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FRANK J. BATTISTI MEMORIAL LECTURE

SCHOOL REFORM: PAST, PRESENT, AND FUTURE

Diane Ravitch[†]

I am grateful for the opportunity to speak in Cleveland as part of the annual lecture series dedicated to the memory of the late Judge Frank J. Battisti. As I have learned from reading about him, Judge Battisti was a man of enormous integrity and intellect. It is evident that he was greatly admired and respected by his clerks, his colleagues, and his fellow citizens.

I intend today to discuss Judge Battisti's most controversial decision—his order mandating cross-district busing of students in the Cleveland public schools in 1976.¹ The case of *Reed v. Rhodes* was finally closed just a few months ago.²

My assignment is extremely difficult, because by the mid-1970s, even before Judge Battisti's decision, I had come to believe that busing was not accomplishing its goals. As someone who had attended racially segregated public schools in Houston, Texas, and as someone who has always abhorred any form of racism or any exclusion based on bias, this was not an easy decision. Nonetheless, as a scholar of American education, I reluctantly concluded that court-ordered racial balancing was having adverse effects that were unlikely to result in stable integrated schools. In fact, I wrote a full-page article in the *New York Times* in 1975 in which I characterized busing as "the solution that failed to solve."³

When I was invited to speak in the Battisti lecture series, I told the committee about my dilemma, and they replied that Judge Battisti's memory would best be honored by a full airing of the issues. In

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¹ See *Reed v. Rhodes*, 422 F. Supp. 708 (N.D. Ohio 1976).

² See 1 F. Supp. 2d 705 (N.D. Ohio 1998), *aff'd* 315 F.3d 1327 (6th Cir. 2000).

³ Diane Ravitch, *Busing: The Solution That Has Failed to Solve*, N.Y. TIMES, Dec. 21, 1975, at E2.

that spirit, in honor of both him and the principles of open debate and free speech, I agreed to undertake this challenge.

Judge Battisti was confronted with compelling facts in the case of *Reed v. Rhodes*.⁴ At the time of his decision in 1976, there were 181 schools in the Cleveland school district; 81% of them were either all-African-American or all-white, 84 schools were at least 90% African-American, and 63 schools were at least 90% white.⁵ Judge Battisti concluded that this striking pattern was no accident, and he held school officials accountable.⁶

In his decision, he observed that the public school system had allowed overcrowding in African-American schools on one side of the city at the same time that white schools on the other side of Cleveland had space available, and that new construction had been intended to reduce the likelihood of desegregation. Because of such actions, he found that school officials had knowingly caused the separation of children by their race.⁷ Any such intentional segregation, he rightly concluded, was an unconstitutional denial of the rights of African-American children. He decided that the best way to remedy this denial of educational opportunity was to require the racial balancing of students and staff, as well as implementing a variety of programs intended to enhance educational quality.

Judge Battisti made his decision and issued his order as a matter of simple justice. He acted in a context defined by well-established judicial precedent. It was his sworn duty as a federal judge to see that justice was done.

But doing justice is not necessarily the same thing as education reform. The wrongs that Judge Battisti documented had to be corrected, but the remedy that he imposed, it now seems fair to say, was not adequate to benefit the children who had not received equal educational opportunity.

Now that the case has officially ended, and now that the federal courts have declared that the last vestiges of past discrimination and segregation have been eliminated, it is time to ask: What was learned from Cleveland's experience with school busing?

In 1976, when Judge Battisti wrote his opinion, the public schools of Cleveland had about 128,000 children.⁸ Of that number, 57% were African-American.⁹ During the decade after Judge Battisti's decision, the public schools lost 55,000 students, or 43% of those who had been enrolled in the spring of 1976. From 1976 to

⁴ 422 F. Supp. 708 (N.D. Ohio 1976).

⁵ *See id.* at 711.

⁶ *See id.* at 790-97.

⁷ *See id.*

⁸ *See id.* at 785.

⁹ *See id.*

1986, the district's white enrollment fell from 50,000 to 18,000 students, and the African-American enrollment declined from 74,000 to 51,000 students.¹⁰ Some of this demographic decline would have likely occurred without busing, but some part of it occurred in response to busing.

Middle-class flight—both white and African-American—harmed both the public schools and the city of Cleveland. Families with means relocated to the suburbs or moved their children to nonpublic schools. This left the public schools with a needier population and the city with a diminished tax base, resulting in a public less committed to the public schools and less willing to support tax increases for the public schools.

Today, the Cleveland public schools enroll about 77,000 children. About 20% of the students are white, 70% are African-American, and the remaining 10% are of other racial and ethnic origins. In contrast to 1976 when the district had 181 schools, it now has 121 schools.¹¹ In 1976, 46% of the district's public schools were at least 90% African-American.¹² Today, 50% of the city's schools are at least 90% African-American.¹³ There are no all-white schools. White flight, black flight, and middle-class flight made it impossible to maintain a system of racially balanced schools in the absence of constant judicial intervention.

Are the schools better after two decades of busing? It appears not. Last year, the respected journal *Education Week* described Cleveland as a city in crisis, because of the confluence of poverty, poor management, and low educational achievement.¹⁴ A few months ago, the Ohio state department of education declared that the Cleveland public school district was in "academic emergency" status because its students met none of the state's twenty-seven performance standards.¹⁵ In every subject tested, the city's students lagged far behind children across the state and children in similar urban districts. Sixty-one percent of ninth-grade students in Ohio passed the state's proficiency tests, which students must pass to receive a high school diploma.¹⁶ Twenty-nine percent of students in similar urban districts

¹⁰ See William D. Henderson, *Desegregation, Demography, and Educational Decline: A Comprehensive Theory of Failure in the Cleveland Public Schools*, tbl.1 (Mar. 2001) (unpublished manuscript, on file with the *Case Western Reserve Law Review*).

¹¹ See *id.*

¹² See *Reed v. Rhodes*, 422 F. Supp. 708, 711 (N.D. Ohio 1976).

¹³ See Scott Stephens & Mark Vosburgh, *Many Charter Schools Fail to Integrate*, CLEV. PLAIN DEALER, Jan. 16, 2000, at 1A.

¹⁴ See Beth Reinhard, *Cleveland: A Study in Crisis*, EDUC. WEEK, Jan. 8, 1998, at 26.

¹⁵ See 2000 Ohio State Dep't of Educ. *Cleveland City Sch. Dist. Rep.* (visited Jan. 27, 2001) <http://www.ode.state.oh.us/reportcard/county-files/rc_cuyahogaco.htm> (reporting on the results of standardized testing in Cuyahoga County).

¹⁶ See *id.*

also passed the state's proficiency tests, but in Cleveland only 20% of ninth-graders passed the state tests.¹⁷

Across the state, the high school graduation rate in the year 2000 was 80%, and in similar urban districts in Ohio, the rate was 55%.¹⁸ In Cleveland, the graduation rate was only 33%.¹⁹

By any measure, this is a deeply troubled school system. On every front, the data are alarming. The Cleveland school system is struggling and largely unable to meet the overwhelming needs of its students, 70% of whom live in poverty.²⁰ The persistently low achievement and poor reputation of the Cleveland public schools has led to a determined search for alternative remedies.

In recent years, Cleveland has become a laboratory for experimentation in school management, born of a sense of frustration with the existing system. Today, there are seven charter schools in Cleveland, each seeking to find a formula that will create higher aspirations and higher achievement among children of whom little was expected in the past. On the state's recent proficiency test for fourth-graders, the charter schools did no better than the public schools, and it is not yet clear whether some of them will achieve greater success than the regular public schools.²¹

Furthermore, Cleveland is currently home to one of only two public urban voucher programs in the United States—the other is in Milwaukee. Between four to five thousand children are attending non-public schools with public dollars, in a closely watched program whose very existence is under court challenge.

If parents were content with their children's public schooling, there would be little demand for these alternatives. Busing may have contributed to the crisis of the public school system by diverting funds to non-educational uses and by draining the system of vital public support. Certainly this was not anticipated in 1976, and Judge Battisti could not have foreseen any of these developments. He expected that busing would be an effective counter-balance to generations of unequal opportunity. He expected that his order would remedy the miseducation and neglect that so many African-American children had suffered.

Unfortunately, busing neither ended racial isolation nor improved educational achievement. In retrospect, it seems surprising that so many experts assumed—and assured the federal courts—that a

¹⁷ See *id.*

¹⁸ See *id.*

¹⁹ See *id.*

²⁰ See Michele Leslie, *First They Must Be Lifted Out of Poverty*, CLEV. PLAIN DEALER, Jan. 23, 1992, available in Westlaw, Plain Dealer Database.

²¹ See Scott Stephens, *Charter Schools Don't Do Well on State Exams*, CLEV. PLAIN DEALER, June 27, 2000, at 1B.

system of racial reassignment would somehow cause test scores to improve.

Yet if we could turn the clock back to 1976, we would still have to conclude that something had to be done to end the practices and policies that caused racial segregation. None of us is wise enough to say that we know what should have been done, but we now know that the state and the school district spent \$1.75 billion on school desegregation.²² One can only guess at what might have happened if the same investment had been devoted to pre-kindergarten classes, smaller classes, better educated teachers, higher teachers' salaries, and more adult education.

I was impressed by something that Cleveland school superintendent Barbara Byrd-Bennett said a few months ago, when the court order came to an end. She was quoted in the local press as saying, "It's almost a feeling of freedom. To be under the watch of one of the country's most rigid court mandates, you can really lose sight of what this business is about."²³

What is this business about? It is about education, about improving the minds and character of all children, no matter what their social standing, race, or condition. It is about teaching children to read and write, use mathematics, understand science, engage in the arts, enjoy great literature, comprehend our history and the history of others, and handle the challenges of citizenship and work. This is a difficult assignment even under the best of circumstances. It is made even more difficult when the schools are expected to solve social and economic problems that society itself has refused to solve or failed to address.

Our federal courts in the past quarter century undoubtedly shared these goals, but did not recognize that the only certain result of busing and racial balancing would be busing and racial balancing, not education reform. In 1978, sociologist James Coleman met with senior staff at the U.S. Department of Health, Education, and Welfare and told them that, contrary to expectations, busing frequently *depressed* African-American academic achievement.²⁴ He admitted that no one understood the reasons for this, but that "in many cases desegregation was implemented with little attention to its possible effects in increasing disorder, conflict, absence from school—only with attention to having the right numbers of the right colored bodies at specified

²² See Janet Tebben & Scott Stephens, *Era Ends for City's Schools*, CLEV. PLAIN DEALER, June 30, 2000, at 1B.

²³ *Id.* at 5B.

²⁴ See James S. Coleman, School Desegregation and Schultze's Law, Presentation at the U.S. Department of Health, Education and Welfare (Dec. 1, 1978) (located within the personal files of James S. Coleman).

schools.”²⁵ The school system, he said, “has only a limited amount of attention. If that attention is focused on compliance with a court’s edict or HEW administrative orders, then it must be less focused on educational goals.”²⁶ Coleman might have also said that there is something inherently demeaning to black children in the very assumption that they cannot learn when too many others in their class are of the same race.

The use of racial balancing, or busing, as a social and educational strategy dates back to the middle 1960s. The original purpose of busing, if one reads the writings of its earliest proponents, was to assimilate African-Americans into white society. If African-American children attended a school where most children were white, so the theory went, they would be exposed regularly to the white majority culture. They then would learn this culture and somehow escape the stigma that society—that is, white society—associated with blackness. That is why all of the initial proposals for busing in the mid-1960s insisted that it would work only if African-American children were enrolled in schools where there was a white majority.

The very influential social scientist Gunnar Myrdal, in his classic 1944 work, *An American Dilemma*, described African-American culture as “a distorted development, or a pathological condition, of the general American culture.”²⁷ Some scholars saw African-American culture solely as a culture of poverty. One study of the African-American child stated, “The stigma of his caste membership is inescapable and insurmountable. It is inherent in his skin color, permanently ingrained in his body image.”²⁸

In the early 1960s, most social scientists appeared to agree that African-Americans were trapped in an inferior caste status from which they could escape only by being integrated into a predominantly white setting. They argued that a predominantly African-American school could never be a good school because it was predominantly African-American. Such schools could not escape the “insurmountable” stigma of the color of their students. It must also be said that they saw little in African-American culture that was valuable.

These ideas provided the intellectual rationale for the remedy of racial balancing with a white majority. New York was the first state to embed this perspective into its education policy. In 1963, the state commissioner of education declared that any school in which more

²⁵ *Id.*

²⁶ *Id.*

²⁷ GUNNAR MYRDAL, *AN AMERICAN DILEMMA* 928-29 (1944).

²⁸ David P. Ausubel, *Ego Development Among Segregated Negro Children*, 42 *MENTAL HYGIENE* 362-69 (1956). See also DIANE RAVITCH, *THE TROUBLED CRUSADE: AMERICAN EDUCATION, 1945-1980*, 170-173 (1983).

than 50% of the students were African-American was racially imbalanced and therefore incapable of providing equal educational opportunity.²⁹ In April 1965, the Massachusetts Advisory Committee on Racial Imbalance and Education issued a similar policy statement and recommended the elimination of all majority African-American schools.³⁰ One of the reasons for eliminating racial imbalance, according to the committee, was that African-Americans were part of a caste, not an ethnic group, and as such had no culture to preserve. The Massachusetts committee maintained that African-Americans, unlike other minority groups in the United States, had no cultural heritage of their own.³¹ Some social scientists even suggested racial intermarriage with the expectation that it would bring about a racially homogeneous population, by encouraging the African-American minority to merge and disappear into the white majority.

In 1967, a report of the U.S. Commission on Civil Rights, *Racial Isolation in the Public Schools*, argued that African-American students could not get a good education unless they were enrolled in majority white schools.³² The Civil Rights Commission identified two alternative remedies for helping disadvantaged African-American children. One approach was known as compensatory education, which acknowledged that the major cause of academic disadvantage was poverty and the environment associated with poverty.³³ The other approach was the dispersion of African-American students into majority white schools, on the assumption that any predominantly African-American school was stigmatized and therefore incapable of providing equal educational opportunity.³⁴ The commission rejected compensatory education and came down squarely on the side of dispersion of African-American children into majority white schools.

The commission insisted that African-American children would have higher academic achievement if they were in majority white schools even if there were *no* compensatory education programs.³⁵ It claimed that African-American students would achieve more simply by being in a majority white school, even if they had poorer teachers, and even if the white majority were poor whites.³⁶ The commission proposed that Congress should set a national standard in which no school would be allowed to be more than 50% African-American,

²⁹ See RAVITCH, *supra* note 28, at 170.

³⁰ MASSACHUSETTS STATE BD. OF EDUC., BECAUSE IT IS RIGHT—EDUCATIONALLY (1965).

³¹ *See id.*

³² U.S. COMM'N ON CIVIL RIGHTS, RACIAL ISOLATION IN THE PUBLIC SCHOOLS 230 (1967) (analyzing the effects of racial isolation in the public school system).

³³ *See id.* at 205.

³⁴ *See id.*

³⁵ *See id.* at 204.

³⁶ *See id.*

because once a school reached that threshold it would be regarded and treated by the community as segregated and inferior.³⁷

In retrospect, these arguments, though made by prominent social scientists who were undoubtedly well intentioned, were themselves tinged with racism. One reads them with a certain incredulity and notes that they seem to suggest that there is something therapeutic, almost magical, that inheres in the color of children's skin, but only if it is the right color—that is, white. In their efforts to help African-American children, these experts stigmatized African-American culture—in fact, denied that there was any such culture worthy of respect. As they pressed for racial balancing, the experts loudly insisted that a school in which African-American children were a majority could not possibly be a good school. The rise of the black militant movement was, in part, a reaction against just such patronizing, condescending, and racist views. The extensive and largely successful efforts in the past generation to recognize African-American history and literature—and to teach it in our schools and universities—have undermined the logic of these arguments.

The federal courts did not accept the belief that African-American children must always be reassigned to majority white schools, but they did accept the claim that racial balancing was a remedy for illegal segregation. The application of this remedy in Northern urban districts, however, was sharply limited by the Supreme Court's opinion in *Milliken v. Bradley*³⁸ in 1974. In *Milliken*, the Court held that the suburban public schools around Detroit did not have to participate in a metropolitan busing plan, which in effect left the city to eliminate segregation within its district lines.³⁹ Since Detroit's public schools already had a majority African-American enrollment at the time of the *Milliken* decision, the Court was sanctioning racial balancing without adopting the U.S. Civil Rights Commission's view that African-American achievement depended on the presence of a white majority.

Cleveland, like Detroit, had a majority African-American enrollment at the time of Judge Battisti's decision, and Judge Battisti's order was consistent with other federal-court decisions at the time.

There was, I suggest, an alternative line of reasoning. There was a road that was not taken, a set of actions and policies that would have flowed from different assumptions. My recent book, *Left Back: A Century of Failed School Reforms*,⁴⁰ describes a long history in our education theory and practice that made it permissible to allocate educational opportunity on the basis of race and social class. I show

³⁷ See *id.* at 210.

³⁸ 418 U.S. 717 (1974).

³⁹ See *id.* at 753.

⁴⁰ DIANE RAVITCH, *LEFT BACK: A CENTURY OF FAILED SCHOOL REFORMS* 92 (2000).

how deeply ingrained was the belief that certain children from certain backgrounds were not likely to learn and should be assigned to non-academic programs where little was expected of them.

In 1916, the Cleveland superintendent of schools, William H. Elson, recommended that the schools should decide by the end of fourth grade which children would prepare for continued study and which would prepare for work.⁴¹ Only 5% of the “breadwinners” in our society, he said, do all of the professional work, and the remaining 95% had to be prepared by the schools for industrial and commercial work.⁴² The problem was, how would the schools know which children should be prepared for study and which for work at the end of fourth grade? Superintendent Elson had a ready answer: “[I]t is obvious that the educational needs of the child in a district where the streets are well paved and clean, where the homes are spacious and surrounded by lawns and trees . . . are radically different from those of the child who lives in a foreign and tenement section.”⁴³

To Superintendent Elson, and to many others like him, it was obvious that the public schools should offer a different kind of education for children from different social classes. Others believed then, and continue to believe, that there are natural limits on the educability of children from different groups in the population. We are still, as a society, trying to persuade ourselves of the necessity and validity of equality of educational opportunity and still reckoning with the costs of denying equality of educational opportunity.

There is much to be learned from an alternative tradition in our history, grounded in the path-breaking work of Harvard psychologist John Carroll in the early 1960s. Carroll insisted that, under the right circumstances, the schools could educate nearly all children to higher standards than had ever been achieved in the past, no matter what their race or social background.⁴⁴ Based on his research, Carroll claimed that almost any child could learn whatever a school expected if the child spent enough time learning, if the task was clearly explained, and if the student persevered until he or she mastered the task.⁴⁵ Carroll held that differences in aptitude were not innate reflections of I.Q., but rather differences in what he called “learning rates.”⁴⁶

Following Carroll’s work, psychologist Benjamin Bloom of the University of Chicago developed a highly individualized program that

⁴¹ See *id.* at 91.

⁴² See *id.*

⁴³ *Id.* at 92.

⁴⁴ See *id.* at 415.

⁴⁵ See *id.*

⁴⁶ See *id.*

he called "mastery learning."⁴⁷ Like Carroll, he believed that children differed mainly in the rate at which they learn, and that with extra time and help, slow learners would learn whatever they needed to know to keep up with their classmates.⁴⁸

Ronald Edmonds, an African-American researcher at Harvard who served as senior assistant to the chancellor of public schools in New York City, conducted studies of outstanding schools in high-poverty areas. He argued that effective schools have strong leadership, high expectations for all students, an orderly environment, a relentless focus on basic academic skills, and regular testing to monitor pupils' progress.⁴⁹ He insisted that "[w]e can, whenever, and wherever we choose, successfully teach all children whose schooling is of interest to us. We already know more than we need to accomplish this task."⁵⁰ Writing in 1980, he argued that "demographic desegregation must take a backseat to instructional reform or we will remain frustrated by a continuing and widening gap between white and African-American pupil performance in desegregated schools."⁵¹

The seminal figure in this line of thought was Kenneth B. Clark, the same psychologist whose work had been cited by the Supreme Court in its *Brown v. Board of Education*⁵² decision in 1954. Clark, an ardent advocate of school desegregation, predicted in the early 1960s that forced assignment of students for purposes of racial balance—that is, busing—would cause whites to flee from urban public schools, making segregation worse and even harder to remedy.⁵³ He insisted that African-American children were not innately incapable of learning, but had been systematically deprived of a good education. He maintained that unless firm steps were taken to improve the schools attended mainly by African-American children, the public school systems in the urban North would become segregated and would be characterized by low academic standards, "providing a second-class education for under classed children and thereby a chief contributor to the perpetuation of the 'social dynamite' which is the cumulative pathology of the ghetto."⁵⁴ Meaningful desegregation, he believed, would occur

⁴⁷ *Id.*

⁴⁸ *See id.*

⁴⁹ *See id.*

⁵⁰ *Id.* (quoting Ronald R. Edmonds, *Effective Education for Minority Pupils: Brown Confounded or Confirmed*, in *SHADES OF BROWN: NEW PERSPECTIVES ON SCHOOL DESEGREGATION* 108, 121 (Derrick Bell ed., 1980)).

⁵¹ *Id.* at 416-17 (quoting Edmonds, *supra* note 50, at 121).

⁵² 347 U.S. 483 (1954).

⁵³ *See* RAVITCH, *supra* note 40, at 379 (referring to KENNETH B. CLARK, *DARK GHETTO: DILEMMAS OF SOCIAL POWER* 111-12, 117 (1965)).

⁵⁴ *Id.* (quoting CLARK, *supra* note 53, at 117).

only if all of the schools in the system are raised to the highest standards, so that the quality of education does not vary according to income or the social status of the neighborhood. The goals of integration and quality education must be sought together; they are interdependent. One is not possible without the other.⁵⁵

Clark disparaged what he called "the cult of 'cultural deprivation,'" which was extremely popular among other social scientists in the early and mid-1960s. Much of the talk about cultural deprivation, he said, was indistinguishable from old-fashioned biological determinism.⁵⁷ He scorned any rationalization that enabled teachers to have lower expectations for African-American children. He did not believe that children from working-class families needed a different type of education from that provided for children from middle-class families. Clark criticized public schools that lowered their standards. Such schools, he said, were merely offering custodial care instead of teaching.⁵⁸

Clark wanted the schools in poor neighborhoods to have the best teachers, the master teachers. He said that master teachers should be paid more for their superior skills and their willingness to tackle challenging responsibilities. The poorest children, he said, should have additional instruction and intensive tutorials. The African-American children, he insisted,

must be held to the same high standards of academic performance as their white counterparts Negro students cannot be excused for shoddy performance *because* they are Negro. To do so makes more rigid and intolerable the pathology, injustices, and distinctions of racism. . . . Schools are institutions designed to compensate for "cultural deprivation." If this were not true, there would be no need for schools.⁵⁹

John Carroll, Benjamin Bloom, Ron Edmonds, and Kenneth B. Clark, we may safely assert, were passionately committed to racial equality. They had no interest in deferring or denying school integration. But they focused on education reform, the day-to-day changes in practice as well as in attitude that had to happen in classrooms and schools so that African-American children could learn, regardless of the racial composition of their school.

⁵⁵ *Id.* (quoting CLARK, *supra* note 53, at 120).

⁵⁶ *Id.* at 380 (quoting CLARK, *supra* note 53, at 112).

⁵⁷ *See id.*

⁵⁸ *See id.*

⁵⁹ *Id.* (quoting CLARK, *supra* note 53, at 123).

For better or worse, however, instruction reform took a back seat to demographic desegregation. Too many districts got caught up in a numbers game and (to use Byrd-Bennett's apt phrase) lost sight "of what this business is about."⁶⁰ But that is what superintendents, principals, teachers, and parents can never afford to do. We can never afford to lose sight of instruction, to ignore the quality of teachers, or to neglect the fundamental mission of the school as an agency of literacy and a mechanism for improving the skills and knowledge of students.

Two years ago, Public Agenda, a nonpartisan research agency, conducted a survey of white and African-American parents across the country. The report, *Time to Move On*, showed a striking convergence of views among parents of both races about what they wanted for their children.⁶¹ African-American parents value integration, but they value academic standards and their children's achievement even more. African-American parents told Public Agenda "[b]y a stunning 80% to 9% margin" that they want the schools to place a higher priority on academic standards and achievement rather than focus mainly on achieving more diversity and integration.⁶² Three-quarters of both African-American and white parents agreed that "too often, the schools work so hard to achieve integration that they end up neglecting their most important goal—teaching kids."⁶³

But this does not mean that parents do not value integration; most do. Most parents—80% of African-American parents and 66% of white parents—told Public Agenda that they want their children to attend integrated schools.⁶⁴ Ninety-seven percent of both African-American and white parents agreed that "our country is very diverse and kids need to learn to get along with people from different cultures and ethnic backgrounds."⁶⁵ Large majorities of both white and African-American parents agreed that segregation was "absolutely wrong."⁶⁶ Busing was a point of disagreement among African-American and white parents. It was favored by 55% of African-American parents, but favored by only 22% of white parents, a statistic that reflects the experience of the past quarter-century.⁶⁷

African-American and white parents, however, were of one mind about the importance of emphasizing academic achievement for all

⁶⁰ See Tebben & Stephens, *supra* note 22, at 1B (quoting Cleveland school superintendent Barbara Byrd-Bennett).

⁶¹ STEVE FARKAS & JEAN JOHNSON, *TIME TO MOVE ON: AFRICAN-AMERICAN AND WHITE PARENTS SET AN AGENDA FOR PUBLIC SCHOOLS* (1989).

⁶² *See id.* at 10.

⁶³ *Id.* at 15-16.

⁶⁴ *See id.* at 14.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *See id.* at 25-27.

children. A stunning 90% of parents of both races want schools to make sure that students master reading, writing, and arithmetic and that "all kids can speak and write standard English, with proper pronunciation and grammar."⁶⁸ And, not surprisingly, parents are near unanimous in their desire for schools that are safe and orderly.

Public Agenda just released a new national survey, intended to determine whether there is a backlash among public school parents against standards and testing.⁶⁹ Cleveland was one of five cities in which parents of public school students were surveyed. Public Agenda found no evidence of such a backlash. Nationally, only 2% of parents want to go back to the way things were before academic standards were put into place.⁷⁰ In Cleveland, 75% of parents agreed that the district was moving carefully and reasonably to implement standards; nationally, only about 10% of public school parents believe that their children are getting too much homework, taking too many tests, or feeling too much academic pressure.⁷¹ Parents recognize, as do teachers, that the effort to set reasonable standards and tests has to be continuously improved. And they agree that we cannot go back to the days of low expectations.

The time has now come for Cleveland and other cities to move beyond the arguments and controversies of the past 25 years. If there has been a clear gain from the era of busing, it is that the practice of racial dominance and racial hierarchy has ended. The public schools do not belong to any group; they belong to the public as a whole. The time for racial equality has arrived. Racial equality, however, requires a commitment to academic achievement for every child. That does not mean that every child will succeed equally well in everything; that is a literally impossible goal. Children differ in their interests and in their commitment to learning and in their rate of learning.

But these differences must no longer dissuade us or delay us from expecting all children to learn and from creating the conditions in which they are likely to learn. We must be prepared to individualize instruction, to provide more time for those children who need more time, to vary instruction and materials for those who are not succeeding, to seek the very best teachers to work in our classrooms, and not to give up on any child.

We must assure that every child has the opportunity to enroll in a high-quality preschool. By high-quality preschools, I do not mean the

⁶⁸ *Id.* at 27.

⁶⁹ See Public Agenda, *Survey Finds Little Sign of Backlash Against Academic Standards or Standardized Tests* (visited Jan. 29, 2001) <http://www.publicagenda.org/about/pdf/standards_backlash.pfd> (summarizing recent survey of parents regarding their views on standardized testing).

⁷⁰ *See id.*

⁷¹ *See id.*

daycare now offered by traditional Headstart programs, where efforts to teach cognitive skills and knowledge are meager or non-existent. I refer instead to intellectually stimulating, high-quality preschools with educated teachers, where children learn letters and numbers, enlarge their vocabulary, and gain the intellectual skills that serve as a foundation for success in elementary school. Children must start school ready to learn. Unless they have intellectually stimulating preschool experiences, the gaps between children from the very beginning will remain huge. In addition, we must utilize every opportunity to bring children of different races together in mutually desirable settings such as magnet schools and special programs that attract youngsters on the basis of their shared interests in fields such as science, technology, and the arts.

Every child counts; every child is a precious member of our society. We must treat all children as if they were our own. As a society, we cannot afford to allow so many young children to enter adulthood without the skills and knowledge that they need for citizenship, for continued learning, and for successful living and working in our complex society.

And so today I wish to honor the memory of Judge Frank J. Battisti and to honor his deep commitment to democratic principles. The best way to honor his memory, I believe, is to act vigorously to advance equality of educational opportunity, the rule of law, and respect for the rights of all of our fellow citizens.