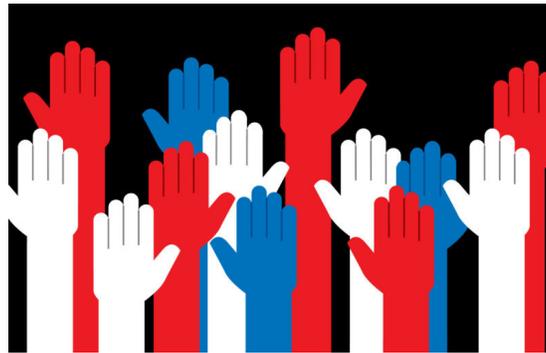




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## THE LAWSUIT THAT COULD CHANGE THE FACE OF CIVICS EDUCATION: A Q&A WITH NEPC FELLOW BETH RUBIN



In November, 14 public school parents and students filed a unique federal lawsuit against the state of Rhode Island: They accused the state's schools of "failing to carry out their responsibilities under the United States Constitution to provide all students a meaningful opportunity to obtain an education adequate to prepare them to be capable citizens."

In its 1973 decision *San Antonio Independent School District v. Rodriguez*, the Supreme Court ruled that children in our country do not have a right to education under the U.S. Constitution. As a result of this decision and because the constitutions of many states do guarantee the right to an education, the battle over student education rights has largely moved to the states. What makes *Cook vs. Raimondo*, filed in U.S. District Court in the District of Rhode Island, unique is that the plaintiffs do not argue that that children have a (U.S.) Constitutional right to education. Instead, the suit contends that the state's schools fail to provide students with the education they need to vote, serve on a jury, make informed choices, and otherwise participate effectively in civic activities. The complaint argues that *San Antonio v. Rodriguez* did leave the door open to this argument by raising (but not responding to) the question of whether students have a right, under the 14th amendment, to the level of opportunity provided by an education that gives them the "basic minimal skills necessary for the enjoyment of the rights of speech and of full participation in the political process."

In other words, the plaintiffs contend that the Rhode Island schools have violated students' rights by failing to provide an adequate civics education.

What does research have to say about the outcomes of civics education and its role in our

society? What does a high-quality civics education look like?

In the Q&A below, National Education Policy Center Fellow Beth Rubin addresses such questions. Rubin is a professor of education at Rutgers University Graduate School of Education. In her work, she uses a critical, sociocultural approach to investigate how young people develop, both as learners and as citizens, within the interwoven contexts of classroom, school, and community. Rubin is particularly interested in the ways that these settings are shaped by historical and structural inequalities.

**Q: What role does effective civics education play in our democratic society?**

*A: Effective civics education is fundamental to a functioning democracy. Young people need opportunities to develop understandings of the complex forces that shape both our daily lives in this society and the choices being made at the national level, and to develop the skills and proclivity toward participation in the national conversation around these pressing issues. For young people from non-dominant communities, civics education that connects with young peoples' experiences, draws on their cultural capital and unrecognized forms of civic participation, and helps them to develop critical understandings of society, can be a conduit to greater civic engagement.*

**Q: To what extent can K-12 education share the blame for the resurgence of tribalism, low public trust in government, and tendency to believe political lies?**

*A: K-12 education can play a key role in developing young peoples' civic skills, knowledge and understanding. A relevant, meaningful civics education that connects to the concerns of youth and their communities and expands students' understandings of the issues we face can counter the disempowerment and lack of contextual understanding that fosters tribalism, low public trust in government, and tendency to believe political lies.*

**Q: What skills/knowledge do students need in order to be able to effectively exercise their rights as citizens of our democracy?**

*A: To be able to effectively exercise their rights as citizens in a democracy, young people need to develop analytical, communication and collaboration skills and, over time, build deep understandings of the historical, social and political dimensions of U.S. history.*

**Q: How common/prevalent is civics instruction in schools? What form does such instruction usually take?**

*A: Civics instruction is variable in US schools. While every state requires students to complete some coursework in civics to graduate, less than half the states include civics in their state accountability frameworks. One indication of the level and quality of civics instruction is that less than a quarter of U.S. eighth graders tested as proficient on the 2014 National Assessment of Educational Progress civics assessment. Civics instruction is often dominated by the transmission of facts rather than meaningful learning that focuses on developing the skills and understandings necessary for active citizenship.*

**Q: How, if at all, has civics education changed in recent years?**

**A:** *There has been a shift toward inclusion of a more active conception of citizenship in mainstream civics education in recent years. The revised curricular framework for social studies (<https://www.socialstudies.org/c3>), from the National Council for the Social Studies, includes a focus on “informed action.” Organizations such as CIRCLE and the Youth and Participatory Politics Research Network are helping to build new understandings of youth civic participation and learning. There are many new resources promoting more active forms of civic learning, such as the Mikva Challenge, Generation Citizen, Deep Dive: Educating for Democracy, and the YPAR Hub. Youth activism appears to be on the rise, and civics education can build on this desire for participation and change.*

**Q: What does high-quality civics education look like?**

**A:** *High-quality civics education looks like young people engaging with each other to explore issues of local, national and global significance. High-quality civics education focuses on deepening students’ understandings of the pressing issues of today, including how these concerns are connected to the larger political, economic, and historical context, and on invigorating their desires and abilities to engage civically. Student-centered activities, discussion, consideration of current events, and civic inquiry are some of the instructional practices we know work.*

**Q: What can research tell us about the outcomes of civics education?**

**A:** *Research indicates that more active forms of civic learning, such as discussion, debate, role-playing, and engagement with current issues, lead to more engaged youth citizenship. Research also indicates that young people from non-dominant communities – low-income, students of color – do not have the same opportunities to engage in this type of civics education as their more affluent, white peers. There is a growing body of research connecting youth civic experiences – experiences with the criminal justice system in particular - with civic attitudes and engagement.*

**Q: How do left-leaning and right-leaning conceptions of “good” civics education differ, if at all?**

**A:** *Left-leaning conceptions of “good” civics education focus more on the development of an informed citizen who can critically analyze the world and has the skills to participate actively, including in change-oriented activities; right-leaning conceptions of “good” civics education focus more on the transmission of knowledge about the state, its history and governance, and the development of patriotic sentiments.*

**Q: How might we improve the civics education provided by our K-12 schools?**

**A:** *Civics education needs to improve in five respects: it needs to be relevant to students, to develop critical understandings of history and politics, to be engaging and student-centered, to be oriented toward active civic participation, and to be available equitably to students from all communities and backgrounds.*

NEPC Resources on Legal Issues

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