



# The Program on Human Rights and the Global Economy

NORTHEASTERN UNIVERSITY SCHOOL OF LAW

## **PHRGE 2014 Human Rights Institute Rethinking Education Reform: A Human Rights Perspective July 2014**

On November 6-7, 2014, the Program on Human Rights and the Global Economy (PHRGE) will host its annual Human Rights Institute at Northeastern University School of Law (NUSL). PHRGE Institutes convene scholars, practitioners and advocates to explore a pressing social issue from a human rights perspective. This year's Institute will analyze and evaluate the combination of initiatives known as "public education reform" from a human rights perspective. It will do so with an eye toward identifying policies that will help promote and support the human right to education (alongside all other human rights) for all U.S. school children.

Based on a growing sense that the United States is "falling behind" its global competitors in the provision of public education, efforts to restructure public education at every level have accelerated over the past two decades. During that time, a fragile consensus has emerged among an unusual bipartisan coalition of politicians, parents, policy-makers, educators, philanthropists and corporate leaders. While these initiatives have not been the only proposed changes to the education system, proponents of these changes have achieved a public framing of this set of initiatives as "education reform."

Among the many threads of reform activity, three pillars of the agenda characterize the entire enterprise: 1) The charter school movement and the broader trend toward the private provision of public education services; 2) The emergence of "no excuses/zero tolerance" discipline policies resulting in the exclusion of students from school as a primary response to behaviors that some believe are manifestations of broader social problems, and; 3) The continued expansion of high-stakes testing as the principal means of motivating and measuring educational achievement in public schools, alongside related efforts to further standardize public school curricula. The 2014 Institute will focus on these three themes.

After getting off to a slow and contentious start in the 1990s, this set of policy recommendations has gained considerable momentum. As policies such as charter school expansion and incessant high-stakes testing were widely implemented, more students, teachers, parents and administrators began to see their negative effects. For example, as the charter sector grew dramatically in many cities, the impact of that growth on local school districts became a cause for concern. Also, as the sample size grew, observers began to reach troubling conclusions about whom charters were and were not serving. Similarly, as standardized test scores became the primary means of evaluating (and punishing) public schools, teachers and parents began to resist the powerful incentives to "teach to the test." In short, the very success of the reform policies began to create the seeds of a movement with a powerful critique of those policies. Despite that critique, education reform continues

to enjoy wide support, including the current Secretary of Education and other education policy leaders in the Obama administration.

To date, the vantage point of human rights, and the notion that every child has an internationally recognized right to access quality education has played a modest, if important, role in the education reform debate. PHRGE is, nonetheless, convinced that the human rights framework provides useful tools for the analysis of both current education reform policies and alternative policy approaches advanced by those who would reclaim reform.

PHRGE is well positioned to host an Institute on this topic. We are housed at Northeastern University School of Law and will draw on the interest and experience of NUSL faculty, students, alumni and our partners in the legal and human rights advocacy communities. We are the sole human rights center at a U.S. law school focused on economic, social and cultural rights (including the right to education).

PHRGE has hosted eight previous Human Rights Institutes on a variety of topics and has developed a particular expertise on human rights analysis in the domestic context. Additionally, over the past five years, PHRGE and its staff have had the opportunity for ongoing engagement with issues relating to education reform and the right to education. This work has been carried out in collaboration with advocacy groups such as the Center for Law and Education, the Education Law Center, the National Economic and Social Rights Initiative (NESRI) and Quality Education for Every Student (QUEST). Our activities include hosting an annual public presentation on the right to education, conducting research on various aspects of the reform agenda and preparing policy briefs on education reform proposals here in Massachusetts.

The first day of the Institute will feature a series of panel presentations and a keynote address that will document and analyze the three pillars of education reform mentioned above. The second day of the Institute will feature intensive, small-group work designed to generate concrete policy proposals consistent with the promotion of the human right to education. PHRGE's continuing work on the right to education will include dissemination of the results of these policy discussions within the academic and educational advocacy communities. Both days are open to the public though the small-group format of the second day will limit the number of participants that can be included in those sessions.