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Learning from Literature and Legality Supreme Court Cases and Young Adult Literature in a Social Foundations of Education Course

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Abstract

In this article, I detail how I revised a social foundations of education course to center major Supreme Court cases relating to K–12 public schools. Scholars in social foundations of education have articulated a vision for the field that fosters and promotes democracy and democratic dispositions. Focusing on the Supreme Court in a social foundations of education course is the result of two factors. First is the Supreme Court’s storied role in shaping K–12 public education. Second is the Supreme Court’s increasingly steep lurch toward antidemocratic jurisprudence, which many legal scholars and journalists covering the judicial branch are raising alarm over. Specifically, I paired 10 consequential Supreme Court cases relating to K–12 education identified by education lawyer Robert Kim with young adult literature. I demonstrate how and why I used young adult literature to illuminate how the law impacts the “lives of ordinary people,” especially people within schools.

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IN THIS ARTICLE, I detail how I revised a teacher education course, described as a “social foundation of education” class, to center Supreme Court cases that involve K–12 public schools. “Social foundations of education” is an umbrella phrase for teacher education courses concerned with the relationship between K–12 schools in the United States and society. Such courses typically draw on a constellation of disciplines, including history, sociology, and anthropology, to situate schools as socio-cultural and political institutions (Butin, 2005; Neumann, 2009). I decided to focus on the Supreme Court to support that vision based on three factors. First is the Supreme Court’s influential role in shaping K–12 public education (Driver, 2018; Kim, 2019, 2020). Second is the alarm from legal scholars and journalists covering the judicial branch regarding the Supreme Court’s increasingly steep lurch toward

anti-democratic jurisprudence (Bowie, 2021; Hasen, 2020; Millhisser, 2021, 2022; Roosevelt, 2022; Serwer, 2018). Finally, scholars in social foundations of education have articulated a vision for the field that fosters and promotes democracy and democratic dispositions (Benchik-Osborne, 2013; Hardee & McFaden, 2015; O’Brien, 2005; Tozer, 2018). If social foundations courses are to nurture teachers’ democratic dispositions, then teachers must understand how the Supreme Court, and its relationship to K–12 schools, can support or thwart democracy. I wanted to avoid teaching the course as a string of detached legal

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opinions. Instead, I wanted students to understand how Supreme Court rulings create structures that dictate people's lives inside and outside schools.

My desire to center people's stories came from a recent Supreme Court nomination. In a 2010 announcement nominating then-Solicitor General Elena Kagan to the Supreme Court, President Barack Obama evoked a guiding principle of former Supreme Court Justice Thurgood Marshall. Even before ascending to the highest court in the land, Marshall, a civil rights legend, identified a distance between how many academics spoke about the law and how the law impacted most people's daily lives. According to Obama, Marshall's belief helped shape Kagan's understanding of the law as something inherently human when she clerked for him in law school:

But while Elena had a brilliant career in academia, her passion for the law is anything but academic. She has often referred to Supreme Court Justice Thurgood Marshall, for whom she clerked, as her hero . . . She credits him with reminding her that, as she put it, "behind law there are stories—stories of people's lives as shaped by the law, stories of people's lives as might be changed by the law . . ." That understanding of law, not as an intellectual exercise or words on a page, but as it affects the lives of ordinary people . . . (Lee, 2010, para. 9–10)

How the law impacts the "lives of ordinary people," especially people within schools, became a frame of reference for how I wanted to teach the required social foundations of education course.

As a former English teacher and advocate for young adult literature, I knew the genre offered a vehicle for conveying the stories of ordinary people. In addition, I knew from experience that young adult literature could be a way for students to examine real socio-political issues through fictional narratives and could cast a light on the very real consequences of Supreme Court decisions on our lives. My first decision regarding restructuring was pairing Supreme Court cases with purposefully selected young adult literature (and other relevant texts) to help students connect abstract legal opinions with the tangible impact on people's lives. My second decision was to structure activities to help students consider how cases paint the legal boundaries of what might be possible in their future educational contexts. Finally, I organized discussions and assessments so students could name how their teaching could promote justice and equity when the Supreme Court succeeds or fails to provide legal protections for K–12 communities. In the remainder of this article, I detail the specifics of my restructuring decisions and explore the implications of this approach.

The Personal and the Political of Positionality

Acknowledging our positionalities as teachers is vital in social justice education because "who a person is (as knower) is intimately connected to that person's socialization into a matrix of group locations" (Sensoy & DiAngelo, 2014, p. 5). I am a cisgender, able-bodied, white educator who grew up in the Deep South. I taught high school English as an out queer educator before moving to the Northeast to become an English teacher educator. My

teaching philosophy is rooted in an anti-oppressive stance that seeks to use texts to understand and challenge inequities in our social and political worlds. The course and teaching I illustrate in this article reflect my broader approach to teaching and teacher education.

My life and professional livelihood as a queer educator are bound by the legal frameworks the Supreme Court architects through its decisions. For instance, the 2003 Supreme Court case *Lawrence v. Texas* outlawed anti-sodomy laws as unconstitutional. This ruling was important since anti-sodomy laws criminalized queer activity, and a felony conviction can result in licensure rebuke for educators (Lugg, 2006). While the United States Supreme Court handed down a historic win for public school LGBTQ educators in the summer of 2020 in the *Bostock v. Clayton County, Georgia* case, which expanded the legal understanding of Title VII to include federal protections for LGBTQ employees under the definition of "sex," legal expert Robert Kim (2020) noted that the Bostock decision "prohibits discrimination against LGBTQ employees in nearly all public, charter, and private schools" with ambiguity around educators who work at religious schools (p. 65). While significant, the *Bostock* decision still leaves LGBTQ teachers vulnerable to institutional harm. Kim (2020) noted that less than a month after *Bostock*, the Supreme Court issued a ruling in *Our Lady of Guadalupe School v. Morrissey-Berru* that could lead to weakening legal protections for LGBTQ educators within religious schools. In teaching about the Supreme Court to future K–12 teachers, I hold an intimate understanding of how the judicial branch can provide protections or animus toward "ordinary people."

Due to my understanding and lived experiences, I purposefully center politics' role in education in my courses and have often met resistance. I believe this resistance stems from a misunderstanding of language as I frequently see educators collapse the distinction between "politics" and "partisanship." That is, the common social justice refrain that "teaching is political" is often filtered through the bifurcated party system that dominates American political coverage. However, such collapsing obscures the ideological spectrum of politics and limits political action to the ballot box. I want teachers, especially teacher candidates, to be more imaginative and critical in their understanding of "political."

I turn to Gannon (2020), who offered that the definition of "political" should expand beyond "partisan maneuvering or overtly ideological platforms" and instead be seen as a term that "describes any field or space where power relations are contested" (p. 22). This distinction is one I open my courses with and habitually return to as a reminder. Curriculum, which the institution of schools reifies, is a space where the adjudication of whose voices and experiences matter takes place (Miller, 2020). So, what and how we teach are indeed political. However, without a clear and critical understanding of how power operates behind "politics," curriculum can cloak itself in the language of objectivity and neutrality, which ultimately perpetuates inequitable power structures and harmful ideologies. Bridgeforth's (2021) reminder for educators to "strategically counter societal myths, such as

‘politics-free education’” to create justice-oriented classrooms (p. 68) is what provoked me to write this article and offer my contribution to that larger pedagogical and curricular aim.

The Supreme Court and Social Foundations of Education

On one hand, legal scholar Justin Driver (2018) has called for a “panoramic view” of education and jurisprudence to understand the “extensive interaction of the public school and the Supreme Court.” He argued that separating the Supreme Court from K–12 public schools results in analysis that cannot “grasp the full meaning of either quintessentially American institution” (p. 9). Driver directed his call to legal thinkers with asides for K–12 teachers. On the other hand, former education department attorney Robert Kim (2019) spoke directly to K–12 teachers. When calling for K–12 teachers to develop an understanding of major Supreme Court cases relating to public schools, Kim noted that “educators act in ways, whether consciously or unconsciously, that have legal implications on a daily basis” because the actions of teachers are “attributable to the larger school system. Schools can be held legally liable for the actions of their employees” (p. xiv). In addition, Kim reminded his readers that teachers are often positioned as “moral and civic leaders” (p. xv). I agree with this sentiment and see it as tightly linked to the goals established by social foundations of education scholars. As such, I have committed to teaching my students that teachers are responsible for becoming more conscious of how broader legal forces inform their decisions and how their actions can perpetuate or challenge inequities.

Neumann (2009) identified two lanes in which social foundations of education courses exist: one focused on how history, philosophy, and socio-political disciplines can inform understandings of K–12 public schools, the other on multiculturalism, systemic oppression, and practices that promote equitable learning experiences for students. In both strands, Neumann saw social foundations of education courses as many students’ first foray into connecting public school teaching with democratic citizenship. Benchik-Osborne (2013) argued social foundation of education courses can be sites where professional consensus about what democratic teaching and education’s role in a democratic society can be adjudicated for teachers. Similarly, Tozer (2018) posited that social foundations of education courses are important for K–12 teachers because such courses position the potential of democracy as a counter force to the hegemonic pull of capitalism, racism, and other forms of oppression that have historically plagued public education. Expecting that a single mandated social foundations course might change students’ perspective of schools is an outsized request. Yet such courses “can contribute to a view of education as inextricably linked with democratic life” (O’Brien, 2005, p. 42). Despite its clear value, the field of social foundations of education has been attacked by teacher education reformers in recent years. A frequent argument is that the field is not relevant to the daily happenings of teachers and students (Hardee & McFaden, 2015). Bringing in young adult literature is one way we can challenge that argument.

The Potential of Young Adult Literature in Foundations Courses

Scholarship on young adult literature in secondary classrooms points to the genre’s potential for social foundation courses. For instance, E. Sybil Durand argued that young adult literature is a “key resource” for young people to “participate in current national discourse” on a host of socio-political issues (Durand, 2019, p. 89). In a similar vein, Mirra (2018) opined that literature can be a “civic text” that offers students “expansive visions of possible democratic futures” because literature offers young people the “creative license to imagine a world different from the one they live in” (p. 19). Other scholars have positioned young adult literature as vehicles to address electoral politics, including presidential elections (Germán, 2020; Miller, 2016; Miller & Boehm, 2021) and the Supreme Court (Miller, 2021). In addition, other scholars have conceptualized young adult literature as texts well-positioned to challenge maligned or neglected historical narratives found in typical K–12 curriculum (Martin & Miller, 2020; Matos, 2019). Courses relating to teaching young adult literature are standard in English education programs, and instructors frequently take a critical disposition to the texts. They may, for example, urge teacher candidates to position young adult literature as a text to interrogate socio-political inequities and power imbalances (Strickland, 2020).

I strategically picked several young adult titles whose content addresses (fictionalized and realistic) historical dimensions of schools that echo the disciplinary aims of social foundations courses. In making my choice, I built on the work of several scholars who examined how children’s literature responded to the monumental *Brown v. Board of Education* decision (Lesley, 2017) and residential schools (Reese, 2021; Suhr-Sytsma, 2018; Wiltse, 2021). In addition, the editors of the interdisciplinary journal *Research on Diversity in Youth Literature* recently dedicated an edition to analyzing school systems from historical, political, and sociological perspectives in young adult literature (Miller, Worlds, & Dowie-Chin, 2021). Directly or indirectly, these pieces of scholarship point to the potential of young adult literature to dovetail with social foundation courses. While nonfiction texts, including relevant pieces of journalism and historical records, play a pivotal role in such courses, I believe there is room for instructors to expand the types of texts we include in our foundation courses to include fictional ones in the form of young adult literature.

Though frequently siloed into English education courses (Strickland, 2020) and English departments within higher education, recent scholarship demonstrates the power of teaching young adult literature with intentional pedagogy to students outside of those majors. For instance, Savitz et al. (2022) demonstrated how young adult literature aided interdisciplinary students in developing racial justice dispositions. Adams (2020) outlined how combining young adult literature with feminist pedagogy in an undergraduate honors course helped push against common myths and misconceptions about sexual violence. Meanwhile, Sherr and Beise (2015) found that young adult literature was a valuable tool in cultivating empathy skills for undergraduate students studying social work. Young adult literature’s potential to promote learning about socio-political topics and prompt shifts in

student thinking is being noticed by fields outside of English education and literary studies. The potential of young adult literature to serve as a vehicle for understanding historical, political, and sociological concepts dovetails with the aims of social foundation of education courses as outlined by relevant scholarship (Butin, 2005; Neumann, 2009; Tozer, 2018).

Reimagining the Social Foundations Course

Colloquially known as the social foundations course in our department, the class I reimagined has porous oversight in my department. While it's required in all our teacher education programs, it has no anchoring accreditation assessment. This means the content of the course is instructor dependent. Given the need to offer many sections of the course each semester, I was asked to teach the course given my experience with a similar course at my graduate institution. Past instructors have conceptualized the course in various ways: some taught a chronological history of K–12 public schools, while others focused on topics related to their research expertise. The range of course topics that could be addressed was seen as a strength in our department. While other instructors freely offer their syllabi as examples, there was no expectation that I replicate anyone's syllabus. This meant, unfortunately, that in many ways, our department replicates issues that social foundations of education have noted in the field; instructors who teach social foundations courses are not primarily social foundation scholars, and the coursework lacks coherence in scope and focus across programs (Hardee & McFaden, 2015; Tozer, 2018). I recognize this tension in approach, even if I cannot offer solutions in this article.

The course is available to undergraduate and graduate students, as every student in a teacher certification program must take the class at some point in their program. Students came from the elementary education program as well as various subject areas at the secondary level. As a result, there was a heterogeneous mixture of teacher education students, including elementary education and English, social studies, and science secondary education. This eclectic makeup of education majors was not unusual for this course. Given the composition of potential students and their future students, it was important to me to select topics that spoke to the spectrum of K–12 schooling in the United States.

In alignment with tradition in our department, I approached this course by braiding my research curiosities and my own teaching experiences. I care deeply about the judicial branch's role in our society, especially its implication for K–12 students and educators. When I was a secondary English teacher, I positioned young adult literature as texts that supported students to develop a critical understanding of socio-cultural and political ideas such as assimilation, white supremacy, oppression, and systemic power. This course represented a chance to merge my interest in the Supreme Court with my pedagogical approach to young adult literature. I believed young adult literature would be an accessible text to filter through seemingly abstract legal decisions from the Supreme Court. Using young adult literature in such a way would also highlight its curricular potential to students in the course who might not otherwise see its value.

I organized the course around one guiding question that I could branch off into subquestions: "How has the Supreme Court of the United States promoted or hindered equity and justice for K–12 students?" Additionally, I anchored the course with three learning goals: (a) to understand how schools are situated in a socio-political landscape, (b) to understand major Supreme Court cases that shape the realities of K–12 schools, and (c) to develop teaching approaches to address socio-political and historical inequities in K–12 schools. These learning goals helped me structure the course sequence detailed in the following section. Finally, as required by our department, I offered the following curricular rationale in the syllabus for reimagining the course from this perspective:

This course is designed to examine the ways social, historical, cultural, and political forces shape the realities of K–12 schools in the United States. Specifically, we will be using cases from the United States Supreme Court to understand how schools have been agents to achieve or forces to hinder equity and justice for all students. Legal scholar Robert Kim [2019] notes that "educators act in ways, whether consciously or unconsciously, that have legal implications on a daily basis" because the actions of teachers are "attributable to the larger school system" (p. xiv). This course is meant to help us become more conscious of how the decisions we make are informed by broader legal forces and how our actions can perpetuate or challenge inequities. As Robert Kim notes, teachers are often positioned as "moral and civic leaders" (p. xv). The course will examine major Supreme Court cases to understand the educational issues they surface, develop an understanding of how such cases shape the daily lives of students and construct teaching methods to address the issues such cases address. In short, our goal is to develop a social, historical, cultural, and political understanding of K–12 schools to inform our future teaching.

There are, of course, limits and tensions to this approach to a social foundations of education course. Understanding American K–12 public schools through the lens of the judicial branch means beginning our curriculum as the Supreme Court began to hear more cases directly relating to schools after World War II given the normalization of school attendance and accompanying student population growth (Driver, 2018). Additionally, any social foundations of education course that begins with American public schools inherently rests on settler colonial logics. As I stressed to students in the introduction video, "education" is an idea that extends far beyond the most familiar institutions of K–12 schooling. Indigenous people (Sabzalian, 2018) and enslaved Africans (Williams, 2009) had systems of education, schooling, and learning that existed before the construction of the Supreme Court and the modern American government. The current institutions of K–12 schooling rest on legacies of oppression and genocide. I believe all social foundations of education courses must make this fact explicit to students to convey a real and honest depiction of our school systems.

Course Structure

I taught this version of the course, online and asynchronous, in the spring 2021 semester to 30 students. The main structure was

sequential modules, each lasting around three to four weeks. The modules (except for the first one) included a major assessment, were organized around a guiding question, and built on the previous module's question. Table 1 outlines the major ideas, questions, and assessments for each module. For the first two modules, I placed students in groupings based on similar majors (i.e., elementary education, social studies education). Reading options shaped the groups in the third and fourth modules. Students made weekly discussion postings and responded to peers throughout the module, where they drew on readings, made connections across texts, and grappled with the question shaping each module.

Before we began reading about the Supreme Court, we took a week to read and watch texts that outlined the history of K–12 public schools in the United States. These texts covered a wide range of topics, including the common school movement, the genocidal project and lasting legacies of Native boarding schools, the ways formerly enslaved people built communities and systems of education, and the recurring debates over curriculum. Admittedly, these topics are heavy and deserve much more curricular space. My goal was to provide information necessary for understanding public schools in the United States and then weave the ideas from these readings throughout the rest of the course.

Table 1. Outline of the Course

Module and Weeks	Guiding Question	Assessment
Introduction, Week 1	How have injustices shaped the foundation of public schooling in the United States?	Initial reading responses
Supreme Court Cases All Educators Should Know, Weeks 2–5	How has the Supreme Court interacted with public K–12 schools since World War II?	Education and SCOTUS Analysis
From Legal Writings to Everyday Life, Weeks 6–8	How do legal opinions shape the daily lives of K–12 students, families, communities, and educators?	Young Adult Literature and SCOTUS Analysis
Teaching to Address Inequities and Injustices, Weeks 9–12	How can our teaching challenge the inequities and injustices the Supreme Court cases address?	Teaching Methods and SCOTUS Analysis
Final Thoughts and Reflections, Weeks 13–14	How do you understand the relationship between the Supreme Court, public schools, and teaching?	Final reflection

Image 1 details how I described the focus of the course to students regarding the Supreme Court, young adult literature, and their own future teaching practices.

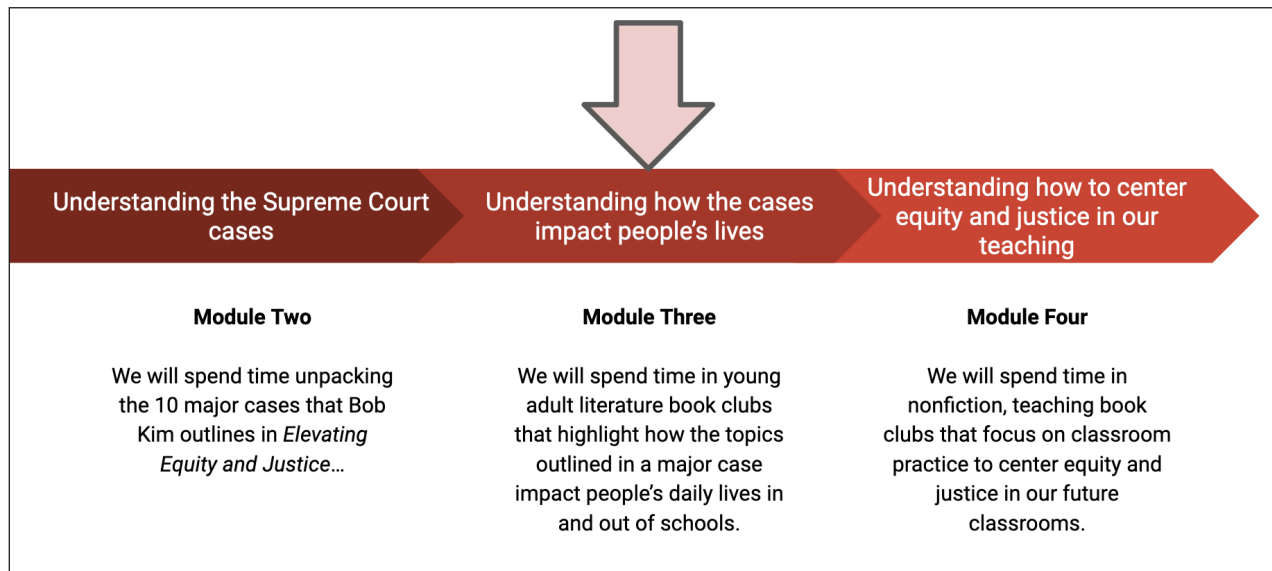


Image 1. Conceptual Map for the Course

Understanding the Supreme Court Cases

I selected Supreme Court cases that directly relate to K–12 public schools. There are dozens of cases that could be analyzed as the Supreme Court's impact on K–12 public education is wide and multiplying (Driver, 2018). Ultimately, I settled on Kim's (2019) book *Elevating Equity and Justice: Ten U.S. Supreme Court Cases Every Teacher Should Know*. The 10 cases in the book aligned with my vision and would help me make a clear and explicit connection between the judicial system and K–12 public schools. Equally important, Kim wrote his book for teachers and centered his prose, explanation, and analysis on K–12 teachers and students; each

chapter ends with an anecdote from a practicing K–12 teacher who places the specific ruling in the context of a teacher's daily activities.

During this module, which begins the second week of the semester, I stressed a few primers for students relating to politics and my personal approach to the material and the course. First, I made it clear that these are 10 important cases, but it does not mean that Kim or I agree with the outcome of all the cases. Kim (2019) articulated which cases he believed promoted equity and which ones he believed hindered justice for students. I emphasized the importance of understanding these cases as monumental to K–12

public schools, in both harmful and helpful ways. Each case should be known in its particularities as outcomes and impact vary greatly.

Next, I foregrounded conversations about the Supreme Court by explaining that Supreme Court justices, like all political figures, are not neutral. They have biases and worldviews that shape their opinions. Using recent Supreme Court cases, I detailed how conservative judges usually make conservative decisions while liberal judges usually make liberal decisions. I challenged the myth perpetuated in our public discourse, in traditional civics education, and by the justices themselves that occupants of the federal judiciary are somehow “impartial” (Serwer, 2021). Despite protests from current Supreme Court members, I want students to understand the justices as “politicians in robes” (Tribe, 2022). I elaborate on this point by summarizing research that documents how the current Supreme Court conservative majority has taken a “pro-partisanship turn” in which its judicial philosophies and outcomes are twinned to the Republican Party’s policy desires (Hasen, 2020). Returning to Gannon’s (2020) definition of “political” is helpful during this course segment.

Finally, in a similar vein as seeing justices as partisan actors, I want students to understand that the concept of legality is always a byproduct of power. A legal opinion does not structure what is morally good or what prompts equity and justice; rather, a legal opinion is a reification of those with power. To understand whether a case’s outcome is equitable and just for schools, we must understand how it impacts students’ daily lives, a key feature of this course. This point emerges from critical legal studies, a scholarly movement that sought to foreground legal analysis in social, political, cultural, and historical understandings of power (Unger, 1983). Critical legal studies pushed to see lawyers and judges as players vying for contested power, similar to other political figures. A critical legal studies approach requires us to challenge the notion of objective and impartial judges and their decisions. It was important to me that my students understand that schools are socio-political planes in which power is constantly contested. Folding in this point from critical legal studies was necessary to teach them that the outcomes of Supreme Court cases are not divinely inspired or ordained; power struggles drive the outcomes. I ended this point with a famous quote from Marshall that sums up the dynamics of legal action, morality, and power: “You do what you think is right and let the law catch up” (Rhode, 1992).

Kim (2019) called law, in essence, “a system for mapping out and enforcing the norms of human behavior” (p. xvi). For the second module, we considered how decisions by the Supreme Court shape the experiences and map out the norms of human behavior in K–12 schools. Specifically, we critically examined how such mapping either promotes or hinders justice and equity within K–12 schools through small, closed discussion groups and a major assessment. I placed students in small, closed discussion groups based on professional affinity (elementary education, social studies education, etc.). Within these groups, I provided guiding questions for students to consider throughout their readings and postings, such as the following:

- What ideas/quotes/concepts stood out? Why?
- How does this relate to your own understanding of teaching? Or schools? Or society?

- What links are you seeing between school and society?
- What connections do you make between readings so far and readings in your other classes?

I sent a weekly email in which I summarized and elaborated on the major themes from across the discussion boards to students. For the major assessment, students narrowed the 10 cases down to any two from Kim’s book for further analysis. The assessment required them to consider how the selected cases shaped the daily realities of educators and students in schools, how the outcomes of these cases could inform us about public education in America, and how the social and political factors shaped these two rulings. In the third module, students would go even deeper into a single case from Kim’s book.

Connecting Supreme Court Cases to Young Adult Literature

Kim (2019) described how the “story and the rich history” of Supreme Court cases are often “stripped away” by the time we hear about them (p. xv). Despite that, these cases always have a ripple effect, and the outcome of a particular case ends up impacting the lives of K–12 students, families, communities, and educators, whether we’re aware of the case or not. That argument guided this module. Rather than focus on the abstract, legal principle of the cases, I wanted students to consider how the topics the Court addresses impact people’s lives in and out of schools. We turned to young adult literature as a vehicle for us to analyze how cases animate and bind people in schools. The core text of this module was a young adult literature title that students selected from a list I curated. Students supplemented the young adult title with other texts throughout the module. At the end of this module students were required to make an argument about the real, tangible impact court cases have on the people who work in and attend schools.

In offering students choice around which young adult title to read alongside a Supreme Court case, I strove to connect reading with democratic exercise (Boatright & Allman, 2018; Campbell, 2019). Table 2 documents my final decision around placing the focus Supreme Court cases in conversation with a specific young adult title. None of the 10 titles provided to students explicitly mention the case I chose for their conversation. In fact, I made sure that none of the 10 titles mentioned the Supreme Court at all throughout their pages. Legal scholar Jerome Frank (1973) constructed the concept of the “cult of the robe” (p. 254) to describe the political, social, and psychological distance the Supreme Court puts between itself and the public. The aesthetics and norms of the Supreme Court—seemingly archaic sartorial choices, secretive meetings to deliberate cases, cloistered central building, unelected lifetime tenure, to name a few—attempt to place the Court and its decision beyond reproach from the public. The Court’s specific operational choices allow it to exist and rule while positioning itself as something above the daily happenings of “ordinary people.” In other words, the public can largely not think about the power and influence of the Supreme Court during their day-to-day lives, even though their livelihood is often shaped and structured by the decisions of the Court. I selected titles that did not mention the specific Supreme Court cases so students could provide

original analysis of how the legal bounds set by their selected case shape the happenings of the fictional students in their books.

Table 2. Supreme Court Cases Paired with Young Adult Titles

Court case, topic	Young adult title
<i>Davis v. Monroe County Board of Education</i> (1999), sexual harassment	Leitch Smith, C. (2018). <i>Hearts unbroken</i> . Candlewick Press.
<i>Plyler v. Doe</i> (1982), immigrant students	Saedi, S. (2018). <i>Americanized: Rebel without a green card</i> . Knopf Books for Young Readers.
<i>Parents Involved in Community Schools v. Seattle School District No. 1</i> (2007), racial integration	Talley, R. (2014). <i>Lies we tell ourselves</i> . Harlequin Teen.
<i>Endrew F. v. Douglas County School District</i> (2017), students with disabilities	Wilde, J. (2017). <i>Queen of geek</i> . Swoon Reads.
<i>San Antonio Independent School District v. Rodriguez</i> (1973), equal education opportunity	Oshiro, M. (2018). <i>Anger is a gift</i> . Tor Teen.
<i>Lau v. Nichols</i> (1974), English language learners	Lai, T. (2013). <i>Inside out and back again</i> . HarperCollins.
<i>Tinker v. Des Moines Independent Community School District</i> (1969), student free speech	Hagan, E., & Watson, R. (2019). <i>Watch us rise</i> . Bloomsbury YA.
<i>Lee v. Weisman</i> (1992), separation of church and state	Coy, J. (2008). <i>Box out</i> . Scholastic Press.
<i>Safford Unified School District v. Redding</i> (2009), student privacy	Wang, C. (2017). <i>The takedown</i> . Little, Brown Books for Young Readers.
<i>Goss v. Lopez</i> (1975), student discipline and due process	Reynolds, J. (2017). <i>Miles Morales: Spider-Man</i> . Marvel Press.

Young adult literature worked as a prism to see the ways legal opinions manifest in the lives of students. This time, I placed students in closed discussion-board groups based on their young adult title. These groups continued in the following module so that students could trace ideas across the remainder of the course. They spoke to each other in their discussion board groups throughout the module. During week six of the course, I asked students to select two quotes from their young adult title that initially illustrated the underlying issue of their selected Supreme Court case. Students were asked to elaborate and provide original insight into why this quote detailed the gist of the Court's grappling. In week seven, students used the Question Formulation Technique from the Right Question Institute (n.d.), which focuses on democratic learning and leadership, to gauge their peers' connections between their shared young adult title and the Supreme Court case I identified. Finally, students synthesized ideas across the previous two weeks and crafted an original argument in response to the essential question of the module. I provided feedback on their initial thinking throughout the module to develop their textual connections.

To illustrate, Jason Reynolds's *Miles Morales: Spider-Man* is a literary adaptation of the titular Marvel comic book hero. In the

narrative, the primary antagonist is Miles's history teacher, Mr. Chamberlain, who represents the school-to-prison pipeline (Worlds & Miller, 2019). The school-to-prison pipeline is an outgrowth of punitive disciplinary procedures allowed to flourish due in part to the Supreme Court's 1975 decision, *Goss v. Lopez*. Kim (2019) described the "main lesson" of the case as "students are entitled to at least some protections (including the right to tell their side of the story) before they are suspended or expelled from school" (p. x). Bridging a real case and fictional narrative that exist over four decades apart required deep analytical work on behalf of students. First, we began by returning to the "story and rich history" of the case (Kim, 2019, p. xv). Kim provided a two-page overview that summarizes the background of the case, including the story of Dwight Lopez, for whom the case is named. Students studying *Goss v. Lopez* are asked to outline other individuals impacted by the school's policies. Kim (2019) noted that by Lopez's account, at least 75 other students were harmed by the policies in question although only eight additional students joined Lopez in the lawsuit. My students considered how Lopez and his fellow students' experiences echo or diverge from Miles' and his fictional friends.

Students also considered the contextual features of both the *Lopez* case and the school Miles and his friends attend. Student activism was an important feature of the social context in which *Goss v. Lopez* was argued and decided. Kim (2019) reminded readers that the case was situated in a time of "heightened racial consciousness" that led to students of color and their white allies speaking up against racism in public spaces (p. 113). Student activists confronted the racist structures and policies of schools through both demonstrations and more institutional means, as the *Goss v. Lopez* case embodied. Both the punitive disciplinary policies rooted in racism and students' responses to policies and larger social inequities born of racism are addressed in *Miles Morales: Spider-Man*. Toward the end of the book, Miles and his friends decide to stage a walkout to protest the racist disciplinary procedures that underpin his school. Though fictional, Miles and his friends' experiences in his school and their methods of response are similar to Lopez and the eight students who shared his claim in the case. The students involved in the *Goss v. Lopez* case were students of color, much like Miles and his friends. The punitive disciplinary action taken against Miles and his friends echoes Kim's (2019) point that the underlying issue adjudicated in *Goss v. Lopez* remains a "serious civil rights issue today" (p. 119).

Miles and his friends' experiences can illuminate the promise of *Goss v. Lopez* while simultaneously amplifying the decision's inadequacies. The Supreme Court laid out a minimal standard that required schools to ensure "some kind of notice" and "some kind of hearing" so that students may have an "opportunity to present [their] side of the story" (*Goss v. Lopez*, 1975, p. 579). Kim (2019) outlined how the case has failed to adequately challenge the disciplinary inequities between white students and students of color, which manifest in *Miles Morales: Spider-Man* when a racist teacher constantly removes students of color from his classroom and implements harsh retaliation measures when students so much as question the teachers' echoing of racist myths about the Civil War during history class. Kim (2019) concluded that *Goss v.*

Lopez ultimately offered “very little” in terms of required hearing or notice before expulsion from school (p. 116); Miles and his peers bear the weight of this reality on the pages. Kim (2019) also reminded that *Goss v. Lopez*’s protections, however limited, only apply to public schools. Private school students must rely on state legislation to ensure the type of protections outlined in the case. My students demonstrated their understanding of the implications of *Goss v. Lopez* on Miles and his friends’ schooling experience in the cumulative assessment for the module.

After spending three weeks discussing and connecting ideas across texts, students completed an assessment for the module. Image 2 details how I conceptualized the Young Adult Literature and SCOTUS Analysis assignment. Students were required to synthesize ideas from Kim’s book, their young adult title, and additional texts and articles. Students assigned *Miles Morales* and *Goss v. Lopez* noted how the outcome of the case meant Mr. Chamberlain could continue to leverage punitive punishment against Miles and his friends without legal recourse. By drawing on Kim’s (2019) writing and additional readings, students were able to make the connection that the right to tell “their side of the story” is insufficient when those who listen and decide outcomes, such as administrators, are basing their decisions on biases and racist beliefs. Importantly, students mined the text of the *Goss v. Lopez* case to see if the Court considered a teachers’ implicit bias toward students of color as a factor to punitive punishment in schools. Students found no engagement with such an idea, which suggests an approach that would allow Mr. Chamberlain to continue harming Miles and his friends with little legal repercussions. After developing an understanding of the real impact of the Supreme Court’s rulings on students’ lives through fictional texts, I then shift to consider how future teaching practices can combat the inequities produced by the studied cases in the third module.

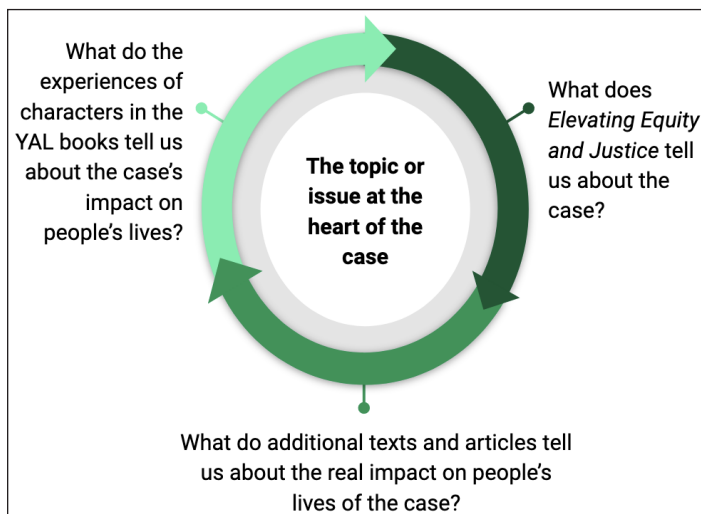


Image 2. Conceptual Map for Connecting Supreme Court Cases to Young Adult Literature

Centering Equity and Justice in Our Teaching Using Teaching Methods Texts

The third module focuses on understanding the real, tangible ways Supreme Court cases about education impact students while also

shaping the contexts in which educators work. Students went deep into an inequity and injustice the Supreme Court wrestled with in a case. For the fourth module, students were tasked with considering how they, as a teacher, could challenge the inequity and injustice the Supreme Court case surfaced. Students considered how to create a classroom in which inequities and injustices are challenged regardless of how the federal court ultimately ruled. In the end, students were required to connect the Supreme Court cases to classroom practice.

Students were assigned readings in teaching methods related to an injustice the Supreme Court case dealt with in the previous module. A list of teaching methods books coupled with their case is outlined in Table 3. As an example, students who read *Miles Morales: Spider-Man* in the last module to understand how *Goss v. Lopez* shaped student discipline procedures read the teaching methods book *Justice on Both Sides: Transforming Education Through Restorative Justice* by Maisha T. Winn. Students who read *Americanized: Rebel without a Green Card* in the last module considered how to best support undocumented students and their families by reading the edited collection *Educational Leadership of Immigrants: Case Studies in Times of Change*. The young adult literature title showed the real impact seemingly abstract court cases have while the teaching methods book provided practices that counter inequities and injustices wrought by Supreme Court rulings. Students who selected cases that promoted justice, such as *Plyler v. Doe*, were tasked with considering the legal opinion as a floor. In other words, I told them, the letter of the law was on the side of justice, yet a ruling has no power without enforcement. Therefore, I stressed to students that if their case did not promote justice, there were moves they could make as teachers to support their students; if their case did promote justice, there were moves they could make as teachers to go beyond the protections enshrined in the law.

As with the young adult literature pairing, there was no explicit connection between the Supreme Court case and its paired teaching book. Instead, I looked for thematic and topical connections between the issue of the case and potential teaching redresses found in methods books. Because I wanted students to read books that contained implementable teaching ideas, some cases were easier to pair than others. As noted in the table, I coupled two cases together with one teaching book because I could not find a methods book well-suited for the individual cases.

Table 3. Supreme Court Cases Paired with Teaching Methods Texts

Court case, topic	Teaching methods text
<i>Davis v. Monroe County Board of Education</i> (1999), sexual harassment	Sadowski, M. (2016). <i>Safe is not enough: Better schools for LGBTQ students</i> . Harvard Education Press.
<i>Plyler v. Doe</i> (1982), immigrant students	Crawford, E. R., & Dorner, L. M. (Eds.) (2019). <i>Educational leadership of immigrants: Case studies in times of change</i> . Routledge.
<i>Parents Involved in Community Schools v. Seattle School District No. 1</i> (2007), racial integration	Lewis, A. E., & Diamond, J. B. (2015). <i>Despite the best intentions: How racial inequality thrives in good schools</i> . Oxford University Press.

(continued)

Table 3. Supreme Court Cases Paired with Teaching Methods Texts (continued)

Court case, topic	Teaching methods text
<i>Andrew F. v. Douglas County School District</i> (2017), students with disabilities	Baglieri, S., & Lalvani, P. (2019). <i>Undoing ableism: Teaching about disability in K–12 classrooms</i> . Routledge.
<i>San Antonio Independent School District v. Rodriguez</i> (1973), equal education opportunity	Gorski, P. (2013). <i>Reaching and teaching students in poverty: Strategies for erasing the opportunity gap</i> . Teachers College Press.
<i>Lau v. Nichols</i> (1974), English language learners	Fu, D., Hadjioannou, X., & Zhou, X. (2019). <i>Translanguaging for emergent bilinguals: Inclusive teaching in the linguistically diverse classroom</i> . College Press.
<i>Tinker v. Des Moines Independent Community School District</i> (1969), student free speech	Muriel, P. A. & Singer, A. J. (2020). <i>Supporting civics education with student activism: Citizens for a democratic society</i> . Routledge.
<i>Lee v. Weisman</i> (1992), separation of church and state	Warnick, B. (2013). <i>Understanding student rights in schools: Speech, religion, and privacy in educational settings</i> . Teachers College Press.
<i>Safford Unified School District v. Redding</i> (2009), student privacy	
<i>Goss v. Lopez</i> (1975), student discipline and due process	Winn, M. T. (2018). <i>Justice on both sides: Transforming education through restorative justice</i> . Harvard Education Press.

The purpose of the fourth module and its final assessment was to connect the socio-political and historical learnings of the course to the modern happenings of classrooms to “actualize foundational practices and understand the importance of [social foundations of education] in [students’] daily lives” (Hardee & McFaden, 2015, p. 47). I taught students about the legal cases and their implications on children’s lives so they would be better positioned to act in their own classrooms through their teaching practices. Again, I used small-group discussion boards to facilitate student conversation about these connections. I compiled a collection of guiding questions and pushed for further analysis among group members when necessary throughout weeks 9 and 10 in the course. Students again used the Question Formulation Technique to gauge their classmates in discussions for week 11 before offering a synthesis of the collective responses in the final week.

Image 3 illustrates how I conceptualized and explained the assessment and its purpose for this module to students. For example, students who read *Miles Morales* also read Winn’s (2018) book on restorative justice. Whereas in the previous module they made a connection to the school-to-prison pipeline, in this module, they articulated how restorative approaches could have combated the pipeline in *Miles Morales* and redressed the Supreme Court’s failure to fully and adequately protect students in all disciplinary procedures. They then developed action steps they could take in their future classrooms as well as moves to push against school-wide discipline procedures. Students constructed practices to promote an equitable learning environment for students that went beyond the small constellation of protections outlined in the Supreme Court’s *Goss v. Lopez* ruling.

The assessment for this module embodies the overarching goal of the course: Students developed an understanding of how Supreme Court cases impact the lives of K–12 students and educators by reading young adult literature, then planned teaching practices that promoted justice and equity within their classrooms. In doing so, I wanted students to understand their agency and power in promoting equity and justice within their own classrooms in the context of major Supreme Court rulings. For example, the students who were assigned the *Tinker v. Des Moines Independent Community School District* case first considered how students’ freedom of speech and ability to engage in activism were limited or supported within the young adult title *Watch Us Rise*. Next, students addressed how the holding of the *Tinker* case from 1969 still shapes the experiences of students in the fictional present. Subsequently, the same group of students read *Supporting Civics Education with Student Activism: Citizens for a Democratic Society*. Then, the group elaborated on steps they could take in their own classrooms to support student activism and speech. Elementary education major students discussed teaching histories of activism within their curriculum, while English and social studies education students wrote about nurturing civic engagement inside and outside the classroom.

Young adult literature worked as connective tissue between the content of the social foundations course (the Supreme Court cases) and the daily realities of school life. The final assessment required students to imagine their future teaching selves as agents of justice and equity through research-informed action steps. Throughout the course, students moved from understanding socio-political issues to taking an active stance to make concrete change in their own contexts (Boyd & Darragh, 2019; Durand, 2019). This approach made social foundations content relevant to students’ lives with young adult literature (Hardee & McFaden, 2015) and rooted the course in action for future classroom practice (Benchik-Osborne, 2013).

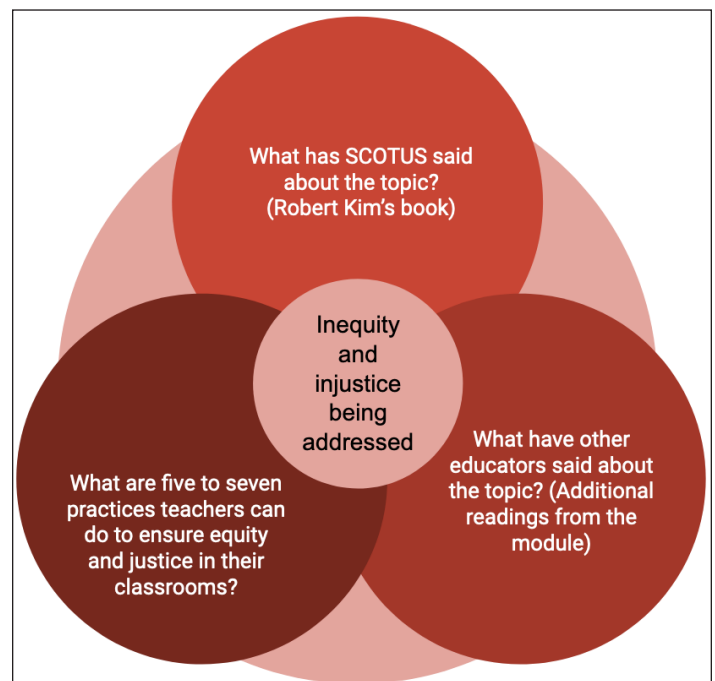


Image 3. Conceptual Map for Connecting Supreme Court Cases, Young Adult Literature, and Teaching Methods

Other Case Considerations

The cases I decided to focus on in this course were bound by Kim's (2019) book. That decision largely rested on the fact that Kim's book is written for teachers rather than legal experts. By no means are the 10 cases outlined an exhaustive list of cases I believe teachers should know. Nor are the cases the only ones Kim (2019) believed were significant. The time constraints of a semester create curricular limitations.

Cases being handed down at the time of this writing deserve curricular attention for their impact on schools and the way current jurisprudence is shaping previous rulings. For instance, the cases of 2021's *Espinoza v. Montana Department of Revenue* and 2022's *Carson v. Makin* work together to close the gap that separates religion and government by allowing states to use public money to fund religious schools. The outcome of these cases will almost certainly guarantee that public money is used to finance religious school curriculum that will subject K–12 students to “indoctrination in religious extremism through their schooling” (Stroop, 2022, para. 10). Similarly, the 2022 case *Kennedy v. Bremerton School District* muddled the barriers between church and state by allowing a football coach to hold a prayer at the end of a public school football game. Legal journalist Mark Joseph Stern (2022) succinctly noted that the outcome of the case allows K–12 educators to “coerce students into practicing Christianity.” Teaching these cases opens up important conversations about the role of public schools and religion in a pluralistic society and can be taught in conversation with the 1992 *Lee v. Weisman* case, which is covered in Kim's (2019) book, and the young adult and teaching methods books I paired with *Lee v. Weisman*.

Additional cases that warrant attention for teacher education students include *Mahanoy Area School District v. B. L.*, colloquially known as the “cussing cheerleader” case, and *Morse v. Frederick*, frequently referred to as the “Bong Hits 4 Jesus” case. Both rulings continue the line of student speech inquiry laid out by *Tinker v. Des Moines Independent Community School District*. The former case demonstrates how the proliferation of social media blurs the lines between public and private spaces, thus creating even more nebulosity around students' free speech rights. Rather than offer a clear, definitive ruling to guide educators, the Supreme Court opted for a response more tailored to the specificities of the case in question. Both the “cussing cheerleader” and “Bong Hits 4 Jesus” open up important questions about the boundaries of students' freedom of expression and the role of educators in policing or challenging those boundaries. The same questions that guided the modules I taught in the course can be applied to these cases. I believe these cases can work in tandem with teaching *Tinker v. Des Moines Independent Community School District* to demonstrate the malleability of Supreme Court decisions and their impacts on the lives of school communities.

I also want to stress that a judicial ruling does not necessarily equate to a socio-political conclusion. Supreme Court opinions that further the democratic aims of both schools and society at large rest on the precarious foundation of the Court's composition. This reality was made most apparent by the 2022 decision *Dobbs v. Jackson Women's Health Organization*, in which the newly minted

conservative supermajority on the Court overturned the constitutional right to an abortion established nearly five decades prior. Education organizations, including the nation's largest teachers' unions and the publication *Rethinking Schools* (Au et al., 2022; Jotkoff, 2022; Korin, 2022), swiftly issued statements that outlined the negative impact *Dobbs* will have on educators, students, and communities. Abortion rights are not the only constitutional protection under threat. In his concurring opinion to *Dobbs*, Justice Clarence Thomas expressed an eagerness to reevaluate *Lawrence v. Texas*, which as Lugg (2006) outlined, directly impacted queer educators. Instructors can ask students to consider how cases that are ostensibly not about K–12 schools nonetheless impact the people within K–12 schools. To illustrate: students can read Lugg's (2006) scholarship detailing how *Lawrence v. Texas* changed the legal landscape for queer educators alongside Shannon Hitchcock's 2018 young adult title *One True Way*, which chronicles a closeted queer teacher in the 1970s. At the time of writing this article, conservative Texas Governor Greg Abbott has floated asking the Supreme Court to overturn the 1982 *Plyler v. Doe* case (Chappell, 2022), which was one of the 10 cases students read in the course. Students should know that a legal victory does not mean an eternally established constitutional right. The fight to create equitable, pluralistic schools for our democracy continues. Teacher educators should support current and future teachers in understanding their role in that fight.

Additionally, other types of texts can abet the type of teaching I've outlined in this article. For example, podcasts like 5–4 and *Strict Scrutiny* provide background information and thoughtful analysis of the Court in ways that are accessible to the broader public. The former podcast details specific cases episodically and has dedicated episodes to some of the cases outlined in Kim's (2019) book. Specific episodes can be matched to cases and curricular material to deepen students' understanding of Supreme Court cases and their impact on the daily happenings of K–12 public schools.

Implications for Teaching and Teacher Education

Like Kim (2019) and Driver (2018), I believe we must braid education and the Supreme Court together in our conversation about contemporary school life. Even more, I believe teachers, both practicing and aspiring, need to be aware of how the Supreme Court shapes the potential and limitations of democratic participation. Finally, as outlined throughout this piece, I believe young adult literature has the potential to illuminate the real, material impact judicial decisions have on people's lives, communities, and aspirations.

The literature-and-law movement could offer valuable insights regarding democratic education to teacher education programs, specifically foundations of education courses. The movement constructed a body of legal scholarship that saw value in studying literary works under the umbrella of law studies (White, 1973). The movement was later bifurcated into two categories: law-in-literature and law-as-literature (Weisberg, 1988). The former examined how legal subjects were positioned in literature, while the latter observed how literary moves could shape

understanding of legal arguments (Weisberg, 1988; Yoshino, 1994). At its most basic level, the literature-and-law movement saw threads between the legal world that governs us and the literary world from which many of us develop our imagination. Literature-and-law asserted that studying literature had a place in a professional area like law school.

The teaching I've outlined in this piece departs from the literature-and-law movement in two important ways. One, whereas the two branches of literature-and-law are concerned with legal subjects in literature and literary forms in legal writing (Weisberg, 1988; Yoshino, 1994), my work requires applying the outcome of Supreme Court cases to people and communities outside of the courtroom. In other words, I argue that students should understand how the often-invisible forces of the Supreme Court shape their and their students' lives. Two, the literature-and-law movement dictates its attention to mostly canonical authors such as Shakespeare, Dickens, Kafka, Homer, and other names that frequently populate the lists of "classic" literature (Posner, 1986; Yoshino, 1994, 2011). This pantheon of writers represents colonial values that subjugate communities of color and uphold whiteness as ideal and timeless (Toliver & Hadley, 2021; Worlds & Miller, 2019). My work centers on contemporary young adult literature as the focal point of analysis, which expands whose experiences are considered worthy of attention and places current issues as necessary for study. Expanding young adult literature out of its English education silo (Strickland, 2020) into teacher education programs broadly has the potential to provide all teacher education students with "civic texts" (Mirra, 2018, p. 19) that could aid them in grappling with the democratic potentials of public schools.

Teacher education programs can look to arguments made by the law-and-literature movement and English education scholars who study the socio-political potential of young adult literature as pillars to teach about the Supreme Court and its decisions relating to K–12 public schools and democracy more broadly. Indeed, young adult literature has been understood as a vehicle for developing empathy and engaging in contemporary socio-political topics. Scholars in education should come to see the genre as a way of shedding light on the harm inflicted on people and communities by the Supreme Court. Decades of democratic eroding by the Supreme Court have left an already fragile democracy and its public schools even more fractured (Bowie, 2021; Millhisser, 2021, 2022; Roosevelt, 2022; Serwer, 2018; Sherman, 2020). Democratic classrooms and teaching cannot flourish when a reactionary judicial branch has scorched the ground of democracy. Now is the time for educators to fight back through teaching. Our democratic future depends on it.

References

- Adams, B. (2020). "I didn't feel confident talking about this issue . . . but I knew I could talk about a book": Using young adult literature to make sense of #MeToo. *Journal of Literary Research*, 52(2), 209–230.
- Au, W. Christensen, L., Gonzales, G., Hagopian, J., Karp, S., Levine, D., Miller, L., Peterson, B., Sanchez, A., Watson, D., Wolfe-Rocca, U., & Yonamine, M. (2022). Reproductive justice and our classrooms. *Rethinking Schools*. <https://rethinkingschools.org/articles/reproductive-justice-and-our-classrooms/>
- Benchik-Osborne, J. R. (2013). An empirical study: To what extent and in what ways does social foundations of education inform four teachers' educational beliefs and classroom practices? *Educational Studies*, 49(6), 540–563.
- Boatright, M., & Allman, A. (2018). Last year's choice is this year's voice: Valuing democratic practices in the classroom through student-selected literature. *Democracy and Education*, 26(2), Article 2.
- Bowie, N. (2021). The contemporary debate over Supreme Court reform: Origins and perspectives. Presidential Commission on the Supreme Court of the United States. The White House.
- Boyd, A., & Darragh, J. (2019). *Reading for action: Engaging youth in social justice through young adult literature*. Rowman & Littlefield.
- Bridgforth, J. C. (2021). Yes, Black lives still matter and politics-free schools are a myth. *Texas Education Review*, 9(1), 65–71.
- Butin, D. W. (2005). Guest editor's introduction: How social foundations of education matters to teacher preparation: A policy brief. *Educational Studies*, 38(3), 214–229.
- Campbell, K. H. (2019). Supporting students' choice and voice in discovering empathy, imagination, and why literature matters more than ever. *Democracy & Education*, 27(1), Article 5.
- Chappell, B. (2022, May 6). Texas governor says the state may contest a Supreme Court ruling on migrant education. NPR. <https://www.npr.org/2022/05/06/1097178468/texas-governor-says-the-state-may-contest-a-supreme-court-ruling-on-migrant-educ>
- Driver, J. (2018). *The school-house gate: Public education, the Supreme Court, and the battle for the American mind*. Vintage Books.
- Durand, S. E. (2019). Reading for change: Toward a new literary activism. *Research in the Teaching of English*, 54(1), 88–90.
- Frank, J. (1973). *Courts on trial: Myth and reality in American justice*. Princeton University Press.
- Gannon, K. (2020). *Radical hope: A teaching manifesto*. West Virginia University Press.
- Germán, L. (2020). Our students are ready—Are you? *Voices from the Middle*, 27(3), 9–12.
- Goss v. Lopez*. (1975), 419 U.S. 565.
- Hardee, S. C., & McFaden, K. (2015). (Re)Imagining our foundations: One social foundations of education program's attempt to reclaim, reestablish, and redefine itself. *Educational Foundations*, 28, 31–50.
- Hasen, R. (2020). The Supreme Court's pro-partisan turn. *The Georgetown Law Journal Online*, 109, 50–80.
- Hitchcock, S. (2018). *One true way*. Scholastic Press.
- Jotkoff, E. (2022, June 24). NEA president's statement on *Dobbs v. Jackson Women's Health Organization*. National Education Association. <https://www.nea.org/about-nea/media-center/press-releases/nea-presidents-statement-dobbs-v-jackson-womens-health-organization>
- Kim, B. (2019). *Elevating equity and justice: Ten U.S. Supreme Court cases every teacher should know*. Heinemann.
- Kim, B. (2020). The historic Bostock opinion and LGBTQ rights in schools. *Phi Delta Kappan*, 102(2), 64–65.
- Korin, O. (2022, June 24). AFT's Weingarten slams Supreme Court ruling overturning *Roe v. Wade*. American Federation of Teachers. <https://www.aft.org/press-release/afts-weingarten-slams-supreme-court-ruling-overturning-roe-v-wade>
- Lee, J. (2010, May 10). Nominating Kagan: "Her passion for the law is anything but academic." The White House. <https://obamawhitehouse.archives.gov/blog/2010/05/10/nominating-kagan-her-passion-law-anything-academic>
- Lesley, N. (2017). *Fictions of integration: American children's literature and the legacies of Brown v. Board of Education*. Routledge.
- Lugg, C. A. (2006). Thinking about sodomy: Public schools, legal panopticons, and queers. *Educational Policy*, 20(1), 35–58.

- martin, s., & Miller, C. (2020, Oct 23). Teaching LGBTQ history and activism with *Like a Love Story*. *Literacy & NCTE: The Official Blog of the National Council of Teachers of English*.
- Matos, A. D. (2019). The politics of teaching queerly in today's literature classroom. *Research in the Teaching of English*, 54 (1), 91–93.
- Miller, C. (2020, Nov 16). Atticus Finch, Abraham Lincoln, and the imagination of white educators. *Literacy & NCTE: The Official Blog of the National Councils of Teachers of English*.
- Miller, C. (2021, Mar 09). Teaching Supreme Court cases using young adult literature. *Literacy & NCTE: The Official Blog of the National Council of Teachers of English*.
- Miller, C. (2016, Sep 07). Who would a literary character vote for? *Teaching Tolerance*.
- Miller, C., & Boehm, S. (2021). A civic and literary coalition: Analyzing young adult literature and news media in secondary ELA. *The English Record*, 71(2), 49–60.
- Miller, C., Worlds, M., & Dowie-Chin, T. (2021). Editors' introduction: Educational systems in youth literature. *Research on Diversity in Youth Literature*, 4(1).
- Millhiser, I. (2021, July 21). How American lost its commitment to the right to vote. *Vox*. <https://www.vox.com/22575435/voting-rights-supreme-court-john-roberts-shelby-county-constitution-brnovich-elena-kagan>
- Millhiser, I. (2022, February 8). The Supreme Court's newest attack on voting rights, explained. *Vox*. <https://www.vox.com/2022/2/8/22922774/supreme-court-merrill-milligan-alabama-brett-kavanaugh-racial-gerrymandering-voting-rights-act>
- Mirra, N. (2018). *Educating for empathy: Literacy learning and civic engagement*. Teachers College Press.
- Neumann, R. (2009). Highly qualified teachers and the social foundations of education. *Phi Delta Kappan*, 91(3), 81–85.
- O'Brien, L. M. (2005). Social foundations of education and democracy: Teacher education for the development of democratically oriented teachers. *Educational Foundations*, 33–44.
- Posner, R. (1986). Law and literature: A relation reargued. *Virginia Law Review*, 72(8), 1351–1392.
- Reese, D. (2021, July 31). Recommended material: Government and Christian-run boarding and residential schools for Native students. *American Indians in Children's Literature*. <https://americanindiansinchildrensliterature.blogspot.com/p/recommended-materials-government-and.html>
- Rhode, D. (1992). Letting the law catch up. *Stanford Law Review*, 44, 1259–1265.
- Right Question Institute: A Catalyst for Microdemocracy. What is the QFT? <https://rightquestion.org/what-is-the-qft/>
- Roosevelt, K. (2022, May 16). The Supreme Court has been engaged in a rollback of rights. Abortion would just be the latest. *Time*. <https://time.com/6176168/supreme-court-overturned-rights-history/>
- Sabzalian, L. (2018). Curricular standpoints and native feminist theories: Why native feminist theories should matter to curriculum studies. *Curriculum Inquiry*, 48(3), 359–382.
- Savitz, R. S., Roberts, L., & Stockwell, D. (2022). The impact of analyzing young adult literature for racial identity/social justice orientation with interdisciplinary students. *Journal of College Reading and Learning*, 1–26.
- Sensoy, Ö., & DiAngelo, R. (2014). Respect differences? Challenging the common guidelines in social justice education. *Democracy and Education*, 22(2), Article 1. <https://democracyeducationjournal.org/home/vol22/iss2/1>
- Serwer, A. (2018, September 4). The Supreme Court is headed back to the 19th century. *The Atlantic*. <https://www.theatlantic.com/ideas/archive/2018/09/redemption-court/566963/>
- Serwer, A. (2021, September 28). The lie about the Supreme Court everyone pretends to believe. *The Atlantic*. <https://www.theatlantic.com/ideas/archive/2021/09/lie-about-supreme-court-everyone-pretends-believe/620198/>
- Sherman, M. (2020, October 29). Supreme Court issues flurry of last-minute election orders. Associated Press. <https://apnews.com/article/supreme-court-election-orders>
- Sherr, M., & Beise, B. (2015). Using young adult literature to enhance empathy skills: Preliminary findings in BSW education. *Journal of Baccalaureate Social Work*, 20(1), 101–110.
- Stern, M. J. (2022, June 27). Supreme Court lets public schools coerce students into practicing Christianity. *Slate*. <https://slate.com/news-and-politics/2022/06/coach-kennedy-bremerton-prayer-football-public-school.html>
- Strickland, T. H. (2020). Moving toward a method for YAL in secondary English teacher education. *Journal of Language and Literacy Education*, 16(2), 1–30.
- Stroop, C. (2022, June 22). Salvation, purity, and right-wing activism: A sampling of what taxpayers will be forced to support as a result of the *Carson v. Makin* SCOTUS ruling. *Religious Dispatches*. <https://religiondispatches.org/salvation-purity-and-right-wing-activism-a-sampling-of-what-taxpayers-will-be-forced-to-support-as-a-result-of-scotus-ruling/>
- Suhr-Sytsma, M. (2018). *Self-determined stories: The Indigenous reinvention of young adult literature*. Michigan State University Press.
- Toliver, S. R., & Hadley, H. L. (2021). Ca(n)non fodder no more: Disrupting common arguments that support a canonical empire. *Journal of Language and Literacy Education*, 17(2), 1–28.
- Tozer, S. (2018). Social foundations of education as an unwelcome counter-narrative and as educational praxis. *Educational Studies*, 54(1), 89–98.
- Tribe, L. (2022, March 10). Politicians in robes. *The New York Review*. <https://www.nybooks.com/articles/2022/03/10/politicians-in-robes-justice-breyer-tribe/>
- Unger, R. M. (1983). The critical legal studies movement. *Harvard Law Review*, 96(3), 561–675.
- Weisberg, R. (1988). The law-literature enterprise. *Yale Journal of Law & the Humanities*, 1(1), 1–67.
- White, J. B. (1973). *The legal imagination*. University of Chicago Press.
- Williams, A. H. (2009). *Self-taught: African American education in slavery and freedom*. University of North Carolina Press.
- Wiltse, L. (2021). After they gave the order: Students respond to Canadian Indian residential school literature for social justice. *Bookbird: A Journal of International Children's Literature*, 59(3), 15–26.
- Worlds, M., & Miller, C. (2019). *Miles Morales: Spider-Man* and reimagining the canon for racial justice. *English Journal*, 108(4), 43–50.
- Yoshino, K. (1994). What's past is prologue: Precedent in literature and the law. *The Yale Law Journal*, 104(2), 471–510.
- Yoshino, K. (2011). *A thousand times more fair: What Shakespeare's plays teach us about justice*. Ecco Press.