



Reading & Discussion Guide

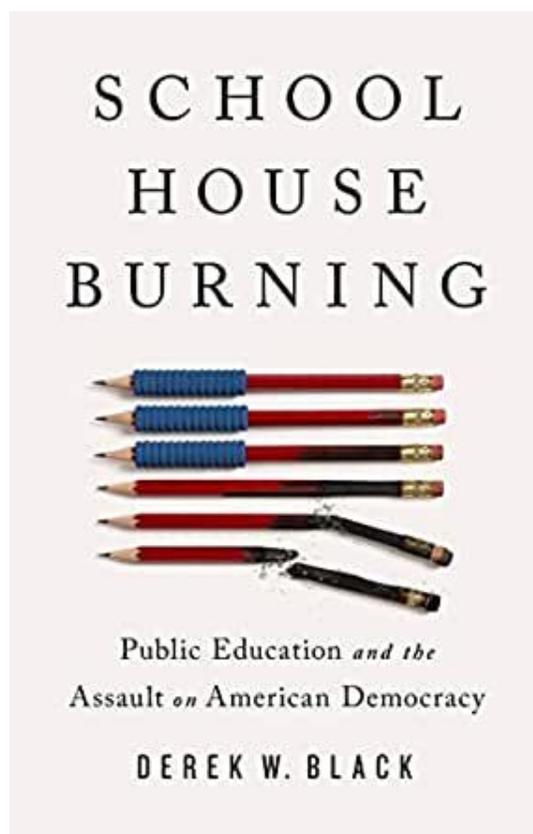
Schoolhouse Burning: Public Education and the Assault on American Democracy

by **Derek Black**

Hosted by Heights Coalition for Public Education

March 10, 24 & April 7, 2021

Co-sponsored by: Reaching Heights, Northeast Ohio Friends of Public Education, Cleveland Heights Teachers Union, League of Women Voters of Greater Cleveland & CH-UH chapter, Richmond Heights Board of Education, Cleveland Height University Heights Board of Education, Public Education Partners of Ohio, Heights Community Congress, AAUW: Heights-Hillcrest-Lyndhurst, NEO AFT, AFL-CIO retirees, CH-UH PTA Council



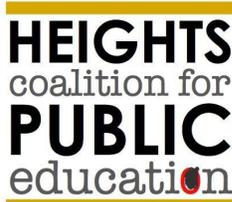
Reading & Discussion Guide for
Schoolhouse Burning: Public Education and the Assault on American Democracy
by Derek Black

Our discussion of *Schoolhouse Burning* will take place over the course of three evenings, including a visit by Derek Black during the first session and concluding with planning advocacy and action as an outgrowth of the learning and conversations that take place over the course of the program.

So you can pace your reading: We will not be beginning with Chapter 1 in our discussions. Instead, we will turn first to the historical overview Derek Black gives in Chapters 2-7, then move through the Civil Rights era and the backlash that followed to the landmark *Brown v. Board of Education* in Chapters 8-9. After that, we will consider the present situation and possibilities for what comes next in Chapters 1 and 10-11.

In our third session we will move from study to action and will work together to imagine and organize advocacy on behalf of public schools informed by this book and our discussions.

You will find below a brief reading guide for each session, which may be useful for focusing your reading as you go or refreshing your memory before the discussion. The reading questions are followed by five shorter discussion questions meant for use during our sessions. You may, of course, add any of the reading guide questions to your discussion if you like. Finally, each section ends with some things to do or consider before the next session (or after we are all done).



Session 1 (March 10) -- Chapters 2-7 -- The Evolution of America's Understanding of the Right to Public Schooling from the Founding Through *Brown v. Board of Education*

Tonight we will be joined by Derek Black for the first 30 minutes! There will be a brief Q&A following his remarks. The rest of the evening will be spent in breakout rooms for small group discussion. Discussion will focus on the history of public education from the Revolutionary era to *Brown v Board of Education*.

Reading guide for Chapters 2-7

Derek Black begins: "Two hundred years ago our founding fathers gave us two gifts. Both were relatively unknown to the world at the time. The first was democracy--what they called a republican form of government. The second was public education. These gifts were inextricably intertwined." (p. 11)

Chapter Two: A Nation Founded on Education Black explains: "The (Northwest) Ordinances (of 1785 and 1787) earned a place next to the Declaration of Independence and Constitution because they represent the hopes and aspirations of what the nation was trying to become." (p. 70) What happened during the era of our nation's founding that has contributed to our understanding today of each child's right to a public education? What did Adams, Jefferson, Madison, and Monroe believe is the connection of a public system of education and democratic governance?

Chapter Three: Education as Freedom Black writes, "America's recommitment to the right to education is, in large part, the story of the freedman. ... Their unrelenting desires, commitment, and demands for education helped define the federal and state plans to reconstruct the nation into a republican form of government that finally approximated the one first envisioned a century earlier." (p. 74) What did freed slaves teach our society about the role of public education in a democratic society?

Chapter Four: Reconstruction: A National Recommitment to Education and Democracy and **Chapter Five: A Constitutional Chorus for the Right to Education** are the center of Black's history of the establishment of public schools and the constitutional protection of public education.

In the Reconstruction Acts of 1867 and 1868, Congress required--as a condition of their being readmitted to the union--that Confederate states ratify the 14th Amendment to the U.S. Constitution and also establish a system of public schools in their new state constitutions. The state constitutional conventions went into detail in providing for their schools: setting up school funding, establishing taxes, making attendance compulsory, requiring teacher training. Then Congress spread these requirements beyond the former Confederate states to any new states. How did these years expand the right to public schooling more broadly than in the founding documents? What is the significance today of the changes that happened during those constitutional conventions?

Chapter Six: The Fall What are some of the ways “separate and unequal” came to characterize the public schools in the former Confederacy? Review some of the ways legislators in the former Confederate states, in their new constitutional conventions, undid the work of Reconstruction and instituted Jim Crow segregation of schools and the defunding of schools for African American children. How did inequitable school funding become a tool for establishing inequality?

Chapter Seven: The Second Reconstruction Derek Black traces the story of the NAACP’s 20-year strategy to undo unequal, and especially unequally funded, K-12 public education and to end racial segregation. What did you learn about the NAACP’s strategy, led by attorneys Charles Hamilton Houston and Thurgood Marshall, to achieve the gains finally protected in 1954 in *Brown v. Board of Education*? Were there surprises for you in this legal history?

Questions for Discussion for Chapters 2-7

1. Ice breaker: Were there any surprises for you personally or any particularly striking insights for you as you read this book?
2. What does Black believe our society learned or what did you learn about the deep connection of public education democracy from his stories of newly freed slaves?
3. When we consider the inclusion of education in state constitutions during Reconstruction, what are some ways those changes remain significant today? Conversely, in what ways did education/school funding policy in the former Confederate states work to institutionalize Jim Crow? What effects did that have?
4. What aspects of the NAACP’s strategy, led by attorneys Charles Hamilton Houston and Thurgood Marshall, to achieve the gains finally protected in 1954 in *Brown v. Board of Education* were notable to you? Were there any surprises for you in this legal history?
5. Have someone read aloud the quote at the top of p. 164 from the Supreme Court decision in *Brown v. Board of Education*. What did the Warren Court recognize about the institution of public education in this 1954 decision and what rights did the decision protect that had been contested through our nation’s history until then?

Ground Rules for Table Discussions

- We do not have to agree -- just gain a deeper understanding of the book and one another.
- Listen actively and make sure everyone has a chance to speak.
- Give people patience and the benefit of the doubt.
- Listen from your own experience and avoid generalizing. (“I” instead of “they,” “we,” and “you.”)

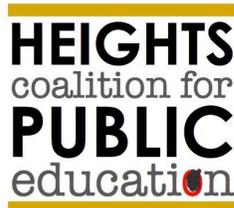
To Consider before Session 2

At our next session we will begin with brief reports from tonight’s small groups. Several people named by our sponsors will reflect on the discussions they have been a part of.

In the meantime:

Think about what you have learned from others in tonight's session, from Derek Black's comments, from others in the chat and your small group.

- How have other people's thoughts or experiences given you something new to consider about the book or about your experience with public education?
- What has challenged you or furthered your own line of thought?



Session 2 (March 24) -- Chapters 8-9 then 1, 10 & 11. What Are Today's Challenges to the Protection of our Public School System and to the Protection of Each Child's Fundamental Right to Education?

Tonight we will begin with some reflections from our last session, then pick up the historical discussion with the backlash to the *Brown v Board of Education* decision and move through the rediscovery of the constitutional right to education in the 70s - 90s (including Ohio's DeRolph decision). Midway we will turn attention to the current situation as Black sees it and as we are experiencing it in our communities.

Reading guide for Session 2

Chapter Eight: The Civil Rights Backlash Derek Black begins this chapter on the backlash against the U.S. Supreme Court decision in *Brown v. Board of Education* by explaining: "*Brown* and its progeny set democracy on a second collision course with entrenched racism. The question was whether democracy might prevail this time around." (p. 179) He concludes the chapter by examining the court cases that undermined *Brown*: "In short, desegregation and the commitment to the American idea of equal educational opportunity started dying in the 1970s--in the White House, in Congress and in the courts. The deepest wounds were inflicted in *Keyes's* intent standard, *Milliken's* prohibition on metropolitan desegregation, and *Rodriguez's* rejection of a right to education." (p. 199) Consider how each of these decisions from the Warren Burger Supreme Court undermined the implementation of the *Brown* decision.

Chapter Nine: Rediscovering the Constitutional Right to Education Like the actions of the Confederate states to undo Reconstruction by underfunding schools for African American children, there was a reaction against the Civil Rights Movement dominated by the huge court cases, described in Chapter 8, which stopped desegregation and denied protection of public education as a fundamental right. In the 1970s and 1980s and into the 90s, supporters of public education filed lawsuits under their state constitutions to try to accomplish at least equal school funding. Black explains that these cases have focused on several principles, the first being that all students have a right to adequately funded schools and that the funding be equally distributed across school districts. We know, of course, about one of these cases: *DeRolph v. Ohio*.

Moving forward to today ... Introduction, Chapters 1, 10-11

In these chapters that bookend his historical survey, Black identifies what he believes are four fundamental challenges to our system of public education today (p. 226):

- the growth of privatization through both charter schools and vouchers as an expression of a narrative of freedom and individualism;
- the loss of funding to privatized vouchers and charter schools at THE EXPENSE OF PUBLIC SCHOOLS;
- tax cuts after the 2010 Tea Party wave election exacerbating what was already the collapse of school funding after the Great Recession; and
- the effect of a standardized testing regime and state tax cuts for making the profession inhospitable to teachers.

Has he identified the primary challenges or are there others that concern you? How many of these challenges affect our schools in Ohio today?

Introduction and Chapter One: The Current Crisis Derek Black writes: “The assault on public education today is broader than that of the past. Past assaults were foremost about race, and although race remains part of today’s story, the primary rallying cry is against public education itself.” (p. 21) Where are today’s threats against public education coming from? How did some of this emerge during both Arne Duncan’s and Betsy DeVos’s tenures as U.S. Secretary of Education? Who are some of the wealthy entrepreneurs Black mentions who are funding the assault on government and on public education?

Chapter Ten: Through History’s Eyes and Chapter Eleven: Final Thoughts Derek Black describes our seeming rhetorical incapacity to define the purpose of public education: “Increasingly missing, if not entirely absent is any discussion of education’s purpose and values--reinforcing democracy and preparing citizens to participate in it. What they miss is that charters and vouchers, for instance, involve an entirely different set of premises about education--and for that matter an entirely different set of premises about government.” (p. 233) Perhaps that is why the cover of Black’s book depicts a broken American flag?

However, many public school parents do understand the value of public schools as an essential institutional embodiment of a democratic society. In what way might we articulate this more strongly?

Derek Black describes the Red4Ed teachers strikes that swept the country in 2018-2019: “In 2018, teachers finally reached their breaking point and started talking about strikes and walkouts. Media attention then helped educate the general public on what had happened to public education funding and the teaching profession over the past decade. In that environment, public education advocates who had long pointed out the damage privatization was doing, saw their concerns gain traction.” (pp. 244-245) What did these strikes teach America about the conditions in public schools? In the future, how can parents and advocates help teachers expose the meaning for public schools of funding shortages due to tax cuts and the diversion of funding to privatization?

Questions for Discussion for Chapters 8-9 and 1, 10-11

1. What are some of the ways the U.S Supreme Court's decisions in *Keyes v. School District No. 1*, *Milliken v. Bradley*, and *San Antonio v. Rodriguez* continue to drive racial segregation and educational inequality across our nation's public schools today? What are some of the ways advocates have fought back against injustice in state courts under the provisions of their state constitutions? Why have states never fully acted to protect the rights of all children?

Ground Rules for Table Discussions

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- Give people patience and the benefit of the doubt.
- Listen from your own experience and avoid generalizing. ("I" instead of "they," "we," and "you.")

2. Even though we have strong protection of public education in our Ohio constitution, what are some of the factors in our state that have prevented (in *DeRolph v. Ohio*, for example) the provision of adequate school funding, equitably distributed? Do you think Derek Black has identified the primary challenges or are there others that concern you? How many of these challenges affect our schools in Ohio today?

3. Derek Black argues that school choice is unlikely to produce equitable education. He explains that promoters of school choice say that education, "is like any other commodity we might buy and should be customizable to meet the personal tastes of each individual... (T)he interests of those pulling the political and financial levers behind the scenes to expand charters and vouchers do not align with disadvantaged communities... Their goal, unlike that of minority communities, is not to ensure that each and every child, regardless of wealth, race, or religion receives an equal and adequate educational opportunity" (pp. 18-19).

What are the ways that the state is more likely to be able to protect an adequate and equitable education than the educational marketplace can and what is the role of constitutional language?

4. Although Derek Black believes the attacks today are less related to racism, he presents a series of maps (pp. 239-241) that demonstrate the correlation of privatization and school funding with racial disparities. Did these maps surprise you? What do these maps show about Ohio? What other factors do you think are most at play in our state?

5. We tend to think of the issues for our public schools in Ohio and greater Cleveland in state and local terms. What did you learn from this book about the broader context that shapes the educational challenges we have here in Ohio and our local school districts?

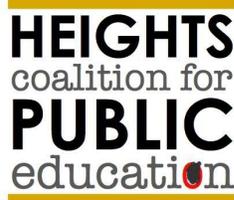
To Consider before Session 3

At our next session we will begin by briefly considering all that we have learned and discussed, and then we will turn to considering, and hopefully initiating, advocacy and action that we can take as individuals, organizations, and communities to strengthen the commitment to public education in Ohio (and elsewhere).

In the meantime:

Think about your reading and discussions:

- What issues affecting public education policy and funding are most striking to you now and how does this compare with your understanding before these discussions?
- How can the historical perspective you have gained help to shape new forms of advocacy for public education?



Session 3 (April 7) -- Final thoughts on the book and plans for action

Overview for this evening

Tonight we will wrap up our discussion of the book and move to advocacy and action informed by what we have learned.

Some questions to guide this process:

1. Many public school parents do understand the value of public schools as an essential institutional embodiment of a democratic society. In what way can you articulate your understanding of this connection?

How can our organizations that support public education do a better job of naming the connection of public education and democracy?
2. When you consider Derek Black's book and the discussions we have had, what type of advocacy or action are you most interested in pursuing? Perhaps it is direct communication with elected officials or using your voice in OpEds and letters to the editor. Perhaps your organization might reframe some of its communication or strategy. What other ideas do you have?

We will work in affinity groups to plan and perhaps carry out some initial actions.

To consider as we part

What work have you begun tonight that you would like to continue? What are your next steps?

Who in your neighborhood, work, school community, or organization would you like to tell about what you have learned and invite to help with the advocacy you have begun?