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## ABSTRACT

In May, 1989 the American Bar Association (ABA) Special Committee on Youth Education for Citizenship invited participants at a retreat to create a blueprint for law-related education's (LRE's) future. Plenary sessions were designed to clarify: (1) the role and mission of LRE in the nation's schools; and (2) the factors that will have an impact on LRE between now and the end of the century, including the impact of demographic change, technological innovation, and educational reform on LRE. Noted educators, both within and outside of the LRE field offered perspectives and perceptions related to these themes. This document is a handbook that contains articles drawn from these sessions along with the reports of small working groups established at the retreat to examine a range of issues. Following a brief Introduction by Mabel C. McKinney-Browning, the articles include: "Student Demographics and Education in the Year 2000: The Illinois Perspective" (Gordon L. Brown); "Developing Strategies of Curricular Change" (Thomas B. Timar); "Factors to Consider in Planning for the Institutionalization of LRE: Public Policy Issues" (Herbert J. Walberg); "Factors to Consider in Planning for the Institutionalization of LRE: Teacher Education" (Samuel J. Yarger); "Factors to Consider in Planning for the Institutionalization of LRE: Technological Innovations and Information Processing" (James Lengel); "Factors to Consider in Planning for the Institutionalization of LRE: The 'L' in LRE--New Developments in Content" (Jerry Goldman); "Establishing a Programmatic and Research Agenda: What Do We Still Need To Know?" (James Giese); "The Process of Institutionalizing LRE Curriculum: Summary Report of Discussion Group 1" (Marilyn R. Cover; Roy Erickson); "The Role of LRE in the Precollegiate Curriculum: Summary Report of Discussion Group 2" (Carol Roach; Joseph L. Accongio); "Teacher Training: Summary Report of Discussion Group 3" (Phyllis Fernlund; David T. Taylor); "The 'L' in LRE: New Developments in Content: Summary Report of Discussion Group 4" (Alita Letwin; Moses S. Koch); and "The Role of Community Involvement in the Development and Institutionalization of LRE: Summary Report of Discussion Group 5" (Judy L. Parker; Douglas A. Phillips). (DB)

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# Perspectives on LRE in the Year 2000

American Bar Association

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Special Committee on Youth Education for Citizenship



## Introduction

*Mabel C. McKinney-Browning*

Law-related education (LRE) has enjoyed three decades of growth since it all began in the 1960s. During this time we have seen much change in education and in society at large. Throughout this period, law-related education has provided students and teachers with a relevant, empowering focus from which to examine this constantly changing landscape. It has challenged students to think critically and creatively, about their role as citizens and has led teachers to structure meaningful and intellectually stimulating classroom experiences.

Against this backdrop, the American Bar Association Special Committee on Youth Education for Citizenship invited participants at its May 1989 Advanced LRE Leadership Development Retreat to "create a blueprint for LRE's future." The retreat was designed as a working meeting in which experienced LRE leaders would share information about LRE programs, pose questions, and explore possibilities and prospects for the future at local, state, and national levels.

In the course of developing this "blueprint," participants engaged in several tasks related to the development and promotion of LRE. These included developing a mission statement for LRE; determining goals and directions for LRE in the years ahead; and exploring and analyzing necessary and available resources for effectively carrying out programs.

### Acknowledgements

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A highlight of the retreat was our effort to establish a mission statement for LRE. Although our efforts varied widely, they clearly reflect the commitment of our field to increasing the capacity of the nation's citizenry to fulfill, at the highest level, the role of citizen. Since we did not aim to reach consensus on a single mission statement, we have included in this publication the collective thinking of LRE leaders as expressed in eight differently worded mission statements.

Plenary sessions were designed to clarify: (1) the role and mission of LRE in the nation's schools; and (2) the factors that will have an impact on LRE between now and the end of the century, including the impact of demographic change, technological innovation, and educational reform on LRE. Noted educators, both within and outside of the LRE field, offered perspectives and perceptions related to these themes. The first seven articles are drawn from these sessions.

Small working groups were established to examine a range of issues, including the process of institutionalizing LRE curriculum, the role of LRE in the precollegiate curriculum, teacher training, new developments in content, and the role of community involvement in the development and institutionalization of LRE. The reports of these groups comprise the balance of this publication.

*Perspectives on LRE in the Year 2000* is intended to present a status report on new directions for LRE. It is our hope that it will serve to stimulate thinking as future program plans are developed to address the challenges and opportunities that await LRE in the years ahead.

*Mabel C. McKinney-Browning is Staff Director, American Bar Association Special Committee on Youth Education for Citizenship.*

## Student Demographics and Education in the Year 2000: The Illinois Perspective

*Gordon L. Brown*

I have been invited here to talk about the demographics of student enrollment, the demographics of children in general, not only in Illinois--which is my home state--but throughout the country, and to touch on some of the educational issues that these changes in demographics may foster over the next several years.

Illinois' involvement in law-related education has been extensive, including one project to foster a greater understanding of the Illinois Constitution, which entailed publishing an eighty-page booklet in cooperation with the Illinois Bar Association several years ago. Over 35,000 copies of this booklet have been distributed. Another interesting, high-demand project has been the creation of a series of six thirty-minute video programs on the U. S. Constitution that were developed and produced in consultation with the Agency for Instructional Television, sponsored and funded by the State Board of Education at a cost of some \$25,000, and provided to schools at no cost for their law-related projects.

We also cooperate and help cosponsor activities during Illinois Law Week; help develop a law test that is used as a discussion motivator, the focus of which changes annually depending upon the topics up for discussion at that time; participate in the state mock trial competition, and distribute teacher materials. Law-related education is a topic that we have been very interested in for some time and one that we think students and teachers in our public schools continue to find interesting. The questions that I was asked to address tonight are (1) What is happening to the makeup of our country and its student population, and (2) How might this affect the mission that you have before you and which you will investigate in this seminar in terms of developing goals and working toward the institutionalizing of LRE?

To begin, what do we know about the changes in the makeup of our country? We know that our country is changing in terms of the shape and spread of its population, and we know where that population is centered. We know that there is a growing migration from urban areas to the suburbs, and that migration includes corporations and businesses, not just people. We know that, as a result, over the next twenty years we will see an increase in the number of suburban schools, a decrease in the number of urban schools, and a re-aligning of the population in urban centers.

One very important social trend that has been occurring in the past ten to fifteen years is the entry of women into the work force, particularly women with school age or younger children. The percentage of women in the work force with school age children is over 50 percent, and it is increasing. That definitely will affect the kinds of activities that will have to take place in child-related education and child care. Likewise, schools will be held responsible for and be expected to participate in even more areas than they do now.

### **A Growing Minority Population**

Because you are exploring law-related education and the kinds of programs that need to be offered, we should focus for a little while on the youth of the country and consider that group of students under the age of eighteen. By the year 2010, over one third of Americans under the age of eighteen will belong to minority groups; some projections are as high as 38 percent. Today, that figure is about 30 percent, and it may grow to 38 percent. We know that in seven states and in the District of Columbia more than half of the children will be minority members, mostly blacks, Hispanics, and Asians. In nineteen other states, at least one quarter of the children will be black, Hispanic, Asian, or some other minority.

Where is this happening? New York leads in the growth of minority share in its youth population. Right now, New York's minority population under age eighteen is about 40 percent and it will reach 53 percent in the next twenty years. Other states that will experience large increases are California, Texas, New Jersey, New Mexico, and Illinois. These increases will range from 9 to 12 percentage points, or perhaps even more.

The total youth population in this country will grow fastest in the Sun Belt. Those of you whose jobs depend on a youth

population need to move to the Sun Belt or to those states where a large immigrant population is expected. The top ten states where this will probably happen are New Mexico, Arizona, Alaska, Georgia, Florida, California, Nevada, New Hampshire, Utah, and Hawaii. The increase in youth population in those states will probably range from 22 percent in New Mexico to 17 percent in Florida and Georgia and 9 percent in Hawaii. These states represent the largest areas of youth population increase. Child-bearing parents seem to be moving there, whether they are from the majority, minority, or immigrant populations. But the growth in those states does not reflect the country as a whole. For those of you who depend on children for your jobs, the outlook is not optimistic because the American youth population will decline.

During the next twenty years, the total youth population age eighteen and under will decline by approximately 2 percent. During the next decade, it will rise a little bit, but then will tail off to an even greater extent. The five states with the greatest decline, in case you want to know which states to emigrate from, will be West Virginia, down some 27 percent; Iowa, down 26 percent; North Dakota, Pennsylvania, and Montana, down approximately 20 percent.

These kinds of changes will have a marked impact not only on people and institutions in education-related businesses, as we are, but also on other parts of the private sector economy. Fast food companies, toy and clothing manufacturers, and the companies that make rock videos. Public schools especially are going to have to face the needs of increasingly diverse student populations, and the state and local areas most blessed with children will be challenged by a profusion of races and cultures. In Illinois, the effect on the age eighteen and under population during the next twenty years will be an 11 percent decrease overall, from the current 33 percent to about 22 percent of the total population. But even as this population decreases, its minority makeup will increase, so we will see a tremendous shift in the makeup of the student population in Illinois.

### **Changes in Families and Households**

Changes are occurring not just in the makeup of the youth population, but also in the composition of the American family and in the ways that our nation views—and is concerned about—its families. Earlier today, I spoke with a former CEO of a department store chain who is in his late sixties. He has five children, all adults, and he said that he could not understand what was happening to the family. Although he was not displeased by it, he simply could not understand it. He grew up in a very traditional family setting, and he and his wife raised their children in a similarly traditional nuclear family. By the time his wife was thirty-two years old and he was slightly older, all five of their children had been born. She stayed at home and raised them while he did the work—or at least the work that paid the bills. What he could not understand was how his children grew to be so different in their adult behavior. All five of his children were either married or living with someone. None of them had divorced or had entered a second marriage. The ones who were cohabitating had career ar-



rangements. Two of the married children established fairly traditional nuclear families. The other three, all in their thirties, were living with their partners and not having children. The former CEO was merely ruminating on the differences that had arisen between the time of his young adult life and today, and the fact that his children, who had grown up in an environment he and his wife had provided, were behaving quite differently than he would have expected. That is the kind of diversity and change that all of us will face during the next two generations, as we witness the permutations that will affect the makeup of our society.

Some thirty years ago, 60 percent of U.S. households consisted of the traditional "Leave It to Beaver" kind of family: a working father, a housewife mother, two or more school age children. I think it was 2.3, and I still do not know how they divided that one up, but that was the family thirty years ago. In 1980, that type of family unit made up only 11 percent of our homes, and in 1985 it dropped to only 7 percent. A drastic drop in only thirty years. In a brief generation and a half, we have moved from 60 percent traditional nuclear households down to 7 percent. What we used to think of as normal, conventional, and expected is now abnormal, atypical, and unexpected. Those of us who grew up at least thirty years ago find a great change in expectations and, to some extent, cultural conflict between us and our co-workers born in the last twenty years.

Of the eighty million households in this country, about twenty million, roughly one fourth, consist of people living alone. The 1980 census, supplemented with updated figures, tells us that 59 percent of the children born in 1983 will live with only one parent before reaching age eighteen. That will become the normal childhood experience. Of every one hundred children born today, it is projected that twelve will be born out of wedlock; forty will be born to parents who divorce before the child is eighteen; five will be born to parents who separate; and two will be born to parents of whom one will die before the child reaches eighteen. Forty-one will reach age eighteen in what most of us would have considered normal circumstances, i.e., living in a two-parent home.

The United States is confronted today with dramatic changes in the makeup of the family and the child population. We are also confronted with an epidemic of children born outside of marriage, and 50 percent of such children are born to teenage mothers. The situation is most striking with very young mothers, those who are thirteen and fourteen years old. Indeed, every day in America, forty teenage girls give birth to their third child. One particular aspect of this situation is vital as we look at it from the perspectives of the education field and the related health and human services fields. Teenage mothers tend to give birth to premature children, often because of a paucity of physical examination and poor diets while they are pregnant. Prematurity leads to low birth weight, which increases these infants' chances of major health problems due to slowed development of the children's immune system. Correspondingly, low birth weight also is a good predictor of major learning difficulties when the children reach school.

One of the Illinois State Board of Education projects that the state legislature has been extremely interested in during the last three years is a preschool education program. Out of the three- and four-year-old children that we were able to screen and diagnose for developmental at-risk factors—children who are likely to be academically at risk in school—we have found that their birth weights and the age and health of their mothers during pregnancy are very valuable predictors of the kinds of problems that they may have in their development. Of the 3.3 million births annually, 700,000 are almost assured of being either educationally retarded or difficult to teach, and this group is entering the educational continuum in rapidly increasing numbers.

On a more positive demographic note, today a solid and relatively well-established black middle-class family structure exists in the United States. Access to the political structure has yielded 247 black mayors and over 5,600 black elected officials as of 1984, as well as over 3,000 elected Hispanic officials. Forty-four percent of the entering freshman class at the University of California—Berkeley in fall, 1984 was minority, while Harvard's entering class in 1984 was 20 percent minority.

### **Children and Poverty**

The other side of this coin, however, is the rapid increase in the number of poor households headed by black or Hispanic females. Ninety percent of the increase in children born into poverty occurs in these kinds of households. Although two of three poor children in this country are Caucasian, the percentage of black children living with one parent who is poor is much higher. Of those children who stay in poverty for more than four years, as only one in three poor children does, most are black. A sad fact is that a child under six is six times more likely to be poor than a person over sixty-five. We think that people who have retired, who are living on fixed incomes and having difficulties in adjusting to the rising cost of living constitute the majority of our nation's poor. But actually, the preponderance of poor people are children under the age of six. We have increased support for the elderly, but government spending on children has actually declined during the past decade. The result is an increase of over two million children who are at risk at birth. Almost half of the poor in the United States are children.

When we review the statistics on our preschool education programs to try to identify the children we need to reach before they attain school age, the research predicts that roughly 31 percent of each age cohort may be at risk academically. In Illinois, an age cohort includes about 180,000 children. Thus, about 56,000 out of every year's cohort of three year olds and four year olds are likely to be at risk of academic failure. That is the population we must reach, and reach as quickly as possible.

Let me turn now to the funding we have in Illinois. It is at the \$24 million level, which allows us to reach about 10 percent of the preschool population, i.e., about 11,000 of an estimated 112,000 in need of such services. The General Assembly, the governor, and the State Board of Education are really interested in that project, and hopefully its funding will be increased.

We need to briefly mention the third growing non-white sector of our nation, the Asian Americans. They are a much smaller group than blacks and Hispanics, numbering about 3.7 million at the last census. But the growth potential from immigration is very great for the next decade, and they currently represent 44 percent of all immigrants admitted to the United States. Consider that as you talk about law-related education because you are going to have a substantial number of students in your schools who may be coming from families unfamiliar with the mores and customs of our country. These students may need a more primary acculturation than we have encountered in the past. By the year 2000, America will be a nation in which one-third of us will be non-white, and minorities will span a broader socio-economic range than ever before. Therefore a simplistic treatment of minority needs will be even less useful than it has been in the past, and it never has been useful.

At this juncture, let us list some important points: (1) more children will enter school from poverty households; (2) more children will come from single-parent households; (3) more children will be minority members; (4) a larger number of them will have been premature babies, leading to more learning difficulties in school; (5) the number of minority high school graduates who apply for college will drop; (6) there will be a continuing increase in the number of black middle-class students in the system; (7) there will be increased numbers of Asian American students, but more of them may come from Indonesia and may have increased language difficulties; and (8) high dropout rates among the Hispanic population will continue, and only 40 percent will complete high school if the current pattern is maintained.

Illinois' total population ranks sixth in the country, and, in terms of growth over this decade, it ranks forty-fourth. In the 1980s, the average rate of growth for states has been a little over 7 percent; in Illinois, it has been just a bit over 1 percent. In minority and in black population, Illinois ranks fourth in the country. In Hispanic population, Illinois ranks fifth. Finally, its birth rate ranks twenty-third, but its out-of-wedlock birth rate unfortunately ranks ninth.

Who does what in Illinois? What kind of jobs do people have? What are they doing in the private sector? In that sector, the largest group of workers in terms of number of jobs is fast food workers with over 200,000 of them. Secretaries are second, also with over 200,000, and janitors are third, with about 150,000. Then we enter the professional sector. Engineers in Illinois number over 68,000, followed by lawyers with about 29,000. There are 23,000 doctors; 21,000 finance managers; 18,000 computer programmers; and 6,000 dentists. In the public sector, government remains the largest employer, with the state having nearly 100,000 public school teachers.

### **An Illinois Perspective**

In Illinois, as in many states, education is a very large part of the economy, and a very costly part as well. There are nearly a thousand school districts—980 to be precise. That is the fifth largest number of school districts in any state in the country. At one time, Illinois had 12,000 school districts, with a district in every small crossroad, every little

farm community plus a local board of education and so forth. We have reduced that number to less than 1,000 and would like to reduce it further. Out of those 980 school districts, one—Chicago—has 25 percent of the population. It also has over 50 percent of the minority population and almost two-thirds of the poor children of the state. It is indeed a different entity.

There is a document entitled "Profile in Illinois Enrollments," which details expected enrollment changes over the next several years. I would like to highlight five of those findings because they seemingly parallel certain information that we have about the country as a whole. We find that the public school enrollment in Illinois is going to drop 6 percent in the next ten years. Enrollment in Illinois in 1972 was about 2,000,300 students, and it is now down to about 1,700,000. And it will drop another 6 percent in the next ten years. At the same time, the costs of education per student keep going up. In fact, the total for elementary and secondary public school education now is \$7 billion a year. The Chicago public school budget alone is \$2 billion a year for 400,000 students, 25,000 teachers, and 300,000 administrators. I'm just kidding about that last figure, but the \$2 billion for Chicago is correct.

The average cost per student in Illinois is \$4,000 per year, but the differences among schools and districts are incredible. Some school districts at the low end are spending \$2,100 per student, others at the high end are spending \$11,000 on the same hypothetical student.

We know that minority enrollment in Illinois will reach 42 percent by the year 2000. Four out of every ten student will come from poor families. We know that the nonpublic school enrollment will drop approximately 8 percent and that virtually parallels public school enrollment. So, the nonpublic sector will continue to educate about 15 percent of the total population. We also know that more students will receive special education in the year 2000.

### **Society's Expectations**

How will these changes affect our thinking about educating children, whether it is law-related education, mathematics, literature, the arts, etc.? At least two other matters are going to be expected by our society during the upcoming decades. The first is a continuing focus on the accountability of schools. The public expectation in that area is shifting dramatically from quantitative—i.e., the number of hours spent in school or the numbers of courses taught—to qualitative. What will the student know and what will he or she be able to do as a result of the schooling? We cannot measure that by requiring four years of English. The only things we currently know are that the child sat through four years and either got passing grades or not. We do not know what attending four years of English means qualitatively. Could a different child have learned as much by spending only two-and-a-half years? Or five years? By looking at courses, by looking at topics, by looking at times, only one set of quantifiable expectations are met. The public is now demanding and legislatures across the country have been increasingly insistent over the last four or five years, that outcome-based expectations be implemented. What will the child know and be able to do?

As you assess your approaches to law-related education, I urge you to concentrate on what you expect to happen as a result of your programs. Direct your programs toward those expectations and outcomes, not toward the inputs—as important as they are. What will the child know as a result of having gone through the process, and what are your expectations about the knowledge and performance of that student?

The second major expectation that schools are facing and will continue to face is one of responsiveness to societal problems. Not that long ago, schools were expected to do a fairly minimal, narrow-ranged kind of thing, i.e., to teach the basics to those kids who wanted to learn and ignore those who did not. In 1965, the federal government invented “dropouts” by passing Title 8 of the Elementary and Secondary Education Act. Prior to 1965 many children did not finish high school, probably 50-55 percent of the population in the fifties, but no one worried about them because jobs were available for them. Most dropouts were responsible, blue-collar people, somewhat limited by circumstances. In the mid-60s, the social consciousness of the country focused justifiably on that population, and so the federal government invented dropouts. It said, “My goodness, we have a lot of people who are leaving school. They are not staying the course, and we must do something about it.” It funded them; it berated them; it urged and exhorted them to come to school. And it has been only modestly successful in changing their pattern of behavior.

Another major program that the Illinois State Board of Education implemented through the funding of the legislature is an “Truant Alternative in Educational Option Program” that spends a great deal of energy trying to dissuade people from dropping out and trying to retrieve those who have done so. It has been moderately successful, but its success needs to be followed up even more vigorously. Since societal expectations have changed, schools’ efforts to be responsive must increase. The dropout program is one of those responses. Society now expects a student to have a high school diploma or its equivalent before he or she is offered any kind of meaningful employment, or perhaps employment of any kind. This obviously differs from twenty or thirty years ago.

What other kinds of responsiveness is society increasingly expecting of its schools? It is expecting schools to cure things such as the drug problem, the AIDS problem, race problems, and family problems. Often these cures are mandated somewhat unrealistically by state legislatures, and as such they often fail miserably. One of the first special interest education mandates in Illinois required schools to teach the sins and ravages of alcohol and tobacco—an outgrowth of the Prohibition Era. Pretty effective, right?. Mandates do not necessarily work, but those kinds of cures are even today expected of the schools. Legislatures across the country have feverishly acted to address AIDS-related and alcohol and substance abuse problems by putting educational programs into the schools to see if they work.

Society no longer expects just the three Rs, a couple of warm graham crackers, and some milk. Schools are now supposed to provide day care and nurturing for children.

It is not enough to just teach them, just keep them in class or just put them in a marching band. The schools must now nurture their development and growth. Society really expects schools to do this. It also expects schools to provide the discipline that families cannot or do not provide.

Educational institutions are expected to overcome things such as the problem family situations which children bring with them as they enter the school setting. They are also expected to overcome the socio-economic disadvantages that children bring to school.

Schools will continue to be expected to acculturate, even though society’s values have become increasingly heterogeneous. This process is made far more difficult by a population increasingly comprised of people from other cultures, with unfamiliar customs and values. They may not easily understand our methods, nor may we theirs. Finally, schools are expected to teach, and in that teaching they are expected to be all things to all people. They are expected to be simultaneously basic and creative.

### **The Challenges Ahead**

As you talk about institutionalizing your program, dealing with law-related education, getting into the classroom, and working with community groups, legal groups, advisory groups, and other agencies, you will encounter something that has changed. The makeup has changed; the rules have changed; and, most importantly, the expectations have changed. You indeed face a challenge, one all educators will have to face. I look forward to it in my continuing work. I hope you do in yours.

Who will accept this challenge in the future? The Illinois State Board of Education and the Board of Higher Education (in Illinois they are separate entities) recently authorized a joint study on minority achievement and the former also just finished its annual study on teacher supply-and-demand demographics. We have found that as much as we want to encourage minority students to enter the education profession, and as much as we are trying to attract quality candidates, their participation is actually declining. The reason for this is competition for high-quality minority candidates in all kinds of fields, most of which offer better compensation. A particular problem in Illinois is the state support and state share of funding which has been low and getting worse the last several years. Illinois ranks forty-fourth in the country in terms of its state support for elementary and secondary education on a per-capita and per-wealth basis. It ranks dead last for higher education. This certainly does not attract potential educators.

Right now, our teacher supply-and-demand study does not show any major shortages in the general teaching population, although some slightly negative tendencies are evidenced, as they are across the nation. There are shortages in special education teachers, bilingual teachers, some areas of vocational education, and the arts. To our benefit, Illinois has a very active retired teacher population, and an interesting piece of legislation is being debated that seeks to utilize that force. There are some 46,000 retired teachers in Illinois, their average age is seventy-two. Many of them are below sixty-eight years old. Productively engaging them as sup-



plemental aides, reinforcers, and tutors and using them in the private sector in adult education and literacy programs can only help our educational program. Working together in innovative ways will ensure that we meet the educational challenges before us.

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*Gordon L. Brown is Chief of Staff, Illinois State Board of Education, Springfield, Illinois.*

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## Developing Strategies of Curricular Change

*Thomas B. Timar*

I have an ongoing interest in educational reform and have been following trends around the country for almost ten years. Today I will address two reform areas in particular. One is policy and the political environment of school reform; and the other is current trends in educational reform policies. Several questions help frame the discussion. What are the ways of thinking about schools and of changing schools? What are the different dimensions in which educational policy operates? How does that relate to institutionalizing changes in schools, whether those changes are the way that teachers are compensated, trained, or evaluated, or whether those changes are new curriculums or other kinds of practices in the schools? My goal is to touch on your interest in trying to bring about curriculum innovation and change and examine various ways in which the educational policy process can be influenced. Finally, we will consider which areas of the educational policy process can be changed.

First, let's examine policy in the political context of educational reform. Since 1983, U.S. schools have been deluged with reform activities. It is virtually impossible to think of a single area of educational process or schooling that has not been touched in one way or the other by school reform. The reform movement has created a whole new body of rules and regulations that govern the behavior of teachers, administrators, students, and even school trustees. There are rules about participation, extracurricular activities, the number of minutes that must be devoted to the teaching of certain subjects, how many times classes may be interrupted by class announcements, etc. There are training programs for trustees and teachers and there is in-service professional development for administrators. There are also career ladder programs, mentor teacher programs, merit paid programs, and so on. And while that is occurring, states are simultaneously pushing for increased accountability through standardized testing and uniformity of practice and curriculum.

Texas, for example, has what it calls "the essentials"—the curriculum essentials that specifically delineate what is to be taught at every grade level every day. The idea is that a policymaker, a lawmaker, ought to be able to look at a clock at any given time of the day and know exactly what every third grader in Texas is doing. This tremendous push for increased standardization and uniformity is evident in many ways.

Standardized testing is becoming ubiquitous, as more and more states shift from local—their own more localized kind of testing and school measurement outcomes—to standardized national performance testing of students. At the same time, there is also a current afoot that goes under the name of school restructuring—efforts by TheodoreSizer and the Coalition of Essential Schools, the Carnegie Schools, and others—that attempt to decentralize the management of schools by giving teachers greater autonomy and professional discretion in managing the schools. I raise these issues to point out that a lot of activity is occurring and one of the ongoing characteristics of school reform is this high level of activity. So, given the fact that so much is going on, where does law-related education fit in? You must keep that in mind as you think about institutionalizing curriculum change. Where does LRE fit into this blizzard of constant activity?

### Pressures and Complications

One of the difficulties with many school reforms is that many of them further complicate life in the schools, despite the good intentions of their advocates. Schools are often deluged with new policies and programs to which they must respond. Reform efforts frequently fail because they tend to be highly fragmented. They focus on disparate pieces of the educational process. Policymakers often think of schools as though they were made of Silly Putty, capable of being twisted and shaped to conform to any of their intentions. As long as somebody in the state capital says that this is what schools should do, the schools will automatically jump to it and do exactly what is dictated to them.

Well, the truth of the matter is that schools often try to do what people want them to do, but for a variety of reasons—competing local pressures, lack of capacity, lack of resources—they simply cannot do it. Policymakers fail to comprehend a very important lesson here. That lesson is that schools have to be organizationally competent to do certain things. Schools cannot progress by simply creating a mentor teacher program or career ladder program. These are not panaceas. They will not turn bad teachers into good teachers. They will not improve the quality of curriculums nor engage the hearts and minds of students unless a real substantive and fundamental *organizational* change accompanies the policy changes. This is why policymakers' intentions are rarely fulfilled.

School reformers think of schools as complex organizations that require a high degree of integration to be successful in shaping the hearts and minds of students. This is, after all, what it is all about. It is not simply a matter of presenting new materials or of having teachers who have gone through certain ritual exercises in the process of credentialing be able to trot out ritualistic curriculum for their students. The point is to make schools places that actually engage people in a constructive and intellectually honest way in order to develop the curiosity of students. That requires a very different set of strategies than those usually employed by most state policymakers.

One of the difficulties that confronts educational reformers—whether the reform effort is state-initiated or



grass roots—is that the American educational system is highly fragmented at the same time that it is highly uniform. This uniformity is obvious if you live in California and somebody were to drop you into a school in North Carolina, Arkansas, or Maine. You would know that you were in a school. Chances are that a conversation in the faculty lunchroom in Arizona is very similar to one in New Hampshire. So there is a degree of uniformity in practice and in attitudes in schools around the country. While that is so, however, there are tremendous differences. Accessing different school systems, trying to bring about change in different systems, trying to find the levers, trying to decide where one can best bring about change is very difficult. This is because the American educational system as a whole is a very porous kind of policy system. People do have ready access, it is easy to bring about changes at different levels, but just because one can initiate change at one level does not mean that it will occur at another. While state policymakers can create state curriculum frameworks and mandate that certain things be taught, they cannot ensure that those things will be taught at the local level. It does not mean that local schools will, or will even be able to, conform to the kind of curricular requirements that state policymakers mandate.

On the other hand, effective curricular changes can begin at the grass roots level. An example of this is the Bay Area Writing Project, which evolved into the California Writing Project, and which is now the National Writing Project. It began as a grassroots effort by a few people in some schools in the Bay Area working with some faculty at the University of California, Berkeley and the School of Education, and blossomed into a national phenomenon. But this has taken nearly twenty years to occur. It has been a long-term process. I remember when it first began in the Bay Area somewhere around 1971 or 1972, and in 1981 or 1982 it became the California Writing Project. It has taken another seven years to get national recognition.

### **Where Change is Possible**

My point is that the place where you can achieve the greatest change—or at least where the access is perhaps the best—is at the state level. At the same time, the chances of change trickling down from the state to the local level are rather remote. On the other hand, at the point where you can often be most effective in bringing about change—at the school site level—the difficulty is that it takes a long time for change to spread throughout the entire system and move up to the top. So, the question is: How do you integrate the two, and what are the ways in which to think about that? I will return to this point later.

Unlike other countries, particularly European countries with fairly centralized ministries of education, changes at the top in U.S. state school systems do not necessarily initiate commensurate changes at the bottom. And, so, to really understand how to influence policy, I think one has to understand the complexity of the educational system and the different policy spheres that influence the educational process, as well as the substance of education. Therefore, I would like to briefly discuss the three dimensions of educa-

tional policy and define what they are and how they bring about change in education.

The first dimension is one that I call the authorized dimension. The authorized dimension is comprised of state mandates, legislation, and highly visible political activities that surround formal structures and directives. This includes efforts to manage educational excellence. The first wave of reform efforts that responded to *A Nation at Risk* really came from the authorized dimension. States suddenly decided that they were going to change curriculum standards, increase the number of core courses that students had to take to graduate, and increase the length of the school day, the school year, and so on. To change teacher certification requirements, some states initiated new teacher compensation packages. States recognized the blizzard of activity and saw it as an opportunity for them to get into the whole business of educational policymaking. Ironically, during the 60s and 70s—the years of strong and intense federal interest in education—the states complained loudly and bitterly about the intrusion of federal policy or centralized educational policy into local practice. It is ironic that since 1983 more regulations and rules about education have been passed by states than ever before in the entire history of American education.

There are now volumes and volumes. For example, the California Education Code in the last twenty or thirty years has grown from one volume to something like ten volumes, and it keeps getting larger. Many state codes are experiencing the same growth. States that previously had insisted that education was a matter of local control and local discretion—Texas is a prime example—have jumped on the regulatory bandwagon and standardized practice among all districts. As a result of the 1984 reform effort in Texas, state law now prescribes and mandates almost every feature of the educational process. A real change in the level of state activism has occurred since 1983 or 1984, and this authorized dimension of state school reform really has been the most visible. But the difficulty of state policy, to the frustration of state policymakers, has been to take those policy initiatives and implement them in such a way that they really change what goes on at the local level. The career ladder program in Tennessee is a very good example of this. There the career ladder program became a kind of ritual exercise for teachers to plod through rather than the motivating policy tool that it was intended to be. This happens frequently. Good intentions of state policymakers simply become part of a ritual exercise at the school level or simply become hoops that people feel they have to jump through in order to get a few extra dollars.

### **The Limitations of Mandates**

The authorized dimension of reform is critical, but we must understand that it is limited. State law cannot make teachers more caring. It cannot mandate teachers to love their subject matter or feel differently about students. There are limits to law. What you have to change is not regulations, but the culture of schooling. You have to change the organizational culture at the local level, change the way people think and feel about what they do. That cannot be compelled or man-

dated. No set of regulations will achieve that. State policymakers have not quite learned this lesson and believe that if they pass enough regulations they will somehow compel change at the local level. What often occurs, however, is that extensive regulation simply tends to overload the schools with more baggage. Schools spend more time trying to respond to the demands of state policy than to improve the quality of education. You have people trying to figure out how to comply with these different kinds of requirements: How are we going to satisfy this law, that law, and the other law or this group and that group? Somehow the goals of improving the quality of education, improving the competence of schooling, and ensuring the competence of the students who leave school is lost in this blizzard of reformist activity for its own sake.

### Local Efforts

I call the second dimension of educational policy the regional or the localist dimension. It includes the flurry of state and regional activities, but also includes local interpretations and responses to the authorized dimension of reform. Like the authorized movement, because it occurs at the district level, it is structured and regulatory. But its changes are masked by dispersions, so it varies widely. It is so different that there is no single stream. There is no uniform way of trying to understand or see what is going on at the local level. But it is in this morass that projects like Sizer's Coalition of Essential Schools and the whole restructuring, reform effort that I alluded to earlier, including the Bay Area Writing Project and your own LRE projects, are rooted.

Understanding the dimensions of the set of initiatives and the directions in which they are moving is very difficult because you almost have to go into the schools to see what is going on. I am very interested in trying to understand this type of activity, to ascertain how it comes together. What is the dynamic between state policy initiatives and local response? How do the two converge? When, and under what circumstances, do they come together? This is the principal arena in which state reforms must be played out, but it is also the level at which centrally proposed reforms are sabotaged, fudged, or redirected.

Local responses to state policies are complex due to the diverse political and cultural environments in which they exist. Often schools will respond more to local needs and to local pressures than they will to state pressures. Successful reform efforts are cognizant of this fact. In California, the superintendent of schools has been much more successful, I believe, in mobilizing change by developing an informal network of school people, mobilizing local initiative, and mobilizing local action, than has the formal state authorized process of reform.

The third dimension is what I call the conversation. The conversation is really, more or less, the *Zeitgeist* of reform. It is reflected in the rhetoric of schooling. It is how people talk about schooling, what they think about schooling. On a national level, of course, the conversation of schooling was very much influenced by the hyperbole in *A Nation at Risk* with its talk of "unilateral disarmament" and the "ris-

ing tide of mediocrity." The kind of souped-up prose it contained was reminiscent of Cold War rhetoric. The conversation is important because it is the emotional and intellectual milieu in which educational issues get discussed. It is also critical because it powerfully influences how people think, and, therefore,—we hope—what they do.

The conversation is influenced by a number of factors, among them, of course, major national boards. Consider the impact that the Carnegie Foundation, the Holmes Group, Theodore Sizer and his Coalition of Essential Schools, and Bill Bennett have had on the way people think about the teaching profession. Think about people like Jaime Escalante and Joe Clark and what the media does with them. These kinds of public images—the public rhetoric and the media hype that often surrounds educational issues—are very important influences on how people think about schools and education. This affects not only the general public, but also how teachers and people within the educational community, think about themselves. Ironically, many teachers, particularly in large school districts, know more about Joe Clark than they do about their own superintendent.

To effect real change in schools, change that is integrated and lasting, requires mobilizing all three dimensions of educational reform. The history of school reform is littered with dead policies. Remember Schools without Walls? Just remember the 60s and 70s and the deluge of reform during those years. Where are they now? What vestiges remain? Most schools without walls now have nice walls, or at least nice partitions. How many schools still have flexible scheduling? Most have gone back to nice, rigid, if-it's-8:45-in-the-morning-we-want-to-know-where-all-the-kids-are arrangements. It is hard to think of many reforms that have been lasting or that have made a real impact on schools.

Much reform, as I have said, has simply become the ritual of schooling. The last thing you want is for LRE to become another hollow exercise that people go through because it seemed like a good idea at some point in the past. The real issue is, how do you bring about lasting reform? In what ways can you influence the three dimensions of policy in order to make curricular changes? How do you integrate these changes into the schools in such a way that they become a part of the instructional program of students and influence how students think about life, the world, government, and everything around them when they leave school? You want students to leave school with a sense that your program actually inculcated certain habits of mind and spirit that stayed with them. You want your program to influence their thinking about American political and legal institutions, to have an effect on the kind of people they become, how they vote, and how they exercise their prerogatives as American citizens.

### Making Reforms That Will Last

To make this happen, your program must be included in the curricular frameworks. It has to be integrated into the textbook adoption process. You must make textbook publishers aware that this is a legitimate area of educational activity and convince them to include it. This means that you have to target your efforts, to a certain extent, at the

state level, but avoid states mandating that schools teach these things. Rather, work with the state to develop curricular frameworks so that the state works with textbook publishers and others to ensure that the curriculum will be included in the materials and frameworks that the state develops.

At the local level there must be curricular materials. Teachers must know how to teach. How will you familiarize teachers with the material? Where will they come from? Where will they develop this expertise? All too often teachers are handed a textbook in September and told, "Teach this, it's your turn this year. Go out and do it." The last thing you want is for a teacher who has never even thought about law-related education to be handed a textbook or some kind of curriculum package and instructed, "Teach this because it's your baby this year." That will do more damage to the program than good.

You need technical support at the local level. You need professional networks where people can talk to one another. I mean exactly the kind of meeting that you have here. It must include people who are already teaching in these areas so that professional development and training can occur for others. At the conversational dimension of educational policy, a dialogue among the professionals in teaching, in law, in colleges, and in universities must exist so that people are socialized into this curriculum. Taking a course or two in this area will not guarantee a good teacher. People who are going to teach LRE will have to learn to integrate the social sciences and the humanities into their thinking.

It is encouraging that a number of universities now have programs in jurisprudence, social policy, and law in society. There is a whole group of programs on law in society, at least at the university level. At the University of California—Riverside, there is a major in law in society. That is the kind of professional and curricular support that will be needed to develop the necessary expertise. It is not enough to just have the curriculum materials. Schools of education also have to be aware that LRE is important, worthy of consideration, and must be included in developing curriculums and teacher credentialing and training programs.

Because developing this expertise is absolutely necessary, you will have to target the National Standards Teacher Board. Everyone is trying to impress the importance of his/her subject matter on that board and wants to be included in the national teacher certification process. You will have to direct some of your energy to that board to achieve legitimacy for your curriculum. LRE has to gain legitimacy and recognition as an integral part of the school curriculum. You will be competing with many other people who think that their own programs—whether economics, sex education, or whatever—are the most important area of curriculum and should not be ignored. Schools have limited capacity and limited time in which they can respond to the various kinds of curricular demands. Thus, it is important to get involved in the conversation.

As I have said, these three educational policy dimensions must be integrated. It is simply not enough to try to address one sphere of policy. You must develop a strategy that

addresses all three, and by doing so, you can influence the different levels at which school policy works. You also will have a much better chance to develop an integrated and more lasting kind of curricular change, rather than one that is highly fragmented and merely ritualistic in its exercise.

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## **Factors to Consider in Planning for the Institutionalization of LRE: Public Policy Issues**

*Herbert J. Walberg*

This is an extremely exciting time in education, a time in which education is very much in the news. I cannot remember a time when two best sellers on the *New York Times* list were about education, including Allen Bloom's *The Closing of the American Mind* and E.D. Hirsch's *Cultural Literacy: What Every American Needs to Know*, which is much more relevant to some of the concerns that we are looking at in this conference. These books are indicative of the enormous public interest in education today, evincing the very pressing need for various kinds of educational reform. It is an extraordinary period, a time that I think is right for law-related education, but also a time that offers some very serious challenges to your efforts.

A real constraint in any new curriculum is the available time in the school day, for which you have some very fierce competition these days. Subjects like mathematics, science, civics, history, geography, art, and music are mandated by the states. They are the subjects that are pressed upon the schools largely by state legislators, but also by ordinary citizens, especially in the business community, who are extremely concerned about the low scores of American students in comparison to scores of students in other affluent countries. The pivotal group that really started these educational reform initiatives was the famous National Commission on Excellence in Education, which published *A Nation at Risk*. I think many scholars knew that America was doing poorly by international standards but *A Nation at Risk* really shocked the nation. It especially piqued our state legislators' interest in education and fostered all sorts of state mandates. *A Nation at Risk* made a number of important recommendations. Some have been adopted and others not. But the book did call attention to declining SAT scores, which may not be the best indicator of U.S. student achievement, but which is one of the very few indicators we have at this time.

The country that almost always leads the international comparisons is Japan, which has had an extraordinary rate of economic growth since World War II. Japan not only has the highest scores, it also graduates larger numbers and percentages of students from secondary school. America currently graduates about 76 percent of its high schoolers, Japan



about 96 percent. They do not get high scores by failing students or not letting them graduate. They have both quantity and quality in the caliber of students that graduate from secondary school. In fact, if you compare the Japanese curriculum with our own, you might find that the Japanese high school degree is equivalent to the American baccalaureate degree.

There are grave concerns about this because the United States has lagged behind in terms of increases in economic productivity and GNP. One critical reason for the spate of educational reforms is this comparative lack of economic competitiveness, which is exacerbated by the emergence of strong new national economies, particularly in Europe and the Far East. As *A Nation at Risk* pointed out, and many people now agree, we must have a more basic curriculum consisting of English, foreign languages, science, mathematics, civics, history, art, music, and computer science. The National Commission on Excellence in Education also urged that merit pay be adopted for teachers instead of across-the-board union-negotiated contracts.

Despite the influence of *A Nation at Risk*, other groups are voicing differing opinions. When the International Reading Association saw so much effort directed at science and math, it contended that much of what goes on in school and in life is really verbal, so that developing general English and reading skills is also very important. They were concerned about the excessive amount of time U.S. students spent watching television. Some researchers estimate that the television is on seven hours a day in the average American home. By their own reports, high school students indicate that they watch about twenty-eight hours of television a week. They are in school six hours a day, five days a week, thirty hours a week. So, they spend almost as much time watching television during the school year as they do attending school.

The International Reading Association and other groups are concerned not only about television, but also the changes in society that are contributing to problems like drug use, alcoholism, teen pregnancy, suicide, etc. Thus, there have been many different reports with contradictory conclusions. Reform groups from the National Science Foundation to the Twentieth Century Fund continue to espouse their solutions to these problems. In fact, the latter group has made some good points that you would agree with because its concerns closely parallel those of law-related education. The Twentieth Century Fund argues that students do not have a sufficient knowledge of American history, civics, or even geography and that the importance of location of states, capitals, foreign countries, etc. should be stressed to a greater degree in our classrooms.

Despite the extraordinary number of actual and proposed reforms, including mandates for four years of English, three years of mathematics, two years of science, and two years of foreign language, standardized test scores have not gotten better. The most recent results suggest that if you take the top five percent of students from a dozen countries and compare scores in college algebra, trigonometry, and calculus, the brightest U.S. students still rank last. Indeed, some of you may have seen the January 1989 Educational

Testing Service document entitled, "A World of Differences," which reported that U.S. students ranked lowest on a test of items from our national assessment. In other words, we even were worst on our own American test. A tremendous concern about how to raise those scores still remains.

### Challenges for Education

Another aspect of education and public policy that is of great concern is at-risk children. At-risk children are often recent immigrants or minorities, or they are born into poor rural and urban families. Research has found that poor children, especially those in cities, start a little bit behind in kindergarten and first grade. With each year of schooling, they fall further behind. This is sometimes called the Matthew Effect, after the passage in the *New Testament*: "To him that hath shall be given and he shall have abundance, to him that hath not shall be taken away." As students proceed through American schools, they tend to fall behind average students in other countries, and poor students fall even further behind. While there is a certain homogeneity in elementary schools, you find tracking and differential course work mechanisms in many junior and senior high schools because many of the students cannot keep up with the typical academic track.

In addition to the preceding problems, America also faces a decline in the birth rate in the years to come. In 1950 there were about fifteen workers for each retired person in the United States. Since then birth rates have declined. Now researchers project that by the year 2010—which is not that far off—there will be only two workers for each retired person. It appears that our students are not doing as well as students in other countries, that American students are not doing as well as they used to, and that older people in the relatively near future are going to depend on fewer workers for their pensions and retirements.

These trends have generated a substantial reaction. One such reaction is a book entitled *What Works: Research about Teaching and Learning*, which is probably the most widely distributed book ever published on American education. It was prepared by the U.S. Department of Education and has been disseminated to 1.3 million people at their request. It is a compilation of techniques that work in regular classrooms, including such things as math designing and direct instruction.

This book emphasizes what parents can do to help teach their children. Parents are the first teachers and, in some ways, the most sustaining teachers. The characteristics of the home have profound influences on the child's motivational ability. *What Works* instructs parents to maintain interest in their child's work throughout the school year and gives many hints about what can be done to support their child. Much of this work is fundamentally psychological, but sociologists have also contributed.

You may be familiar with the "effective schools movement." This movement does not so much concern itself with what goes on in classrooms, but instead describes conditions that allow a staff to work effectively. It advocates such things as emphasizing academic subjects and testing and having a principal who is not merely an executive or man-

ager, but rather an instructional leader interested in the school's curriculum and now it is taught. These types of concepts are addressed in *What Works*. This book exemplifies one kind of reaction, simply by providing information.

Another kind of reaction is a second wave of reform, which is going to cause even more extraordinary things to happen in schools. A booklet entitled *We Can Save Our Children: The Cure for Chicago's Public School Crisis* describes this radical reform, perhaps the most radical reform ever attempted in American education in a big city. The reform transfers the power of the Chicago public schools from a nine-member board—in fact, the board is completely abolished—to entities called school councils, which are granted the authority to govern individual schools. Each board is composed of eleven members: six parents of students, two interested community members, two are teachers, and the school principal.

It is a very radical devolution of authority in the 600 schools of the city because it reflects a sort of top-down structure where there are various kinds of curriculum mandates and so on. In much the same way, many schools in Vermont, particularly in rural areas, have their own school boards. The general idea is to devolve fundamental decision making to the individual schools.

### Tensions and Conflicts

We can look at a number of important tensions between the extremes of governing authority in American schools. I suspect that we will see quite a lot of conflict, and I think these various points of view each have some merit. Chicago's approach represents the most radical departure on one extreme because it lodges authority in the students' parents more than in any other group.

On the other hand, groups such as the American Federation of Teachers have taken the position that teaching needs to be a profession in much the same way that medicine and law are professions. This implies that teachers are self-governing, self-determining professionals who really call the shots. This idea is sometimes called "empowerment of teachers." Teachers feel that if they could have more authority to run the schools as they wish, things would be better. Of course, principals do not exactly agree with that. Their own favored approach is called "school site management," and they would prefer to see a governing council including teachers, but with themselves in a position of authority.

Boards of education have been left out of this process because much of the pressure for reform has come from state legislators, who themselves have been pressured by governors and the business community. Legislators are now stepping in and implementing second, third, or fourth waves of educational reform.

Most of you will be familiar with developments in your own state. As an example, Illinois is now considering legislation patterned after South Carolina's, which some people believe to be the best in the country because it was put in place in a constructive manner and is being implemented effectively. The proposed Illinois legislation would create a Department of Public Accountability that would devise

tests of various kinds. These tests would serve as measures of academic achievement and be used in conjunction with other kinds of educational indicators such as parent approval ratings of school activities, the percentage of drop-outs, the amount of time that students spend on serious subjects, etc. The school districts that do very well in relation to the Department of Public Accountability standards would no longer be under the principal governing authority of the state department of education. They would, in some sense, be deregulated. Schools that do about as well as expected would simply have to continue to follow the guidelines of the state legislature and the state Department of Education. However, schools that do poorly would be put on notice. They then would have to submit a school improvement plan. If substantial improvements were not made in eighteen to twenty-four months, the school board would be abolished and the district would be merged with another district or new board members could be elected or appointed.

You can see that this is a period of radical reform, with vast demands on education. I think the real key in integrating any new curricula is to define your niche and formulate a method that places you squarely among the top educational priorities. Most high schools do not usually have a course in law. But if you offer a well-organized curriculum that does not take much time and has a neat modularized package that gets teachers up-to-date on the material very quickly, you could be successful. If your curriculum has a number of specified activities that can be easily incorporated into existing courses like civics, history, or American culture, I think those kinds of things will be much easier to incorporate into the system than things that would require disruption of a system that probably already faces many important problems.

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## Factors to Consider in Planning for the Institutionalization of LRE: Teacher Education

*Samuel J. Yarger*

I would like to present five themes that I think will be relevant to the education of teachers as we move into the 1990s.

The first—movement toward the professionalization of teaching—is certainly among the most prominent. We are still waiting to see how the National Professional Standards Board (NPSB) will define, assess, and measure teaching. No teacher educator wants his or her students to be unable to pass that test, however it may be defined, whenever it is put together. This will be important to the field because I believe that NPSB probably will be the preeminent group moving the profession during the next ten years.

The National Council for the Accreditation of Teacher Education (NCATE), however, will also be influential. NCATE has changed dramatically in the past five to ten years, all for the better. It has become a more politically viable organization with the addition of the American Fed-

eration of Teachers and the Council of Chief State School Officers to its governing board, joining the National Education Association and the American Association of Colleges for Teacher Education. Because NCATE focuses on institutions and programs rather than individuals, it is my belief that the NPSB will move more quickly as the primary vehicle for the professionalization of teaching. I see no conflict, however, between the two organizations dedicated to improving the quality of America's teachers.

State education departments will make some movement, but it will come much more slowly. That is simply the nature of institutions that are blessed with the power of regulation by law. Additionally, state education departments are deeply entrenched in state bureaucracies, and, in the final analysis, they do not lead nearly as much as they follow. I believe that by the end of the decade, state education departments will either accept the judgments of the NPSB and/or NCATE, or they will promulgate regulations and rules consistent with the work of these two bodies.

Finally, the movement toward the professionalization of teaching will occur with far less militancy from the teachers' union. In fact, perhaps because of their pragmatism, I believe they will become major supporters of the movement. After all, who would have thought twenty years ago that we would come to consider Albert Shanker as the elder statesman of American education? The unions will continue to play that role, and perhaps even in concert with each other. At any rate, they probably will play a much more productive role in the next ten years than they have in the last two decades.

My second theme suggests that while the 80s was the decade of inservice education, during the 90s the focus will be on preservice teacher education. Many of my own contributions have focused on research and program development for practicing professionals, but that seems to be out of style right now. Part of the reason is the continuing concern over the quality of prospective teachers. In all honesty, I believe that concern to be a red herring. I've been involved in a project for five years, designed to gather accurate and generalizable information on teacher education, including the quality of the students entering our programs. The RATE Project, sponsored by the American Association of Colleges for Teacher Education (AACTE) has worked with 90 different institutions in a controlled data-gathering effort designed to provide us with accurate baseline data. While we have found that a good many of those institutions do not keep or cannot provide us with information on student quality, a good number could and did. We found that our teacher education students typically rank in the 70th percentile of their high school graduating classes. They usually carry a 3.0 average coming out of their sophomore year as they enter teacher education programs. Their average SAT score is slightly over 900. Thus, while they cannot be described as the "best and the brightest," they certainly can be described as solid citizens on our university campuses.

### **Extraordinary Job, Ordinary People**

Nonetheless, as Lee Schulman has pointed out, teaching in the next century is going to be an extraordinary job taken

on by ordinary people. His point was that the demand for new teachers will be so great that if one wanted to take only the best and the brightest, one would have to take virtually every bright student in our colleges and universities. Obviously, this is not going to happen.

Another reason for the focus on preservice education in the next decade is the graying of our current teaching force. Those who were hired to teach the baby boomers are now considering retirement. In an effort to lower costs, and because there appears to be an abundance of preservice teachers graduating from our institutions, many states are offering early retirement packages to help these veterans move on a little quicker and a little easier. As this phenomenon spreads, the demand will grow for new teachers, thus again placing the emphasis on preservice programs.

The focus on preservice education is being accompanied by a movement toward making teacher education exclusively a graduate level program. This is happening in a variety of ways. In some cases, organizations like the Holmes Group are advocating some type of movement to end the undergraduate major in education and to focus teacher education at the graduate level. In other cases, this is happening and will continue to happen at the legislative or regulatory level. California, for example, uses an add-on year to a liberal arts baccalaureate degree in order to prepare teachers. While perhaps not the best model, it does signify a movement that will continue to grow. For better or for worse, in ten years it will be much less common to see baccalaureate degrees leading to initial teacher certification.

My last point on preservice teacher education is that it will be greatly affected by a variety of state regulations. Unfortunately, regulation, and in some cases legislation, is about the only way that states have to get on the education reform bandwagon. And also, unfortunately, they are very important because they do govern our programs to a great extent. In my home state of Wisconsin, we are currently struggling with vastly over-regulated teacher education programs. The current regulations for approving programs to train teachers is about 37,000 words long—that comes out to be about 120 double-spaced pages. These regulations specify the content of not only professional education courses, but liberal arts courses as well. As time goes on, regulation, just as water, will find its own level. However, for the next five or ten years, I believe that more rather than less regulation will occur as our states experiment with the best ways to involve themselves in improving education.

My third theme suggests that teacher education will be more field based, more structured—a very positive movement, in my view. For example, the Holmes Group has been sponsoring the idea of a Professional Development School. And, while I know the use of medical analogies are frowned upon, I believe this idea is analogous to the training hospital in medicine. I believe we will see much more of that or of a related phenomenon accompanied by the increased involvement of elementary and secondary teachers. Of course, this has been done informally for years, but I think it will become institutionalized, and will do a great deal to improve the quality of our programs during the next decade. I believe this because for years we have used proba-



bly the worst training model of any profession in the world. Essentially, when a teacher education student is ready for clinical experience, we ask that person to spend time with a teacher who typically has no idea what the student has learned and what skills they have mastered. We then offer our version of clinical supervision, which usually amounts to three or four half-hour observations, spread over one semester. Sometimes, at the end of the observation, we even get to meet with the student, or, if we are especially lucky, we meet with the student and the cooperating teacher. This is what we call clinical training in teacher education, and it stinks.

Finally, we are coming to recognize that the people who spend the most time with our students in a clinical setting, and the people who will have the most impact on our student teachers are, in fact, practicing elementary and secondary teachers. As part of the movement toward a more structured field experience for our students, we need to ensure that these practicing professionals have the preparation that they currently lack so that they can better serve the next generation of teachers. This new approach to structured field experience will, by the way, be markedly better than the field-based overkill of the 60s and 70s when, frequently as part of social/political movements, we simply dumped students into schools thinking that just being there would enhance their education. The notion was that they would become better teachers even though we did not know what they were doing in the schools after we placed them there. I remember that unfortunate period in American teacher education, and I see today's efforts as being markedly improved.

### **A Focus on Skills**

My fourth theme suggests that more attention will be paid to developing instructional skills in prospective teachers. This is at least partially true because in the last decade or so teacher education has become a more respectable field for educational researchers. This has led to more inquiry into teaching and learning, and is slowly starting to produce results.

During the next decade we will see more integration of research on teaching into our teacher education programs, and that is certainly for the good. Much of it will come from research in the cognitive sciences, which is moving forward at a prolific rate. Whereas I used to joke with colleagues that we really cannot have reflective teaching if we have nothing to reflect on, it appears that in the next decade we will have more and more to reflect on. I believe that by the end of the 1990s teacher education graduates will know more about how to teach children than they have ever known in the past. At that point, they will actually be ready to enter our nation's classrooms as a true beginning professional.

As teacher educators work more closely with their colleagues in the liberal studies, I see a continuing debate—which will be great fun for our field—on the idea of content-based pedagogy that Lee Schulman and his colleagues at Stanford propose. This idea will be juxtaposed with what I refer to as the “pure teaching skills” approach as espoused by Bruce Joyce and his colleagues. It will be a great debate

and a healthy one. Schulman of course, argues that much of pedagogy flows from the content, from the discipline, a position that liberal arts professors love to espouse. An inappropriately simple interpretation of this idea suggests that all you need is content knowledge and pedagogy will flow from it. While I don't believe that this constitutes Professor's Schulman's position, others are certainly advocating it. On the other hand are Bruce Joyce's Models of Teaching, which suggest that teaching skills can be learned and used with a variety of different disciplines and content areas. One must be careful to avoid the trap of “process only,” because people then say “Aha! You think you can teach without knowing your content.” Well, of course one cannot teach without knowing the discipline being taught. The real question is: Do you need pedagogical training beyond content mastery, and does it flow from the discipline or should it be learned independently of it? From my perspective, this will be a very interesting debate.

My fifth and final theme is that we will continue to need supreme efforts to recruit minorities into the field. As I'm sure you know, our students are getting more and more colorful while our faculties are getting more and more white. Unfortunately, we simply have been unable to solve that problem. While it is important, I don't think that it is the most serious problem. Data from the studies I referred to earlier suggests that a much more serious problem will be recruiting teachers willing to teach out-of-the-mainstream children, for example, the urban poor, students speaking English as a second language, and the handicapped. According to these data, a large proportion of teacher education students want to teach in schools similar to those they attended in their youth. They have very little interest in going into urban environments and teaching at-risk children. I think this is a much more serious problem than the current inability to attract minorities into teaching.

Along these lines, I have worked with the Milwaukee Public Schools for the past five years. Each year, they graduate 1,200 to 1,400 black students, of whom 200 to 400 are admissible to most of our colleges. The problem, then, is the size of the pool, and we in the universities are beating ourselves over the head trying to get those scarce, talented minorities into our universities and from there into our teacher education programs. My guess is that we will need to target older minorities who already have degrees in other areas and try to convince them to teach. We also will have to work with our junior colleges to help their students move into our programs. While we will see much activity in this area, I am frankly not optimistic about the results.

Those are my predictions. While I expect further criticism of education in general, and teacher education in particular, I am convinced that we will leave the 90s in better shape than when we left the 80s. There is much work to be done, but I sense a growing concern and commitment to make sure the job is done right.

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## Factors to Consider in Planning for the Institutionalization of LRE: Technological Innovations and Information Processing

*James Lengel*

I propose two questions relating to technology. First, will technology change the law and teaching? Second, will it change those things between now and the year 2000? There will be more people and fewer resources. We will be much more interdependent in the year 2000 and, as we become more interdependent, we will tend to keep more information about each other, be more curious about our neighbor.

Buying and selling, for instance, will be done almost wholly electronically. It now accounts for about one-third of all transactions. Since the process will be all electronic in the year of 2000, all my transactions will use electronic bits, not nickels and dimes, as the mode of exchange. By looking at my credit card statement you will be able to tell a lot more about me than you can today. Already a look at my monthly statement can tell what I like to do, approximately how much money I make, where I spend it, with whom I spend it and a great deal of other information.

My papers and effects are more subject to search and seizure than ever before, and it will be even more so because of the electronic record in the year 2000. How will that affect the application of the Fourth Amendment? How will it alter the legal definition of privacy? Other technologies, like electronic mail, fax, etc. will make information exchange easier and will allow us to live interdependently. The more we know about other people, the more we will trust them. But this knowledge may well affect our privacy.

The effect of technology on privacy is just one legal issue. What about punishment? Will death by injection with a painless designer drug make the death penalty seem less cruel? Consider the "anklet prison." Its premise is that a small computer will be attached to a prisoner's ankle so that the authorities will know exactly where he or she is at any given time. In theory, it will make prisons obsolete.

What about high-tech treatments for sex offenders that use anatomical electronics to alter deviant behavior? Or "robo-jails" that contain prisoners without any human correction officers, at low cost, and completely out of the sight of society? First, will these kinds of technological developments work? Second, will they make us, as a society, more or less likely to exact retribution? If retribution seems more humane through technology, will we be more likely to demand it?

What about property? It is, of course, an essential area in the law. In the year 2000 all this information will be property. Who will own it? Are these ephemeral electronic bits to be considered property under the law? Can I be deprived of my data without due process of law? How will I know if I have been deprived of it? If it is so ephemeral, and if it is all electronic, I may not know whether it has been taken. How will our notions of copyright and intellectual property change? They have already changed considerably in the past five or six years. How serious a crime will peeking

at your neighbor's database be? Or infecting it with a computer virus? In the information society, property and crime will take on new forms. And, of course, information is power. We always talk about power in LRE, and it sometimes comes down to whoever can get information the fastest, wins. In tomorrow's version of the briefcase, information will be an even more powerful tool in the battle to inform the judge, especially if one advocate has quick access and the other does not.

Remember when Perry Mason would show a simple wall chart to a jury and turn them around? What if he had multimedia presentations and could show jurors a fully computerized reenactment of the crime? The jury would be putty in his hands.

Technology is going to make a different kind of law in the year 2000 and we are going to have to teach about it. Law will not be an unchanging set of propositions. It will change quite a bit.

Technology will also change our institutions and our schools. We will continue to try to incorporate LRE into schools, but they will be different. Reading and discussion, which is what we do best, will no longer be enough. We will expect teachers to use multimedia presentations and have access to the latest information in their classrooms. School materials will be available in several forms, the least interesting of which will be books. The knowledge necessary to be culturally literate will grow from 5,000 items to many thousands of items in the year 2000. Because of this, I am afraid that our schools will tend to rely on machines rather than a teacher's mind to determine what to teach, when and how to teach it, and whether it has been assimilated. School will be a different place, and LRE will have to fit into it in the year 2000.

How will technology change teaching? Teachers will have access to all the information they could want on the law or any other subject on their desktops. They will be able to use the power of film, sound, and drama to provoke thought and develop understanding.

What if a teacher took the U.S. Constitution, perhaps the driest topic in law-related education, and used computer technology as an aid? How could technology make it interesting? Well, it could look something like this:

The teacher would begin by calling up the preamble on a computer screen, and, by touching the word "people" in the first line, could display both text and images illustrating the heterogeneous types of people who make up our citizenry today. Students might then be referred to the differences between citizenship qualifications today and those in 1787, when the Constitution was originally written. Students might then realize that most of them would not have been citizens in 1787, certainly not the descendants of slaves. They could touch the word "slave" and be shown a movie depicting a slave's life in the early 1800s, then return to the preamble, touch the word "justice" and read appropriate quotes from Plato or John Stuart Mill.

Students could then touch the word "equality," which was cross-referenced to justice, and read an explanation of that word in the Declaration of Independence. Or they could see a reference to Dred Scott and move on to a Socratic case

study on Dred Scott. That could be followed by clips of George Wallace talking about segregation and Governor Barnett turning James Meredith away at the schoolhouse door. Finally, these various scenes could be assembled and presented to the class on videotape.

This is an example of the kind of technology that will be in the classroom in the year 2000. We have to think about it; it's powerful stuff that can link ideas. It can take our best LRE strategies and methods and make them even more powerful than they are today. As we plan for 2000, we must consider the kind of institution with which we will be interacting and the kind of tools that teachers will be using.

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## **Factors to Consider in Planning for the Institutionalization of LRE: The "L" in LRE—New Developments in Content**

*Jerry Goldman*

As a political scientist at a leading research and teaching university, I like to think that I am on the cutting edge of my discipline. In one sense, addressing this topic—"The "L" in LRE—New Developments in Content"—is an easy task because my remarks cannot be refuted for another ten years. In another sense, however, it is an extraordinarily difficult task to predict the direction of the law with precision.

Some years ago, when I worked at the Federal Judicial Center, I planned and conducted a major forecasting project. To some extent, that research bears directly on the topic I have been asked to address today. In it, we assembled a panel of experts and asked the members to estimate the likelihood of a series of events that we thought could conceivably affect the business of the courts, and we asked the panel to estimate when these events would occur. The study was conducted in 1973, and we asked the panel to estimate the likelihood of these events occurring during 1975–1979, 1983–1984, or, at the far horizon, 1985–1995.

Having recently returned to this research and dusted it off, I would like to share some of the expectations with you. The panel thought that there was a substantial likelihood of increases in nonjudicial handling of prisoner complaints. That certainly is the case today. The panel maintained that further decriminalization of drug use would occur. That is debatable. The committee strongly suspected that a national medical insurance policy would be adopted between 1985 and 1995. We will have to wait until 1995 to be absolutely sure that that will not become a reality, even though it has been debated in the national political forum. The committee maintained that the physical transfer of financial paper and negotiable instruments would be reduced. Modern technology has certainly achieved this. The panel also claimed that legislation increasing environmental protection would be enacted, and, to some extent, that has occurred. Finally,

the declared that there would be medical improvements resulting in a much older population.

Once these findings were agreed upon, we attempted to quantify their effects on the business of the federal courts. That is where the exercise fell apart. But I can assure you that the idea of trying to look into the future in some social scientific manner may, indeed, have some credibility. Today I have no panel of experts to rely on. I have only my own crystal-ball-gazing to share with you.

It strikes me that the easiest way to accurately assess the future is to step back and review the basic principles over which men and women in American society often disagree. I believe that the major legal-political issues by the year 2000 will involve two central dilemmas of American government, namely, the struggle between freedom and order and the struggle between freedom and equality. The continued tension between freedom and order can be illustrated by the issues we currently face concerning matters of personal autonomy. Today the battle is over abortion rights. This controversy pits the demand for personal freedom against the demands for social order, as determined by our representative democratic institutions. If the Supreme Court were to restrict access to abortion or reverse *Roe v. Wade*, state governments will be forced to exercise increased control over abortion rights. The conflict will gravitate from the District of Columbia to individual state capitals.

Does a right to personal autonomy imply a right to die? Some states have already confronted this issue. I can think of one California court that has done so and others probably will examine this issue as well.\*

Sodomy laws affirmed in 1986 by the Supreme Court will face renewed scrutiny, this time in state legislative corridors.

The AIDS crisis adds a new twist to the long-standing dilemma between freedom and order. To combat the spread of the disease, government agencies and departments have begun testing employees. Some officials advocate widespread mandatory testing in the private sector, but they are strongly opposed by people who believe that such programs violate individual freedom. Those who are more afraid of AIDS than of the infringement of individual freedom support aggressive government action to combat the disease. Ultimately, these conflicts between freedom and order will be resolved by the courts and by close judicial examination of the law.

Homelessness is an issue that will continue to haunt us. Joyce Brown's sad saga in New York City is a good example. She was panhandling, living, and defecating on the streets of New York City. The government sought to hospitalize her, that is, to deny her liberty. She maintained that the Constitution protected her freedom as long as she did not harm herself or others. Again, this is a classic confrontation between the forces of order and the forces of freedom.

The conflict between freedom and equality also will animate controversies in the future. The struggle over issues of social equality will continue. This term embraces two different sets of policies. On the one hand, there is equality of opportunity, which means that each person has similar opportunities to succeed. At the opposite extreme, there



is equality of outcome, which means that people must be made equal. Government must design policies to redistribute wealth and status so that economic and social equality can actually be achieved.

For example, in education, we see comparable funding for men's and women's athletic programs. In the workplace, comparable worth and equity in pay also aim at equality of outcomes. Survey data demonstrates strong support among Americans for equality of opportunity, but Americans are deeply divided over policies directed toward equality of outcomes. The 1989 Supreme Court decision involving minority set-aside programs in Richmond, Virginia, heralds a more restrictive view of acceptable equal outcome policies. This shift will encourage challenges and controversy well into the 1990s because equality of outcome forces individuals to give up a measure of their freedom.

The basic issues on the legal agenda ten years hence will reflect the current struggles and the struggles that are fifty and, perhaps, one hundred years old. That is because Americans want three things simultaneously: they want freedom, they want order, and they want equality. I urge you, in your curriculum, to make students aware that they cannot have all of them at the same time. Americans are constantly choosing between freedom and order and between freedom and equality.

Social, political, and economic change will be reflected in the law. That is a given, and the struggle will continue to pit these conflicting values against each other. So keep your eyes on these issues. If you do, the future of law-related education will be in good hands.

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## **Establishing a Programmatic and Research Agenda: What Do We Still Need to Know?**

*James Giese*

A good place to begin, I think, is with a brief overview of a study that the Social Science Education Consortium undertook during the last two years. This study looked at how LRE programs were adopted, implemented, and, to varying extents, institutionalized in eight school districts around the country.

Secondly, I would like to point out a couple of the features that we think are guardedly generalizable. It is possible to take small pieces of the world and generalize too far, particularly when you are doing preliminary research. However some theorizing and hypothesizing are allowable, and I want everything I say to be kept in that context. Our findings are certainly not the ultimate truth, but they offer insights into the multitude of truths out there and I am sure that you will take many different truths away from this session.

Thirdly, I would like to discuss various concerns that occurred to us in trying to correlate our specific findings from

those eight school districts, with some of the rest of the ongoing research being done by other groups.

I want to note that in our research study we chose to investigate districts that we thought would be "best case" districts. That is, after polling a number of people and considering their points of view, we chose districts that had already been exposed to law-related education in varying degrees. In some districts, LRE had already been adopted, implemented, and to a certain extent, institutionalized. Therefore we did not take a cross section or try to find districts where LRE had not been successfully integrated or where people were particularly unreceptive. We chose districts where people were largely receptive, and where a supportive administrative structure was already in place. Hence, our study is limited by that, and is certainly limited by the fact that we monitored only eight districts.

We selected districts from around the country: two each in the West, in a north central state, in the Southeast, and in what might generally be called the East. We also selected districts of various sizes, from marginally rural to moderately metropolitan. Our student populations ranged from 2,800 to 62,000. Thus we did not include any small rural districts with less than one hundred students, nor did we include a truly large city like Chicago or New York. In fact, one reason we did not choose a large city is because we were told that LRE is not doing remarkably well in major metropolitan areas. There may be several messages for us in that failure.

We started by immersing ourselves in the growing body of research, which seems to be increasingly mature. I suppose the studies by The Network, Inc., of Massachusetts were influential. Matthews Miles and that group of people, as well as those at the University of Texas, are doing a good deal of work in institutionalization and have produced some of the better articles. The Network, Inc. has published something like a twelve-volume set on institutionalization. We read that and other works in order to help us frame our questions. To a degree, our methodology flowed out of that.

We decided that because of limited resources, we would have to adopt a case study methodology and limit our number of sites. We basically adopted an ethnographic approach, but, after we had completed the project, we realized that our visits of about one week to each site were probably not enough time. We interviewed about twenty-five people in each district in order to get a sense of their perceptions about LRE activity. Our study is ethnographic in that sense. It is also qualitative. Some people turn up their noses at qualitative research but since my background is history, that particular kind of methodology is rather comfortable to me. That probably affected our approach to a certain extent.

Nevertheless, we thought that given what were trying to do—which is to develop a base of knowledge and set of potential generalizations to be tested against the collective experience of people involved in trying to implement LRE—we felt our study was sufficient. After all, you have to start someplace, and we figured our study was a fairly good place to start. Although it was limited, we recognized those limits. For example, rather than trying to check the

accuracy of people's opinions against the real world, we basically accepted their perceptions as reality. To a certain extent, our observations are based on objective data, but that data has not been cross-checked in any rigorous way.

We developed a series of instruments that are each about fifteen pages long which is rather daunting. At first they were thirty pages because we really wanted to find out as much possible. A field test revealed that teachers do not have a lot of time to spend with you. They can spend thirty to forty-five minutes per planning period, which they graciously give you. On the other hand, social studies coordinators in districts have a whole lot more time because they do not do much anyway. We also found that outside resource people—attorneys and others involved in the police departments and the justice community—also have limited time to spend, so we modified those instruments. To that degree, it is not as comprehensive as we wanted, but nevertheless some things are worth the telling.

We taped every interview and obtained twenty-five to forty hours of tape at each site. We took extensive field notes at the same time, and we have continually reviewed them while writing and rewriting our findings. We have passed them by people who are experts, and we have been shredded a few times, but it has been fun. In terms of shredding, Ollie North is a novice by comparison to us.

Based on the research, we were trying to find areas that we thought would expand the knowledge of institutionalization. What is the nature of LRE programs? What are their distinctive characteristics? How do people in the real world perceive them? We looked at material. Are they flexible, easy to use? In his remarks, Herbert Walberg made the case that one of the best ways to ensure your inclusion in curriculums is to use finite, discrete, flexible units that you can plug into already extant curriculums. I am not sure that I entirely accept that. But it is true that flexible materials that are easy to use will be used. They can be sophisticated as long as they are supported by training, and the more sophisticated they are, the more training you need to make teachers comfortable with them. We found that to be the case.

In addition to materials, we looked at other characteristics of law-related education programs, including the use of outside resource people. We also assessed high-visibility events such as Law Day or mock trials. The innovations of the programs themselves were of interest to us.

### Measuring Characteristics

We tried to measure various school district characteristics. For example, we wanted to look at the history of districts to see if they were generally receptive to change or if they have ongoing processes for adoption of new curriculums. What was the organization of the district in each of these cases? They proved to be very different. That is why any given definition of law, or any definition of institutionalizing law-related education, has to be flexible. You are dealing with different kinds of entities that do things in different ways, who have leadership and key people who often reside in functional roles rather than specifically defined roles. You will occasionally find that people who are supposed

to make things happen in the district in fact slow them down or abort them. Conversely, there are other people who make things happen.

When we were conceptualizing the study, Dave Schimmel suggested that we might want to focus on individual characteristics. After reading the literature, that admonition made even more sense. LRE organizers are nothing without the individuals who are recruited and become active advocates, who somehow are enthralled by this innovation. Thus, we focused on individual characteristics to ascertain why people accept these ideas, or why they do not.

On a broader scale, we looked at the manner of implementation, which corresponds to school district characteristics. Implementation is the approach that a given LRE project or a given district uses for law-related education, whether it adds an elective course or whether it is infused or mandated. What was going on in the communities to which our target schools were responding, and more specifically than that, what was going on in education that was forcing those schools to think they ought to respond to certain kinds of things? What were the perceived needs that permeate the community and the school system itself, and what can we learn about them?

It is probably no surprise to those of you who have been working in the vineyards of LRE that if you do not have materials that teachers can pick up and use, you will not make easy inroads into schools. We found that teachers thought that easy-to-use, flexible, high-quality materials were very important to them in implementing law-related education, which is obviously a first step in institutionalization. We also found that many teachers thought that such materials did not exist or were not available, especially for elementary schools. We know that some elementary LRE materials exist, but if you compare them with American history materials, whether elementary or secondary, you know that there are many fewer materials to bind them to the notion of law-related education. This is also true for middle schools.

If there is a lesson to be drawn from this it is that more people should try to get published and try to supply elementary teachers with materials. You might mention this at your summer institutes. I am not deprecating any of the materials that exist, especially secondary school materials. In some ways, we have been more comfortable addressing secondary students because you can really discuss issues in a straightforward way with them as well as handle more controversial issues like sex, *Roe v. Wade*, or drugs. Perhaps it is a little bit easier at that level than at the elementary level. Even so, there are not that many materials for secondary students either, at least not when you compare them with materials for geography, history, or even economics.

Interestingly, we found that dedicated teachers will adapt the materials to meet their own needs. You should expect that and even encourage it. You may want to think about giving greater guidance for flexible use of LRE materials.

### Using Resource People

Another thing we observed is that people like to utilize outside resource people. One of the ideologies of LRE is the

effective use of outside resource people, and we found that they were used extensively. We did not carefully examine how they were used, especially in terms of the manner of implementation, but there is a great degree of use. At one site we found that such use declined over time. I do not want to make a big case out of that, but it does suggest something in terms of the training we give teachers. If LRE teachers really get interested in the subject and become increasingly expert at it by attending conferences, reading materials, and working with those materials in the classroom, they become more competent, more comfortable, and apparently feel a declining need for resource people as a font of knowledge. But even if outside resource people are not needed as content crutches, it is just as important to have them in classrooms as role models, to have them interact with kids. This gives students an array of social roles that they can look at and bond to. Not emphasizing this aspect of resource people may be a shortcoming of training. We do not have proof of this, but we should give it some thought. One of the things I had a personal bias against when we started this project was high-visibility events. We have talked about this in the sense of equality of opportunity. Who participates in mock trial competitions? Are average kids participating or is the competition more like trying to win the state basketball championship or something similar?

I was very concerned about high visibility events draining energy from the academic program. In some cases, this seemed to happen. But we also found that it generated much support in the community and the teachers truly appreciated it. It also gave students a way to feel good about what they were doing and allowed them to experience real success, not to mention the benefit of community impact and public relations. Often the superintendent of schools gets involved and students are encouraged to go to the national mock trial competition. Those things are very important. But there is a real tradeoff. I think we can handle mock trials better. We need to get more kids involved before reaching the state or national competitive level. We need to ensure that more students are given a chance to compete, show their competence, and feel good about themselves.

I have a couple of things to say about school district characteristics. If we learned anything from the eight case studies, it is that there are many ways to skin the cat. Virtually every one of these programs became more or less institutionalized in very different ways, and they institutionalized very different things. As far as we are concerned, the key element is leadership. In all eight sites, we found opportunities for teachers to take the ball and run, affect the political structure of the district, develop the resources to make the LRE program go, and institutionalize it. Teachers can do that. They must be empowered, and they must be given the right kind of context.

Superintendents can also be effective, not necessarily by mandating or dictating, "Thou shalt do law-related education." If a superintendent got deeply involved, mobilized the resources, got people together, made them enthusiastic and solicited community help, LRE could go a long way. We also found that social studies supervisors—the people who are often in the best place to have their fingers on the pulse

of the district and the pulse of the broader social studies community—can really make a difference.

### Politics and Empowerment

Leadership and how it is developed is the key. It is a matter of empowering people for a political process. We are engaged in a political activity. Whenever you are in a situation where you are confronting a variety of competitive things and you are facing an already crowded curriculum where there are a lot of choices between the different values that we want to teach the students, you are involved in a political activity. When we recognize that, make it explicit, and get fully prepared to deal with it, we will do much better. It is not just political lobbying at the national level; it is also lobbying at the state level. If decision making is going to increase within districts, influencing the school board, the superintendent, and the community becomes a political activity. Again, leadership is the key. How do you get there? What skills must be utilized to make it happen?

It is also fairly important to effectively use the normal course of decision making in a district. You may find that this will frustrate you in many ways, but if you try to circumnavigate it, you will create a backlash, a political controversy, and make political enemies. In one case a social studies chairperson was not consulted in the development of the LRE program and therefore he refused to cooperate. He called *Street Law* a worthless book, which is pretty shocking news to those of us who have carefully read it.

Should you solicit support from a community committee? Before you do, consider the political lay of the land. In some cases it works, whereas in others the superintendent or the board of education find it threatening to have those people actively involved. Is your district willing or experienced in working with the community? Is that something they value? Is that something you can really play on? Those factors are fairly important.

It is equally true that you probably will not have your curriculum adopted in places that are unreceptive. LRE must fulfill a need. You have to foster an atmosphere of receptivity, which you can do by clarifying your message, by trying to build bridges to other kinds of activities, and by finding out the superintendents' educational philosophy. Sometimes involvement in the informal network is enough to ensure adoption. Often, however, you need to tailor the LRE program to the superintendents' philosophies. Is it mastery learning? You can use LRE that way. Is it cooperative group work? You can use LRE that way. Are there specific problems occurring in classrooms, such as discipline problems or referrals to the office. LRE can be helpful in that way, too.

You are going to have to think about the things of greatest concern to the players in the district and tailor the message accordingly. Where that is done well, it is pretty effective. Oftentimes I think we get caught up in our own rhetoric, that we have this great message. I have heard that claim in many places. Some people think that all we have to do is convince the administrator to make the teachers do LRE. Then every teacher out there will see that it is great stuff and use it forever. We can just ride off into the sunset and



we all will be out of a job. Unfortunately, that is not the way it happens.

In fact, LRE or any other curriculum has to meet perceived needs, and you have to know what those needs are. What is current? What is going on? What is compellingly important in the district? I am not really suggesting that we be all things to all people; but it seems to me that there are some reasonable graftings, some reasonable things that we can emphasize, some ways, in fact, that we can clarify the message that we put out to people. What is our message? I think it is mixed, but we have been pretty happy with it up until now. And we have been pretty successful in getting good teachers involved. But if that is going to continue and if we are going to really deal with resisting districts, districts that seem to have a different agenda, or teachers who seem unreceptive, it seems to me that we will have to consider manipulating our message.

As a community we also need to be concerned about what happens after you get a program up and running with a number of people involved. Where does it go and what does it take to get it established so that it can be maintained in a way that we would recognize as high-quality LRE? In some ways, it is an issue of quality control. It is really maintenance. What do we do with continuing programs? How are we to maintain the veteran teachers' enthusiasm? Will they be seduced by some other innovative program? What are the effects of attrition and reassignment?

How do we keep people, and how do we keep them energized while we bring new people in? Schools are part of a dynamic system. People move in and out for a variety of reasons. People move up the ladder, and we lose a lot of good people. Some of you have been attending these meetings for five or ten years; some of you for twenty years. You have seen a substantial change of faces. How do we handle that at the local district level? Or at the state, regional, and national levels? These are important issues.

With respect to the broader educational climate, there are many things going on that LRE leaders may or may not have a good handle on. We may not be doing all that we need to do with the Association for Supervision and Curriculum Development (ASCD), with the principals, with the chief state school officers, etc., although some people have done that. There are things going on in the educational community that are problematic for us. There are all kinds of innovations out there in this age of reform. Many programs are competing with us for time, programs that are seen to be panaceas for lots of different things. We need to concern ourselves with that.

One of the inferences I make from the social context is that LRE is being implemented as a response to changing social conditions. With new immigrants coming in and minority populations increasing, LRE is cast, knowingly or not, as social control. And lots of people are buying in. We all would admit that you must have cohesion, but you also must have freedom. We need to keep that balance in mind.

Individuals make LRE work and our message has to be responsive to the way people perceive things. You have to monitor what people are saying in the districts and understand their problems.

### The Role of Training

We found that a variety of training models make LRE work and develop LRE advocacy in individuals who are trained. Training is an integral element in LRE. The teacher advocates of LRE confess a sort of conversion experience through training. LRE training is usually high-energy and activity oriented. We do it well.

I always feel totally incongruent when I stand up and talk to a group of people. But when you are an academic historian, you are trained to stand and deliver. It creates an incredible cognitive dissonance for me, for I have become a convert of more actively engaging audiences in their learning. Nevertheless, many people in the real world, people with whom we must deal have grown accustomed to that style. Their typical style is stand and deliver. Direct instruction plays a role in that to a certain degree, and reinforces certain behaviors even as it modifies others.

Training. High-quality training. Intensive training. Interactive training. I think the thing to remember about training is the notion of a conversion experience: to make people feel special and feel that what they are doing is something that really meets a given problem or need. Keep them enthusiastic about sharing the vision.

One of the core constituencies that has accepted the LRE concept is the innovative teachers. They tend to accept the premises a little more quickly, usually because the ideas comport with their educational philosophies. We do not have a very tough sell with them. It is merely a matter of giving them the content. They are very comfortable with the kinds of strategies that we advocate. Another group of teachers that gets involved in LRE is the frustrated would-be attorneys. For whatever reason, these people became teachers instead of lawyers and they easily accept the content. They may need a little more work on the strategies, but they become involved in LRE quite extensively.

I think that there are other teachers who do not fit in nearly as well, and they are the high school clones of me. These people often are trained in history and have a different set of values, goals, and methods of doing things. They are somewhat rigorously content-oriented: let's cover this material, get those facts in, take that test on Friday, and get ready for that AP exam. They have a real different set of concerns.

It is clear that certain kinds of people have an affinity for what we are about, and others have much less affinity for it. However, we must attempt to involve the teachers who are less attuned to us, those who teach history and civics in a rather traditional way. We must recognize that people who do not accept our methods have a legitimate stance. Because people do not appreciate our message does not mean that they are bad folks or bad teachers. We have a different approach and you are not going to convert everyone. There are intellectually honest differences of opinion about LRE. Perhaps we need to recognize that a bit more than we do.

I would like to mention a few final things. It is very clear that the more difficult the innovation, the more training and other resources you need to put into place. LRE might be one of the more complicated, difficult innovations available

on the market. I say that because we must fuse content that is not necessarily well known to teachers with strategies that many students have not been exposed to. We are wedding two potentially difficult things and want teachers to be able to handle that despite the fact that they are not experienced in doing so. If you want them to do so, the resources and training that you put in place at the front end of the program become critically important. It is equally true that you do not want to just front load the program and forget it. If you were limited to five total days of training for the program, the best approach may be to have three initial days of intensive training followed by two discrete days of further training separated by a predetermined period of time.

### Questions from Teachers

After teachers get involved in the specific application of LRE, they begin to have questions. They have a reality check. They know whether students are responding and have concerns about classroom management. They want to compare notes and experiences. They have positive insights to share, as well as questions that they need to ask. So, in terms of maintaining a program, you need to front load resources, but you must also help them along the way. Whether you provide mentoring, a curriculum supervisor, or just hold their hands, those kinds of support are essential. At this conference we have spent a long time discussing mandated infusion versus elective courses. Our study found that in the districts many people felt that infusion was the only way to give every student an LRE experience. People were pretty happy with that approach. To a certain extent, they have reason to be happy that institutionalization is taking place. But it is not totally clear whether it is working in many cases.

Even in districts that mandated the infusion of a large number of LRE activities into an elective course, use of LRE in that course declined over time. It declined because training dried up. The state mandated that X, Y, and Z would happen. Y and Z are happening, but X is hard to find except among that cadre of people who were intensively trained from the very beginning. Interested advocates still exist and are available to help with training, but perhaps the social studies supervisor moved away and the new one has no interest in law-related education.

In any event, infusion is difficult, and as a community we need to seriously consider what it means. With respect to infusion the real question is, What is sufficient quantity? It is an obvious question. How many hours or weeks are needed to have an impact on the students? How can you mandate that if qualitative evidence on the efficiency of LRE is barely available? It is not clear whether ten lessons scattered over ten weeks are as effective ten hours in a row, which is two weeks of lessons. It just is not clear. I think this bears some thought and some research.

Finally, with respect to implementation, I have another observation regarding mandates. The general literature on educational change suggests that mandates can, in fact, work. I have heard experts say that all you have to do is get superintendents to make the teachers do it and it will happen. Well, we all know that is probably not true. The reason I say "probably" rather than "categorically" is be-

cause if mandates exist at a variety of levels, they can work. And if you support the mandate by providing needed funds for materials, training, staff development, conceptualizing etc., then it can really happen. However, in my opinion, mandates alone, that is, without training and resources, mean virtually nothing in promoting the implementation and institutionalization of LRE.

In closing, I would only suggest that you look at our case study research and use it as a tool for reflecting on your own experience. We are all aware that our field has been too little researched, indeed, we have not even established a research agenda. But we have begun chipping away at some important questions and we must continue to do so in order to better inform our practice.

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## The Process of Institutionalizing LRE Curriculum: Summary Report of Discussion Group 1

*Prepared by Marilyn R. Cover and Roy Erickson*

The group began by establishing a set of questions to guide it in dealing with the issue of institutionalization of LRE curriculum. After some modification of the questions, the group brainstormed its definition of institutionalization. The following is a list of the group's ideas and perceptions.

Institutionalization is characterized by the following statements:

1. It is permanent but evolving.
2. There are long range plans that accompany the process of institutionalization.
3. If LRE curriculum is institutionalized it is not an add-on, but rather it is comprehensive (not fragmented) and consistent.
4. Institutionalization of LRE curriculum is both a process and a product (an end state that you are trying to get to).
5. There is a commitment to LRE by local school administrators; it is both the locus and the focus for administrators.
6. There is a school and/or district/state requirement that students take LRE courses.
7. There are the prerequisite dollars budgeted for materials, staff development, curriculum development and implementation.
8. An institutionalized LRE curriculum is not project oriented.

### Discussion Questions

With these points in mind, the group then considered the following questions:

#### *Question 1:*

What does institutionalization of the LRE curriculum look like? (What are the goals and objectives? What is the plan?)

The session participants concluded:

1. LRE must be a sequential, spiraling, articulated curriculum that is integrated into the K-12 social studies curriculum.
2. It cannot be a field but rather part of the required curriculum.
3. LRE must have the prerequisite financial support including monies for texts, and release time for staff development. The financial support should be an on-going line item part of the school's budget.
4. There would be the necessary mandate for LRE that would include preservice and inservice training. This training would provide for the renewal necessary for teachers to keep abreast of the most recent developments in LRE.
5. There would be clear evidence of support for LRE from school district and site administrators.
6. There would be a systematic program of rewards and recognition for LRE teachers.
7. LRE would be an established research field at the university level with concomitant faculty to conduct the necessary research and evaluation.

#### Question 2:

What do you have to do to get there? ("there" being LRE curriculum being institutionalized) Where do we want to go? What do we need to do to get there?

1. Promote and develop a cadre of leaders that would include teachers, central office and site administrators, lawyers and other law-related professionals.
2. How do we get LRE into the curriculum?
  - a. A mandate to include and fund LRE at national, state and local levels.
  - b. We need access to state and district curriculum committees.
  - c. We need access to state and national policy makers, e.g. legislators, Department of Education.
  - d. We need access to publishers and developers of curriculum and textbook materials.
  - e. We need to work with school board members, and especially bar association members.
3. Training programs (staff development) need to be established to train this cadre of leaders. Again, both preservice and inservice training needs to take place.
4. A better effort at public relations needs to be made utilizing the media.

#### Question 3:

How do you know when you get there?

1. A carefully planned evaluation of LRE needs to be developed and implemented.
2. If LRE is successfully institutionalized the following should happen:
  - a. A decrease in delinquent behavior.
  - b. An increase in positive attitudes towards the law and the legal system.
  - c. An increase in student citizenship participation.
  - d. Teachers would be aware of what and how they formally and informally teach the law.

- e. All teachers would identify themselves as *primarily* citizenship teachers or LRE teachers.
- f. A budget priority would be given to LRE and this would survive through school budget crises.
- g. Textbooks would have substantially more coverage of LRE topics.

#### Question 4:

What roles should national, state and local leaders play in institutionalizing LRE?

The group participants suggested the following as ways in which the national LRE projects should assist in increasing awareness of LRE at the national level:

1. Encouraging political and educational leaders to take a leadership role in promoting and funding LRE.
2. Identifying a national spokesperson to adopt LRE as a "cause" as described above.
3. LRE leaders and groups should lobby for support. We should resurrect the LRE coalition to coordinate lobbying efforts.

At the state and local levels, the above three suggestions should be applied.

A majority of the group concurred with the following suggestions:

1. There is a need to build greater unity among the national LRE programs. There is a perception of great competition between the organizations which hinders the field of LRE from appearing as a cohesive, professional group. We appear to have five different competitive national programs, not an organized group working toward institutionalization of a common goal.
2. We need to encourage the national LRE groups to move away from the "project" mentality. By definition, projects are one-time or certainly short-term activities. Programs are activities that may be institutionalized, but not "projects."
3. There is an urgent need at all levels to look beyond "awareness" to the maintenance of programs. More emphasis needs to be placed on how to keep the excitement following an awareness session alive. If we are serious about institutionalizing LRE, we need to spend more time planning for maintaining programs once awareness and the excitement of something new is gone.
4. We should look to resource persons and supporters to assist in making political connections for LRE at the local, state and national levels. It is important that our supporters are involved in helping us through the contacts they have. Beyond assisting with a class or special event, we need to continually think about ways to ask our community supporters to spread the word.
5. At all levels, it was suggested that we establish stronger networks with people of like assignments in school districts. Superintendents, curriculum specialists and principals talk with each other at local, state and national meetings. We need to find more opportunities for our supporters to discuss the merits of a strong LRE program with their peers.
6. There is a need for case studies or models of how statewide LRE programs have developed which examine top/down mandates vs. grassroots-up development.



It was suggested that the national programs assist in making this information available to state and local LRE program coordinators. The state directors stated that in planning for institutionalization of LRE, reviewing what other states have done and suggestions of pitfalls to avoid would be beneficial even though each program is organized differently.

7. There is an ongoing need for more *sharing* on a variety of topics from management issues to curriculum materials. Do we have an operational clearinghouse for the field of LRE?
8. It was suggested that we establish a professional organization for the field. As we work toward institutionalization, there is a need to formalize our informal network. There is a concern about how to handle a situation where someone who is not involved in LRE offers training under the guise of an LRE program and plans to expand to new states every year. A formal network would provide an opportunity for individuals to notify colleagues of their concerns.
9. It may be helpful to encourage a regional organization pattern. The Rocky Mountain Council for the Social Studies is one example.
10. We should make a conscious effort to establish closer ties to the National Council for the Social Studies. NCSS has a membership that should be our strongest supporters. LRE does not appear to be a major curriculum area that NCSS has listed on its agenda.
11. We need to expand the role and responsibility of local LRE programs in the state and national efforts. Many local programs are on the way to being institutionalized and thus have much experience and expertise to offer to state and national programs. As the field of LRE has grown in numbers we have not created avenues for involving people other than as participants at the state and national levels.

### Issues and Concerns

The discussion then moved to general issues and concerns regarding the institutionalization of LRE. The following is a summary of the points raised in our brainstorming activity. Thus, these ideas do not represent a consensus of our group.

1. Concern was expressed about the dearth of elementary and middle school materials available. We need to develop more for K-8 students.
2. We need a clear definition and mission statement for LRE. We need to be more specific about what is *not* LRE.
3. We need to know more about teachers and their concerns at each grade level, beyond what is outlined in the scope and sequence documents for the district.
4. The question was raised: How do we at the state and local level know *what* is happening, where, when and how.
5. Again the issue of competition among LRE programs was raised with the question of how can we foster more cooperation among programs.

6. "\_\_\_\_\_ Happens." We need to discuss what the ideal institutionalized LRE program looks like and then establish criteria to use in developing or expanding a program. Based on the rapid expansion of LRE through the OJJDP national effort, there is concern that the ideal that we are striving toward has become less important to discuss and it has been more important to count numbers.
7. We need to examine the message people get from the tremendous positive public relations surrounding mock trials. One person suggested the message is one of "elitism." An additional and related concern was that special events remain so visible and are a major emphasis of many LRE programs and yet they serve so few students as compared to providing a teacher with the training and follow-up assistance to reach their students not only this year but for future years.

### Resources

The group's final task was to identify what resources we need to move toward the institutionalization of LRE.

1. Money. Too many programs are dependent on unstable or unpredictable, i.e., "soft" money sources. Thus we need to develop a greater variety of funding sources. It was suggested that the ABA start a model program with the state bar associations that urges a certain percentage of funds be set aside for LRE activities. It is perceived that the ABA has some leverage, influence or the ability as a parent organization to encourage state bar associations to fund LRE programs. If the ABA leadership is willing to stress the importance of LRE with the state bar presidents, we may make more progress. We also discussed looking to school districts to pay a membership fee for a package of LRE services as another model to explore.
2. We need resources to help develop ways to promote LRE at the state level. If LRE is going to become institutionalized at a state or school district level we need to develop an ongoing public relations plan that will keep LRE on the agenda of the various leaders.
3. We need to encourage the research community to do more work on student outcomes based on participation in LRE programs. Our current statistics are soon going to be outdated. Ongoing validation of what we are going will greatly assist us in institutionalizing LRE.
4. In order to find or create a place in the curriculum for LRE, it is important that state directors stay up-to-date on current educational trends. Teacher empowerment is an ongoing issue that we need to address in institutionalization plans. State directors look to the national LRE projects to provide inservice on educational trends.
5. In the year 2000, student population will be more diverse. We need to develop curriculum materials for special education classes and more culturally diverse audiences. Who is planning to take a leadership role in developing these new materials?
6. We need to strengthen relations and develop new affiliations with national organizations willing to promote and support our efforts with LRE.

7. As we develop promotional materials we need to be mindful that a major concern of school principals is public relations in their community. We discussed the need for more information on the concerns of principals. So much of our emphasis is on teachers and students, we need to develop ways to reach school administrators by showing them how LRE can help them meet their building and district goals.
8. We need to remember that students are our greatest resource. The more we are able to have them discuss their experiences with our audiences, the easier it will be to sell LRE and keep our programs on a priority level that will fund the necessary training, follow-up and on-going assistance to ensure that LRE becomes institutionalized.

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## **The Role of LRE in the Precollegiate Curriculum: Summary Report of Discussion Group 2**

*Prepared by Carol Roach and Joseph L. Accongio*

Every educator must be concerned with the world that faces the children we teach. Massive social, environmental and technical problems including the breakdown of the family unit, unimpeded pollution, nuclear proliferation and a widening gap between the haves and have-nots paint a dismal picture for all citizens. While these gigantic threats to our survival are recognized by anyone who is literate, our classrooms have essentially remained unchanged for decades and as such are not capable of effectively preparing our students for success.

If one were to examine a typical urban kindergarten class of 20 students, the class would appear to represent a homogeneous group. However, that class in reality is a composite of diverse personal needs that will challenge the most able cadre of teachers for the next dozen years.

Only 10 percent of these children will live with both parents through age 18; a quarter of them will have no one waiting home for them at some point during their schooling. Of these 20 students, four will live in abject poverty, two will have serious learning disabilities or physical handicaps, and two speak another language other than English as their primary language. Six of them will drop out and never finish high school and will remain poor all their lives.

In the not-too-distant past, the poorest people in America were the elderly. Now the children are the poorest segment of our society, and these numbers grow daily. Similarly, there are more working parents looking for decent, reliable day care while they hold down several jobs. The coming generation will be the first in American history to be unable to achieve the standard of living that their parents had.

While we believe that there will not be significantly different student characteristics by the year 2000, we do believe that we will see certain characteristics magnified. There will be an even greater stratification between the rich and poor. Pressures to work to earn money at the secondary level will increase regardless of economic status. The cultural, linguistic, and cognitive diversity we see now will be even greater, calling for greater flexibility in adapting to individual needs.

There will be an increasing number of single parent families, and an increasing number of families with two working parents, which may lead to altered parent-child relationships. In some cases this may result in even more "TV supervision" than already exists.

At the same time that children will be having less parental contact and developing fewer strong relationships with adult role models, they will experience increased exposure to the models presented to them on television and on the street. Students will often be more isolated from adult role models, will feel more disconnected from adults and from the realities of our world, and will rely to a greater extent on the influence of peers to dictate their behavior.

The children of today and the future have and will have the basic human need to experience success, to control their lives and to feel good about themselves. However, increasingly, the children of the twenty-first century will experience greater negative socioeconomic influences and pressure on those needs, making the call to address them even more urgent. Consequently, the need will be even greater for educators to shoulder the responsibility of nurturing and building the positives in students' lives.

The typical students of the late twentieth century are sophisticated and street-wise, know their rights, and are fascinated by LRE and its relevance to their lives. We expect this to remain unchanged (or even become magnified by the year 2000), thereby providing a conduit for educators to promote and develop the skills, knowledge, and attitudes that foster an informed, active, and responsible citizenry.

There are many things that we must do to improve the chances that our children will be successful—and it starts with education. Whatever we do now, and plan for, will have a direct bearing on the quality and quantity of thinkers, and a public-minded citizenry, for the year 2000. Effective LRE programs, in the classroom and community, can help produce competent people who know enough about the world to care about its future. In the final analysis, survival depends on a society of people who were given the chance to learn how to think, work and build a healthier civilization.

Planning and action must begin now. We can fix faulty space shuttles, recall poisonous food, and even unnecessary weapons. But we cannot recall children. We have only one chance to provide them with a meaningful education and that can happen only if we understand them, adjust our pedagogy for them and plan well for them.

### **Should LRE be Mandated or Should We Use the Grassroots Approach?**

The initial response to this question by LRE enthusiasts is to have the program mandated; once we have seen law-

related education in action, we all want to ensure that every student will have this educational opportunity. However, further reflection brings us to the realization that there are almost an equal number of arguments both for and against the question of mandating.

On the opposing side, we must consider that a mandate rarely outlines exactly how much content is to be covered, or how often the new curriculum is to be taught. Nor can a mandate include such things as commitment or enthusiasm. Teachers often resent being forced to include something new in their list of requirements; the result is that lessons may be presented haphazardly or with so little enthusiasm that many student benefits are lost.

On the supportive side of the question, we must realize that not every teacher is enthusiastic about every subject anyway. Some elementary teachers hate to teach reading, and really do not do a very good job of it, yet no one would consider not having reading mandated for elementary students. The majority of teachers are dedicated to doing their very best at whatever is required; if LRE were mandated then they would do their best to learn about and effectively teach LRE along with their other requirements. And while mandating may not dictate the amount of instruction that should take place, it does bring attention to the subject. If nothing else, the mandated subject is often placed on THE TESTS, which ensures that at least some content is covered.

When deciding "which way the scales tip," there are basically two areas to examine. First: Is *something* better than *nothing* or is there such a thing as "so little that it does more harm than good?" Second: Does the exposure that we would get from mandating—the opportunity to reach so many teachers who would otherwise probably never learn about LRE, as well as the opportunity to gain some real "converts" to LRE—outweigh the risks of having LRE taught improperly in an unknown number of situations?

The recommendation of the group is—probably not surprisingly—a compromise. LRE advocates should not lobby for full-scale mandates, but *should* seek legislative recognition that law-related education exists and is recommended as a valuable part of the curriculum. If it is not likely that a separate statement of support will be gained, then we should promote LRE as an advantageous means of achieving objectives that *are* required. For example, most states do mandate some form of citizenship education; therefore, promoting and training activities can demonstrate the many ways that LRE can serve as the vehicle for accomplishing the objectives of a citizenship education program.

We should also keep informed of current "hot" topics in education, and use any or all of them as additional means for introducing LRE to a wider range of students. Examples of some current topics are human sexuality/AIDS education, drug education, and youth-at-risk programs. Although these topics are in many ways distinct from law-related education, each of them does involve some law. In using this connection we not only increase our possibilities of funding, but we can demonstrate how LRE concepts and techniques can be a foundation for instruction in these areas.

The "grassroots" movement should be used to increase the number of teachers involved in law-related education. LRE should be included in preservice teacher training through college or university methods classes, separate higher level courses, or workshops for student teachers. In-service training can be done through awareness presentations, in-depth workshops, and graduate level courses. Teacher training-of-trainers can be employed to increase the number of teachers involved without having to rely only on outside consultants. An interdisciplinary approach should be used, so that teachers of all subjects can be involved in LRE concepts and techniques.

Teachers can also be encouraged to develop mini-proposals to integrate LRE concepts into areas where grant monies are available. This not only ensures that some law-related education will be taught, but it promotes ownership which in turn spreads enthusiasm. Newsletters and LRE fairs could allow teachers to share models of successful LRE programs.

### **Should LRE Be Infused into Existing Curricula or Should it be Offered As a Separate Course?**

Although the group has recommendations for the answer to this question, it was unanimously felt that no single solution should be offered. The best course of action depends on the circumstances of the individual state, community, school, and teacher, and the materials and resources available. We do recommend that the infusion method be used with younger children. Law-related education can begin as early as the preschool level. Most of the academic content at this level centers on rules, cooperation, safety, and self and family, all of which are germane to LRE. On the elementary level, LRE concepts such as rules, reasoning, cooperation and individuality, points of view and critical thinking, justice, equality, freedom, authority, and privacy can be infused into almost any subject area, and even match up with already required objectives. And because most of the subjects are taught by one teacher, LRE concepts can be reinforced, and activities continued from one subject to another. In this way, law-related education becomes a part of the students' daily lives, and a separate course is unnecessary.

Middle level education often involves team teaching and centers on a theme approach. Law-related education is a perfect choice for an interdisciplinary theme. Also, peer pressure may be at its greatest during the middle years, so teachers and students alike find LRE issues relevant. If used as a team theme, LRE is definitely infused into the curriculum, but with almost as much content as a separate course.

At the high school level, the best possible solution is to do both: offer a separate course, and infuse law-related education into existing courses. In this way, students who are not able to take the course will still receive some LRE instruction; those who do take the course will have the concepts reinforced in other classes. If this solution is not feasible, then the method that has the best chance of becoming a permanent part of the curriculum should be chosen.



When possible, teachers from every grade level should be given in-depth training in law-related education. However, regardless of the availability of state or administrative support, funding, an abundance of excellent materials, and resource assistance, there are still going to be many teachers who do not feel comfortable with the topic and its role in their subjects or grade levels. These teachers would rather avoid LRE altogether than participate in an intensive training/teaching program.

However, as those of us who are experienced in LRE are aware, many LRE concepts and techniques can be reinforced not only through the study of other subjects, but even in the performance of everyday routines. For this reason, the "awareness" presentation should not be shunned; rather, it should be embraced as a part of the total institutionalization picture. If we could get *all* teachers to have even an awareness of what LRE is, its importance, and little ways that the processes can be reinforced, then law-related education could reach students in a variety of ways, from many different directions, and actually become a part of their daily learning and practice.

**The Year 2000—What's It Gonna Be?  
A Summary and "Rap" Up**

Refrain: Curriculum, curriculum, L-R-E  
The year 2000—what's it gonna be?

Kids won't be much different from what we now see.  
Tho' from smaller family units, and more minority.  
TV and computers will rule each life.  
Isolation, nonbonding adds to strife.  
The job market snaps them up—that we should expect.

Haves and have-nots will show the Mathew-effect.  
so . . .

Curriculum, curriculum, L-R-E  
The year 2000—what's it gonna be?

LRE must utilize computers and TV;  
Curriculum must keep in touch with new technology.  
The kids will still be kids; they have so much to give.  
We have to show them how it all relates to how they live.

Curriculum must show them how responsibility  
Can give them self-control to live successfully.  
so . . .

Curriculum, curriculum, L-R-E  
The year 2000—what's it gonna be?

To mandate or not, that's the question to be—  
Or should we use the "grassroots" for LRE?  
A subject you can mandate, but not enthusiasm.  
For L-R-E, this leaves a big chasm.  
So don't use a hammer, just get some recognition—  
Rely on teacher word for further ammunition.

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**Teacher Training: Summary Report  
of Discussion Group 3**

*Prepared by Phyllis Fernlund and David T. Naylor*

Part I: Identification of events, issues, and concerns related to teacher training (our group preferred the term "teacher education"). [Note: These questions were posted and discussed at the beginning of Part II.]

1. How can we get LRE into the teacher education curriculum without adding a number of new courses?
2. Why so little emphasis on academic freedom, critical legal studies, and critical policy studies in LRE?
3. What can we do to capitalize on teacher certification reforms (e.g., Holmes)?
4. What is the LRE leadership base at the college/university level?
5. How can college faculty and school faculty work together?
6. What can be done to get more lasting results from LRE teacher education workshops/programs?
7. How can we get teachers interested and involved in teacher education opportunities?
8. How can we identify and access LRE materials and resource people?
9. Are state/district mandates and competency testing obstacles or opportunities?
10. Does LRE have a role in community college programs?
11. What to do to get LRE incorporated into new statewide curriculum patterns?

Part II: A brainstorming exercise—What special role does a college/university have/play in LRE teacher education?

1. University educators share knowledge (e.g., political science, history, etc.) with pre- and inservice teachers.
2. Provide LRE instructors for schools (e.g. practice, student teaching).
3. Specialized course work in LRE.
4. Developing material.
5. Provide students with a critical examination of legal issues as part of liberal arts courses.
6. Build in an awareness of divergence of views, perspectives and experience.
7. Imbue general education requirements with an LRE perspective.
8. Provide community-linked or community-based experiences.
9. Provide a research base for LRE (be knowledge producing).
10. Offer graduate degree programs.
11. Increase teacher awareness of supplementary LRE materials.
12. Host a Law Day.
13. Capitalize on access to teachers in certification program to make teachers aware of LRE, and capable of teaching it.
14. Establish LRE centers.

15. Build bridges—connect resources (e.g. education school, law school, arts and sciences, etc.)
16. Channels for disseminating information.
17. Opportunity (expectation for) thoughtful criticism of ongoing LRE efforts.
18. University and LRE in school programs.
19. Law-Rights-School Governance and problem solving.
20. Academic freedom—subject for preservice education.
21. University attention to LRE principles—use mass media.

Part III: Identification of obstacles that prevent realization of that role *and* steps that could be taken to deal with those obstacles.

A. Social Studies Methods professors do not know LRE process and/or content.

1. Conferences.
  2. OJJDP training.
  3. Summer workshops.
  4. State Councils of Social Studies.
  5. LRE teachers and project staff teaching in methods class.

B. Teachers have no network.

1. University can provide “conversation.”
2. Use field placements with successful LRE teachers.
3. Professional development schools University—public school faculty.

C. At each level of education, there is a perception of lack of connectedness, superiority, and separateness. “Elitism” of university faculty.

1. Professional development schools.
2. Emphasize responsibility of university professors for grades K-12.
3. Conferences with mix of university, ABA, project directors, teachers, and lawyers.

D. Many teachers are not committed to LRE (*control issue and teaching “rights”*). Schools’ hidden curriculum against LRE.

1. Teachers’ need a sense of efficacy.
2. Critical examination in university preparation and graduate courses of such subjects as academic freedom.
3. Bring administrators to LRE conferences.
4. Broader diversity in literature that future teachers read.
5. Adequate teacher knowledge—do not misinform.
6. Work with administrators, share research.
7. Problem solving sessions with administrators, teachers and students present, rather than preaching.
8. Teach Constitutional Law to administrators.
9. Teach school law to teachers as well as administrators.
10. Improve knowledge of legal content for teachers and administrators.

E. Obstacles

LRE is not recognized at the university. It is not a discipline.

F. Solutions

1. Build a research base.

2. Awareness of advisors: a) Constitutional Law; b) Criminal Justice; and c) Jurisprudence

G. Field is loaded with fuzzy concepts (citizenship); difficult for researcher.

1. Conceptional analysis.
2. Longitudinal research.
3. Comparative studies.
4. Ethnography.
5. Case studies (?).

H. Can’t major in LRE because you can’t get a job.

You (future teachers) need history or government.

1. Broaden certification fields.
2. Change credential requirements.
3. Comprehensive major.
4. State/university requirements. Some schools have chosen to require *Street Law* as a course, e.g., Michigan.

I. Research

1. Attitudes/beliefs toward Bill of Rights, etc.
2. Impact/effectiveness of materials and activities.
3. Political socialization.
4. Effects on behavior (e.g., attendance, suspension). Capitalize on government and foundation grants evaluation requirements.

J. No research

1. Grant money for graduate students and professors.
2. Opportunities for publication of research studies.
3. Honors, awards—best dissertation; best research.
4. Suggest topics for research for graduate students.
5. Presenting papers.
6. Action research, (library studies) done by teachers.
7. Use College and University Faculty Association (CUFA) list as part of a network.

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## The “L” in LRE: New Developments in Content Summary Report of Discussion Group 4

*Prepared by Alita Letwin and Moses S. Koch*

The following summary is organized around a number of questions the group addressed, in order of discussion.

I. *What is encompassed in LRE now?*

The participants felt that the main attributes of LRE, applicable to all programs included:

- A. The study of law and legal and political institutions, their role in society, and the principles upon which they are based.

- B. Active student participation in this study.
- C. An emphasis on decisionmaking regarding what law and institutions should be, how law should be applied, what public policies should be created.
- D. The development of critical thinking skills, i.e., the examination and evaluation of facts, issues, and ideas before accepting them whether from authority or others—as a fundamental responsibility of citizenship.
- E. The development of conflict resolution skills, i.e., ability to deal with divergent views and to resolve differences in a democratic, peaceful manner.

In our initial discussion it was pointed out that many of the key phrases currently used to describe desired educational outcomes, for example, decision making, thinking skills (reflective, divergent, higher order, critical), cooperative learning, conflict resolution and moral reasoning, have been an integral part of LRE since its inception.

## II. *Are there any subjects that cannot be encompassed in LRE?*

The discussion of this question resulted in some agreed-upon responses, but it also raised some unanswered questions and unresolved concerns that are presented below.

One of the strengths of LRE is that it can look at any issue that is important to society at a given time in a way that is meaningful to students. In examining issues, students develop an understanding of the law and the basic principles and ideas upon which it is based; develop decisionmaking skills; and gain a sense of control over their life and environment. The flexibility and responsiveness of LRE allows it to deal with content areas as they develop. It is this quality of LRE that makes it so relevant. It was generally believed by this group that, ideally, LRE should integrate all academic content and school-life issues, even when it is desirable to have individually delineated courses in every secondary curriculum. But this also creates a problem for LRE: *because* it is so pervasive, it lacks a single academic home and constituency.

Some participants indicated that the methodology of LRE is of equal importance to its content and that this helps make it applicable everywhere (e.g., the use of participatory strategies wherever feasible, Socratic questioning techniques, case study method, experiential learning, group interaction, interdisciplinary teaching, etc. LRE also promotes student initiative while expecting student responsibility). This raised the question of whether there is a core LRE curriculum or if the field is defined by its strategies.

The participants generally felt that whether any limitations are placed on the breadth and depth of the discussion of a subject determines whether it is applicable for LRE. For example, some concern was expressed about the topic of drugs in the LRE curriculum, especially in those states where the law proscribes discussing certain options, such as legalization. Does this present a conflict for LRE programs that presume open debate as necessary for critical thinking? Similar concern was expressed about other controversial topics such as AIDS or abortion.

The general belief among the participants was that this was a serious concern. However, much depended upon the structure of LRE programs that dealt with such issues. If

they emphasized the development of policy, allowed for open debate, as well as provided knowledge of the law, they could stay true to LRE principles. Such issues were major ones in the lives of students, it was felt, and therefore it is important to find ways to have students examine them if LRE is to both remain meaningful and carry out its citizenship mandate. Some also felt that LRE drug programs create an entry for other LRE programs because they are quickly accepted by educators and the community.

This discussion did trigger several concerns. The first was that too often programs are developed to fit the prescriptions of the funding sources rather than to meet goals more in keeping with purposes of LRE. The funding possibilities, rather than philosophy, determines content. This determination of topics was seen as a threat to the integrity of the field.

Another concern was that the effectiveness of LRE will be judged by whether students are "less delinquent" or less inclined to use drugs—a difficult test for one small part of the educational process. One participant stated that if we had an educational system that emphasized what is worthwhile in life, we wouldn't need six week units on drug education, suicide, or pregnancy prevention. He went on to say that LRE is about developing the skills and attitudes that empower students to think, take action and be constructive citizens. This allows for the improved self-image that prevents delinquency and other problems for youth. Most of the group concurred.

## III. *Are there any subjects that should be given more emphasis in years to come because they meet special social needs?*

Many of the issues that have been with us since the inception of LRE are still contemporary concerns, e.g., gun control, abortion, poverty, racism. In brainstorming additional subjects, the following were listed (not necessarily in order of importance):

- A. Ecology and global interdependence.
- B. Conflict resolution.
  1. International relations and peace.
  2. Interpersonal relations.
- C. Privacy vs. new technology for data collection.
- D. Issues arising in a multicultural society.
  1. Different cultural viewpoints towards legal processes and the law.
  2. Protecting cultural diversity.
  3. Building consensus.
- E. Citizen rights and responsibilities.
- F. Obligations of public office (i.e., accountability).
- G. Consumerism.
- H. Access to justice.
- I. Equality.
- J. Sex equity.

This subject was discussed further in section VI below

## IV. *Are there new methodologies that would help students deal with legal issues and the role of law more effectively?*

It was strongly suggested that more attention be given to the use of mediation and arbitration strategies in LRE. Par-



ticipants also indicated that more emphasis should be placed on methods that encourage student responsibility. For example, students should be responsible for most of the necessary discipline, they should serve as tutors of younger students, they should act as mediators in student and, possibly, neighborhood conflicts.

These, and other activities that should facilitate student empowerment and lead to peaceful resolution of conflict, should be encouraged.

Two areas relating to methodology that needed further development in LRE programs were identified:

- A. Computer-assisted learning emphasizing information gathering and problem solving activities.
- B. Materials and methodology that address diverse learning styles.

#### V. *What effect do resources have on LRE programs?*

Some of the effects of funding agencies' guidelines on the kinds of programs developed by LRE projects was discussed in section II above, as were some of the implications of state laws that restrict the way certain topics are presented. But several other external developments that affect the field were also discussed. Among these were state-mandated testing and new social science frameworks.

It was pointed out that more states are requiring passage of a statewide test before graduation. Ohio, for example, instituted a citizenship test requirement in 1990. Fifty percent of the test relates to LRE concepts. Among other consequences, this could afford new opportunities for LRE.

Another "external" factor influencing LRE is a growing emphasis, both on a national and a state level, on developing a long-term, in-depth approach to certain themes or subjects. This should have an effect on how LRE examines concepts and organizes curriculum.

There is also a growing call for the development of "moral reasoning" and "civic virtue." In some cases, it was felt that this results in programs that emphasize the inculcation of certain "moral imperatives." This was also seen as one of the implications of the call for "cultural literacy." Some believed that this meant pressure to teach "given truths." The group discussed the meaning of "core democratic values" and expressed some concern about what this means in an increasingly pluralistic society. The discussion raised the following kinds of questions for LRE to consider in the future: Is there a core of knowledge and understanding that everyone in society should learn? Are there core values that all could share? Should we and could we reach consensus in a pluralistic society?

It was felt that these outside developments have many implications for the future development and content of LRE.

It was also felt that it was necessary to broaden the scope of resources available to LRE. One important way of accomplishing this was to ensure that diverse racial, ethnic, and political perspectives were represented in all aspects of LRE activity: curriculum, community resource personnel, advisory boards and conferences. Another was by networking with a broader range of organizations such as those developing mediation/arbitration programs, peace and nuclear issues curriculums, model United Nations sessions and intergroup relations activities.

#### VI. *What would the ideal LRE curriculum look like in the future?*

The group quickly agreed that in view of many of the above developments, especially the one calling for a greater depth of understanding, and the fact that laws and issues change over time, a model LRE framework would be based on broader issues and their underlying concepts. Often these would reflect the tension between opposing points of view or societal needs. The ones that were identified are listed below in no particular order, with some of the questions and issues that might be included in their discussion. Important concepts included:

- A. Privacy vs. freedom (e.g., "gag" orders on the press during a trial). Is privacy a right? Where does the right to privacy end and the right to know begin? This question becomes more important with the development of new technology.
- B. Justice—access to justice (e.g., different quality of counsel available based on ability to pay). Is justice determined by the formal right to access to a system or by how the system actually operates?
- C. Equality/equity (e.g., opportunity for employment based only on ability, yet ability constrained by past inequality of educational opportunity). What is equality? What constitutes equal opportunity? How do such factors as race, culture, sex affect this question?
- D. Diversity/consensus (e.g., bilingual education to help maintain cultural identity and self-esteem and the need to develop a common sense of nationhood). What is meant by differing cultural perspectives? How do we reach consensus? At what cost? To what extent should diversity be encouraged, tolerated, limited?
- E. Authority. This would include the philosophy, source, and development of law.

Other concepts listed included freedom, liberty, responsibility, and property.

Among the broader issues or areas of interest relating to these concepts that were identified as being important to address in greater depth in the future were:

- A. Ethics and morality. What constitutes ethical behavior?
- B. Technology. The impact of new technology on legal and social policy.
- C. Remedies. Alternative methods of righting wrongs.
- D. Conflict resolution. Alternative ways to resolve disputes. Comparative justice systems.
- E. Issues of general welfare. Drug use, abortion, homelessness, poverty, delinquency, AIDS, family structure, etc. (Some of these issues may not be relevant to the year 2000 and/or new ones may appear).
- F. International law and policy. Peace, environmental protection, space law, population, migration, and once again, new topics in a new time.
- G. Issues of personal welfare. Child and spouse abuse, elder care, education, parenting.

- H. Issues of multicultural diversity. Multilingual education, historical experiences, divergent perspectives, the impact of demographic changes.
- I. Economic issues. Consumer rights and problems of consumerism.

The group believed that the philosophic underpinnings of these concepts and issues were an important base for LRE. Linking these concepts and issues to the Constitution was seen as an important and ongoing role for LRE in the future.

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## **The Role of Community Involvement in the Development and Institutionalization of LRE: Summary Report of Discussion Group 5**

*Prepared by Judy L. Parker and Douglas A. Phillips*

Community involvement is most important to the development and institutionalization of law-related education both now and in the future. However, in a rapidly changing society, it is important to remember that community involvement in terms of resources can both impede and contribute to the institutionalization of LRE.

LRE coordinators can encourage the continued interest and support of outside resources by keeping community members apprised of new developments in the field of LRE. Community resources are expanding at a tremendous rate and this expansion can directly impact upon the institutionalization of law-related education.

Who are these outside law-related resource leaders and how can we involve them in fostering LRE in our classrooms and communities? Law-related resource leaders need not be limited to elementary/secondary teachers and attorneys, but can include legislators, judges, humanitarians, military personnel, bank officers, postal inspectors, scientists, and law enforcement personnel. Also, LRE audiences are no longer limited to students, but now include preschool through senior citizens. Community involvement fosters better program utilization of community resources and promotes a sense of citizenship amongst community members.

There are a variety of ways in which resource leaders can learn about LRE. The media can play a vital role in furthering the cause of law-related education. LRE articles and activities calendars can be publicized in local and national newspapers, magazines, and educational journals. The production of videotapes with LRE themes and TV/radio spots are still an untapped source of publicity.

The progressive field of technology has broadened our means of communicating with one another. LRE projects should begin to utilize various communication devices in order to provide and exchange information more quickly. More LRE programs are utilizing computers, word process-

ing equipment, computerized phone systems, as well as fax machines, in an effort to improve communication locally, regionally, and nationally.

To secure involvement from resource leaders, as well as possible funding, LRE coordinators should attend community organization meetings in order to discover the issues that are pertinent to local citizens. Public schools could coordinate an LRE Fair and invite teachers, parents, and community representatives. Schools may also sponsor an LRE Parents' Night at which refreshments could be provided by the home economics or culinary arts class. Senior citizens have been sorely neglected as LRE resource leaders. With their wealth of experiences, they could be matched with senior high school students in an effort to promote law-related education both within the school and the community. In addition, small business owners and local clergy should also be considered as sources of support.

To further the institutionalization of LRE within the schools and maintain student interest, a peer education project could be established i.e., kids teaching kids. High school students paired with elementary students would tutor and/or teach an LRE informational class. In this way, LRE can remain alive on all grade levels.

To maintain adult involvement, special law-related education training sessions for volunteer resource leaders should be conducted periodically in an effort to provide updated LRE information and educational materials. An added attraction would be offering continuing education credit to those volunteers who would attend the LRE orientation/training course, seminar, or workshop. To express appreciation to one's LRE resource leaders, the distribution of LRE awards is an effective means of recognizing their volunteer efforts.

To minimize duplication within LRE development, it is important for LRE projects to share and network with one another and learn about new resources as they become available.

The ultimate question is whether or not law-related education will have the same meaning in the year 2000? The field of law-related education will be forced to change as the world changes. Some aspects of change which could affect law-related education as we know it would include:

- Changes in the environment, space exploration/colonization, and the 1992 European Common Market world monetary system will probably result in a greater commonality of laws.
- Increased knowledge of military/nuclear armaments and space law may have a profound effect upon military and international law. The field of space law will perhaps become an additional LRE topic.
- Technological changes and further world developments will cause teachers to expand LRE teaching methodologies. Teachers will be able to assist mentally resilient students in accepting and coping with change through law-related education and the proper use of community resources.
- Mock trial competitions will probably cease to be conducted in the manner in which we are accustomed.

- The state of the legal profession will continue to change and the law firm will become much more like a business corporation. Billable hours and competition for clients will result in less time devoted to pro bono work. Securing attorneys as volunteer resource persons will therefore become a very difficult task.
- Since LRE is not tied to any one field, it can be linked with many different areas.

In conclusion, the future of LRE in the year 2000 can be summed up in the role-play exercise entitled "LRE Future Shock" which appears at the end of this report.

I. *What does community involvement contribute/hamper/mean with regard to LRE?*

- Bring the community into what we are doing in LRE.
- Funding from community resources, i.e., environmental subcommittees . . . in-kind donations.
- Danger of "writing" own agenda.
- Community resources are expanding.

II. *Is community involvement necessary for institutionalization? If yes, how can the use of outside resources best be encouraged and used to institutionalize LRE?*

- Important, but not necessary.
- Use of attorneys, judges, police department, etc.
- Community involvement . . . other possible questions:
  - Senior citizen involvement (wealth of prior experiences, i.e., legislative, funding, teaching, etc.).
  - Technological expertise as a contribution to LRE.
- LRE programs cannot exist without the involvement of community resources. More community involvement fosters better program utilization of community resources.
- Inservice/CLE credit/pro bono service recognition awards by the local bar association or LRE project.

III. *What are some of the new ways to involve community/outside law-related resource leaders in teaching?*

- A "thank you" affair for volunteers; pro bono (LRE awards); Awareness Fair.
- LRE Fair for teachers and community representatives.
- How do you get outsiders to learn about LRE? Pamphlets; orientation training sessions in LRE for attorneys and other volunteers; secure involvement by attending community organization meetings.
- Use of training videotapes.
- Publicity—involve the media, corporate entities, newspapers, TV/radio community spots, and utilize the Newspapers in Education coordinator.
- Involvement is not limited to attorneys. Involve lawmakers/legislators, scientific resource persons, humanitarians, military, banks, Postal Service (consumer credit).

IV. *Will LRE have the same meaning in the year 2000? LRE could change as the world changes, i.e.,:*

- Environment.
- Space (colonization).
- Spread of nuclear weapons and other military armaments.
- State of legal profession will change and will become more like a business. Support for doing pro bono work might be reduced.
- Dispute resolution is changing with more concern with the rights of others.
- 1992 European Common Market world monetary system (may result in greater commonality of laws).
- Science/bioethics.
- Teacher training/parent training.
- Look at sequencing of LRE; continue and expand teaching methodologies.
- Mock trial competitions; increased use of technology.
- Questions of procedure and substance.
- Access to space lawyers, etc.; resources available through interactive technology.
- Help mentally resilient students accept/cope with change ("future shock") through LRE and use of resources.
- LRE commitment to history.
- LRE is not tied to one field and can easily be tied to many areas.
- Work towards regional efforts.

V. *Other ideas:*

- "I Have a Dream" programs.
- "Adopt-a-School" programs.
- "Mentor" programs (Not just lawyers having students in their office, but with many types and formats).
- Communication/involvement of parents through events, PTAs. Deal with multiple ethnic parents.
- Use fax machines/technology for newsletters and communication.
- Senior citizens, i.e., senior citizens matched with a senior high school as resources.
- Business.
- Guidelines/training, etc. for volunteers—community resources.
- Peer educators—kids teaching kids
- LRE issues/parent involvement.
- Identify what resource people reinforce.
- Use food service from home economics/culinary arts to support LRE parents' night.
- Involve the clergy, with care in utilization.
- We need more sharing/networking on community resources as a regular part of ABA conferences.
- There is much duplication in LRE development of community resources, etc. Sharing is very important (a clearinghouse function).



#### VI. A role-play exercise: "LRE Future Shock"

An LRE coordinator falls asleep in 1992 and wakes up in the year 2000. The ABA is holding the National LRE Leadership Seminar on Venus and invites the Mars Bar Association to attend. When the LRE coordinator is discovered, a reporter from the Star Evening News, Lucy Skywalker interviews him or her and a dialogue ensues in which the coordinator is asked, "Have you developed a mission statement?" To which the coordinator sleepily responds, "No, mission impossible!"

At this point, the role-play can continue with other participants discussing the changes that are now in effect in the year 2000 and how LRE has been affected by them.

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#### **Proposed LRE Mission Statements**

1. To enhance the ability and desire of citizens to participate in our democracy.
2. To promote and develop the skills, knowledge, and attitudes that foster an informed, active, and responsible citizenry.
3. To educate people to participate in the achievement of democratic forms of justice through critical examination of dynamic legal principles, institutions, and processes.
4. To prepare people for the responsibilities necessary to promote justice and sustain democracy in a changing society.
5. To promote a more just and caring society by educating all individuals as to the role of law and their participation in civic decision making.
6. LRE's mission is to (action) citizens who understand, are committed to, and act consistent with democratic values and constitutional principles.
7. To engage all students with the skills and knowledge to be active model citizens in a democratic and global society.
8. To enhance understanding of the principle of democracy and foster a commitment to effective citizenship