

# OPINION

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## Don't Want to See Mistakes of Past Repeated

The education inequality struggle

BY MARIAN WRIGHT EDELMAN

2015 was a hard year for poor children and children of color in a gridlocked and cantankerous Congress. The Every Student Succeeds Act replacing the No Child Left Behind Act was enacted after gutting a strong federal role in education policy designed to protect these children and jeopardizing their opportunity for a fair and adequate education to prepare them for work in our globalizing economy.

Over the past 50 years under the Elementary and Secondary Education Act too many states violated their responsibility to serve their poor and non-white children equitably, did not comply with the law and misused huge amounts of the funds intended for poor children for other purposes. With the loss of federal accountability in the new Act, I hope we will not see the mistakes of the past repeated and poor children fall further behind.

In 1969 the Children's Defense

Fund's parent body the Washington Research Project and the Legal Defense Fund conducted a thorough study of how funds from Title I of the landmark Elementary and Secondary Education Act were being spent. It found that states widely used federal money as general state aid for all



their children without targeting it to eligible children most in need, sometimes to maintain still segregated and unequal schools.

Massive and continuing state and local violations of accountability and poor achievement levels for the neediest children resulted in passage during the George W. Bush Administration of the No Child Left Behind Act with bipartisan support including Senator Ted Kennedy and Congressman George Miller — which attempted to build in a much needed stronger federal accountability role.

The new Every Student Succeeds Act begins a new era but without needed federal accountability and relying on hopes that all states will fulfill their crucial responsibility to educate all their children fairly and prepare them for work and life. To ensure we do not repeat the mistakes of the past, all of us — every parent, child and community advocate who cares

about our nation's future — will have to work very hard.

It is nation threatening when we look at how our children in public schools are performing in the fourth and eighth grades in 2015 and see more than 75 percent of lower income children, more than 80 percent of black children and

required to help fix schools where student test scores are in the lowest five percent, where achievement gaps are greatest, and in all high schools where fewer than 67 percent of students graduate on time using evidence-based programs approved by the U.S. Department of Education.

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more than 73 percent of Latino children cannot read or compute at grade level. What is a child going to do in a competitive globalizing world if he cannot read and compute at very basic levels, is unable to graduate from high school, or is shunted into a cradle to prison pipeline accelerated by unjust zero tolerance school discipline and misdirected special education policies?

While states will set their own goals and timelines for academic progress, their plans will require federal approval. States will be

The Act takes significant positive steps to help students in foster care who have not had targeted attention before by state and local education agencies. Although public child welfare agencies have had obligations for ensuring educational stability for these children for a number of years, the new law helps ensure their school stability and educational success.

There are important improvements in the Act for more than 1.3 million children and youth experiencing homelessness also focusing on school stability and

success. State and local education agencies must ensure their Title I plans promote identification, enrollment, attendance and school stability of these children.

As hard as it has been for poor and other vulnerable children to move ahead and to make adequate progress even with federal accountability, it will be even harder without it. Parents, community leaders, public officials and child advocates must hold state, district and school leaders accountable for establishing and meeting performance targets for children. They must join with state and local education agencies to insist on increased resources to address the needs of the most vulnerable children.

Child advocates and parents must ask for and review state and local school plans and notify the U.S. Department of Education and local media if they think school districts are neglecting some children or violating the new law. At stake are millions of children's hopes, lives and futures. Those unable to read and compute and graduate from high school are being sentenced to social and economic death. They deserve better in the world's biggest economy.

*Marian Wright Edelman is president of the Children's Defense Fund.*

## Stakes High for Opportunity and Justice Issues

Social structures of the past are challenged

BY MARC H. MORIAL

The 2016 Presidential election still is more than 10 months off, but already it promises to serve as a referendum on social justice and racial reconciliation, in a year when national attitudes are changing faster than ever — and not always for the better.

Pending U.S. Supreme Court decisions and legislation before Congress in 2016 will profoundly impact racial consideration in college admissions, voting rights, collective bargaining and criminal justice reform.

The court's decision on Fisher v. University of Texas, brought by a white woman who claimed she was denied admission to UT because of her race, could put an end to efforts by educational institutions to ensure

diversity among their student bodies.

The constitutional principal of "one person, one vote," established in 1964 in Reynolds v. Simms could be undercut by the court's decision on Evenwel v. Abbot. In Reynolds, the Court determined that legislative districts, both state and federal, must contain roughly equal numbers of people, guaranteeing fair representation. The plaintiff in Evenwel claims that "one person, one vote" refers only to the total voting population. That would mean that urban districts, which contain more children, immigrants and other disenfranchised persons, would be dramatically under-represented while suburban and rural populations would be grossly over-represented.

The rights of public-sector unions are at risk in Friedrichs v. California Teachers Association. Under current law, unions may collect dues from non-members for collective bargaining but not political activity. Friedrichs argues

that even collective bargaining activities, from which non-members benefit, are political so non-members shouldn't have to contribute. Public-sector unions have been a driving force in bringing African-American workers into the middle class; Friedrichs could turn back the clock on that progress.

Congress has an opportunity in 2016 to correct one the most egregious blows to voting rights in the 20th century. The Supreme Court's 2013 decision in Shelby County v. Holder gutted a key provision of the Voting Rights Act of 1965. Jurisdictions with a history of discriminatory voting practices no longer would be required to seek preclearance with the U.S. Justice Department before making changes to voting laws. Immediately following the Shelby decisions, states rushed to enact voter suppression laws targeting people of color, students and senior citizens. The bipartisan Voting Rights Amendment Act would restore preclearance and safeguard the rights of vulnerable citizens

whose voices are being silenced.

Heading into 2016, the national outcry against police brutality seems to be reaping results, with officers in Chicago, North Charleston, S.C., Baltimore and elsewhere at last facing criminal charges for apparently racially-motivated violence against people of color. This could be the year for a full turnaround if the National Urban League's 10-Point Justice Plan is adopted. Congress should enact a national comprehensive anti-racial profiling law, mandate uniform FBI reporting and audits of all lethal force incidents involving law enforcement, and create incentives for police departments to use body and dashboard cameras, review and revise deadly force policies and tighten hiring standards.

Perhaps most importantly, the economic recovery from the Great Recession has left many urban communities behind. The overall black unemployment rate remains twice the rate for whites, with rates as high as 25 percent for young black men. Many people working

even two or three jobs can't make ends meet because of dismally low wages. Several Presidential candidates have promised, if elected, to pursue a national minimum wage hike, which would be a significant step toward reducing poverty. Tired pledges to slash taxes on the wealthy, which we're hearing from many of the candidates, will do nothing to create jobs. Congress has an opportunity to create thousands of jobs and revitalize the national economy by enacting a surface transportation bill that guarantees employment for workers in low- and moderate-income communities and ensures access to contracts for minority businesses.

As our nation grows more diverse year by year, the social structures of the past are challenged. We in the National Urban League Movement will continue to be at the forefront of those challenges, and we pray for guidance as we rise to meet them in the coming year.

*Marc H. Morial is president and chief executive officer of the National Urban League.*