



# The Civil Rights Road to Deeper Learning

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## Abstract

Young people increasingly need an education that prepares them for our rapidly changing world, enabling them to deeply understand academic content, think critically and solve complex problems, communicate effectively, work collaboratively, and learn how to learn continuously. This “deeper learning”—once offered to the small share of students presumed to be preparing for thinking work—is now a requirement for all. Yet the journey to deeper learning is a challenging one in the inequitable school system we have inherited in the United States. Compounding the barriers are the many other sources of inequality in our society: dramatic income inequalities, high rates of childhood poverty, and unequal school funding and access to resources of all kinds.

This brief describes the key civil rights foundations that have been—and continue to be—essential to paving a path toward possibilities for deeper learning for all: those that secure safe communities, adequate school resources, inclusive environments, well-prepared teachers, and access to quality curriculum. It identifies the evidence-based policies and practices that can ensure that every student has access to a high-quality education focused on meaningful learning.

The book on which this brief is based is published by Teachers College Press and can be found online at <https://www.tcpress.com/the-civil-rights-road-to-deeper-learning-9780807767221>.

## Acknowledgments

This brief benefited from reviews by John Jackson, President of the Schott Foundation, and Gloria Ladson-Billings, professor emerita at the University of Wisconsin–Madison. This brief was funded by the William and Flora Hewlett Foundation. Core operating support for the Learning Policy Institute is also provided by the Heising-Simons Foundation, Raikes Foundation, Sandler Foundation, and MacKenzie Scott and Dan Jewett.

The nation and the world are changing rapidly. Knowledge is expanding; technologies are transforming every aspect of life and work; and the economy has been reshaped, as manufacturing jobs of half a century ago have been digitized and outsourced. The fastest-growing occupations require critical thinking and problem-solving skills. For these reasons, young people increasingly need an education that prepares them to deeply understand academic content, think critically and solve complex problems, communicate effectively, work collaboratively, and learn how to learn continuously. This “deeper learning”—once offered to the small share of students presumed to be preparing for thinking work—is now a requirement for all.

Yet the journey to deeper learning is a challenging one in the inequitable school system we have inherited in the United States. Not only has a “thinking curriculum” been reserved to the small number of students selected for advanced tracks and courses; it has been made available more often in affluent schools in predominantly white communities and has been considered unnecessary or even inappropriate for students of color and those from low-income communities. When state governments and philanthropists first founded segregated schools for Black students and Native American students, most designed the schools to focus on the menial work to which they thought those students should aspire.

Eugenicists who created tracking systems in the early 1900s reinforced these presumptions in ways that continue to this day. IQ test developer Lewis Terman declared that 80% of the immigrants he tested appeared to be “feeble-minded,” and he concluded in his 1922 book, *Intelligence Tests and School Reorganization*, that “Indians, Mexicans, and negroes ... should be segregated in special classes.... They cannot master abstractions, but they can often be made efficient workers.”<sup>1</sup> This notion was picked up by the scientific

managers designing urban schools to emulate the popular assembly line, who decided that schools should be organized as “selecting agencies” for efficient sorting of manpower in the industrialized economy.<sup>2</sup>

The conception of schools as selecting only a few for thinking work rather than as developing the talents of all to a high level has remained, even as educational expectations in the society and the labor market have changed dramatically. As a consequence, Harvard professor Jal Mehta has noted that “deeper learning has a race problem,” arguing that:

Deeper learning has historically been the province of the advantaged—those who could afford to send their children to the best private schools and to live in the most desirable school districts. Research on both inequality across schools and tracking within schools has suggested that students in more affluent schools and top tracks are given the kind of problem-solving education that befits the future managerial class, whereas students in lower tracks and higher-poverty schools are given the kind of rule-following tasks that mirror much of factory and other working-class work.<sup>3</sup>

Compounding the barriers to a deeper learning curriculum are the many other sources of inequality in our society that make it difficult for many schools to offer such learning opportunities: dramatic income inequalities, high rates of childhood poverty, and unequal school funding and access to resources of all kinds. These inequalities in our society are so deep-seated that, for centuries, the path to deeper learning for marginalized young people has required—and continues to require—engagement in civil rights litigation, enforcement, and advocacy. These fights are often invisible to those looking to transform schools, but they have proved essential to the existence of schools focused on equitable access to deeper learning.

This brief describes the key civil rights foundations that have been—and continue to be—essential to paving a path toward possibilities for deeper learning. It describes a set of evidence-based policies and practices that, when well implemented, can ensure that every student has access to an education focused on meaningful learning, taught by competent and caring educators who are able to attend to the students’ social, emotional, cognitive, and academic needs and supported by resources that provide the materials and conditions for effective learning. (See Figure 1.) When these elements are in place, students can experience the kind of learning described at New York City’s Midtown West elementary school. (See “Deeper Learning at Midtown West Elementary School.”)

**Figure 1**  
**Pathway to Access**



Source: Learning Policy Institute. (2022).

## Deeper Learning at Midtown West Elementary School

In Ted Pollen's 4th-grade classroom at Midtown West School in New York City, a racially, ethnically, and linguistically diverse group of 27 students is deeply engaged in a mathematics inquiry focused on understanding the concepts of range, mean, median, and mode. Some are seated around tables, while others are in pairs or trios on the rug in the classroom meeting area. While some teachers might introduce the terms with definitions and rules for calculating them and give students a worksheet of problems to fill out, Ted's class has been conducting a study that provides them with the data they are now analyzing. Earlier in the week, they measured and recorded the height of everyone in their classroom and all the children in one of the kindergarten classrooms who are their "reading buddies." Each then figured out how to display the data distributions with bar graphs they constructed individually so as to be able to figure out the range, mean, median, and mode for each class and compare them. Working in teams, they use manipulatives and calculators as they advise one another about what to do.

Ted—an African American teacher who is a graduate of and now mentor teacher for Bank Street College—moves unobtrusively among groups, occasionally asking questions to help move students (and his two student teachers) to the next level of understanding. He chooses questions carefully to extend students' thinking at the edge of their zones of proximal development. Ted says to one group, "Think about your design. What's the best way of displaying the data so you can make an actual comparison?" To another, he says, "Can someone give me the range for kindergarten? Our range? Are there any outliers?" This led the group to realize that despite little overlap between the two groups, there were a few relatively short 4th-graders and one very tall kindergartner. A student said proudly, pointing to that data point, "That's my reading buddy!"

In yet another group, Ted observes to one of the boys, "You're having the same problem that she's having," pointing to a tablemate to encourage the two of them to work together. They begin counting and calculating to solve the problem jointly. Ted never gives away the answer, but he assists the problem-solving process with questions that carefully scaffold student understanding. In their groups, students engage in vigorous debates about the answers, explaining their reasoning to one another, re-counting their data, marshaling evidence, and demonstrating their solutions in different ways. Ted does not attempt to adjudicate the disputes. He allows the groups to work through their problems until they reach the answer.

Ted watches over an autistic student working with a one-on-one aide. The student sings to herself while she progresses through her work. In the hubbub of the classroom, her singing is not a distraction to the others, as they all focus intently on finding solutions to this highly motivating puzzle. Every student has made significant progress in developing a deep understanding of these key statistical concepts that often elude students much older than them.

After about 45 minutes of in-depth mathematics work, Ted asks the students to "keep all of your data together in your math folder" to come back to tomorrow. As everyone cleans up their work and puts their folders away, Ted quietly sings an African song while he sets up snacks. Ted's singing shifts to English: "In everything we do and everything we say, you and I are making history today." This signals to students that what they do matters and is important. It is also a reminder of the historical references Ted has placed all around the students, with a timeline hanging from a line across the ceiling holding cards that record events in chronological order.

Around the hardworking groups of children, student work covers the walls: A classroom constitution that was collectively developed and signed by each student and teacher is displayed, along with a "Problem Parking Lot" with stickies listing various problems and questions the class has agreed to return to. On the back shelves, one set of tubs offers manipulatives for mathematics. Another set of tubs includes books labeled by type, all connected to current topics of study: authors who have been studied by the class each merit a tub, as do African American biographies, other biographies, books about slavery, Ted's favorite books, and more. Handmade globes hang from the ceiling, and the rug in front of the whiteboard is a frequently consulted map of the world.

Also on the walls are many posters with tips about areas of the students' work. One summarizes the rules for "Book Club." Another asks, "What is figurative language?" The poster defines what most would think of as high school terms: simile, metaphor, hyperbole, personification, alliteration, onomatopoeia, idiom, allusion, and oxymoron, offering concrete examples of each.

Invisible in this moment are the school supports that make this productive hubbub possible: free breakfasts for all children; free transportation for children who live in temporary housing; a Family Center that offers workshops, cultural connections, and family support services; extended after-school time and services; biannual student-family-teacher conferences; and a set of children's rights that includes the following: "I have a right to be happy and to be treated with compassion in this school." "I have a right to be myself in this school. This means that no one will treat me unfairly." And "I have the right to be safe in this school." Community building and conflict resolution are explicit schoolwide efforts. Although the school is overcrowded, it is welcoming in every respect.

Source: Adapted from Darling-Hammond, L., & Oakes, J., with Wojcikiewicz, S. K., Hyler, M. E., Guha, R., Podolsky, A., Kini, T., Cook-Harvey, C. M., Mercer, C. J., & Harrell, A. (2019). *Preparing Teachers for Deeper Learning*. Harvard Education Press.

This vignette illustrates how teaching can be grounded in a developmental framework that supports strong, trusting relationships; collaboration in the learning process; inquiry combined with explicit instruction when appropriate; and individualized learning strategies as well as collective learning. All students feel they belong in this room, where they are learning to become responsible community members, critical thinkers, and problem-solvers together. A range of culturally connected curriculum materials supports that sense of inclusion, and a wide array of school supports reinforces inclusion by addressing student and family needs in multiple ways while including families as partners in the educational process.

These elements of a deeper learning environment were made possible for the diverse group of students at Midtown West by the civil rights protections we describe in this brief: investments in a safe and healthy community; court fights for a well-resourced, racially and economically integrated school system; a determined focus by the Office for Civil Rights on schools offering a safe and inclusive school environment; litigation and legislation to leverage high-quality teaching; and a curriculum for deeper learning sought through advocacy by a wide range of allies for justice.

## Safe and Healthy Communities

At the foundation of the civil rights road to deeper learning is a safe and healthy community, both within and beyond school grounds. Simply put, children cannot learn effectively when they are stressed, traumatized, sick, or hungry. Yet environmental inequalities are severe and widespread. People of color, particularly Black, Indigenous, and Latinx communities, are disproportionately exposed to toxic stress associated with high rates of poverty, food insecurity, housing insecurity, and proximity to toxic facilities (directly related to higher rates of cancer, asthma, and other physical illnesses). The legacy of redlining and the living conditions of people of color in low-income communities all affect their children's health and ability to learn.

In our current context, so-called "achievement gaps" begin early and widen over time. This is the result of significant *opportunity* gaps in multiple areas of children's lives.<sup>4</sup> These gaps begin with unsafe living conditions. Richard Rothstein's *The Color of Law* documented the effects on learning of environmental factors such as lead poisoning, iron-deficiency anemia, asthma, substandard pediatric care, housing instability, and neighborhood

dangers—all amplified by the aftereffects of redlining.<sup>5</sup> One major study that documented environmental inequalities, including the siting of toxic facilities in low-income communities of color, estimated that the side effects of these hazards account for as much as half of the performance differential between students living in Los Angeles neighborhoods with the lowest and highest risk levels, after controlling for poverty and other demographic factors.<sup>6</sup>

The Flint, Michigan lead water poisoning scandal, caused by the decision of a state-appointed city manager to save money by changing the city's water supply, is just one of many examples of how environmental assaults have required legal recourse. Civil rights litigation was needed—first to stop the poisoning of the water in this predominantly Black community, then to require medical redress for the lead poisoning thousands of children experienced, and then to insist on the special education supports more than 1 in 4 children needed. These lawsuits made possible the opening of a center offering neuropsychological screening for all children who had been exposed to lead as well as investments in special education services and preschool. But they could not correct the shortages of teachers caused by the combination of inadequate funding and low salaries in the under-resourced school system.

Nonetheless, many valiant educators, like this one described in a *New York Times* article, soldiered on, trying to reduce the trauma their students experienced:

Bethany Dumanois, who has taught in Flint for 25 years, works two jobs to keep teaching because she said she cannot abandon children whose discolored, rash-covered skin and chunks of exposed scalp haunt her. In the earlier days of the crisis, she spent class time addressing questions from her students about whether they would die from the water like their class lizard did.<sup>7</sup>

In addition to direct health threats, previously redlined communities often lack essential services and employment opportunities. The fallout from living in these marginalized communities can be psychological and physical trauma—a growing risk as childhood poverty, homelessness, and food insecurity in the United States have continued to rise to the highest rates of any industrialized country in the world, affecting approximately 1 in 5 children.<sup>8</sup> In addition, 34 million children (46% of those under 18) endure adverse childhood experiences each year, as they are exposed to violence, crime, abuse, homelessness, hunger, or loss of family members. These experiences can create toxic stress that affects children's attention, learning, and behavior.<sup>9</sup>

During the No Child Left Behind Era, from 2002 until 2015, these extensive health risks and other harms to children were unacknowledged by a federal policy system whose only answer to evidence of struggling learners was a set of punitive accountability sanctions that blamed educators for low performance and responded to low test scores by firing teachers and closing public schools in high-need neighborhoods.<sup>10</sup>

## **Adequately and Equitably Resourced Schools**

Compounding these disparities in living conditions, public schools in the United States are among the most inequitably funded of any in the industrialized world, and since the nation's beginning, racial disparities and unequal access have gone hand in hand. From the time Southern states made it illegal to teach an enslaved person to read, throughout the 19th century, and into the 20th, Black communities faced de jure and de facto exclusion from U.S. public schools, as did Native and Mexican American populations. In the North, the problems



were also severe. In 1857, for example, a group of Black leaders protested to a New York state investigating committee that the New York Board of Education spent \$16 per white child and only 1 cent per Black child for school buildings. While Black students occupied schools described as “dark and cheerless” in neighborhoods “full of vice and filth,” white students had access to buildings that were “splendid, almost palatial edifices, with manifold comforts, conveniences, and elegancies.”<sup>11</sup> Large disparities continue to this day.

Many of the cases leading up to the famous desegregation case, *Brown v. Board of Education*, focused on these gaping inequalities in funding, but ultimately, it was the decision to focus on the harms of segregation that helped move the *Brown* case to victory.<sup>12</sup> Despite *Brown*, both unequal resources and high levels of racial and economic segregation persist. According to the Education Law Center’s most recent analysis, the highest-spending state funds its schools at three times the rate of the bottom-spending state, and inequalities within states are widespread. Only nine states have “progressive” funding systems that allocate at least 10% more per-pupil funding to high-poverty districts than to low-poverty districts. Others offer little support to meet students’ needs, and at least 20 states spend less on high-poverty districts than on low-poverty districts.<sup>13</sup>

Funding disparities are not limited to state spending: Within districts, schools serving children from low-income families and students of color often get fewer resources than those serving more affluent students.<sup>14</sup> This is particularly true of the growing number of intensely segregated schools—those serving more than 90% students of color who are also from low-income families—which are often severely under-resourced and struggling to close academic gaps while underwriting the additional services needed to address hunger, homelessness, and other traumas experienced by children and families in chronically underserved communities.<sup>15</sup> With larger class sizes and fewer counselors, nurses, and support providers, these schools also feature a revolving door of underprepared teachers whose lack of training and high attrition rates depress students’ achievement levels further.<sup>16</sup>

Litigation to address these disparities—and the segregation that is often associated with them—has been underway for a century and has resulted in significant gains in equity and learning in some communities and states, such as Massachusetts and New Jersey. These states catapulted to the two top-ranked states in the nation on the heels of school finance reforms that gave more money to high-need students in low-income districts while also establishing preschool for those students, along with making investments in stronger teaching.<sup>17</sup>

Studies within and across states have found that districts that increased and equalized spending in response to school finance reforms saw significant increases among students from low-income families in achievement, graduation, and college going, followed by higher wages and lower poverty rates as adults.<sup>18</sup> Research has also shown significant benefits from court-ordered desegregation. Over a 40-year span, the most comprehensive national study to date found that students of color achieved more and graduated at higher rates when they learned in desegregated schools; and the longer they were in these schools, the greater the associated gains.<sup>19</sup>

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Desegregated settings have also been found to promote critical elements of deeper learning. A synthesis of 4 decades of research found that the academic benefits of attending diverse schools include not only higher achievement in math, science, language, and reading and higher graduation and college-going rates, but also enhanced social and historical thinking, critical problem-solving skills, collaboration, and intergroup relationships, all of which provide students with the interpersonal skills needed in a globalizing economy.<sup>20</sup> But achieving these gains requires constant vigilance and civil rights enforcement, as schools have been resegregating since the 1980s, when the federal government began its retreat from supporting this agenda. Along with these strategies, we need greater attention to what marginalized students experience in school, where, even in integrated settings, full support and inclusion do not always occur.

## Safe and Inclusive Schools

Children learn best when they feel safe and supported, and their learning is impaired when they are fearful, anxious, or traumatized. The ability to take intellectual risks and experience struggle in the process of deeper learning is built on a foundation of affirmation, mastery experiences, psychological safety, and a sense of belonging. From the community to the classroom, children's developmental contexts matter a great deal. Their cognitive, physical, and social-emotional development are intertwined, which means that threats to one threaten the others.<sup>21</sup> A synthesis of research on the educational implications of the science of learning and development confirms that:

- Learning is social, emotional, and academic. Relationships and environments matter profoundly. When they are positive and trusting, they open the mind to learning. When they are negative and threatening, they dampen the brain's processing power. A child's best performance occurs under conditions of high support and low threat.
- Adversity affects learning—and the way schools respond matters. A child suffering from excess stress may experience anxiety, depression, lack of focus, and difficulty with memory and executive functioning. Schools can help to relieve these challenges or may reinforce them. Implicit bias, stereotyping, punitive discipline, and exclusion, all of which disproportionately affect marginalized students, become additional sources of trauma for children who are already suffering. On the other hand, caring adults and wraparound supports can be sources of resilience and healing. Warm, consistent, and attuned adults support positive brain development, even buffering children against other sources of adversity.<sup>22</sup>

Yet many students do not experience a secure and caring climate, especially in secondary schools. For example, a study of more than 148,000 6th- to 12th-graders reported that only 29% felt their schools provided a caring, encouraging environment.<sup>23</sup> School climate and experiences of support and belonging can diverge substantially within a school for students from different racial and ethnic, income, language, disability, gender, and sexual orientation groups who may experience biases of many forms—from assumptions about their abilities that impede access to high-quality curriculum to differential treatment in a variety of forms. A number of studies have found, for example, that students of color perceive fewer favorable experiences of safety, connectedness, relationships with adults, and opportunities for participation in comparison to their white peers.<sup>24</sup>



One particularly problematic practice is the use of exclusionary discipline that removes students from the classroom through punishments such as suspensions and expulsions. This practice increased dramatically in the United States as a result of zero-tolerance policies that use such approaches even for the most minor offenses, including nonviolent “misbehavior,” such as tardiness, talking, texting, sleeping in class, or failing to follow instructions, with little consideration of the context and underlying causes of these behaviors. Research has found that suspensions—which are significantly higher for students of color and students with disabilities—lead to disengagement, academic losses, higher dropout rates, and a school-to-prison pipeline.<sup>25</sup>

Studies show that when schools help students form social bonds with adults and with each other, disciplinary problems are reduced. Research has also found that a positive climate in schools can be greatly increased when adults teach and model social-emotional skills. Social and emotional learning (SEL) is “the process through which children and adults understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.”<sup>26</sup> Two meta-analyses of SEL curriculum programs, examining hundreds of studies, have shown that participating students demonstrate improvements in their social-emotional skills; attitudes about themselves, others, and school; social and classroom behavior; and grades and test scores and that these outcomes can endure for many years.<sup>27</sup>

Building on these successes, approaches to discipline that include restorative practices have proved successful in making schools safer without suspensions, reaping benefits for student achievement and graduation rates in the process.<sup>28</sup> Urged by the Office for Civil Rights as an alternative to school exclusions, these practices “proactively build healthy relationships and a sense of community to prevent and address conflict and wrongdoing.”<sup>29</sup> Restorative practices create caring school relationships by infusing SEL and community-building activities into the school day through community circles and other processes for sharing events and feelings and by enabling access to supports when they are needed. In addition, they allow students to reflect on their behavior and make amends when needed to preserve the health of the community, drawing them closer rather than pushing them away.<sup>30</sup>

### **Restorative Practices at Bronxdale High School**

Bronxdale High School is an inclusion high school serving 445 students, about one quarter of whom are students with disabilities, in a low-income community of color in New York City. The once chaotic site is now a safe, caring, and collaborative community in which staff, students, and families have voice, agency, and responsibility and from which students are graduating and going on to college at rates higher than their peers across the city. At Bronxdale, community building—accomplished through SEL work in advisories, student-designed classroom constitutions, and affirmative supports in all classrooms—is integral to the school’s successful restorative approach.

Rather than using a behavior management system to keep the school and students under control, Bronxdale’s approach creates a safe, respectful environment through a youth development strategy that helps students develop pro-social ways of responding to the stresses and tensions that affect them in their daily lives—skills that will serve them well in forging successful, productive, and satisfying lives going forward. The approach is both educative (creating positive norms and teaching useful strategies) and restorative (able to repair harms).

As Principal Carolyn Quintana noted, restorative practices have value only when there is something to restore, and that something is “the community, relationships, and harmony.” As one student commented, “We’re connected. Students and teachers care about you.” Still another stated, “Every student in this school has at least one

relationship with a teacher.” Much of the foundational work is done in advisory classes, which are led by teachers and other professional staff and supported by student leaders in the school, who receive training to do so. By creating spaces for students to share feelings and make their coping strategies explicit, advisories allow community members to share knowledge and skills to support each other.

The approach includes teaching social-emotional and conflict resolution skills, enabling responsibility, and implementing restorative and empowering practices such as peer mediation, circles, and youth court. A student explained that at Bronxdale, “You get a chance to fix what you did. They don’t suspend you.” Another remarked, “Here we learn about consequences. In other schools, we would get punished for everything.” At the core of Bronxdale’s conception of the restorative approach are the staff’s positive beliefs about and their faith in the fundamental worthiness of students.

School leaders note that, although kids sometimes have problems, they are not themselves the problem. The principal’s goal is to help staff shift to the idea that “kids do what they can. If they can’t, it’s because they don’t know how.” By helping students understand that they can choose their responses and can think in new ways, which gives them more choices, the staff support students in imagining, learning, and adopting pro-social behaviors. The outcome is a school in which students take care of each other and are prepared to handle difficulties, both by using the strategies they have learned and by seeking out assistance from others.

Source: Adapted from Aness, J., Rogers, B., Duncan Grand, D., & Darling-Hammond, L. (2019). *Teaching the way students learn best: Lessons from Bronxdale High School*. Learning Policy Institute.

As this example from Bronxdale High School illustrates, restorative practices also support deeper learning as students learn to reflect on their feelings and actions, develop empathy and interpersonal skills, and engage in increasingly sophisticated problem-solving within their school community. Such environments can motivate students to come to school. Once they get there, it is critically important that they experience thoughtful and effective teaching in every classroom, another challenge in many schools.

## Quality Teaching

In classrooms in which deeper learning is the goal, meaningful academic content is paired with engaging, experiential, and collaborative learning experiences. Such teaching requires a much more extensive repertoire of skills and practices than teaching for superficial coverage of content. In addition, teaching complex skills to students with diverse learning needs requires well-informed judgments about what and how different students are learning, how gaps in their understanding can be addressed, what experiences will allow them to connect what they know to what they need to know, and what instructional adaptations will be needed to ensure that they can reach common goals.

These sophisticated pedagogies are typically the product of high-quality teacher preparation rooted in knowledge about child development and learning as they unfold in cultural contexts. But teachers who have been prepared to teach in these ways—demonstrated by Ted Pollen at Midtown West—are both scarce and inequitably distributed, limiting these kinds of deeper learning experiences largely to students in affluent communities that can pay higher salaries while providing smaller classes and better working conditions. Indeed, the ability of under-resourced schools to attract and retain teachers like Ted has relied, in substantial part, on civil rights litigation over a number of years.

Across the country, in nearly every state, teachers in schools serving large concentrations of students of color and students from low-income families are typically less qualified, and in times of recurring teacher shortages, large numbers of individuals are allowed to enter these schools on emergency permits without the necessary training to provide quality instruction.<sup>31</sup> Data from the most recent Civil Rights Data Collection show that schools serving the largest number of students of color employ four times as many uncertified teachers and nearly twice as many inexperienced teachers as those serving the fewest.<sup>32</sup> These data are used to inform both federal investigations of equitable access and state actions.

In addition, the “comparability” provisions of the Every Student Succeeds Act (ESSA) are aimed at ensuring that students from low-income families are not taught by more inexperienced, out-of-field, or ineffective teachers than those in more affluent schools within the same district. ESSA also requires each state to develop an Equity Plan explaining how it will create more equitable access to teachers who are fully prepared and credentialed. However, these provisions are rarely enforced, and more leverage is needed to ensure that all students experience teachers who are prepared to teach equitably and effectively.

The importance of equitable access to teachers has been acknowledged in civil rights litigation and enforcement in several ways. Lack of access to prepared and experienced teachers has been a part of many school finance lawsuits over the years, and policies that can ensure well-qualified teachers have been part of remedies in a number of states and cities. In some cases, as in Connecticut and North Carolina during the 1990s, a comprehensive approach to investments for salaries and preparation, coupled with redesigned standards for the profession, led to widespread access to both well-qualified teachers and a higher-quality curriculum, with strongly positive effects on achievement and on closing the opportunity and achievement gaps.<sup>33</sup> Both states, however, have experienced political changes that have undone some of the gains that were made.

The ability to develop teachers like Ted Pollen also depends on high-quality and affordable preparation programs that enable teachers to learn the sophisticated skills of teaching challenging content to students who learn in different ways and come from different contexts.

In high-performing countries like Finland and Singapore, a coherent set of policies supporting teacher recruitment, preparation, compensation, and ongoing development creates an infrastructure that enables teaching in support of deeper learning and equity to become the norm.<sup>34</sup> Most now provide high-quality, graduate-level teacher education designed to ensure that teachers can effectively educate all of their students. Preparation is free for entrants, often with a salary or living stipend, and includes a year of practice teaching in a clinical school connected to the university, much like a teaching hospital. Schools are designed and funded to provide coaching and joint planning time for beginners as well as veterans. Salaries are competitive with other professions and are higher in hard-to-staff locations. Similar policies are needed in the United States, where progress could be modeled on the federal government’s long-standing support in medicine, which includes subsidies for medical training to fill shortages and to build teaching hospitals and training programs in high-need areas.

## High-Quality Curriculum

In the United States, the inquiry-based “thinking curriculum” that supports deeper learning has been rationed to relatively few students and made especially inaccessible to students of color, who are often segregated in schools and tracks that offer a lower-level curriculum and are underrepresented in Gifted and Talented programs and advanced courses in which deeper learning practices are more likely to be found. And with accountability systems organized around low-level, multiple-choice tests that strongly influence curriculum, far fewer U.S. students ever encounter the kinds of deeper learning opportunities students in high-achieving countries typically experience.

Access to a deeper learning curriculum should begin with access to quality preschool when children are developing their initial brain architectures as they explore, inquire, communicate, and play. High-quality preschool teaching cultivates these deeper learning abilities, along with social-emotional skills, so that they transfer into approaches to learning in later schooling and life, securing substantial academic and life benefits. However, fewer than half of children from low-income families have access to this kind of early learning experience, and even fewer have access to a deeper learning curriculum when they reach school age.

Building on these early experiences, research has found that elementary and secondary schools that successfully support deeper learning for students of color and those from low-income communities engage in a number of common practices, including authentic instruction and assessment (e.g., project-based and collaborative learning, performance-based assessment, and connections to relevant topics related to student identities and the world beyond school); personalized supports (e.g., advisory systems, differentiated instruction, and social and emotional learning and skill building); and ongoing educator learning through collaboration, shared leadership, and regular professional development.<sup>35</sup>

The American Institutes for Research found that across a set of 13 deeper learning–focused schools engaged in these practices, compared with a set of matched schools, students achieved higher scores on the Program for International Student Assessment (PISA) test and were more likely to graduate high school in 4 years, to enroll in 4-year colleges, and to attend more selective colleges. Importantly, the accomplishments were achieved regardless of whether participating students entered high school with low or high levels of prior achievement.<sup>36</sup>

The study documented that in untracked settings in which students receive instruction that enables them to succeed, students engage in mastery learning experiences through which they undertake meaningful questions, conduct inquiries together, present and vet their answers to one another, and continue to revise their findings and products until they deeply understand the concepts. By revising their work, students learn that they can become competent by applying purposeful effort (guided by rubrics that identify what they have done well and what is left to do), and they develop cognitive strategies that they can transfer to future work. In many of these schools, students publicly present exhibitions of their work at the end of a grade level or for graduation to demonstrate how they are mastering the competencies that guide that school’s curriculum. As students take agency in the learning process, they come to understand both how they learn and what they care about, which propels their work going forward. They develop a growth mindset and the motivation to continue to identify questions and pursue deeper learning about matters they care about, including pathways to college and careers.

The following example of Life Academy, one of more than 600 Linked Learning Academies in California, illustrates how rigorous academics can be combined with career-based learning and real-world workplace experiences in ways that eliminate the divide between academic and vocational tracks that once divided students substantially by race and class. All students are prepared for both college and careers. The schools are connected to their communities through industry partners and relationships with other organizations that provide internships and other learning opportunities and that participate in evaluating authentic student work.

### Linked Learning in Action

**Life Academy of Health and Bioscience** is a small public high school in Oakland Unified School District that prepares its students to become future professionals within the biological sciences. The school offers all students college and career preparation coursework through inquiry-based pedagogy, health and science career internships, a 4-year advisory program, multiple performance-based exhibitions that include an interdisciplinary senior exhibition, and a wide array of “post-session” classes driven by students’ interests at the end of the year.

Opened in 2001, Life Academy was designed based on research about effective, small learning communities. Explicitly focused on disrupting patterns of inequality that affect its students, the school serves students from diverse backgrounds. Ninety-nine percent of its families qualify for free or reduced-price lunch, 30% are English learners, and about half of students’ parents did not complete high school.

All students select one of the school’s three career pathways—medicine, health, or biotechnology—and take college preparatory courses and complete an internship aligned with that pathway. To support these internships, the school has developed relationships with partners, including several local hospitals. Hallmark instructional elements of the school include an emphasis on cross-disciplinary projects and public demonstration of mastery. The culminating work for students is the senior research paper, a yearlong and multistage assignment. Each student researches a question that emerges out of an internship experience. To answer the question, each student conducts a literature review, interviews an expert, writes a paper, and presents and defends findings to a panel that includes faculty, students, and family or community members.

The school had a 100% graduation rate in 2020–21 and has had the highest acceptance rate into the state university system of any high school in Oakland, with students going to schools like the University of California, Berkeley and the University of California, Los Angeles as well as Stanford and Smith College. When asked what high school experiences have contributed to their college readiness, more than 90% of Life Academy students list relationships with teachers and advisors, workplace internships, and aspects of the way they are encouraged to work on their projects and demonstrate mastery, such as “explaining my thinking,” “testing or trying out my ideas to see if they worked,” “evaluating myself on my class work,” “participating in peer review of work,” and “having to revise my work until it meets standards of proficiency.” These practices are part of a performance-based, mastery-oriented, relationship-supported approach to learning that can create success for all students.

Sources: Darling-Hammond, L., Friedlaender, D., & Snyder, J. (2014). *Student-centered schools: Policy supports for closing the opportunity gap*. Stanford Center for Opportunity Policy in Education; Richardson, N., & Feldman, J. (2014). *Student-centered learning: Life Academy of Health and Bioscience*. Stanford Center for Opportunity Policy in Education; Stanford Center for Opportunity Policy in Education. (2014). *Student-centered learning: How four schools are closing the opportunity gap*. Printed with permission: <http://edpolicy.stanford.edu>.

Differential access to high-quality curriculum for students of color has been an issue raised in both school finance and desegregation litigation, with remedies ranging from provision of high-quality preschool to provision of stronger curriculum offerings. The Civil Rights Data Collection provides information about access to advanced programs and coursework for schools with different proportions of students of color. These data illustrate disparities and flag for advocates, as well as districts, the kinds of inequities that need attention.

## Conclusion: The Civil Rights Road Ahead

There is still a long road to travel to access deeper learning for all students, and reaching the destination includes civil rights enforcement and equity policies to ensure access to healthy environments, supportive learning conditions and opportunities, well-resourced and inclusive schools, skillful teaching, and high-quality curriculum. To make good on our national obligation to provide equitable access to high-quality education, policymakers at the federal, state, and local levels need to cultivate universally available high-quality curricular opportunities within well-resourced schools, investments that ensure an adequate and equitably distributed supply of well-prepared educators, and supportive wraparound services (e.g., counseling, health care, social services), with ongoing knowledge and skill building focused on whole child development among all the adults who touch children's lives.

Policymakers will need to **rebuild the tattered safety net** for children and families, as the American Rescue Plan Act began to do, with investments in nutrition, child care, health care, and child tax credits that reduced child poverty by half in 2021—which could be permanent if continued in federal law.<sup>37</sup> They will also need to reduce toxins in the environment, as the Infrastructure Investment and Jobs Act of 2021 seeks to do with a \$3.5 billion superfund to clean up toxic waste, mostly in communities of color.<sup>38</sup> And policymakers will need to invest in rebuilding communities that have been cordoned off from investment and opportunity so that families in these communities can thrive.

To support optimal conditions for development and learning, the schools that children attend in these communities must be well supported by **adequate and equitable resources** that address the intense needs that our social system creates for many children and families. This will require a number of efforts to end the legacy of under-resourced and segregated schools:

- Ongoing **school finance reform** litigation and legislation at the state level to achieve policies that provide funding based on pupil needs—such as poverty, homelessness, English learner status, and special education status—rather than as a function of property tax wealth in local communities.
- High-quality **preschool education** that offers key learning resources to close opportunity and achievement gaps before school begins, offering a deeper learning curriculum from the start, when children are developing their initial brain architectures as they explore, inquire, communicate, and play.
- Reengagement of federal support for **desegregation**, through investments in such programs as the Magnet Schools Assistance Program, not only to support individual schools and districts but also to enable states to pursue interdistrict solutions to segregation, like those in Connecticut, Massachusetts, and Nebraska,<sup>39</sup> and reinstatement of the federal guidance and technical assistance from the Department of Education and Department of Justice to states and localities on how to support school diversity.<sup>40</sup>

Developing **safe and inclusive schools** will require ongoing civil rights enforcement that has been essential to pave a path toward non-exclusionary school discipline practices for students of color and students with disabilities. The Office for Civil Rights' (OCR) ability to monitor suspension and expulsion rates using the Civil Rights Data Collection has been critical, as has its guidance supporting restorative practices as an alternative. Though repealed by the Trump administration, the OCR guidance will soon be reissued to help districts support



productive policies. Also important will be expansions of currently modest investments under Titles I and IV of the Every Student Succeeds Act for programs that support social and emotional learning; restorative practices; positive school climate development; and community schools that organize whole child supports promoting students' physical and mental health, social welfare, and academic success.<sup>41</sup>

All of these strategies ultimately require a diverse, well-prepared, culturally responsive and stable **teaching force** in all schools. To achieve this goal, a robust national teacher policy would accomplish the following:

- Expand **service scholarships and loan forgiveness** programs to fully cover preparation costs for recruits who teach in high-need fields or locations for at least 4 years.
- Support **improved preparation**, including professional development schools that function like teaching hospitals and residency programs that subsidize candidates and place them for a full year with expert teachers in schools designed to support them while they complete their credential coursework.<sup>42</sup> These schools should engage in student-centered deeper learning practices so that new practitioners can learn how to create a path to equity rather than unwittingly replicating the status quo.
- Provide high-quality **mentoring for all beginning teachers**, which would reduce churn, enhance teaching quality, and heighten student achievement.
- Design **recruitment incentives** to attract and retain expert, experienced teachers who can teach and coach others in high-need schools, such as those certified by the National Board for Professional Teaching Standards, who are skilled in teaching for deeper learning and are found to be highly effective as teachers and mentors.<sup>43</sup>

Finally, to support educators in developing **curriculum, assessment, and instruction for deeper learning**, policymakers can design and encourage *supportive accountability and continuous improvement systems* that focus on students' opportunities to learn as well as multiple measures of meaningful learning and attainment. Such systems should emphasize indicators of students' access to educational resources: well-qualified educators; a rich curriculum; high-quality teaching; instructional materials (including digital access at home and at school); a positive school climate; social-emotional and academic supports; and expert instruction for English learners, students with disabilities, and other students with identified needs. They would also include indicators of learning and progress using rich performance-based assessments that measure learning in authentic ways, completion of well-designed pathways to college and careers, and accomplishments such as biliteracy and civic engagement.

In the interdependent world we inhabit, threatened by conflict and climate change and driven by rapidly changing knowledge and technologies, a highly educated, communally committed populace is necessary for the survival and success of societies as well as individuals. No society can thrive in a technological, knowledge-based economy by starving large segments of its population of learning. The path to our mutual well-being is built on equitable educational opportunity. It is critical that we invest in the deeper learning that enables creativity, critical thinking, collaboration, a commitment to social good, and a high capacity for ongoing learning. The evidence shows that this is possible, but making such learning commonplace requires creating healthy communities and safe, inclusive, and well-resourced schools for all. We must move beyond litigation and partial solutions to create a system structured to benefit (and benefit from) all of its citizens by supporting each and every child.

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Suggested citation: Darling-Hammond, K., & Darling-Hammond, L. (with Byard, E.). (2022). *The civil rights road to deeper learning*. Learning Policy Institute. <https://doi.org/10.54300/462.143>

This work can be found online at: <https://learningpolicyinstitute.org/product/civil-rights-road-deeper-learning-brief>

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