, PUNISH, and PUSH OUT: How "Zero Tolerance" and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline*, March, 2010 (revised).

**PA NAACP Advocacy Item:** All local education agencies receiving public funds must review discipline records to assess for racial disparities in discipline. Mandated zero tolerance policies must end. Positive behavior supports should become the first priority for improving school climate, rather than discipline systems focused solely on punishment and exclusion. Each school must design reentry models to support and monitor students returning to the general population from in-school and out-of school suspensions. Harsh, denigrating language must be removed from legislation concerning education.

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