

# ***Brown v. Board of Education* and the Democratic Purposes of Public Education**

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This year, 2024, marks the 70th Anniversary of the landmark court decision in education which sought to end legal segregation, *Brown v. Board of Education*. At the time, the hope was that ending segregation would address the vast and deep inequities in educational resources by race that had long been the legacy of schooling in the United States. Getting to the *Brown* decision was a long, hard battle, fought by civil rights attorneys, but also by educators, social psychologists, and members of the Black community—parents and students. And yet, despite the hopes for resource equity and higher quality education for Black students, inequities by race still plague our education system, and the promises of *Brown* remain substantially unfulfilled.

This paper is a part of a series, titled *Brown at 70: Reflections and The Road Forward*. The series consists of nine papers by leading scholars of educational equity, and each takes an honest look at the progress since *Brown*, documenting the shifts over time on key aspects of education including segregation levels of schools across the country, achievement trends in relation to policies and practices over time, the diversity of the teaching force, access to resources, the role of Black scholars and community activism, and the relationship between democracy and education. Taken together, the set of papers offers both an historical look at the impacts of the *Brown* decision, and, importantly, also offers guidance for the road ahead—promising policies, practices, and directions for the schools we need.

The cover art for this series is a reproduction of the Jacob Lawrence painting from 1960, *The Library*, which depicts the library as a vibrant learning setting for Black community members, and signifies the important of reading, learning, and education in the Black tradition.

— Na'ilah Suad Nasir, Spencer Foundation President  
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# Introduction

This paper argues strongly that preparing young people for citizenship should be a central purpose of our education system. Specifically, our schools should provide students with ways of thinking about economic and social issues and equip them with the knowledge and skill to identify and advocate for addressing these issues. Realizing this purpose requires significant change in the design and operations of our schools. Schools should be designed and organized in ways that help students understand the obligations that members of a society owe one another. Such change carries implications for what we ask students to do while in school and how we account for what they learn.

Operationally, embracing the democratizing purpose of public education requires new ways of thinking about teaching and learning and includes a commitment to preparing an education workforce that sees this purpose as part of their charter. This new workforce must also see today's diverse learners for who they are; knowledgeable and interesting people who care about their peers and their communities. Our teachers will need both time, flexibility, and support to embrace this charter. They will also need new tools—curriculum, instructional materials and other resources that they can adapt to local context, customize to specific needs and personalize to student learning styles.

Lest we think this refreshed or renewed purpose is out of reach, note that we have useful examples upon which to draw, especially at the policy level. With regard for instance, to curriculum policy, much attention has been paid to civics course requirements. At least 42 states required students to take a course in civics and government, with eight of those states requiring a full year of civics (Ed Week, 2018). Often the goal of these courses has been to ensure that students know the facts about the U.S. system of government: the branches of government and how they operate, the requirements of citizenship, and so on. Several states have also refined their graduation policies to include civic learning as a requirement (Kissinger, 2022).

While not out of reach, the very idea of education as a public good and as an institution whose purpose is to sustain a liberal democracy, is not promised. A divisive political climate, starting with a manufactured alarm about critical race theory, followed by assaults on gender identity and LGBTQ+ rights, is targeting our public schools. Over half the states have introduced bills or taken other actions to restrict whether and how teachers can discuss history, racism and sexism (Stout and Wilborn, 2022). Stoking fear about schools bringing harm to White students is energizing efforts to privatize public education. Taken together, these efforts represent real threats to democracy. And this brings us to the fundamental significance of *Brown v Board of Education*, for the core premise of this seminal court decision, I will argue below, was to give rise, through education, to a vibrant multiracial democracy.

# A Recounting of *Brown's* Promise

Seventy years ago, in *Brown v. Board of Education*, the Supreme Court declared that 'separate educational facilities are inherently unequal.' *Brown* signaled the end of legalized racial segregation in America's schools. There was an implied promise that if we leveled the playing field, a number of things would be true: That for children of color, high school graduation rates would rise; that these students would make successful transitions from school to work; that postsecondary participation would increase. Following this logic, these young people would take their place in our economy and democracy. *Brown* was about much more than just what happened in school. Kids who went to school together were much more likely to live in the same neighborhoods, more likely to become friends, and more likely to see each other as valued members of their communities.

The process of desegregating schools, imperfect though it was, did bring a significant increase in graduation and college-going rates. To the advocates for a fair and just public education system, this came as no surprise. A series of connected and reinforcing policy moves, building on *Brown*, contributed to the progress we observed between 1954 and the middle 1990s. These included a wave of school desegregation efforts, the school finance reforms of the 1970s and 1980s (Baker, 2021) and a corresponding effort to strengthen the quality of the education workforce. As these related policy moves took hold, we witnessed a steady reduction in race-related achievement gaps. The policy responses to *Brown* also contributed to raising adult income and economic power (Johnson, 2019).

Unfortunately, the connection between these post-*Brown* policy actions and their impact on academic achievement among Black and Brown students was underappreciated, if recognized at all, by a generation of education reformers whose influence came into prominence several decades later... Rather than seeing an adequately resourced, equitable, and inclusive education as a prerequisite for civic participation and upward mobility, this new generation of reformers had been persuaded that wage stagnation and growing income inequality, well documented by then, were best explained by a broken education system (Kraus, 2023). Accordingly, fixing the schools would take priority over attention to business practices and tax policies. These education reformers would piggyback on a new chapter in federal education policy, the *No Child Left Behind* (NCLB) era (NCLB, 2002) advocating for and supporting a new suite of policies, from national standards to various accountability, human capital, and performance-oriented interventions. The reform strategies that ensued were based on a few key assumptions.

First, new education goals, expressed in terms of common standards, would pull the system toward excellence. States would gauge progress against those standards through summative tests of student knowledge.

Performance management would become a key lever for improvement. A mix of punitive measures (closing schools, firing teachers) and incentives (merit pay) would coax the system along while pruning it of underperformers.

Second, following the logic of performance management, individuals and individual schools, rather than the structures that surrounded them, became the units of analysis. Students were deemed proficient or failing based on tests, and teachers and schools were judged by how much student test scores improved. Little if any attention was given to the unequal starting points *Brown* sought to address. The result was that students, teachers, and schools from neighborhoods with higher poverty and higher proportions of students of color were more likely to be labeled failing, and to face punitive rather than restorative measures.

Failing schools were given scant resources for improvement. In place of more resources or more attention to context or structure, *choice* would be the vehicle of school improvement. States were strongly encouraged to deregulate who could operate schools and create a market signal of quality among different schools that parents could easily understand (test scores). Parents, as customers, should rationally choose high-scoring schools, which would in turn create a virtuous cycle of competition where all schools in a geography would compete to improve, with the most successful expanding and the least effective closed.

Hence, the education reform movement that gained popularity roughly 50 years after *Brown* was firmly rooted in the broader neoliberal transformation of economic and social policy in the United States that first took hold in the 1980s. The central tenet of neoliberalism was and is that governments should not interfere with the functioning of markets, which are perfectly capable of shaping both economic and social outcomes. Today's dramatic income inequality and associated fissures in our democracy call into question whether markets, left unfettered, distribute economic returns widely. When they do not, history suggests that democracies often struggle (Wolf, 2023) and the current situation in the U.S. supports this assertion.

Herein lies today's challenge. During this (neoliberal) project, progress on school integration stalled. Students are now as racially segregated as they were in the late 1960s. And with this return to racial and economic segregation, we have, again, widespread inequality in educational opportunity. Among other things, the racial and socioeconomic make up of schools has a significant impact on factors directly correlated with the quality of education, such as securing and retaining high quality teachers (Jackson, 2009). Disparities in per pupil expenditures, never fully addressed, widened once again. Instead of looking back to the years immediately following *Brown* for insights and ideas, education advocates and civil rights groups find themselves defending against a backlash to educational equity.

# A New Frame for Achieving *Brown's* Promise

Serving as the ideological frame for reform, neoliberal thinking gave rise to a range of reform tactics. In addition to using test scores to identify and sanction ineffective schools, a lot of energy went into linking student level data to teacher records to sort out effective from ineffective teachers (Sass et al., 2012). Governance reform was used to gain leverage on what were considered stubborn bureaucracies, giving rise to mayoral takeovers in several of the nation's big cities (Henig, 2013). State legislatures, and in some cases, state education agencies and local school districts, dramatically expanded the number of charter schools. These tactics did not, for the most part, live up to expectations. The tests were overly narrow and overly used, the methods for teacher performance management were flawed, the system wasn't resourced to improve, and structural factors like racism and poverty were largely ignored. Adding insult to injury, disparities in achievement between Whites, Blacks, and Hispanic students, which had been falling during the 1970s and 80s, tapered off in both reading and math (NAEP, 2023).

Further, the school-age population has changed over the past 25 years. Between 2000, on the cusp of NCLB, and 2018, the public schools became much more racially diverse, as the percentage of White students fell from 62% to 47% (NCES, 2022). Just over 10% of all students were English language learners (NCES, 2022). Of the roughly 50 million students now enrolled in the public schools, 50% attend school in middle to high poverty school districts (NCES, 2022). The current system design was never intended to address the challenges associated with these new demographics. We should be open to new designs—structures and processes that leverage what we know today about how people learn and that respect the diverse majority of students in today's schools.

To drive home this last point, note that the most basic design behind our education system, the 185-day school year with the summer off, was created to fit an agrarian calendar. Within this structure, our education system has been retrofitted to align with an industrial age characterized by standardized modes of instruction and assessment where education content is controlled centrally and learning opportunities are delivered in fixed time blocks. To make this easier for teachers, the system groups students by age, ability and often by race. A teacher's ability to manage their classrooms is a key factor in achieving tenure as is their ability to keep pace with the scope and sequence of the centralized curriculum. Standardized tests provide cheap and reliable means of monitoring student performance. The irony of course, is that this basic design, as noted above, has not altered race and income-related achievement gaps, a point that should be of grave concern for the civil rights community.

Much more is known now than when we put this education system in place. We have advances in cognitive science that shed light on how people learn (NAS, 1999 a). There is now a science of learning which, owing to its interdisciplinary nature, gives us fuller pictures of our students and sheds light on how social context and culture influence how they learn, much less how to engage them in the process of learning (Pellegrino and Hilton, 2012; Learning Policy Institute, 2021). This new knowledge has real implications for satisfying the conditions *Brown* sought to establish, which, I will argue, were twofold. One, that like their White counterparts, students of color would be deeply educated, which meant that they would be supported to think critically and equipped with the tools to make sense of the times in which they lived; two, that students would emerge from their educational experiences with agency and purpose, interested in the economic and social issues of the day and ready to take them up, as citizens, consumers, parents, workers, and voters. The preconditions for these educational and developmental outcomes started with a well-resourced public education system and included the things that flow from this—rigorous curricula, quality teachers, and schools that were safe and welcoming (Robinson, 2021).

If these were the conditions *Brown* sought to create—that students would grow academically and participate fully in our democracy—we need to be explicit about what conditions must hold today, especially from a teaching and learning point of view. If neoliberal thinking falls short as a framework for academic success and social mobility, are new frames available through which to think about pursuing this aspiration? I will offer below an idea or two for how we might reframe the debate about education reform and improvement. Thinking differently about the purpose of our public schools is a good place to start.

## A Refreshed Purpose

The dominant axiom about education's purpose has been that it should get kids "college and career ready." This gave rise to an almost singular focus on reading and math in the development of new standards-aligned instructional resources and assessments. While this was justified, many aspects of a well-rounded education—civics, history, social studies, and the fine and performing arts—were deemphasized (Commission on No Child Left Behind, 2007 Hamilton et al., 2008;). NCLB did not require that these subjects be deprioritized, but states felt the pressure to focus on the things that drove federal education aid (Polikoff et al., 2022). Even with this pressure, the country failed to make the achievement gains it had expected to make during this period (NCES, 2005; Lee, 2006; Loveless, 2015).

The strong hand of accountability, it could be argued, may well have discouraged much needed policy innovation. It certainly kept low-performing schools from adopting practices that might have engaged and motivated their students. We should wonder what progress we might have made if the schools had been given resources to build their capacity to support their students, and students had been given opportunities to work on culturally relevant topics and projects that leverage their backgrounds and interests.

This is where purpose matters. Our preoccupation with skills, while necessary, may not be sufficient for today's students, who we know are longing for school experiences where it is obvious that educators are interested in who they are and in schoolwork that they see as worth their time and effort (YouthTruth, 2021). In my view, our schools should focus on competencies, skills, and civic reasoning. Programs around the country are demonstrating the engagement and learning dividends from a focus on civic learning.<sup>1</sup> Beyond this, I will argue we desperately need our public schools to take *building our democracy* as a core purpose. Were we to do so, here are a few specific ideas for what might be emphasized.

- 1. Our public schools should impart knowledge, skills, and dispositions for effective democratic and community engagement.** This sort of preparation is not at odds with being college and career ready. To the contrary, it is likely to be an essential component of being prepared for the jobs of the future.
- 2. Our schools should do their part to convey common facts in a world where, increasingly, facts are contested.** A shared set of facts is perhaps the lowest common denominator for a good education and functioning democracy. But with the rise of misinformation, AI-altered media, and partisan echo chambers, our common fact base is fragile. We should commit to strengthening schools as a public source of knowledge and an institution committed to helping children and their families use facts to advance the public good.
- 3. Education should provide students with new frames for thinking about societal problems.** Today's neoliberal version of capitalism, just one of capitalism's many manifestations, is often assumed to be the only way to analyze and solve problems, when there are a range of ways we might balance the roles of governments and markets within a capitalist frame. If we want our future citizens to meet challenges such as inequality and climate change, which neoliberalism has been ill-suited to solve, it would behoove us to help young people expand their thinking around questions of power, wealth, choice, and freedom as early in their education as possible.

### **Design Ideas to Support a New Purpose**

Charged though it may be to question the purpose of our public schools, challenging its core *design* is even more fraught. As noted above, the basic design has been with us since the turn of the century. While the leaders of today's education system struggle to reduce race—and income-related disparities, it is very difficult to engage in conversation about changing the current design. It is as if we are glued to our 100-year history, constrained by an outdated accountability construct, and trapped by today's contentious politics.

And yet it is hard to imagine satisfying the conditions stated above, much less reproduce the academic success and social mobility we initially witnessed post *Brown*, if we cannot at least consider a few key changes in the system as we know it. In lieu of the broader treatment this question deserves, here are just three ideas that deserve more consideration than they receive today.

The first is implied by the discussion of purpose above. To provide a common and shared knowledge base, offer useful frames for understanding the world in which we live, and equip students with the skills and tools to understand and ultimately tackle the challenges of the day, we need new goals for teaching and learning. Today's continuing emphasis on memorizing prior knowledge must give way to helping students make sense of new information, including using what students are learning in one context to analyze and solve problems in another.

Second, new teaching and learning goals must be accompanied by expanded opportunities to learn. Within schools, this might mean doing more to personalize the student experience as a means of increasing engagement and motivation. Of course, schools are not the only setting in which learning occurs. If the pandemic taught us anything, it was how important community-based organizations, cultural institutions, businesses, and higher education institutions can be for engaging, motivating and expanding learning opportunities. The structures for these opportunities take many forms—apprenticeships, dual enrollment, internships, service-learning opportunities, and some versions of what we popularly refer to as community schools. Although there are many examples across the country, they remain the exception, not the rule. Our current school design is not permeable enough to accommodate them.

Expanding learning opportunities also depend on how we think about and use time. Roughly a decade ago, the Ford Foundation and the James Irving Foundation, supported a range of pilots to illustrate what is possible when time and space are considered variable. These included efforts to provide integrated supports and expanded learning opportunities for families and children as part of Promise Neighborhood initiatives in California and Minnesota; community school initiatives in Oakland, California and high school redesign efforts in Detroit that explicitly link academic, career and workplace learning opportunities (Saunders et al., 2017). Each of these pilots sought to expand the settings in which and ways that young people could learn and develop as students. One of the lessons coming out of the pandemic is that kids need more time, during the school year, to rebound from lost learning opportunities. Imagine the leverage we might gain on learning if we found ways to institutionalize recent efforts to include community organizations in the learning process, build high dosage tutoring into the school day or leverage the summer to provide more than remedial education.

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<sup>1</sup> See for instance, Generation Citizen, <https://www.generationcitizen.org/>, and Mikva Challenge, <https://mikvachallenge.org/>.

One more point on design is warranted. Even when these expanded learning opportunities show promise, they face a common obstacle, the Carnegie Unit, which has been the central organizing feature of American education for more than a century. Valuable though it is as a common way of accounting for student effort, the Carnegie Unit has been criticized for limiting flexibility and innovation. Especially problematic is the fact that we have not found ways to acknowledge and extend credit for things that young people learn outside of school. While it would be unrealistic to simply abandon the Carnegie Unit—it is deeply embedded in our current education system—we could benefit from exploring alternatives and modifications to it. The modifications might include efforts to account for competency-based education experiences that are not linked to seat time, or project-based learning opportunities that occur over widely varying time frames.

Again, there are interesting new initiatives working now to expand how we think about time and space. Education Reimagined (<https://education-reimagined.org/>) for instance, has presented a compelling case for dramatically more personalization that depends on settings outside as much as within schools. The organizing idea for their work is a community-based, learner-centered ecosystem in which young people can craft and navigate their own learning journeys. In some respects, Education Reimagined is picking up where the Ford-Irving pilots left off a decade earlier, arguing for an education system that is organized around the interests and needs of the students rather than the adults (Pittman and Irby, 2024).

These ideas are offered as suggestive of what is possible if we can just bring ourselves to appreciate the limitations of our current school and system design and imagine the possibilities for alternatives that reinforce a refreshed, if not entirely new, purpose for our schools.

### **Operational Possibilities: Preparing Our Diverse Majority As Engaged Citizens**

*Brown* was about a lot more than schools. It was about securing a future for children of color every bit as promising as is understood to be possible for their White counterparts. All children stand to benefit from schools that are integrated, staffed by quality teachers, and providing learning opportunities that impart both basic skills and the advanced knowledge and skills needed to participate fully in our society. Over the past two decades, we have given plenty of attention to basic skills and relatively little to the knowledge and skills young people need to thrive in a dynamic and complex world.

To make all this happen, we will need to move beyond entrusting democratic preparation to a single high school U.S. Government course that some students take as an elective. Yes, young people should still learn how a bill becomes a law, but they will also need schools and communities that inculcate their agency and voice, offer curricula that promote inquiry into problems relevant to their lives, and staff the schools with educators who are trained to nurture civic skills and dispositions. This broader conception of civic learning, and the cross-curricular and real-world application it entails, will have a better chance at engaging kids in what we most want them to learn.

Here are a few examples of what is already happening in education that should give us a reason to believe we can move closer to a contemporary interpretation of *Brown*.

- 1. Community Schools.** Community schools (Blank et al., 2023) are receiving a welcome degree of new attention, with states like California supporting their expansion with multi-billion dollar investments, and the federal government and many national organizations working as their champions. Racially integrated communities would see schools as part of the social fabric. Flowing from the modern community schools movement, one would hope to see a renewed appreciation for the interdependence of education with other social determinants of learning, together with a rise in policy solutions and practices that knit these different sectors of community together.
- 2. Civic Learning.** There has been an increase in the number of states with civic learning graduation requirements or civic seals of engagement, and an increase in the number of nonprofit organizations helping students develop civic knowledge and skills (Darling-Hammond & McGuire, 2023). The rising civic learning movement, even if some of it does not extend beyond a few courses, is a likely opening for policy change, and well worth cultivating within the larger context of youth civic preparation.
- 3. Affirming Curricula.** Accompanied by the recent push for racial equity in education, a number of researchers, publishers, districts, and states have increased their attention to curricula and other educational resources that affirm the diverse identities of students. Of course, the backlash to educational equity has led to states removing references to race and gender in approved materials. Some adopters and providers have caved to pressure, but most are looking for guidance and support for the stand they are taking in support of culturally sustaining practices. In addition, educators will benefit greatly from advocacy for more affirmative standards and materials.



4. *Student Voice*. Young people today tend to be more civically engaged than generations past, and adults slowly, finally, are starting to pay attention. Youth organizing develops a range of skills useful to democratic engagement, but it is not often connected to in-school experiences. There are also a number of education organizations that do an excellent job with student voice and engagement (e.g., Big Picture Learning, [www.bigpicture.org/](http://www.bigpicture.org/)), that are not often connected to civics conversations. Bridge building across these divides will be needed for a fuller understanding of the ways that young people nurture democratic skills and dispositions.

5. *AI*. AI is likely to change student learning; that is, learning that involves basic skills or the acquisition of facts will become mediated at least in part by algorithm, while learning that is collaborative, immersive, and applied will be more likely to be teacher-led. If done well, this could create more instructional time for the “good stuff” of an education. Mitigating the potential harmful effects of AI will be essential.

# Securing the Promise of *Brown*

In 1954, the Supreme Court said that education had become the most important function of state and local government. Our public schools, the Court went on to argue, are the very foundation of good citizenship. The neoliberal project lost sight of this. Today's education narrative remains centered largely on market-based ideas for improvement (Lipman, 2011). These ideas emphasized weeding out ineffective teachers, closing failing schools, and creating escape valves for parents wanting to flee the public education systems. The culture wars and the advent of the parents' rights movement have added fuel to the fire. In the current political environment, giving visibility to the democratic purposes of our schools can be fraught (Rogers & Kahn, 2022).

But we must make the democratic purposes of our schools vivid and urgent. It is hard to imagine a society where people see clearly that their own happiness and welfare is wrapped up in supporting and embracing the welfare of others, if we do not leverage our schools to help young people see a common good. *Brown* created this possibility.

The norm in the civil rights community, rightly, has been to press for resources and fair treatment under the law. Historically, education advocacy among civil rights groups, possibly because they do not feel they have expertise, or perhaps because they have not viewed instructional issues as problematic, have not emphasized teaching and learning issues. But if we have learned anything over the past two years, with a well-organized national assault on what can be taught, what texts can be read, it is that focusing only on the money, while necessary, is insufficient. While we continue to argue for standardized tests, on the premise that more resources will flow to Black and Brown children, 29 states now have legislation on the books diverting public resources to private schools (Public Funds Public Schools, n.d.).<sup>2</sup> Over half have passed bills placing restrictions on what can be taught in school.

*Brown*, most will argue, was the beginning of the civil rights movement in this country. But much has changed in 70 years and the frames currently in place to identify and solve problems may not lend themselves to the solutions we need. A new civil rights agenda is needed, one that is less bound up in neoliberal thought. Given the scale of the current assault on public education and our democracy, we may need, as Robert Kim suggests, a new civil rights movement focused not only defending our public schools, but on pursuing affirmative strategies to strengthen them (Kim, 2023). Here are a few things that might command the attention of such a movement.

## Shifting the Focus of Advocacy Efforts from Proficiency to Critical Thinking

A new civil rights agenda would press for much greater access to experiences and coursework that prepare young people to be engaged citizens. It is widely understood that civics, history, and social studies courses are especially well-suited for increasing student engagement and academic performance. Civics is, by its nature, interdisciplinary and as such provides opportunities for students to grow their skills in problem solving, collaboration, critical thinking, and a host of other competencies key to their future leadership and success. Providing these experiences across the curriculum is likely to be even more powerful (Lee et al., 2021).

Beyond civic learning, advocacy efforts need to focus even more on those aspects of the curriculum most associated with access to college, chiefly advanced placement, International Baccalaureate and honors courses. Many of our high schools may have aligned their courses with college admission requirements, but that does not mean enough students are enrolled in these courses. National surveys suggest that school principals do not believe their students are college ready (NCES, 2024). Worse, it does not matter if you are ready if you do not enroll in these courses. Black student enrollment, at just over 10%, is disappointing. Among those who do enroll, only a third take the exam (Christian & McDermott, 2002). Education advocates and civil rights actors should be pressing much harder to see Black and Brown student participation rates increase. More than that, they should press for more engaging, relevant and challenging coursework, for all students. The current preoccupation with basic literacy and remediation is counterproductive and plays into the hands of those who want to keep Black children undereducated.

## Better Assessments

To complement high quality curriculum and instruction, a new civil rights agenda must include arguments for aligned and varied assessments. This is a significant issue, since advocates and civil rights groups seem locked into backward-looking ideas about testing that provide little information about teaching and learning. Nor do these summative assessments succeed in distributing resources to students most in need of extra attention and support. To the contrary, the results often discourage greater education spending. What we need is greater emphasis on assessments for learning as much or more than of, so that we can target resources in ways that improve teaching and learning.

Improving assessments will involve attention to their purpose, interpretation, and use. Today, accountability is the dominant purpose. In the context of neoliberal thinking, low performance means that a school is deemed failing and disqualified from receiving financial and other supports to improve student learning. This thinking simply makes no sense but remains in place. Interpretation of test scores is also largely outside the reach of advocates and stakeholders.

Experts talk about standard scores, Z-scores, T-scores, stanines and grade equivalent scores; they use these scores to make decisions about remedial strategies, but rarely about advancement and enrichment. These tests can harm students in a number of ways: increasing pressure and anxiety in students, narrowing curricular focus, and limiting motivation and engagement. As these assessments became prevalent between 2001 and 2010, we learned a lot about the consequences of their use (Dee & Jacob, 2011). There were increases in math achievement, but very much at a cost in terms of mental health and well-being.

Advocates should push for tests that are aligned with learning goals. They should advocate for a broader range of assessments, to include project-based assessments, portfolios that contain evidence about student work, and other forms of assessment that provide a more holistic picture of a student's knowledge and skill. Given the emerging realities of today's workforce and AI, it is time for assessments that assess a student's understanding of content, not just their ability to remember facts. This would involve the development and use of tests that measure critical thinking and problem-solving skills. Such tests exist, but they are not the focus of contemporary advocacy efforts. This needs to change.

### **A Prepared and More Diverse Teacher Workforce**

Even if we succeed in making the thinking curriculum the norm and attend to better ways of assessing learning, we are unlikely to realize *Brown's* promise if we do not advocate for a much more qualified and diverse teacher workforce. Effective teachers create the kinds of learning environments that foster thinking, problem-solving, and reasoning. Although we may be in agreement that teachers ought to help students acquire these competencies—including broader civic and social goals, such as preparing students for engaged civic participation in a diverse democracy—we are not set up today to produce these outcomes broadly in the education workforce.

As for the demographics of our workforce, remember that the diversity of the student population has increased markedly over the past 20 years; over the same period, however, the demographic makeup of the teacher workforce has seen little change. Advocates need to know that there is a growing body of evidence that teachers of color—in particular Black teachers—have important effects on student achievement, particularly for students of color (National Academies, 2019). They should push harder for efforts to bring the racial mix of teachers in line with that of students.

All this to say that in addition to a true thinking curriculum, and better ways to assess learning in relation to this curriculum, there remains the important task of creating a teacher workforce that can do its part to prepare students for work and civic life. If students are to evaluate new ideas and tie these ideas to the conclusions they reach, if they are to leverage prior knowledge to solve problems in their communities, we will need a new vision of pedagogy, one that includes disciplinary modes of inquiry (such as literary analysis, historical analysis, and scientific investigation). These requirements need to find their way into a forward-looking civil rights agenda.

### **Better Equity Indicators**

Keeping track of progress in this forward-looking agenda will require a more varied and evidence-based set of indicators. Advocates will want to know if students of color have access to high quality curriculum and instruction. Such indicators would include both the availability of advanced placement and honors courses as well as measures of curricular breadth, such as access to the arts, social studies, science and technology (National Academies, 2019).

We will also need to be able to track disparities in access to effective teaching. Perhaps the most important indicators include data on teachers' credentials and areas of certification (NCES, 2000). All too often, low income children and children of color do not have access to teachers certified in the subjects to which they have been assigned. Another troubling reality is that these students are, more often than not, exposed to novice teachers, so advocates need to monitor data on teachers' years of experience. Data on the racial and ethnic diversity of the education workforce are widely available and should be consulted to ensure that students of color see people who look like them in the classroom.

A new civil rights agenda in education will want to expand the availability of and access to data on supportive school and classroom environments (National Academies, 2019). The list of possible indicators is long and includes data from students on their perceptions of school safety, their relationships with teachers, and their access to academic support. Supports for emotional, behavioral, physical and mental health form another important indicator, especially as national data confirm that student social and emotional well-being is a significant problem (NCES, 2022b).

# Conclusion

There are many topics not addressed here. These include the challenges of resource inequality, and the absence of new strategies to address the re-segregation of our communities and schools. Nor have I addressed issues like access to the internet, which many view as a civil right in an information society and modern democracy. But these issues are taken up in other contexts. A network of education funders have created the *Resource Equity Funders Collaborative* (REFC), to support research on resource equity, increase awareness of inequality in school funding and supporting a number of state-level advocacy efforts across the country to press for school finance reform. *Education Resource Strategies* (ERS) is working to tackle similar issues at the district and school levels. The *Southern Education Foundation* (SEF) is host to a project called *Brown's Promise* which is engaged in research, litigation, advocacy and communications efforts, to identify new information needs, develop new legal theories and remedies and foster a much-needed national discussion about the importance of ending school segregation. Their work needs to be incorporated into a refreshed civil rights agenda.

My core argument is that realizing the promise of *Brown* starts with reaffirming the purpose of public schools within our modern, diverse democracy. As suggested, this inclusive and forward-looking purpose opens our eyes to new roles for the schools to play, new designs for our education system, and many new operational possibilities, only a few of which have been noted herein. This is not a task for the civil rights community alone. It is a task for all of us. Rather than using education as a cynical political tool to deepen our divides, we need to remind ourselves of the real benefits that public schools can bring for young people. In the earliest days of our country's founding, a chief purpose of education was to prepare citizens to participate in our democratic republic. So, the idea of a civic purpose for public schools has ebbed and flowed through history, and, in a time of rising division, is in urgent need of renewal. Public schools that foster an appreciation for the lessons of history, alongside the skills and dispositions for citizenship, must be part of the long-term solution to the democratic and societal challenges we face today.





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