

# Just Schools: A Holistic Approach to the Education of Impoverished Students

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## I. INTRODUCTION

Long obscured by the historical memory and iconography of Dr. Martin Luther King, Jr.'s *I Have a Dream* speech touting hope for a colorblind society at 1963's March on Washington, the economic dimensions of Dr. King's thoughts are now a more prominent feature of his legacy. King not only sought civil and voting rights for black

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Americans but also demanded solutions to structural economic inequality for all Americans.<sup>1</sup>

The broader agenda emerged after the “crisis of victory” occasioned by passage of the landmark civil rights legislation in 1964 and reached its apotheosis in 1968’s Poor Peoples’ Campaign. King’s insistent demand for economic justice grew louder after President Lyndon B. Johnson’s escalation of the Vietnam War sapped funding from his War on Poverty programs.<sup>2</sup> Disappointed with the federal response, buffeted by riots, and disturbed by the wretched poverty that he had witnessed in the urban North, King endorsed an Economic Bill of Rights that outlined basic necessities required for economic stability, social mobility, and dignity for all Americans.<sup>3</sup> The bill of rights advanced the goal of economic opportunity—a critical component of racial equality unaddressed by the landmark Civil Rights Act of 1964. Even if the Civil Rights Act “eliminated all discrimination,” King emphasized racialized poverty and the “historic and institutionalized consequences of color” would remain.<sup>4</sup> Given the failure of the anti-discrimination law to contemplate, much less remedy, the economic vestiges of slavery and Jim Crow, King demanded action; he called for a radical redistribution of wealth and power and a revolutionary but “nonviolent army of the poor” to seek change.<sup>5</sup>

This Essay mediates on the link between educational inequality and King’s economic agenda within the context of present-day efforts to ameliorate entrenched poverty. Part II examines King’s thoughts

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1. See THOMAS F. JACKSON, FROM CIVIL RIGHTS TO HUMAN RIGHTS: MARTIN LUTHER KING, JR., AND THE STRUGGLE FOR ECONOMIC JUSTICE 160, 171–72 (2007).

2. See *infra* notes 14–17 and accompanying text.

3. See Letter from S. Christian Leadership Conference, to the President, Congress, and the Supreme Court of the U.S. (Feb. 6, 1968), <http://thekingcenter.org/archive/document/economic-and-social-bill-rights> (proclaiming an economic and social Bill of Rights).

4. JACKSON, *supra* note 1, at 204.

5. *Dr. King’s Vision: The Poor People’s Campaign of 1967–68*, POOR PEOPLE’S CAMPAIGN, <https://www.poorpeoplescampaign.org/history/> (last visited Oct. 8, 2018). The five principles King called for included a meaningful job at a living wage, a secure and adequate income, access to land, access to capital, and the participation of the impoverished in the design and implementation of anti-poverty programs. Letter from S. Christian Leadership Conference, *supra* note 3. See JACKSON, *supra* note 1, at 201.

on the connection between inequality in education and economic and political oppression. This part explains that King viewed educational inequality as an element of structural inequality and prioritized remedies for it such as school desegregation. Part III documents the enduring relationship between the economic status of parents' and students' social mobility—static, upward, or downward. Part IV describes and advocates holistic remedies to the education of students in impoverished communities. These remedies are distinct from those, such as school desegregation, prevalent during King's heyday. Holistic remedies not only focus on students and seek to improve students' educational skills, but also holistic, or whole-person, interventions seek to respond to the familial and social contexts from which impoverished students emerge. By identifying and attempting to ameliorate the familial and social roots of early-childhood disadvantage, holistic interventions hope to create the conditions for social mobility by students from impoverished households.

## II. THE LINK BETWEEN ECONOMIC JUSTICE AND EDUCATION IN THE THOUGHT OF DR. MARTIN LUTHER KING, JR.

In his speeches and writing, King recognized the centrality of quality education to the overarching aims of his Economic Bill of Rights—ending persistent poverty and ensuring social mobility. In *Where Do We Go from Here*, King noted that “poverty is a consequence of multiple evils,” including “lack of education.”<sup>6</sup> Hence, quality education must be central to the struggle against entrenched poverty. In the United States, a country where schools had been pathways to social mobility for successive waves of immigrants, the provision of quality education to all, he believed, should be axiomatic.<sup>7</sup>

But many observers questioned whether schools—alone—could play a similar role for blacks. Most famously, sociologist

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6. MARTIN LUTHER KING, JR., *WHERE DO WE GO FROM HERE: CHAOS OR COMMUNITY?* 170 (Beacon Press 2010) (1968).

7. *See id.*; see also Michael Hout & Alexander Janus, *Educational Mobility in the United States Since the 1930s*, in *WHITHER OPPORTUNITY?: RISING INEQUALITY, SCHOOLS AND CHILDREN'S LIFE CHANCES* 165, 165–86 (Greg J. Duncan & Richard J. Murnane eds., 2011) (discussing the recent decline in educational mobility in the United States).

James Coleman's monumental 1966 research report, *Equality of Educational Opportunity* ("the Coleman Report"), documented a significant black-white achievement gap and identified families, not schools, as the key drivers of students' achievements.<sup>8</sup> Commentators argued that the government could do little to remedy unequal educational and life outcomes that arose not from divergent experiences in schools but from divergent experiences in the home, in the neighborhood, and from parental income and education.<sup>9</sup> The Coleman Report seemed to confirm the conclusions of an equally controversial 1965 report on the black family written by Daniel Patrick Moynihan, then an assistant secretary in the Department of Labor. The Moynihan Report had cited a "tangle of pathology," including crime, illegitimacy, juvenile delinquency, unemployment, and drug use in low-income black households as a leading cause of a cycle of poverty and disadvantage.<sup>10</sup> King conceded that poor black families faced many challenges, but he rejected the idea that conditions in black communities—troubled family backgrounds, dysfunctional neighborhoods, and social pathologies—should limit faith in the efficacy of education as a mechanism of black social mobility.<sup>11</sup>

Pointing out the double standards of those who questioned education's capacity to lift and advance African American communities, Dr. King reminded audiences of the powerful link between schooling and opportunity in modern American history. A bedrock of the "American Dream" idea, social mobility through education animated the national narrative. With ambition and hard work, said the Horatio Alger story, anyone, no matter their origins or parents, could climb

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8. See JAMES S. COLEMAN ET AL., NAT'L CTR. FOR EDUC. STATISTICS, *EQUALITY OF EDUCATIONAL OPPORTUNITY* (1966).

9. For a summary of reactions to the report, see Heather C. Hill, *50 Years Ago, One Report Introduced Americans to the Black-White Achievement Gap*, CHALKBEAT (July 13, 2016), <https://www.chalkbeat.org/posts/us/2016/07/13/50-years-ago-the-coleman-report-revealed-the-black-white-achievement-gap-in-america-heres-what-weve-learned-since/>.

10. See James T. Patterson, *Moynihan and the Single-Parent Family*, 15 EDUC. NEXT 7 (2015), [https://www.educationnext.org/files/ednext\\_XV\\_2\\_patterson.pdf](https://www.educationnext.org/files/ednext_XV_2_patterson.pdf).

11. See JACKSON, *supra* note 1, at 274.

from rags to riches.<sup>12</sup> For successive waves of poor white immigrants, the dream of mobility (if not riches) through education and attendant employment opportunities proved correct, at least for sizeable numbers of these groups.<sup>13</sup>

Despite the lapse of Americans' otherwise deeply-held faith in education, in the (exceptional) case of African Americans, King continued to insist on the critical importance of education—and government support for it—to the amelioration of entrenched poverty. He asserted: “education is more than ever the passport to decent economic positions.”<sup>14</sup> And he fought for federal policies that advanced educational opportunity. King welcomed the Elementary and Secondary Education Act of 1965 (“ESEA”), a signature part of President Johnson’s War on Poverty, called the “most important piece of educational legislation” in American history.<sup>15</sup> Title I of the ESEA appropriated additional federal funding to schools serving disadvantaged students.<sup>16</sup> As federal appropriations designed to advance opportunity declined and military spending increased in tandem with deeper American involvement in the Vietnam War, King championed additional Title I funding.<sup>17</sup>

At the same time, King cited racial discrimination in education and housing as chief causes of the malaise in black communities discussed by the Coleman and Moynihan reports. He demanded the end to racially segregated schools and pressed officials to defund recalci-

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12. See Stefan Kanfer, *Horatio Alger: The Moral of the Story*, CITY JOURNAL, Autumn 2000, <https://www.city-journal.org/html/horatio-alger-moral-story-11933.html>.

13. The literature on social mobility shows that segregation, quality of schools, and political context all shape whether immigrants have upward, flat, or downward mobility. See Hout & Janus, *supra* note 7; Philipp C. Bauer & Regina T. Riphahn, *Institutional Determinants of Intergenerational Education Transmission: Comparing Alternative Mechanisms for Natives and Immigrants*, 25 LAB. ECON. 110 (2013); Raj Chetty et al., *Is the United States Still a Land of Opportunity? Recent Trends in Intergenerational Mobility*, 104 AM. ECON. REV. 141 (2014).

14. KING, *supra* note 6, at 203.

15. David A. Gamson et al., *The Elementary and Secondary School Act at Fifty: Aspirations, Effects and Limitations*, 3 RUSSELL SAGE FOUND. J. SOC. SCI. 1, 1 (2015).

16. *Id.* at 3.

17. JACKSON, *supra* note 1, at 274.

trant schools.<sup>18</sup> The circumstances that King had observed during his 1965 Chicago campaign illustrated the point: entrenched residential segregation yielded rigid school segregation.<sup>19</sup> A 1957 NAACP report had found *de facto* segregation in 91% of the City's elementary schools and 71% of its high schools.<sup>20</sup> While predominantly white schools featured empty and unused classrooms,<sup>21</sup> the schools that blacks attended overflowed with students.<sup>22</sup> The City of Chicago assigned black children to schools so overstuffed that students could not attend a full day; students instead attended in shifts, some in the morning, others in the afternoon.<sup>23</sup> Black schools also featured less experienced teachers, lower standardized test scores, and high dropout rates.<sup>24</sup> Buttressing local activists' efforts, King condemned segregation in Chicago's schools and the institutional racism that motivated the discriminatory policies.<sup>25</sup> He advocated for "quality integrated education."<sup>26</sup>

The wretched and unequal conditions in Chicago's schools—and the City's unyielding commitment to housing—proved pivotal to King's social and political thought and advocacy.<sup>27</sup> The Chicago campaign and the resistance to it, far worse than much of what he had witnessed in the Deep South, convinced King to prioritize the plight of the impoverished, politically powerless residents crowded into the nation's housing projects.<sup>28</sup> The segregated and inferior schools, he observed, formed part of a web of discrimination: poor schools exacerbated inequality in the labor market, where blacks, confined to me-

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18. *Id.* at 279–80. See DIONNE DANNS, *DESEGREGATING CHICAGO'S PUBLIC SCHOOLS: POLICY IMPLEMENTATION, POLITICS, AND PROTEST, 1965–1985*, at 3 (2014).

19. See DANNS, *supra* note 18, at 11–12.

20. *Id.* at 12.

21. *Id.*

22. *Id.*

23. *Id.*; JACKSON, *supra* note 1, at 279.

24. See DANNS, *supra* note 18, at 14.

25. *Chicago School Drive Planned by Dr. King*, N.Y. TIMES, Sept. 2, 1965, at 20; *Dr. King Launches Attack on Chicago School Setup*, CHI. DAILY DEFENDER, Feb. 5, 1966; *Dr. King, Project Dwellers Meet on School Problems*, CHI. DAILY DEFENDER, May 2, 1967.

26. *Chicago School Drive Planned by Dr. King*, *supra* note 25.

27. JACKSON, *supra* note 1, at 276–79.

28. *Id.*

nial jobs, constituted an expendable source of cheap labor; both, in turn, limited political influence and precluded social mobility. These intertwined forms of discrimination led King to conclude that urban poverty would never end unless spatial separation ended: “I cannot see how the Negro will be totally liberated from the crushing weight of poor education, squalid housing and economic strangulation until he is integrated, with power, into every level of American life.”<sup>29</sup>

King embraced a form of “integration” that would allay the suspicions of those in the civil rights movement who had given up on that remedy. He sought *meaningful* integration premised on black liberation, cross-racial power sharing, and civic empowerment as opposed to the racial condescension that black critics associated with conventional school desegregation efforts.<sup>30</sup> “In this vast interdependent nation no racial group can retreat to an island,” King insisted.<sup>31</sup>

### III. POVERTY, EDUCATION, AND SOCIAL MOBILITY TODAY

The effort that King championed fifty years ago—to untether the link between parents’ economic status and the life outcomes of their children—remains an imperative for advocates of equality in education. The imperative remains because students from low-income households still endure disadvantages intrinsic and extrinsic to the classroom.<sup>32</sup> These students will not rise in our society without the benefit of large-scale interventions and wide-ranging remedies.<sup>33</sup>

Holistic remedies are required for disadvantaged and impoverished students because poverty not only limits the life chances of individual students but also deprives entire communities of opportunities. The opportunity gaps are so far reaching because more often than not the poor, due to the residential segregation of the past and the spatial separation of the poor and of people of color from the wealthy

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29. KING, *supra* note 6, at 64.

30. *Id.* at 63. See TOMIKO BROWN-NAGIN, COURAGE TO DISSENT: ATLANTA AND THE LONG HISTORY OF THE CIVIL RIGHTS MOVEMENT 307–430 (2011), for a discussion on black critics of school desegregation.

31. KING, *supra* note 6, at 63.

32. *See infra* Part IV.

33. *See infra* Part IV.

and whites in the present, live together in distressed neighborhoods.<sup>34</sup> In these areas, residents are linked by disadvantage.<sup>35</sup> Poor neighborhoods are characterized by high rates of violence and unemployment, inadequate health care and poor health outcomes, social instability, and failing schools. These conditions comprise a web of disadvantage and result in a tangle of social ills.<sup>36</sup>

Race exacerbates the effects of poverty. Poor people of color are more likely than others to live in neighborhoods of concentrated poverty.<sup>37</sup> The latest data show that the concentrated poverty rate is 25.2% for African Americans and 17.4% for Hispanics, compared to 7.5% for whites.<sup>38</sup> Within these groups, children ages six and under are especially hard hit. Also, 28% of African American children and 18.1% of Hispanic children live in concentrated poverty, as compared to 6.2% of white children.<sup>39</sup>

Poor children not only live in high-poverty neighborhoods but also attend high-poverty schools.<sup>40</sup> Students from impoverished

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34. See DOUGLAS S. MASSEY & NANCY A. DENTON, *AMERICAN APARTHEID: SEGREGATION AND THE MAKING OF THE UNDERCLASS* (1993); and RICHARD ROTHSTEIN, *THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA* (2017); KARL E. TAEUBER & ALMA TAEUBER, *RESIDENTIAL SEGREGATION AND NEIGHBORHOOD CHANGE* (Routledge 2017) (1965), for a discussion on residential segregation and its vestiges and spatial segregation by race and income.

35. See Elizabeth Kneebone, *The Growth and Spread of Concentrated Poverty, 2000 to 2008–2012*, BROOKINGS INST. (July 31, 2014), <https://www.brookings.edu/interactives/the-growth-and-spread-of-concentrated-poverty-2000-to-2008-2012/>. Distressed neighborhoods are census tracts with poverty rates of 40% or more; four out of ten people live below the poverty line. See ISAAC SHAPIRO ET AL., *THE BASIC FACTS ON CONCENTRATED POVERTY, CTR. ON BUDGET & POLICY PRIORITIES* (Nov. 3, 2015), <https://www.cbpp.org/sites/default/files/atoms/files/11-3-15hous2.pdf>.

36. Kneebone, *supra* note 35, at 1.

37. SHAPIRO ET AL., *supra* note 35, at 1–2.

38. *Id.* at 2.

39. *Id.* at 2–3.

40. See GARY ORFIELD & CHUNGMEI LEE, *WHY SEGREGATION MATTERS: POVERTY AND EDUCATIONAL INEQUALITY 5–7* (2005), <https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/why-segregation-matters-poverty-and-educational-inequality/orfield-why-segregation-matters-2005.pdf>.



homes struggle academically.<sup>41</sup> Malnourished and exposed to stress and toxins at homes with few books and infrequent reading, children from impoverished households often experience developmental and cognitive delays.<sup>42</sup> They frequently exhibit antisocial behaviors, find it more difficult to concentrate, and are at increased risk for emotional and mental disorders.<sup>43</sup> Disadvantaged along numerous dimensions, these students learn to read at a slower rate than other children and find it more difficult to master math and other academic subjects.<sup>44</sup> Achievement gaps emerge early and persist throughout the school years.<sup>45</sup>

With limited academic preparation, students from poor backgrounds face limited employment options. Poor students frequently drop out of school before attaining the skills necessary to compete in the modern workforce.<sup>46</sup> Without sufficient skills, these students are consigned to the lowest rungs of the labor market—to low-paying, unskilled work.<sup>47</sup> Or they find themselves unemployed.<sup>48</sup>

Beset by so many layers of disadvantage, students from poor households—whose parents have not attended college—are unlikely

41. See generally RICHARD ROTHSTEIN, *CLASS AND SCHOOLS: USING SOCIAL, ECONOMIC, AND EDUCATIONAL REFORM TO CLOSE THE BLACK-WHITE ACHIEVEMENT GAP* 13–59 (2004) [hereinafter ROTHSTEIN, *CLASS AND SCHOOLS*].

42. See Martha J. Farah et al., *Poverty, Privilege, and Brain Development: Empirical Findings and Ethical Implications*, in *NEUROETHICS: DEFINING THE ISSUES IN THEORY, PRACTICE, AND POLICY* 277–86 (Judy Illes ed., 2006); Charles A. Nelson III & Margaret A. Sheridan, *Lessons from Neuroscience Research for Understanding Causal Links Between Family and Neighborhood Characteristics and Educational Outcomes*, in *WHITHER OPPORTUNITY?*, *supra* note 7, at 27, 27–46; ROTHSTEIN, *CLASS AND SCHOOLS*, *supra* note 41, at 22, 37–46.

43. See Nelson & Sheridan, *supra* note 42, at 36.

44. See Greg J. Duncan & Katherine Magnuson, *The Nature and Impact of Early Achievement Skills, Attention Skills, and Behavior Problems*, in *WHITHER OPPORTUNITY?*, *supra* note 7, at 47, 47–69.

45. Sean F. Reardon, *The Widening Academic Achievement Gap Between the Rich and the Poor: New Evidence and Possible Explanations*, in *WHITHER OPPORTUNITY?*, *supra* note 7, at 91, 91–116; ROTHSTEIN, *CLASS AND SCHOOLS*, *supra* note 41, at 54–57.

46. See Duncan & Magnuson, *supra* note 44, at 62; see also George Farkas, *Middle and High School Skills, Behaviors, Attitudes, and Curriculum Enrollment, and Their Consequences*, in *WHITHER OPPORTUNITY?*, *supra* note 7, at 71, 83–84.

47. See Farkas, *supra* note 7, at 71–89.

48. *Id.* at 72, 83.

to themselves attend college.<sup>49</sup> Without postsecondary education or employment at living wages, students who grow up in poor households very likely will remain poor into adulthood.<sup>50</sup> And the cycle of disadvantage persists across generations.<sup>51</sup>

Fifty years after Dr. King bemoaned the relationship between an individual's socioeconomic status at birth and her opportunities in life, far too little has changed. Social, educational, and economic policies in modern America have done too little to disrupt the cycle of poverty. The plague that King passionately fought during the late 1960s—entrenched and intergenerational poverty—endures.<sup>52</sup>

#### IV. A HOLISTIC APPROACH TO THE EDUCATION OF CHILDREN IN POVERTY

Despite the dire conditions in impoverished schools and communities, all is not lost; interventions to ameliorate disadvantage and facilitate social mobility for children in poverty are possible. Because multi-dimensional problems plague these communities, solutions must be holistic. While school-based interventions are critically important, policies that focus strictly on the educational deficits of poor students will be inadequate.<sup>53</sup> Remedies must also take into account disadvantages that arise within the homes and neighborhoods of impoverished students, among other sectors. Most particularly, comprehensive and holistic remedies would seek to remove impediments to mobility that occur in several sectors: the economy, public health, social services, families, criminal justice, and education. Many scholars and policy experts have proposed economic policies, residen-

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49. *Id.* at 82–87; Martha J. Bailey & Susan M. Dynarski, *Inequality in Postsecondary Education*, in *WHITHER OPPORTUNITY?*, *supra* note 7, at 117, 117–31; Tomiko Brown-Nagin, *Rethinking Proxies for Disadvantage in Higher Education: A First-Generation Students' Project*, 2014 U. CHI. LEGAL F. 433, 480–85, <https://chicagounbound.uchicago.edu/uclf/vol2014/iss1/8>.

50. *See* Duncan & Magnuson, *supra* note 44, at 57.

51. *See* Raj Chetty et al., *Race and Economic Opportunity in the United States: An Intergenerational Perspective*, THE EQUALITY OF OPPORTUNITY PROJECT (Mar. 2018), [http://www.equality-of-opportunity.org/assets/documents/race\\_paper.pdf](http://www.equality-of-opportunity.org/assets/documents/race_paper.pdf), for a recent study of this phenomenon.

52. *Id.*

53. *See* discussion *supra* Part III.

tial programs, and social interventions to revitalize distressed communities.<sup>54</sup> This part discusses education-related holistic remedies for impoverished students. Drawing on the work of scholars and practitioners, below I discuss what we have learned, since 1968, about the best holistic practices for the nurturance, empowerment, and education of our most vulnerable students.

### A. Quality Schools

Excellent schools are vital components of successful interventions on behalf of multiply disadvantaged students. High quality schools can ameliorate the opportunity gaps—measured in terms of funding levels, teacher quality, and curriculum offerings and related factors such as socioeconomic status, race, ethnicity, and family background<sup>55</sup>—that give rise to achievement gaps that are revealed in test scores, grades, high school graduation rates, and college matriculation rates.<sup>56</sup> Small classroom size, adequate resources, a broad curriculum that includes the arts, and qualified and experienced teachers are key features of schools that work for students from disadvantaged homes.<sup>57</sup> However, the overall point made here is that quality schools are not enough to reach and aid disadvantaged students.

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54. Many such programs focus on housing and employment. *See generally* WILHELME ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* 1–19 (2012) (discussing a need for criminal justice reform); MATTHEW DESMOND, *EVICTED: POVERTY AND PROFIT IN THE AMERICAN CITY* 3–5 (2016) (discussing difficulties of poor renters); MASSEY & DENTON, *supra* note 34, at viii (introducing research on persistent racial segregation and its negative consequences for African Americans); XAVIER DE SOUZA BRIGGS ET AL., *MOVING TO OPPORTUNITY: THE STORY OF AN AMERICAN EXPERIMENT TO FIGHT GHETTO POVERTY* v–vi (2010) (introducing and evaluating a program that moved residents out of high-poverty public housing projects to low-poverty areas); WILLIAM JULIUS WILSON, *WHEN WORK DISAPPEARS: THE WORLD OF THE NEW URBAN POOR* xiii–xiv (1996) (introducing a discussion on the impact of chronic joblessness and recommending greater employment opportunities).

55. *See generally* Kevin G. Welner & Prudence L. Carter, *Achievement Gaps Arise from Opportunity Gaps*, in *CLOSING THE OPPORTUNITY GAP: WHAT AMERICA MUST DO TO GIVE EVERY CHILD AN EVEN CHANCE* 1, 1–10 (Prudence L. Carter & Kevin G. Welner eds., 2013).

56. *See* Reardon, *supra* note 45, at 93–94.

57. *See, e.g.*, Barnett Berry, *Good Schools and Teachers for All Students: Dispelling Myths, Facing Evidence, and Pursuing the Right Strategies*, in *CLOSING*

### B. Parental Support for Student Learning

While the overarching objective of the education-related holistic remedies is academic improvement—skills acquisition to prepare students for the workforce or college—the groundwork must first be laid at home. Remedies begin in the home because more recent scholarship has confirmed a major claim of the Coleman Report<sup>58</sup>: parents' educational backgrounds and social practices greatly influence the academic outcomes of students.<sup>59</sup> Families, in fact, have a greater impact on academic outcomes than schools.<sup>60</sup>

But this is *not* to presume, as many uninformed critics do, that parents living in poor communities lack an interest in the education and welfare of their children.<sup>61</sup> Typically, these parents share the aspirations of middle- and upper-class parents. They all seek upward

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THE OPPORTUNITY GAP, *supra* note 55, at 181, 181–92; Linda Darling-Hammond, *Inequality and School Resources: What It Will Take to Close the Opportunity Gap*, in CLOSING THE OPPORTUNITY GAP, *supra* note 55, at 77, 77–97; Christopher H. Tienken & Yong Zhao, *How Common Standards and Standardized Testing Widen the Opportunity Gap*, in CLOSING THE OPPORTUNITY GAP, *supra* note 55, at 111, 111–22.

58. For a summary of the claims and the controversy, see COLEMAN ET AL., *supra* note 8 (concluding that school inputs did not explain educational outcomes and that family background was a powerful influence on academic outcomes); Karl Alexander & Stephen L. Morgan, *The Coleman Report at Fifty: Its Legacy and Implications for Future Research on Educational Opportunity*, 2 RUSSELL SAGE FOUND. J. SOC. SCI., Sept. 2016, at 1, 1–15.

59. Joseph G. Altonji & Richard K. Mansfield, *The Role of Family, School, and Community Characteristics in Inequality in Education and Labor-Market Outcomes*, in WHITHER OPPORTUNITY, *supra* note 7, at 339, 339–58.

60. *Id.* at 339. See also Chetty et al., *supra* note 51, at 6–7 (discussing strong association of high rates of father presence in neighborhoods with better life outcomes and small achievement gaps for black men).

61. For commentary on this oft-repeated claim, see Heather Long, *By Age 3, Inequality is Clear: Rich Kids Attend School. Poor Kids Stay with a Grandparent*, WASH. POST (Sept. 26, 2017), [https://www.washingtonpost.com/news/wonk/wp/2017/09/26/by-age-3-inequality-is-clear-rich-kids-attend-school-poor-kids-stay-with-a-grandparent/?noredirect=on&utm\\_term=.9bf35c11aa8f](https://www.washingtonpost.com/news/wonk/wp/2017/09/26/by-age-3-inequality-is-clear-rich-kids-attend-school-poor-kids-stay-with-a-grandparent/?noredirect=on&utm_term=.9bf35c11aa8f); Alan Richard, *Parents in Poor Communities Do Care About Their Children's Schooling. Here's How to Get Them Involved*, HECHINGER REP. (Mar. 13, 2015), <https://hechingerreport.org/parents-poor-communities-care-childrens-schooling-heres-get-involved/>.

mobility, stability, and success, including in school, for their children, as oversubscribed charter schools and waiting lists for free enrichment preschool programs suggest.<sup>62</sup>

Nevertheless, as impoverished parents raise their children, they require support—social, economic, even psychological care. Here is why. Typically, these parents living in profound poverty face numerous challenges: joblessness and underemployment, inadequate education and language barriers, malnutrition and illness, social dislocation and violence, arrest and imprisonment.<sup>63</sup> These disadvantages define life in distressed communities, and they do not usually give rise to educational practices that facilitate learning or achievement. These parents cannot—and do not—invest as much time and as many resources as wealthier parents on activities and experiences that facilitate the educational preparedness of their children.<sup>64</sup> The opposite is true: parents pass their distress to their children.<sup>65</sup> As a result, by the time that many of these children show up in classrooms, they already are years behind middle-class peers in terms of vocabulary, numeracy, literacy, and the social skills necessary to succeed in school.<sup>66</sup> The students are not ready or even motivated to learn.<sup>67</sup>

The acknowledgement that families matter does not mean schools do not. Parental support is a prerequisite to the academic success of poor children. Hence, steps must be taken to offer parents the support that they need to prepare their children to learn. Several programs designed to assess the needs of impoverished parents and intervene with economic and social supports for children and families

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62. See Julia Chabrier et al., *What Can We Learn from Charter School Lotteries?*, 30 J. ECON. PERSP. 57, 57–84 (2016); Conor Williams, *What Applying to Charter Schools Showed Me About Inequality*, THE ATLANTIC (Mar. 20, 2014), <https://www.theatlantic.com/education/archive/2014/03/what-applying-to-charter-schools-showed-me-about-inequality/284530/>.

63. See PAUL C. GORSKI, REACHING AND TEACHING STUDENTS IN POVERTY 87–98 (2d ed. 2018) (discussing barriers faced by poor parents and children).

64. See Richard Rothstein, *Why Children from Lower Socioeconomic Classes, on Average, Have Lower Academic Achievement Than Middle-Class Children*, in CLOSING THE OPPORTUNITY GAP, *supra* note 55, at 61, 61–74.

65. *Id.*

66. See W. Steven Barnett & Cynthia E. Lamy, *Achievement Gaps Start Early: Preschool Can Help*, in CLOSING THE OPPORTUNITY GAP, *supra* note 55, at 98, 98–110.

67. *Id.*

have been developed in recent years. Harvard University's Center on the Developing Child conducts research and develops interventions to prevent the negative impacts of toxic stress on child development, learning, and health.<sup>68</sup> This model of intervention rests on collaborations among pediatricians, laboratories, and community providers, all with the goal of building adults' core capacities and thereby supporting positive child development for youngsters who face adversity.<sup>69</sup> Such programs are essential and must be scaled up and implemented in impoverished communities. Parental support is a necessary, if not sufficient, ingredient for educational success of the children whom Professor William Julius Wilson helpfully termed the "truly disadvantaged" many years ago.<sup>70</sup>

### *C. School-Culture Based Reforms*

Effective holistic remedies also would include initiatives focused on school culture. These types of reforms emerged after decades of advocacy focused on federal and state lawsuits that pressed claims for school desegregation or equitable funding.<sup>71</sup> In contrast to accountability-based reforms that turn on benchmarks and assessments,<sup>72</sup> the culture-focused remedies emphasize building productive relationships among stakeholders inside and outside of schools and push acceptance of a "growth mindset" about a child's capacity to learn.<sup>73</sup> Positive relationships and broad acceptance of an intellectual

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68. See *The JPB Research Network on Toxic Stress*, HARV. U. CTR. ON DEVELOPING CHILD, <https://developingchild.harvard.edu/science/the-jpb-research-network-on-toxic-stress/> (last visited Oct. 10, 2018).

69. *Id.* Interventions include training adults to recognize and interrupt negative responses to stressors to promote self-regulation. See *id.*

70. See generally WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY* (U. Chi. Press 2d ed. 2012).

71. For discussions of these efforts, see, for example, BROWN-NAGIN, *supra* note 30, at 307–441; AMY STUART WELLS & ROBERT L. CRAIN, *STEPPING OVER THE COLOR LINE: AFRICAN-AMERICAN STUDENTS IN WHITE SUBURBAN SCHOOLS* (1997); Molly McUsic, *The Use of Education Clauses in School Finance Reform Litigation*, 28 Harv. J. Legis. 307 (1991).

72. For a critique of high-stakes accountability systems, see Tienken & Zhao, *supra* note 57, at 111–122.

73. See generally CAROL S. DWECK, *MINDSET: THE NEW PSYCHOLOGY OF SUCCESS* (2008).

framework premised on growth over time are, to advocates of school-culture reforms, prerequisites to academic achievement.

While culture-focused initiatives have gained new attention, in reality advocates of quality education for all are *returning* to school culture as a site for structural change. Dr. James Comer, through his work at the Yale Child Study Center, realized long ago the tremendous influence of social conditions, culture, and history on students' learning experiences. The center, begun in the wake of the Coleman Report and its finding that factors external to schools matter more to academic success than factors internal to schools, made New Haven and two of its lowest-performing schools its laboratories.<sup>74</sup> The doctor and his team created the Comer School Development Program ("SDP"), a whole-child and whole-school intervention system designed to enhance child development, learning, and collaboration between school staff and parents.<sup>75</sup> Studies confirm that the SDP program helped to close achievement gaps in New Haven and in schools throughout the country and the world.<sup>76</sup>

More recent iterations of culture-based interventions advocate "trauma-informed" schools in response to the adverse childhood experiences and "chronic toxic stress" experienced by children who live in concentrated poverty. This remedy is premised on research conducted by the Centers for Disease Control and Prevention and numerous other authorities in neurobiology. These researchers have documented a link between sustained exposure to adverse experiences such as abuse and dysfunction in early childhood experiences and poor academic and health outcomes.<sup>77</sup> Childhood trauma undermines both school readiness and school performance.<sup>78</sup>

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74. See *Yale Child Study Center: Community Partnerships*, YALE SCH. MED., <https://medicine.yale.edu/childstudy/communitypartnerships/comer/> (last visited Oct. 10, 2018).

75. *Id.*; see also JAMES P. COMER, WHAT I LEARNED IN SCHOOL: REFLECTIONS ON RACE, CHILD DEVELOPMENT, AND SCHOOL REFORM (2009).

76. See George W. Noblit, *The School Development Program and School Success*, in *THE KIDS GOT SMARTER: CASE STUDIES OF SUCCESSFUL COMER SCHOOLS* 109, 109–130 (George W. Noblit et al. eds., 2001); Amy R. Anson et al., *The Comer School Development Program: A Theoretical Analysis*, 26 J. URB. EDUC. 56, 56–82 (1991); Geoffrey D. Borman et al., *Comprehensive School Reform and Student Achievement: A Meta-Analysis*, 73 REV. EDUC. RES. 125, 125–30 (2003).

77. Longitudinal research conducted by the Center for Disease Control and Prevention and Kaiser Permanente established the relationship between a child's ex-

The essential insight of advocates of “trauma-informed” schools is optimistic: with proper support, impoverished students who arrive at school academically unprepared and behaviorally challenged can learn and flourish.<sup>79</sup> These students require developmentally informed interventions based on risk assessments by professionals and tiered interventions by public health experts.<sup>80</sup> Programs designed to build resilience, promote emotional regulation, and establish collaborations between schools and providers of social and psychological services are critical.<sup>81</sup> Through such culturally sensitive, trauma-informed interventions, students can acquire academic, social, and emotional skills that are prerequisites to school success and reduce behaviors counter-productive to learning.

Practice supports the theory of intervention. A 2011 study of social and emotional learning programs established in schools nationwide demonstrated that well-structured programs pay off.<sup>82</sup> Students’ emotional and social skills improve, along with their academic skills. In recent years, advocates and lawyers have sought ways to translate these practical initiatives and theoretical insights about the deleterious effects of trauma on students and families into policy and law.<sup>83</sup>

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perience of adversity (emotional, sexual and psychological abuse, violence, substance abuse, mental illness, and imprisonment) and family dysfunction and elevated risk for negative health outcomes in adulthood (alcoholism, mental illness, obesity, among others). See Vincent J. Felitti et al., *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults*, 14 AM. J. PREVENTATIVE MED. 245, 245–58 (1998); Bruce D. Perry, *Childhood Experience and the Expression of Genetic Potential: What Childhood Neglect Tells Us About Nature and Nurture*, 3 BRAIN & MIND 79, 79–100 (2002).

78. See SUSAN E. CRAIG, *TRAUMA-SENSITIVE SCHOOLS: LEARNING COMMUNITIES TRANSFORMING CHILDREN’S LIVES*, K–5, at 44–59 (2016).

79. *Id.* at 6–8.

80. *Id.* at 66–70.

81. *Id.* at 8–12, 66–73; see also SUSAN F. COLE ET AL., *HELPING TRAUMATIZED CHILDREN LEARN: SUPPORTIVE SCHOOL ENVIRONMENTS FOR CHILDREN TRAUMATIZED BY FAMILY VIOLENCE* 7, 42–45, 47–49 (2005).

82. See Joseph A. Durlak et al., *The Impact of Enhancing Students’ Social and Emotional Learning: A Meta-Analysis of School-Based Universal Interventions*, 82 CHILD DEV. 405, 405–32 (2011).

83. *Id.* at 420.



## 1. Legislation

Advocates of trauma-informed schooling have achieved particular success in Massachusetts by collaborating with the state legislature.<sup>84</sup> In 2014, the Commonwealth of Massachusetts enacted into law the Safe and Supportive Schools Framework.<sup>85</sup> The law established a task force and requires schools to implement plans of action not only to ensure the physical safety of students but also to promote students' behavioral health; the law endorses trauma-attentive frameworks.<sup>86</sup> The Safe and Supportive Schools law made Massachusetts a national leader in the movement to establish whole-school climates that promote safe and supportive environments for all students, particularly those who have endured traumatic experiences.<sup>87</sup> Pursuant to the law, school districts can apply for grants to create and implement model safety and supportive school programs.<sup>88</sup> Since 2014, many school districts in the Commonwealth have taken advantage of the program and incorporated programs that promote students' social and emotional well-being.<sup>89</sup>

The movement is growing. Other states, including New York, Minnesota, and Ohio, have enacted similar laws.<sup>90</sup> In addition, the

84. See COLE, *supra* note 81, at viii.

85. MASS. GEN. LAWS ch. 69, § 1P (2014).

86. See *Safe and Supportive Schools*, HELPING TRAUMATIZED CHILDREN LEARN, <https://traumasensitiveschools.org/get-involved/safe-and-supportive-schools/> (last visited Oct. 11, 2018); see also *Governor Patrick Signs Safe and Supportive Schools into Law*, HARV. L. TODAY (Aug. 14, 2014), <https://today.law.harvard.edu/governor-patrick-signs-safe-supportive-schools-law/>.

87. *Safe and Supportive Schools*, *supra* note 86.

88. *Id.*

89. See, e.g., James Vaznis, *In Mass. Schools, a Focus on Well-Being*, BOSTON GLOBE (Jan. 5, 2016), <https://www.bostonglobe.com/metro/2016/01/05/mass-schools-focus-well-being/m4d2GADYQEor4qApNf8JQM/story.html>.

90. See *Become a Trauma-Sensitive School*, OHIO DEP'T EDUC., <http://education.ohio.gov/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/PBIS-Resources/Trauma-Informed-Schools/Become-a-Trauma-Informed-District-or-School> (last updated Mar. 21, 2018); *Project Save*, N.Y. ST. CTR. FOR SCH. SAFETY, <http://www.nyscfss.org/project-save-codesofconduct> (last visited Oct. 10, 2018); *The Impact of Trauma on Students*, OHIO DEP'T EDUC., <http://education.ohio.gov/Topics/Other-Resources/School-Safety/Building-Better-Learning-Environments/PBIS-Resources/Trauma-Informed->

federal government has established a grant program to promote a safe and supportive schools program,<sup>91</sup> although the federal program does not expressly endorse trauma-attentive interventions, agencies are free to seek funding for such initiatives.<sup>92</sup> Similarly, the Federal Promise Neighborhoods Initiative,<sup>93</sup> based on the Harlem Children's Zone and its model of school reform coupled with provisions of social services,<sup>94</sup> provides a favorable context for the implementation of trauma-sensitive interventions.

## 2. Litigation

Civil rights lawyers have also begun to cite and leverage research linking trauma and school outcomes. The most prominent example occurred in the context of Compton, California, a city well known for its prevalence of violence and poverty. In 2015, Public Counsel filed an innovative federal class action lawsuit premised on neurobiological insights.<sup>95</sup> The lawyers claimed that students in the Compton Unified School District had experienced “complex trauma” that inhibits learning; federal disability law requires officials to remedy the educational harms caused by that trauma, the lawyers claimed.<sup>96</sup> To remedy the alleged violations, the lawyers demanded school-wide training about the impact of trauma on students' neurobiology and school-wide trauma-sensitive accommodations.<sup>97</sup> The pending suit survived a motion to dismiss; for the first time, a federal

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Schools/The-Impact-Trauma-on-Students (last updated Apr. 9, 2018); *Working Toward a Trauma-Informed Minnesota*, MINN. TRAUMA PROJECT, <https://www.mntraumaproject.org/mission> (last visited Oct. 10, 2018).

91. Safe and Drug Free Schools Act, 20 U.S.C. §§ 7111–7122 (2012 & Supp. 2018).

92. *Id.* § 7118.

93. *Promise Neighborhoods*, U.S. DEP'T EDUC., <https://www2.ed.gov/programs/promiseneighborhoods/index.html> (last modified Mar. 5, 2018).

94. For a summary of the innovations offered by the Harlem Children's Zone, see *Our Programs: Education*, HARLEM CHILD.'S ZONE, <https://hcz.org/our-programs/#education> (last visited Oct. 10, 2018).

95. *P.P. v. Compton Unified Sch. Dist.*, 135 F. Supp. 3d 1098, 1103 (C.D. Cal. 2015).

96. *Id.* at 1103–05.

97. *Id.* at 1105.

court held that trauma may constitute a violation of the Americans with Disabilities Act.<sup>98</sup> The lawsuit opens up new theories of liability and remedies for a generation of lawyers working to improve the lives and educational experiences of impoverished students.

But naysayers question the wisdom and logic of these same litigation efforts. Critics worry about the social implications of endorsing a theory of liability that labels poor students, overwhelmingly students of color, as disabled.<sup>99</sup> Others, who do not doubt the prevalence of childhood trauma among these students, question the proposed remedies.<sup>100</sup> Trauma-informed educational initiatives are unproven, and schools that use them, critics say, are experimenting with children's lives—or “building the plane in the air.”<sup>101</sup>

These criticisms are thoughtful and well taken. Yet some trauma-informed approaches have been studied and shown to be effective, and studies of best practices continue.<sup>102</sup> Moreover, perspective and context matter a great deal when assessing the risks and benefits of innovative pedagogies. Where some might view trauma-informed legal claims and therapies as risky, others see them as cutting-edge initiatives appropriate to the challenges associated with the education of multiply disadvantaged students.

#### *D. Academic Preparation and Work- and College-Going Culture*

After schools successfully implement programming designed to shore up the emotional and psychological health of needy students and improve academic performance, they should play a role in preparing students for success after graduation. Educational institutions are well positioned to develop policies and programs to shape students' aspirations and facilitate transition to higher education or to the work-

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98. *Id.* at 1110–12.

99. See Avi Asher-Schapiro, *Should Growing Up in Compton Be Considered a Disability*, VICE NEWS (Oct. 20, 2015), <https://news.vice.com/article/should-growing-up-in-compton-be-considered-a-disability>.

100. Evid Blad, *Schools Legally Obligated to Address Effects of Trauma on Students, Suit Says*, EDUC. WEEK (May 18, 2015), [http://blogs.edweek.org/edweek/rulesforengagement/2015/05/research\\_shows\\_that\\_childhood\\_trauma.html](http://blogs.edweek.org/edweek/rulesforengagement/2015/05/research_shows_that_childhood_trauma.html).

101. *Id.*

102. Durlak et al., *supra* note 82, at 420.

place. Schools can implement college preparatory programs themselves, or they can partner with community-based providers to ensure that college-bound students receive counseling about academic prerequisites and the financial aid process.<sup>103</sup>

#### V. CONCLUSION

Dr. King believed that education could promote social mobility.<sup>104</sup> Abundant data confirms the continuing urgency of that agenda; the effects of poverty, race, and place are still linked to intergenerational poverty and belie the country's professed commitment to equality of opportunity. Hence, the struggle that King and so many others fought for—a more perfect union—endures. For poor children still on the margins, holistic initiatives that seek to create the social and cultural conditions for school success and social mobility offer the promise of equity, inclusion, and belonging.

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103. See Brown-Nagin, *supra* note 49, at 492–95.

104. KING, *supra* note 6, at 203.