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Declaring Bankruptcy on Educational Inequity

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Abstract

The authors consider Ladson-Billings' (2006) charge to reframe the way the 'achievement gap' is viewed, and put forth the metaphor of "bankruptcy" as a way to acknowledge the educational debt and educational inequity and move towards debt forgiveness in public education. Specifically, the bankruptcy metaphor is used to examine the debt embedded in the historical progression of federal school reform policy including the No Child Left Behind (NCLB) act. Acknowledging this debt requires valuing and supporting children and their families through educational policy that supports equity. The authors assert that reconciliation of the debt requires working across disciplines and agencies to address the larger community issues surrounding educational inequities.

Keywords

school reform, schooling inequities, achievement gap, community schools, Critical Race Theory, ethic of care, No Child Left Behind, No Child Left Behind

Introduction

In "From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools," Gloria Ladson-Billings (2006) challenges educational researchers to demand equality, honor history, and to attend to

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the vast inequities that permeate schooling in the United States. The reliance on the notion of the "achievement gap" in educational policy making suggests that educational inequity is a function of short-term deficits in children or teachers rather than long-term accumulations of societal and cultural inequities. Thus, the term "achievement gap" places the burden of responsibility of closing the gap on teachers and children who are born into the context of poverty, racism, or disability, rather than sharing the burden with policy makers and the citizenry as a whole. Instead, numerous scholars suggest that educational inequity needs to be examined in terms of the societal and cultural contextual factors that have an impact on achievement (Banks, 2003; Clark, 1965; Coleman, 1966, 1988; Delpit, 2006; Heath, 1983; Ladson-Billings, 2007).

Conceptualizing the debt holistically, Ladson-Billings (2006) suggests four primary disciplinary lenses—history, economics, sociopolitics, and ethics—through which to examine the education debt. Examining the debt *sociopolitically* acknowledges how Black, Latina/o, Asian Americans, and Native Americans have been excluded from legislative and political processes, often leaving them powerless and unrepresented politically. Examining the debt *historically* acknowledges the role education plays in a democracy and the historical legacy of slavery and other forms of discrimination that continue to hinder certain racial and ethnic groups from receiving a quality education. Examining the debt through an *economic* lens highlights the financial, geographical, and resource inequities that lead to a vastly unequal school system for economically disadvantaged students, which often translates into lower income and fewer job opportunities later in life, thus perpetuating the cycle of poverty. Finally, examining the debt through an *ethical lens* suggests that the society bears responsibility for the inequities that permeate schools. Embedded in the moral debt is the ethical responsibility to acknowledge the debt owed to children. In this article, the authors build on the work of Ladson-Billings to examine how the sociopolitical, historical, economic, and moral debt is embedded in federal policy culminating in the creation of the PL 107-110, the No Child Left Behind (hereafter NCLB) Act of 2001, the reauthorization of the 1965 Elementary and Secondary Education Act (ESEA).

Using the metaphor of *bankruptcy*, the authors argue that NCLB's focus on test scores ignores the long-term accumulated societal inequities that are linked to inequitable educational outcomes. First, the authors provide a brief narrative of their own experiences with the educational debt. Then, building on Schon's (1993) conceptualization of the utility of *metaphor* for building a more complex understanding of policy issues, the authors suggest the *metaphor* of bankruptcy as a way to understand the educational inequity holistically. The next section examines the need for declaring bankruptcy on the oversimplification of educational problems by examining NCLB through the lens of sociopolitics, history, economics, and ethical responsibility. The following section then suggests the *bankruptcy* metaphor as a way of integrating the notion of the "debt" and "achievement gap" simultaneously. Finally, the article concludes with specific suggestions for "bailing out" schools and society by placing a higher value on children.

Caveat

In writing this article, we wanted to recognize how our own experiences informed our recognition of the educational debt.

Lisa Bass. My perspective is rooted in my experience growing up an African American woman in the United States and being educated in a system that was neither designed to embrace my uniqueness nor to incorporate my heritage. The K-12 education I received was taught from a Eurocentric perspective and incorporated very little African or African American literature and history or references to the contributions of African Americans. Also, there was little appreciation for, or recognition of, diversity. When I graduated from college, I worked in a White, male-dominated business community where I felt I was held to a different standard than White employees. Finally, when I taught in an urban public school system, I saw huge inequities in terms of facilities and the way children and parents were treated. I currently teach teachers and school administrators, some who find it difficult to acknowledge the affects of long-standing, systemic inequities. Each of these experiences has worked together to have a profound impact on what I view as important in education research and school reform. Had it not been for the inequities that I have personally seen and experienced, I might not hold the intense passion toward social justice that compels me to continuously work toward positive change.

Cynthia Gerstl-Pepin. My experience growing up poor, raised by a single mother who had trouble holding jobs, has forever marked my view of the world. Growing up without a secure and stable home, I know what it is like to feel that you are somehow worth less than others. A child only has to look to media images to see that money and power are held in the highest esteem. Those children without material wealth can learn early that society somehow places a lower value on you. I believe that schools are often not places where this injustice is addressed; rather they tend to reflect societal values and are set up to place a higher value on children with a greater cultural capital

(Bourdieu, 1986), for example, middle-class literacy and culture, access to technology, and educated parents. I have experienced this firsthand, but also acknowledge that there are many communities, schools, teachers, and school staff working against cultural and societal inequities.

Bankruptcy as a Metaphor for Reframing School Reform

Schon (1993) suggests that the use of metaphor is "central to the task of accounting for our perspective on the world: how we think about things, make sense of reality, and set the problems we later try to solve" (p. 137). Furthermore, he asserts that much of policy analysis is focused on problem solving, but what is really needed is a greater understanding of how policy problems are defined:

> When we become more attentive to the framing of social problems, we thereby become aware of the conflicting frames for restructuring. Our debates over social policy turn often not on problems but on dilemmas. The participants in the debate bring different and conflicting metaphors. (Schon, 1993, p. 139)

Ladson-Billings (2006) restructures the term "achievement gap" through use of the metaphor, "education debt." Focusing exclusively on "the gap" indicates a problem with individual children or schools rather than acknowledging the historical societal inequities that gave rise to achievement inequities. Ignoring inequities such as structural and cultural racism and generational poverty assumes that educational achievement is exclusive of the environment in which a child is raised. The metaphor of the *debt*, in comparison, looks at how the accumulation of long-standing inequities such as racism or poverty in society has led to inequitable educational outcomes. The authors view these inequities as resulting from an enormous debt that has yet to be repaid to children who may be born into families experiencing racism and/or poverty. In viewing the enormity of the debt owed children experiencing inequity, how will society ever *repay* children who have been overlooked over generations? The "bankruptcy" metaphor provides an alternative for reconstructing the education system. Bankruptcy is a term that is becoming more salient in economic policy discussions as of late. And with the economic recession of the past few years, it has gained increasing power, poignancy, and depth.

Conceptualizing Educational Bankruptcy

According to Mecham (2006), “A fundamental goal of the federal bankruptcy laws enacted by Congress is to give debtors a ‘fresh start’ from burdensome debts” (p. 7). Mecham further notes the purpose of bankruptcy law through a quote taken from a 1934 decision by the Supreme Court:

> It gives the honest but unfortunate debtor . . . a new opportunity in life and a clear field for future effort, unhampered by the pressure and discouragement of pre-existing debt. (p. 7)

Like bankruptcy, school reform is complicated, messy, painful, and potentially embarrassing (Cibulka, 2003). This embarrassment can stem from the stigma attached to needing to correct past mistakes and to start over. Further shame and shock may ensue when the parties seeking to rectify their conditions, be it financial or educational, evaluate their situation(s), and are forced to face the degree of their desperation. In both bankruptcy and school reform, steps toward resolution include a time of reflection and questioning. This reflection must occur before any action is taken, followed by a strategic plan of action. When declaring bankruptcy, filers must carefully evaluate their circumstances in order to determine the most appropriate chapter to file to best suit their personal situations. Likewise with school reform, there are always a myriad of research-based options and conceptual and theoretical frameworks to consider when selecting the most appropriate path toward increased student achievement and narrowed achievement gaps.

There is a parallel between previous approaches taken toward education reform, to bankruptcy codes Chapters 7 and 9. Chapter 7, liquidation under the bankruptcy code, was developed for individuals seeking complete resolution of financial debts (Mecham, 2006). Under Chapter 7, individuals or businesses are forced to liquidate all of their assets without the option or possibility of ever regaining solvency or to remain the same company. It completely erases debt without the option to reemerge as a restructured entity.[1] Chapter 9, municipality bankruptcy, was designed for municipalities, cities, counties, townships, public improvement districts, and school districts that need to restructure for continued survival (Mecham, 2006). Chapter 9 allows the school district “protection from its creditors while it develops and negotiates a plan for adjusting its debts” (Mecham, 2006, p. 50). While Chapter 7 is more well known and understood, for this article, we use Chapter 9 bankruptcy as a basis for a generative metaphor that weaves together conflicting policy frames to acknowledge the educational debt so that school reform models acknowledge the role societal inequities play in achievement gaps. This *bankruptcy* metaphor acknowledges that school reform must acknowledge the role that the historical, social, political, and moral debt play in low student achievement.

The Debt and No Child Left Behind

Equality in education and closing the achievement gap has long been a concern of the U.S. educational system (Jacobson, 2006; McGee, 2004; Uline & Johnson, 2005). NCLB represents an attempt at the federal level aimed at addressing the educational inequities embedded in state educational systems (Marshall & Gerstl-Pepin, 2005). Since states bear the primary responsibility for education, federal government policies are aimed at addressing educational problems that cross state borders. For example, in 1958 the National Defense Act sought to assist states by providing extra funding for mathematics, science, and foreign languages, and in 1975 the Individuals with Disabilities Education Act (IDEA) sought to provide resources for children identified as having a disability (Marshall & Gerstl-Pepin, 2005). The reauthorization of ESEA into NCLB, specifically Title I, meant that money used to provide extra resources to low-income children would instead be used to partially fund state testing systems, allowing many states to divert additional funds to testing (Duncombe, Lukemeyer, & Yinger, 2008; Mathis, 2003). Given that the Constitution still gives states the primary responsibility for education, NCLB does not specify what tests will be used or even what scores are considered to be passing scores (Porter, Linn, & Trimble, 2005). This variation leads the public into assuming that NCLB means that all students are held to the same standard. However, the policy allows standards and testing requirements to shift depending upon which state a child resides (Porter et al., 2005). Even more confounding, some scholars have argued that NCLB's goal of having all students reach proficiency by 2014 is not feasible and in fact is statistically impossible (Haas, Wilson, Cobb, & Rallis, 2005; Linn, 2003).

NCLB's focus on test scores, then, places the burden of decades of inequity on current students, teachers, and school administrators rather than on policy makers (Gerstl-Pepin, 2006). Darling-Hammond (2004) notes, "The biggest problem with the NCLB act is that it mistakes measuring schools for fixing them" (p. 9). The overriding assumption is that the push for higher test scores will result in schools that are more effective. Embedded in this assumption is that teachers and students are failing to do their parts in improving education in this country, placing the onus on the present teachers and students. For example, when considering children living in poverty, NCLB does not take into account that many of these families tend to be renters who are generally more mobile than middle- and upper-class students. This mobility is often counted against schools and principals in NCLB accountability measures (Sunderman, Kim, & Orfield, 2005). Test scores are assumed to be the responsibility of the school even if students are new to the school (Rothstein, 2008). In many instances, this housing instability is a result of job instability and the inability of a family to afford to pay their rent. Children living in poverty are also more prone to experiencing problems with transportation, in turn, affecting their attendance—also a measure of proficiency according to NCLB (Rothstein, 2008). The various facets of the educational debt— sociopolitical, historical, economic, and moral—and their relationship to NCLB will be examined in the next four sections.

The Sociopolitical Debt Through the Lens of Critical Race Theory

Critical race theory (CRT) provides a useful theoretical lens through which to view the sociopolitical debt because it highlights how racial and socioeconomic inequality is deeply embedded in American culture. As DeCuir and Dixson (2004) note, "The notion of the permanence of racism suggests that racist hierarchical structures govern all political, economic, and social domains" (p. 27). CRT allows us to acknowledge the role of race and racism and socioeconomic inequality in U.S. society and its relationship to achievement differentials. As Ladson-Billings and Tate (1995) note, "Schooling inequalities are a logical and predictable result of a racialized society in which discussions of race and racism continue to be muted and marginalized" (p. 48).

Specifically, *Whiteness as property* is a key concept in CRT (Harris, 1993; Ladson-Billings & Tate, 1995; Tate, 1997). It builds on the historical legacy of slavery and the fact that African Americans were treated as property by governmental institutions and the legal system in the United States. They were not allowed to own property and were thus not seen as citizens or members of society. Given that power in society is linked to material wealth, it is then not surprising that the achievement gap exists given this substantial historical inequity. This notion highlights how racial inequity is woven into our cultural heritage. As Ladson-Billings (1998) notes, "African Americans represented a particular conundrum because not only were they not accorded civil rights because they were not White and owned no property, but they were constructed as property!" (p. 15). Whiteness as property has several implications when applied to education. When considering the primary assumption noted earlier (the normative nature of Whiteness), citizens with more material wealth (including property) have greater societal value. Higher incomes and higher property values, in turn, provide more funding to neighborhood schools. This higher funding is reflected in the higher per pupil expenditures in wealthier districts. The funding of schools by local property tax, thus, reinforces racial and economic inequities.

This inequity manifests itself by allowing the blame for low academic achievement, "inappropriate behavior," and a higher percentage of students in special education, to be placed on students of color and low-income children (DeCuir & Dixson, 2004). As Ladson-Billings (1998) states, "Members of minority groups internalize the stereotypic images that certain elements of society have constructed in order to maintain their power" (p. 14). Such stereotypes ultimately reduce expectations of people of color and the poor and promote a socially constructed cycle of socially reproduced generational poverty. Whiteness pedagogy highlights how racism plays a role in the assumption that individuals living in poverty *deserve* a lower standard of living. Further implied in this line of reasoning is that students who fail in school do so because they have not worked hard enough or are not smart enough (Gerstl-Pepin, 2006).

This blindness to racial inequity ignores past discrimination, education debts, and the racial boundaries that have reinforced education inequity in the United States. According to Alcoff (1997) and Leonardo (2004), those in power under this system find it difficult to admit that their race or economic security affords them any advantages, and they resist learning about the disadvantages faced by other groups. In other words, an awareness of ones' power is uncomfortable, complicated, and difficult to process. It can be painful to acknowledge that privilege or success may come at the expense of someone equally deserving. Whiteness as property is evident in policy that ignores the deeper contextual causes of funding inequities and racisms. The central assumption is that programs and services that work for schools in upper-class neighborhoods should work in economically and racially disadvantaged communities whose children and families have been underrepresented in the curriculum (Cochran-Smith, 2000, 2004). If curricular approaches fail to work with these populations of students, the students themselves are blamed without acknowledging the inequity experienced in their daily lives.

CRT provides an important lens for acknowledging that these inequities are embedded in educational policy. For example, Linda Darling-Hammond's (2004) research suggests that regardless of test scores, enormous inequality will still exist between schools in the United States. She noted that 6 years after NCLB was passed, poorer districts still have as little as US$3000 to spend per pupil, while wealthy districts are spending as much as US$30,000 per pupil.

As documented in federal statistics and a large number of current lawsuits,

> schools serving large numbers of low-income students and students of color have larger class sizes, fewer teachers and counselors, fewer and

> lower-quality academic courses, extracurricular activities, books, materials, supplies, and computers, libraries, and special services. Spending is so severely inadequate in the growing number of "apartheid" schools serving more than 90% "minority" students that legal action to challenge school funding systems is under way in nearly half the states (Darling-Hammond, 2004, pp. 6-7)

CRT provides a lens through which to highlight the hidden inequities embedded in most reform efforts, which tend to focus on increased student achievement without acknowledging societal inequities (Meier & Wood, 2004).

The Historical Debt: Common Schools and Desegregation

The seeds of historical debt reflected in NCLB were planted in the democratic concept of common schools. Public schools, first developed as common schools, were the first attempt to provide an education for all students in the United States. Common school advocates, such as Horace Mann, Horace Greeley, and Samuel Lewis, believed that an educated citizenry would improve life in the United States as education would lead to productive and more fulfilling lives (Watras, 2002). They believed that literate, enlightened, and informed citizens would have a clearer understanding of how to function in a democratic society. By the 1800s a connection was already suggested between the lack of education and likelihood of criminal activity. According to Rury (2002), "In petitioning the city council for public support of their schools in 1828, for instance, a group of New York philanthropists declared that successful schools were necessary to forestall the need for more prisons" (p. 64).

Racial and economic inequality led to many of the historical inequities that are still prevalent today. Research has demonstrated that there is still a connection between individuals who populate prisons and children who fail in school. There is a relationship between not graduating from high school and the likelihood that an African American male will become incarcerated (Western, Kleykamp, & Rosenfeld, 2004). There is also a correlation between the degree of wealth students come from and the level they will aspire to academically. There is a long history of wealthier students outperforming children with fewer economic resources (Coleman, 1966). Under slavery, generations of African American children were not educated or even taught to read (Anderson, 1988), and as noted earlier, slaves were treated as property. Until *Brown vs. the Board of Education* (1954), African American children did not have the legal right to attend White schools. Until *Lau v. Nichols*

(1974), children with limited English proficiency did not have the legal right for linguistically appropriate accommodations. Furthermore, until the Individuals with Disabilities Act (1975), children with disabilities did not have a legal right to receive services and accommodations in the public schools. These reforms historically sought to address gross inequities in our educational system, yet the inequities persist (Marshall & Gerstl-Pepin, 2005; Tyack & Cuban, 1995). Thus, many of our current educational inequities existed and were debated more than 200 years ago (Watras, 2002).

Martin Luther King's dream was rooted in the "American dream," or America's democratic ideology that promises equal opportunity for all citizens. King entertained the notion of colorblindness, and he preached that the world should be a place of equality of opportunity. According to Spring (2007), *equality of opportunity* in the United States would mean that all members of a society are given equal chances to enter any occupation or social class and will occupy their particular positions because of merit and not from family wealth, heredity, or special cultural advantages. This would further signify that though not everyone would have the same income, they will have equal access and opportunity to strive for at least middle class standards and quality of life. Spring suggests that with the ideal of equality of opportunity implies that education should ensure that everyone either begins on equal terms to ensure that competition is fair and equitable.

The historical debt acknowledges that public schools have *never* been common to all children. As Spring (2003) notes:

> A . . . problem is that American public schooling never achieved Mann's dream of children from all walks of life sharing the same classroom. All races, religions, and social classes do not mingle within a single common school. Racial segregation continues to exist even after massive efforts at desegregation in the 1960s and 1970s. (p. 13)

Regardless of laws and mandates to desegregate schools, middle- and upper-class parents advocate on behalf of their children (Brantlinger, 2003). Whether it be through "White flight" during desegregation, electing to send their children to private schools, advocating for tracking, or choosing a home in a "good" school district, certain parents (usually those with more financial resources and/or higher educational attainment), reinforce boundaries between their children and those without economic resources. Consequently, Horace Mann's goal of the common school (1891) and Martin Luther King's racial togetherness has not yet been achieved. Furthermore, despite civil rights movements, schools have become more segregated by race in the past two decades (Frankenberg & Orfield, 2007; Orfield & Lee, 2007).

It is evident then that many of our problems in education lie in the very foundation of our democracy. The historical values embedded in NCLB reinforce the notion that if a child goes to school and works hard, she or he can be successful and live well in the safety of a middle-class lifestyle. NCLB assumes that schools have not done a competent enough job at overcoming societal inequities. This problematically assumes that schools can overcome these inequities without additional resources or addressing the underlying social inequities that gave rise to them. Beyond forcing districts and states to expend large sums of money on standardized testing, NCLB provides limited funds for actually addressing the historical disparities identified by test score data (Mathis, 2005). The implication within the policy is not that all schools should be equal, rather that students' test scores at all schools should achieve a minimum proficiency regardless of their race, gender, language, disability, or socioeconomic status. What this policy ignores is that gross resource disparities that result from historical inequities.

The Increasing Economic Debt: Ignoring Poverty and Exalting Competition

NCLB suggests that equalizing test scores will be good for the economic health of the nation (Gerstl-Pepin, 2006). This assumption has deep roots in educational policy, "It was assumed that more general acquisition of education (understood mainly as the provision of formal schooling) was essential to the lessening of inequalities among and within nations" (Farrell, 2007, pp. 129-130). Interestingly enough, the reverse argument is rarely used as a cause for investment in education, namely, that a more equitable economy may give rise to a more equitable educational system (Pittman, McGinty, & Gerstl-Pepin, 1999). During early years of reform, educators and policy makers saw poverty as a function of low educational attainment. They believed that if students received equality in education, they would be able to rise above the crippling effects of poverty (Watras, 2002). Then with poverty eliminated, citizens would become more productive and requires less governmental support, paving the way for a more progressive society (Farrell, 2007; Rury, 2002; Watras, 2002). For this reason, education was regarded by prominent philosophers of education such as Dewey (1916) and Du Bois (1935) as an investment opportunity, marking the beginning of the conceptualization of social capital theory. The theory of social capital suggests that elevating the status of individual citizens through their greater educational attainment has the potential to improve the overall conditions in American society (Astone et al., 1999; Becker, 1967; Coleman, 1988; Schultz, 1961). This would require that all schools provide the same quality education for students regardless of their community context.

Educators and researchers alike are constantly striving to develop a formula for school improvement for economic gains. Beare and Boyd illustrate that this conceptual linkage has a long history. The controversial Coleman (1966) and the Jencks study (1972) found that a child's progress at school is affected only marginally by the school itself and instead depends overwhelmingly on the child's home background (Beare & Boyd, 1993). Yet despite these reports and subsequent research the focus continues to be on fixing schools without attention to supporting communities or families in challenging economic circumstances.

Nowhere is evidence of the denial of the debt more obvious than in the federal report, *A Nation at Risk* (National Commission on Excellence in Education., 1983), which places the responsibility for educational failure squarely on the educational system: "If an unfriendly power had attempted to impose on America the mediocre educational performance that exists today, we might very well have viewed it as an act of war" (National Commission on Excellence in Education., 1983, p. 9). NCLB responds to fears that the U.S. educational system is lagging behind other nations. For example, Hardaway (1995) made note of a report released as part of the National Assessment of Educational Progress that suggested that when compared against other students from around the world, 9- and 13-year-old students finished lower than students from all other countries tested. The report notes, "In math, for example, American 13 year olds finished 19th out of 20, managing only to nudge out Jordan" (p. 4). Repeated reports suggesting similar results have been used to assert that education plays a role in maintaining the U.S. competitiveness in a global and increasingly technology-dependent society (Barro & Lee, 2001).

A weak educational system is seen as tantamount to economic insecurity. The way to address the risk is to increase test scores. Test scores then become an indicator of educational success and economic security. Thus, the goal of most school reform efforts is increased student achievement (Meier & Wood, 2004). Increasing test scores and maintaining international competitiveness have been the goals of the last few reform movements, including the following: *The Effective Schools Movement*, *A Nation at Risk*, *Goals 2000*, and now, *No Child Left Behind* (Marshall & Gerstl-Pepin, 2005). All of these efforts aggressively attempt to increase student achievement in reading, mathematics, and science. No Child Left Behind added an emphasis that all children needed to reach a minimum proficiency and that test scores had to be disaggregated by race, socioeconomic status, whether a child is designated as receiving special education services, or their designation as an English language leaner. To do this NCLB mandates high-stakes testing, accountability, and defines highly qualified teachers in terms of whether they have the requisite content courses (Smith, Desimone, & Ueno, 2005). The prevailing assumption is that test scores are the most reliable indicator of school effectiveness and that lower test scores indicate that the problem is with the educational system rather than a result of societal inequities.

Parents with economic or cultural power focus much of their attention on ensuring that their children receive the best possible education and are able to circumvent the negative consequences of NCLB (McGrath & Kuriloff, 1999). This may involve paying for private school, purchasing a house in a school district with a strong reputation, fundraising for the school, or voting for increases in the school budget. Individual and collective efforts of those with economic power to institute and improve education in the country have reinforced economic inequities. Private schools, which existed before public or common schools, were the first to be developed and to operate in the United States. Today, private schools are often the choice of parents who want to ensure that their child receives the best quality education that their money can buy (McGrath & Kuriloff, 1999). The move to private schools by wealthier parents further perpetuates the education gap between wealthier students and those with fewer financial resources.

Unfortunately, parents of children who need alternatives the most are not able to afford private schools. Low-income families, the ones who are often helped the least by school reform efforts, continue to be left to the mercy of ineffective school districts. Cibulka and Boyd (2003) noted the urgency of implementing effective strategies of school reform in the statement, “We truly are in a ‘race against time’ both to save urban children from educational failure and to rescue and reform large urban school systems before people give up on them” (p. vii). The problem with the system, however, is that even with all of the efforts and educational options available, disadvantaged students remain in economically challenging home and community situations. Economic insecurity often leads to limited employment opportunities, lack of health care, criminal activity, improper nutrition, and lack of quality early child care that can all have a negative impact on a child’s learning (Evans, 2004; Shonkoff & Phillips, 2000).

The Moral Debt: Making Education Meaningful

Given the historical, economic, and cultural inequities overlooked in past educational reform efforts, one might be tempted to question whether the children are really at the heart of reform efforts. Do we really place a high value on children? According to Noddings (2005), children need to feel that they are cared for *relationally*. They need to know and feel that what they do matters because their teachers and those directing the teachers genuinely care about them and what happens to them, not because they need to make a certain score on a standardized test. In the absence of such care, children may begin to disengage from school and eventually become a failing statistic. Awareness of societal marginalization and discrimination can contribute to school failure (MacLeod, 1995; Willis, 1981).

Examining the debt through Noddings' work on the ethic of care suggests that any policy discussion must address whether the policy will make students feel "cared-for" and supported in their growth and development (Noddings, 1984, 2005, 2007). Students could not possibly feel cared for by policies that ignore the role their material conditions may play in school success or failure. Perhaps the education debt is not taken seriously as a priority because it is not acknowledged as *the* problem. It should be central to policy discussions as it is in other countries. For example, Finland, Norway, and Australia have made a significantly greater commitment to provide resources and support families with young children (Gabel & Kamerman, 2006). Finland, in particular, has made a coordinated effort across multiple social agencies to address childhood poverty (Ministry of Foreign Affairs for Finland, 2008).

Noddings (1984) defined ethical caring as having a sense of duty. This is the moral debt Ladson-Billings (2006) suggests, when she asserts that the debt should be addressed because it is the "equitable and just thing to do" (p. 9). That is, knowing and acknowledging the problem is more likely to bring about change. Past reform efforts have not acknowledged the ethical "right" of children to be cared for and valued (Noddings, 2007). The needs of children have not been identified as an ethical responsibility of policy makers. In order to overcome and to begin repayment of the debt, educators, policy makers, scholars, and community members need to place a child's right to feel valued and cared for, at the center of the debate, as crucial to addressing the debt.

In examining the historical, economic, sociopolitical, and moral debts incurred to children, "declaring bankruptcy" seems to be the most logical solution toward canceling out the looming and insurmountable education debt that has accumulated over the years against groups of children and their families. Perhaps it is time to declare educational bankruptcy. In order to do this, educators, researchers, policy makers, and the community must collaborate, and this endeavor needs to extend beyond racial, ethnic, economic, geographical, and disciplinary boundaries. Just as the debts owed to our children are great, so must our efforts toward resolution of these debts be correspondingly strenuous and sincere. As Robinson (2000) states, "Solutions must be tailored to the scope of the crime in a way that would make the victim whole (p. 9).” Our efforts must not only be collaborative but must acknowledge that debts rather than deficits need to be addressed.

Declaring Bankruptcy and Forgiving

In bankruptcy, once a debt has been discharged (forgiven), the debtor is released from personal liability for certain specified types of debts. “The discharge is a permanent order prohibiting the creditors of the debtor from taking any form of collection action on discharged debts, including legal action and communications with the debtor (Mecham, 2006, p. 10). As noted earlier, filing Chapter 9 bankruptcy is different from other bankruptcy plans in that there is no requirement on behalf of the debtor to relinquish assets for liquidation and redistribution. This distinction is important because the educational system of the United States is effective at serving middle- and upper-class children who are able to function in mainstream classrooms (Rothstein, 2004). Additionally, pockets of populations of traditionally disenfranchised students have also been successful, as innovative and caring school leaders have implemented strategies proven successful in educating their students. A system that has been effective at educating a critical mass of students, both historically and presently, should not be completely eliminated. Therefore, systems that work would be permitted to continue doing whatever they have been doing to make them successful. Only the parts of the system that have allowed groups of students to be neglected need restructuring (borrowing language from the Chapter 9 bankruptcy code).

This declaration of bankruptcy would require actions of discharge or forgiveness on both the part of those who have benefited from inequity and those who have been penalized by it. To discharge the debt, its existence must be acknowledged, and the oppressive systems that created the education debt must be reconstructed. Those who have benefited from educational privilege, past and present, must do their part in facilitating “debt forgiveness” by acknowledging the consequences of long-term injustice and commit to understanding and acknowledging the reality of the nations’ indebtedness. Those who have experienced inequity must also forgive those who have benefited from their privilege whether it is due to race, socioeconomic status, ability, historical context, or language.

Declaring bankruptcy does not mean that the accumulated debt never occurred, but rather it is acknowledged openly. Moreover, simply forgetting the past, pretending as if the injustices never happened, or that they are not still happening, will not lead to lasting change. Instead of placing blame, energy is better spent conducting research that supports viable solutions for effective school policy reconstruction. Thus, the mantra, “the system doesn’t work,” must be replaced with “where do we go from here [to fix it]?” The next section provides suggestions for how recovery might begin.

Toward Human Investment and Recovery: Going Beyond the School Walls

The authors have suggested that the *problem* with our educational system is that our society has not acknowledged the “educational debt” and thus has not placed a high value on the need to support children and their families. Continually ignoring this debt/deficit model is analogous to attempting to balance a budget and to repay debts when the amount of “accumulated debt” plus “current expenses” far outweighs the current level of income. As noted earlier, this creates an impossible balancing act, always leaving certain responsibilities either unpaid or underpaid. In the case of schools, the debts that are most often neglected are those owed to poor children, children of color, and those without cultural capital.

Before beginning, however, it is important to emphasize that this proposal will not require dismantling the entire system of education but restructuring policies so that addressing the educational debt is prioritized in any school reform efforts. The strategies suggested are a starting point for policy dialogue and are by no means exhaustive or all encompassing, but they require viewing education as a context-dependent social enterprise that requires going beyond the school walls and addressing poverty and the needs of communities for which the debt has existed for generations. For these communities, educational policy needs to acknowledge the debt by committing to four critical assumptions: (1) educational equity is central to democracy, (2) children and families in toxic environments need substantive support before they enter kindergarten, (3) assessment should emphasize human potential and development, and (4) addressing poverty requires a community-based approach.

Education is central to equity and democracy. The first assumption required for education reconstruction is for policy makers to see education as a viable institution in this country, one that is worth saving. Just as the government stepped in to “bail out” financial institutions, the government should recognize the failure of states in creating equity in education, and likewise, effectively bail them out. This appreciation of education as an institution and a discipline could be demonstrated by valuing teachers, appreciating their work, and acknowledging the additional challenge of working with children and families who face many economic and sociopolitical challenges. Current NCLB policy seems to imply that is the teachers and schools that are failing rather than acknowledging that very few societal supports exist for children and families living in poverty. Placing a higher value on education and the teaching profession can help education be viewed as a viable institution, which provides an important common good. While this argument has been used before by scholars such as Dewey (1916), this idea has yet to be realized and as such its societal importance needs to be explored further. For example, a study by Furnée, Groot, and van den Brink (2008) suggests that the cost–benefit ratios between health and investing in education is highly positive and that higher educational attainment is linked to better health outcomes. They suggest that there needs to be more integration between health and education policies and point to the importance of such integration as investing in education.

Children and families need educational support before kindergarten. Policy makers at the federal and state level need to heed the research on the value of early childhood education and invest accordingly. Substantive interdisciplinary research exists that explores how deficiencies in nutrition, health care, and quality childcare can hamper neurological development (Shonkoff & Phillips, 2000). Furthermore, research suggests that academic failure is central to the "school-to-prison pipeline"; thus, students who drop out of school are more likely to end up in prison later in life (Christle, Jolivette, & Nelson, 2005; Western et al., 2004). The focus of NCLB is on measuring performance through standardized testing rather than addressing poverty and/or quality childcare (Gerstl-Pepin, 2006). Inequities in test performance mirror inequities in children attending quality preschools, and the United States does not provide sufficient preschool care to low-income racial and ethnic minorities (Magnuson & Waldfogel, 2005).

When children and their families are not properly cared for in terms of clean, safe stable housing, nutritious food, proper health care, and early education, they are far more likely not to come to school prepared to learn and, thus, be successful (Gerstl-Pepin, 2006). For example, research has shown that a well-cared-for and healthy mother is more likely to lead to the birth of a healthy baby and that quality early childhood care is more likely to lead to school success, yet many impoverished communities where mothers and their children are not well cared for persist (Evans, 2004; Flores, Olson, & Tomany-Korman, 2005; Shonkoff & Phillips, 2000). These disparities suggest that the educational debt reflects the lack of societal support for families and children living in poverty. Investing in early childhood education, health, and well-being has been linked to future success in school and healthier outcomes (Barnett, 2002). Thus, given the needs of children and families living in poverty, and the fact they are less likely to have access to these services and are less likely to come prepared for school, funding targeted toward providing more access to quality preschool has the potential to address the educational debt (Barnett & Belfield, 2006).

Assessment emphasizing human potential and development. Restructuring education under the model of Chapter 9 bankruptcy could allow for children to be evaluated according to their differing contexts and needs. Under NCLB, all students are required to take standardized tests repeatedly, despite variations in individual learning styles, proficiency in English, or learning disabilities. Expectations for low-income children should not be lowered; however, the adversity students experience in their daily lives cannot be ignored in the development and execution of policy. States, districts, and schools should cooperate with other agencies and community groups to provide extra services that reach beyond the school walls for students and their families that need them as they attempt to address achievement gaps.

The current interpretation of the policy focuses on teachers and schools when students fail state tests. Policy makers should acknowledge, however, that some children need additional support to be successful. Funding for models such as the IEP (Individual Education Plan) that pulls together a team of specialists (reading/math specialist, behavioral specialist, counselor, etc.) could support children's social or emotional needs. While teachers can meet the varying needs of students by employing differentiated instruction strategies in their teaching (Tomlinson, 2001, 2002), they will need additional support to truly begin to address the debt. It is critical to recognize that sometimes a child's success requires more than one teacher alone can provide.

Instructional strategies should highlight a child's strengths first and foremost while providing support for areas in need of improvement (Ladson-Billings, 1998). For example, curricula should be designed and adopted that acknowledge the pluralistic richness of the United States and are adapted to the needs of students (Ladson-Billings, 1998). Additionally, curricula focused on critical thinking and creativity normally reserved for students considered gifted and talented could be used for all children. Furthermore, differentiating instruction is not about watering down the curriculum but making it more accessible to students who may be hampered by learning disabilities or developmental issues.

Universal design is one example of curriculum design that does this. By making content more accessible, UDL benefits all students. The three principles we will work with are multiple means of representation, multiple means of expression, and multiple means of engagement. The Higher Education Opportunity Act of 2008 defines UDL as

> a scientifically valid framework for guiding educational practice that: (a) provides for flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (b) reduces the barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient. (Section 103[24])

UDL calls for the design of curricula with the needs of all students in mind, so that methods do not limit students' access to information and learning. UDL curriculum takes on the burden of adaptation so that the student doesn't have to, thus minimizing barriers and maximizing access to learning.

Furthermore, redefining the achievement gap as a debt suggests the need for alternative means for assessing schools in addition to test scores. For example, Kahne (1996) suggests that if we truly believe in democracy then schools should be assessed by their ability to foster a collaborative and democratic learning community. Rather than focusing only on individual achievement, we could also turn our attention toward fostering community achievement and democratic collaboration.

Addressing poverty through community-based change. If U.S. policy makers would commit to a goal for education as encouraging each child to reach his or her full potential, then addressing the effects of inequities such as poverty and racism would be central to school reform. This would require collaboration between parents, students, teachers, school-level administrators, community members, school boards, district-level administration, educational researchers and professors, state-level administration, federal-level administration, health and mental health professionals, and federal-level policy makers to holistically address issues societal inequities (Cibulka & Kritek, 1996). This type of interdisciplinary community-based work is needed to address the root causes of inequity. Fields such as health, counseling, nursing, environmental sciences, criminal justice, psychology, and human services all should contribute to the discussion and the solution. These groups and individuals are all major stakeholders in the education of children and should have a say in policies that affect them (Anyon, 2005). Only then can the entirety of the problem of issues such as poverty and racism be dealt with. The concept of community schools provides a model for a way that a community can work together with schools to address the needs of the whole child. The model squarely suggests that community inequities lead to inequitable schooling outcomes and targets both the school and community simultaneously.

The overarching goal of the community schools model is to use "public schools as a hub [to] . . . bring together many partners to offer a range of supports and opportunities to children, youth, families, and communities—before, during, and after school, seven days a week" (NAASP, 1999, p. 4). This model focuses on five defined goals. The first goal assumes that children are ready to learn when they enter school and will remain engaged. Continual readiness to learn is fostered through preschool, parenting classes and support, social services that provide food and medical support on school campuses, and tutoring and other academic and human support services. The second goal assumes that all students can learn and can achieve high standards. Students are also engaged during intercessions and are taught that working hard is required in order to achieve academic goals. The third goal rests on the assumption that young people need to be well prepared for adult roles in the workplace, as parents, and as citizens. This is accomplished by engaging community members to serve as role models and mentors for students and parents and through student engagement in community-based learning in their community. The fourth goal assumes that that families and neighborhoods need to be safe, supportive, and engaged in the educational process. Families from the school's neighborhood are encouraged by the school to be involved in the school's mission. The fifth goal assumes that parents and community members living in economically depressed neighborhoods should have opportunities to further their own education and be involved in their neighborhood school through adult educational opportunities. Examples of classes aimed at parents and community members that could be offered include Graduate Equivalency Degree (GED) preparation, English as a Second Language (ESL), and Technology and Career Training.

The Harlem Children's Zone (HCZ) provides one concrete example of a successful community-based program aimed at supporting education by supporting families in need (Tough, 2008) that emphasizes equity, supports democracy, and goes beyond test scores as indicators of success. HCZ is a holistic way of addressing educational inequity via education, social services, and community-building programs. HCZ serves children and families in a 97-block area of Central Harlem through three primary programs: (1) Intensive, public charter schools, named the Promise Academy; (2) Beacon Community Centers, turning public schools into community centers for children and adults during after-school, weekend, and summer hours; and (3) Foster-Care Prevention Services, which seek to strengthen troubled families so children can stay with their parents. Student success in Harlem is not due exclusively to school; rather, success is linked to a comprehensive approach that supports parents and their children simultaneously.

The Reinvestment and Recovery Act set aside US$660 million for the Investing in Innovation (i3) Fund, which would provide grant funds to promising innovative approaches such as HCZ and document their effectiveness. This is promising news although the fund is still couched in terms of student achievement as the primary indicator of school success. The funding stream does not acknowledge the debt but the HCZ's success highlights the importance of addressing health, poverty, parental education, and community degradation and their link to school achievement.

Concluding Thoughts: Investing in Children

Addressing the debt through the community school approach through community projects such as HCZ places a child's and their family's right to lead a meaningful life at the center of research, reform, and policy. If it is worth US$700 billion to bail out Wall Street (Stout, 2008), is it worth that much to "bail out" children in need? The Investing in Innovation (i3) Fund is a pittance in comparison to the funds used to bail out corporations. Are children really worth less than banks, insurance companies, and brokerage firms? This article has suggested that approaches to problem solving will be more effective when policy makers, educational researchers, educators, and communities openly acknowledge the debt, declare bankruptcy (Chapter 9), and move toward working on investment and recovery.

More meaningful policy would acknowledge all forms of educational progress. At times, progress is recognized only through the increase in test scores. Positive change will begin with restructuring the ways education policy makers and professionals think about racial segregation, gender inequity, sexual orientation, disabilities, and religious discrimination. Educational researchers need not only to study effective curricula, teaching, and administration but also to devise ways of educating and influencing those who have decision-making or legislative power toward such effective and socially just solutions. Furthermore, no longer can schools and teachers alone be asked to address the debt. To make significant changes, supports need to be provided to impoverished parents and communities. Even with all of the resources available in the United States, the complexity of reforming schools requires reforming struggling communities where parents and children need health care, nutritious food, stable housing, childcare, job opportunities, and training. The link between educational inequity and societal inequity must be acknowledged and out of it a holistic approach is needed to address the historical, economic, moral, and social political debts owed to disenfranchised communities.

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Note

1. Chapter 7, the most drastic chapter of bankruptcy codes, calls for a complete liquidation of all assets on behalf of the filer/debtor. Chapter 7 is designed for individuals, partnerships, corporations, or other business entities that must be dissolved. Before a person or other entity files for bankruptcy under Chapter 7, they must realize that their debts must qualify in order to be forgiven. There are several debts, including liens, which are not extinguishable. Under this chapter, a court-appointed trustee takes control of a debtor's assets, liquidates them where possible, then redistributes cash to the creditors of the filer, and the debtor is immediately discharged of debts that qualify to be forgiven. We do not feel that chapter 7 of bankruptcy law is appropriate to describe school reform because it was developed for entities that wish to cease operations. We do not recommend that schools in the United States need to be closed, rather that those not working effectively need to be reconstructed to better serve the needs of all children.

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