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Essay Review: Final Test and Class and Schools

Abstract
In this essay review, O'Brien reviews two recent books that explore contemporary efforts to close the American black/white educational achievement gap. In Final Test: The Battle for Adequacy in America's Schools, Peter Schrag chronicles on-going efforts to enlist the power of the courts to effect equal educational opportunity through court-ordered remedies. Richard Rothstein, in Class and Schools: Using Social, Economic and Educational Reform to Close the Black-White Achievement Gap, looks to social science, educational and social reform for potential solutions to the problem. O'Brien concludes that neither litigation nor educational reform is sufficient to provide universal access to high quality education in the U.S.

Keywords
educational equity, race and schooling, race and achievement, U.S. education, school finance litigation

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ESSAY REVIEW

Final Test: The Battle for Adequacy in America's Schools. Peter Schrag. New York: The New Press, 2003. 308 pp. $25.95 (cloth).

Class and Schools: Using Social, Economic and Educational Reform to Close the Black-White Achievement Gap. Richard Rothstein. Washington, D.C.: Economic Policy Institute, 2004. 203 pp. $17.95 (paper).

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When a levee broke and the brackish waters of Lake Pontchartrain flooded into the city of New Orleans, American inequality floated into view along with the flood's flotsam and jetsam. One might expect a flood to be an equal-opportunity destroyer, but it was not. The water discriminated violently against the predominantly African American poor population of New Orleans whose neighborhoods were located in the lowest lying areas. Worse, the poor had no means to evacuate and could not escape the devastated city. As the folks with cars and a place to go fled to higher ground, thousands of poor people, mostly African Americans, were left behind to face the deluge, the deprivation, and the chaos.

The poor have never been on a level field with the middle class or wealthy. In the United States—as around the world—floods, famine, and even lesser disasters, such as family discord or illness, impose harsher effects on the poor than on the wealthy. We were not all born to equal circumstances. Life is not fair. Even so, as Americans watched the aftermath of the New Orleans flood, they were disturbed by the images of inequality. They cringed as they were reminded of the chasm between rich and poor, black and white. After all, America aspires to something greater. Although American democracy does not require economic equality, it does require equal civil and political rights and "equal opportunity." This is supposed to be the "land of opportunity."

The chosen American *method* of providing opportunity is the public school. The public schools, from their founding, were hailed as "the great equalizer of the

conditions of men—the balance-wheel of the social machinery" (Mann [1848] 1947, xx). Horace Mann ([1848] 1947) explained:

> If one class possesses all the wealth and the education, while the residue of society is ignorant and poor, it matters not by what name the relation between them may be called; the latter, in fact and in truth, will be the servile dependents and subjects of the former. But if education be equably diffused, it will draw property after it, by the strongest of all attractions; for such a thing never did happen, and never can happen, as that an intelligent and practical body of men should be permanently poor. (87)

Although this ideal is theoretically appealing, its practical implementation has faced tremendous obstacles. Mann's vision of education as a social balance-wheel was not and is not shared by many of the advocates and consumers of public education. Self-interest and the desire to perpetuate privilege compete mightily with the distributive ideal. Further, distributing education equally has proved to be a difficult task, even when there is the political will to support it. The nation's poor and ethnic and racial minorities have engaged in more than a century of struggle to gain access to equal opportunity in education, but the gap between the educational "haves" and "have nots" persists. In school resources and in student academic achievement, the gap between rich and poor, minority and majority, endures.

Two recent books explore contemporary efforts to close the education gap. In *Final Test: The Battle for Adequacy in America's Schools*, Peter Schrag chronicles ongoing efforts to enlist the power of the courts to effect equal educational opportunity through court-ordered remedies. Richard Rothstein, in *Class and Schools: Using Social, Economic and Educational Reform to Close the Black-White Achievement Gap*, looks to social science and to educational and social reform for potential solutions to the problem. Both books provide an enriched, scholarly background for considering the problem of providing an equal education in an unequal society.

Final Test picks up the story of the pursuit of equal educational opportunity as the legal battle for reform moved from the federal to the state courts. Decades after the Supreme Court's landmark ruling in *Brown v. Board of Education*, advocates for poor and minority children needed a new strategy. Years of desegregation lawsuits following *Brown* had reached a dead end. Hopes that the federal court might require states to equalize educational spending for children in rich and poor districts were dashed by the Supreme Court's ruling in *San Antonio v. Rodriguez* in 1973, which held that public education was not a right guaranteed by the U.S. Constitution. Meanwhile, the public schools remained substantially racially segregated and savagely unequal. (Orfield 2001; Frankenberg and Lee 2002). Legal advocates began to look to state constitutional law as the source of the right to an education.

The first wave of lawsuits brought under state constitutional law sought equity in school funding. These suits encountered intense resistance from groups who feared that equalizing school finances would require "leveling down" resources available to schools in wealthy areas. Further, equal funding might be unattainable or even undesirable in light of the different conditions in existing schools and the differing needs of children in those schools. In the process of trying to fit the legal remedy to the *needs* of the children, advocates for poor children developed a new strategy around the concept of an "adequate" education. The adequacy strategy was pushed forward, in part, by the standards movement, which had resulted in educational standards being articulated and adopted in almost every state (82). After all, the reasoning goes, if states are going to hold school children accountable to certain standards before they are allowed to graduate, then the state should be held equally accountable to provide the resources to enable the children to meet those standards (247). Adequacy lawsuits seek revenues and resources based on calculations of what it actually takes—in teachers, books, facilities, and other resources—to educate each child to state standards.

In the tradition of *Simple Justice* (Kluger 1975), the classic history of *Brown v. Board of Education,* Peter Schrag tells the story of the adequacy lawsuits, introducing us to the people behind the litigation and providing the context for the suits and the reasons for the strategies chosen. He chronicles legal battles in Kentucky, California, New Jersey, Ohio, Alabama, North Carolina, Maryland, and New York. In doing so, he condenses decades of legal argument and volumes of court opinions into readable stories—and at the same time is faithful to the legal details of the litigation. Without using legal jargon, Schrag accurately and cogently captures the process and the legal meaning of court opinions. In a few instances Schrag introduces us to the participants in the legal drama. For example, in chapter 1 Schrag illuminates the conditions in one California school through Alondra Jones, a high school student, who tells us, "It makes you feel less about yourself, you know, like you sitting here in a class where you have to stand up because there's not enough chairs, and you see rats in the buildings, the bathrooms is nasty … " (21). In chapter 3, we hear the expert witness for the plaintiffs, John Augenblick, recoil after an unpleasant experience on the witness stand, saying, "This isn't supposed to be a murder trial. [But] the lawyers do everything they can to win" (136).

Most of the story, however, is told at the level of political wrangling and court opinion. Schrag shows us that legal rights are not pristine concepts within the court's power. It seems that almost everyone—legislators, teachers' associations, business organizations, governors, taxpayers, parents, and students—has a stake in school finance litigation and all expect to have a degree of control over the outcome. The political self-interests of governors, legislators, and elected judges weigh heavily in the balance against requiring taxpayers to support new appropriations for schools in poor areas. Meanwhile, as litigation is ongoing, the school systems function on yearly appropriations. Gains made in one year can be erased in

the next. Further, new appropriations—when they do come—are sometimes subject to mismanagement and corruption at the school and district levels. Even state supreme courts alternately exercise their power in favor of the rights of poor students and then back off again under the political pressure that follows controversial court opinions. In Ohio and Alabama, for example, the supreme courts flip-flopped on school finance issues and ultimately abdicated any role whatsoever in enforcing constitutional standards enunciated in previous rulings (142, 151).

Schrag's account of the equity-adequacy litigation chronicles a prolonged power struggle among branches of government and elements of society over resources. Although adequacy suits attempt to "integrate educational practice with finance," (247) money is the central issue. On that issue, Schrag counts adequacy suits as a partial success, with momentum building toward even greater success. Despite decades-long court battles that have produced ambiguous legal results, Schrag is cautiously optimistic. He points to increased per-pupil spending—which has risen dramatically since 1990—and the decrease in funding disparities between rich and poor schools apparent in states like Ohio, Kentucky, and New Jersey (423). In chapter 4, however, Schrag acknowledges that adequacy suits sidestep the thorny question: Does money matter? In other words, adequacy suits assume that providing better resources to poor schools will improve the academic achievement of the students in those schools. But what if that is not the case? What if new spending on schools does not yield expected gains in student achievement? What if providing adequate resources does not close the achievement gap between rich and poor, minority and majority? Schrag's answer to this question is that schools will not resolve all of society's problems but that they are the best option we have. We have to try to provide each child with a meaningful educational opportunity, says Schrag, because schools are our "great democratic equalizer" (248). Schrag concludes that we must summon all of our political will to provide adequate schools because there is no other choice if we are ever to achieve the "great promises of American society: equality, opportunity and human and social betterment" (249).

Schrag's final questions are the jumping off point for Richard Rothstein's book, *Class and Schools.* In contrast to Schrag, Rothstein does not expect increased school funding or school reform of any kind to close the achievement gap between rich and poor, minority and majority. Instead, he argues that "the influence of social class characteristics is probably so powerful that schools cannot overcome it, no matter how well trained are their teachers and no matter how well designed are their instructional programs and climates" (5). Rothstein contends that social class, which he defines as "a collection of occupational, psychological, personality, health, and economic traits that interact," is a powerful predictor of academic and occupational success (4). Further, he says, cultural characteristics—"for example, [that] black students may value education less than white students because a discriminatory labor market has not historically rewarded black workers for their

education"—play an important role in perpetuating the black-white achievement gap (xx). According to Rothstein, raising the achievement of "lower- class" children will require social and economic reform not just school reform (11).

Rothstein's book presents a wide-ranging critique of schools and society. He begins by examining the reasons for the existence of the achievement gap in standardized test scores, including genetics, poor health care, unstable housing, and "cultural" differences. Having shown that the problems lower class children face are broad and deep, Rothstein goes on to critique the idea that the gap can be closed by following the practices that have been successful in a few exceptional schools. Each of those schools, he says, succeeded and thrived because of a cluster of factors that are not generalizable or repeatable. He then argues that another gap—a social class gap in noncognitive skills like persistence, motivation, and reliability—is even more important than the gap in literacy and numeracy. Finally, he suggests a list of reforms that could narrow the achievement gap, including raising the minimum wage; helping poor families with children find stable housing; creating school-community clinics; and providing early childhood education, summer programs, and after-school programs.

Rothstein's strongest and most intuitive argument is that if children's lives are improved, their school performance will improve. This point seems self-evident but bears repeating. Rothstein points to studies that show how disparities in health care and housing adversely affect the academic achievement of poor children. He argues, for example, that one of the most efficient ways to narrow the achievement gap would be to provide poor children with vision screening and appropriate glasses (37–38). Other academic gains would be realized if poor children had stable housing; dental and medical care; proper nutrition; protection from lead dust exposure; and protection from prenatal exposure to alcohol, tobacco, and drugs.

Rothstein's other arguments are weakened by his use of "class" and "culture." Rothstein contends that using the term class is superior to using euphemisms like "disadvantaged" students or "at risk" students because the term lower class captures both economic and cultural characteristics that go beyond a single year's poverty (3–4). He points out that a single year of low family income does not accurately predict which children are likely to be on the low end of the achievement gap. The child of a Yale graduate student may have a low income in a given year but will have other advantages that most poor children do not have. Poverty measures, he claims, are inadequate to capture the "collection of characteristics" and culture that define lower class. Unfortunately, however, Rothstein does not explain what the collection of characteristics that define lower class is. As I read, I become suspicious that they are, in fact, based on stereotypes and little data. This book, which depends on data for many of its claims, neglects to give us any data or evaluation of the existence of an identifiable lower class. By giving short shrift to his definition of class, and by attributing negative cultural qualities to this inartfully

constructed class, Rothstein runs the risk of perpetuating social stereotypes and negative attitudes about poor people.

It is also troubling that Rothstein slips back and forth between discussing issues of class and culture and discussing the "black-white achievement gap." In reality, the children who are likely to come to school with educational deficits, the ones who are likely to be on the low end of the achievement gap, include children who come from families living in chronic poverty, living in areas of concentrated poverty, or belonging to a racial or ethnic group that has suffered historical and continuing discrimination. These children come from diverse cultures—Native American, Appalachian, African American, Cajun, Hispanic, and others. We know that a disproportionate number of African Americans live in chronic or concentrated poverty (Rusk 1999; McArdle 2003), but even greater numbers (but a smaller percentage) of white children also live in chronic or concentrated poverty—and suffer similar learning challenges (DeNavas-Walt et al. 2005).

The separation of children into neighborhood schools—poor schools in poor neighborhoods and wealthy schools in wealthy neighborhoods—perpetuates privilege for some and lower class status for others. The concentration of poverty in certain neighborhoods and certain schools compounds all of the problems that Rothstein so carefully documents. However, no child deserves the label of lower class status or a lower class education. Each child deserves a first class education. The promise of the common school movement and of *Brown v. Board of Education* was that children would go to school—rich, poor, black, white, Hispanic, Native American—together. When poor and minority children escape schools where poverty is concentrated, their academic achievement improves. Although Rothstein acknowledges this phenomenon, he claims that "we Americans are apparently unwilling to consider the housing, transportation, zoning and other urban policies that would permit families of different classes to live in close proximity so their children can attend the same neighborhood schools" (130).

Despite Rothstein's assertion, there are some school districts that integrate students of different income levels and racial groups. Raleigh, North Carolina, for example, transports children out of their neighborhoods to ensure that no school has more than 40 percent poor children (Finder 2005). Even so, Rothstein, if he chose to, could cite good evidence to support his pessimism about the probability of change. Many Americans prefer their separate and unequal schools. Those in power, the wealthy, the elite, like their privileges and advantages, of course they do. The problem is not only a problem of inequality but also a problem of persuasion. No social or educational reform can be effective without the support of those who live above the poverty line and do not suffer from racial or ethnic discrimination. When well-off citizens are convinced that preventing or ameliorating child poverty is in their interest, they can be persuaded to support social reforms. When well-off citizens are convinced that child poverty increases social dysfunction domestically and decreases competitiveness internationally, they can be persuaded to

support social reform. When well-off citizens are persuaded that the gap in educational quality does not serve our society well, when they realize that the cost of low-quality education is extraordinarily high, they see that equitable, adequate, and integrated schools are worth the investment.

Even when support for social and educational reform is strong, however, the necessity of new persuasion is constant. Backsliding is a perennial threat (Lee 2004). Annually, a new group of children enter school. The needs of these children are just as great as the needs of the children who came into school a year or a generation before. The well-off must be persuaded year after year after year to part with their money for the benefit of the greater social good. How much easier it is to segregate the problems of race and poverty into separate schools! How convenient to forget about them.

It took a hurricane and the flooding of New Orleans to remind some Americans that the poor are hit harder by every disaster and have less ability to escape. It took a hurricane to remind some Americans that we live in an unequal society where some groups have built their homes above sea level and other groups are concentrated in low-lying areas. In an unequal society, the task of creating equal or adequate educational opportunity for all children is much like protecting a city built below sea level: It requires a constant effort to hold back the sea—and a whole lot of pumping. It is an enormous task. *The Final Test* and *Class and Schools* urge us to keep working.

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