



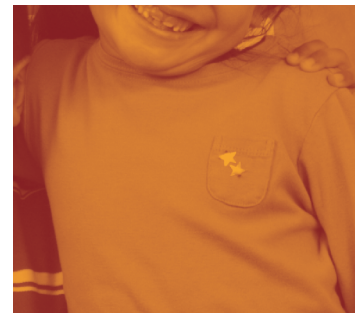
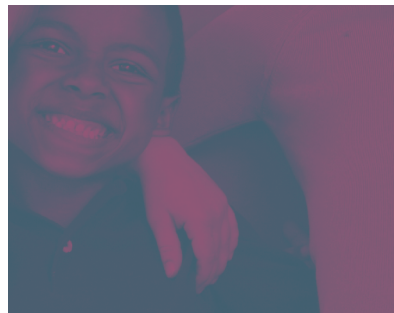
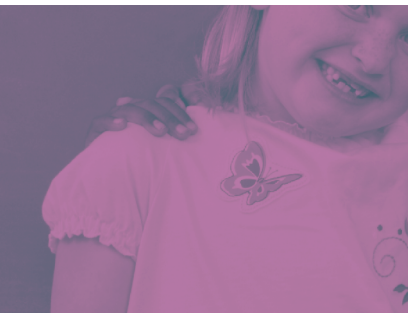
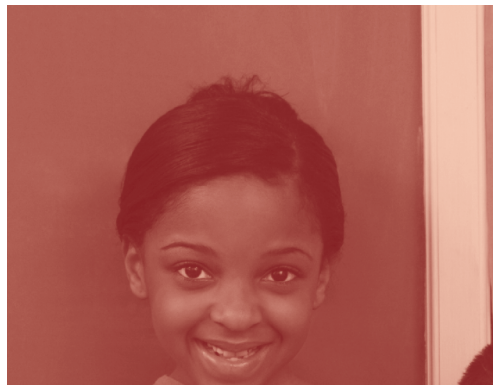
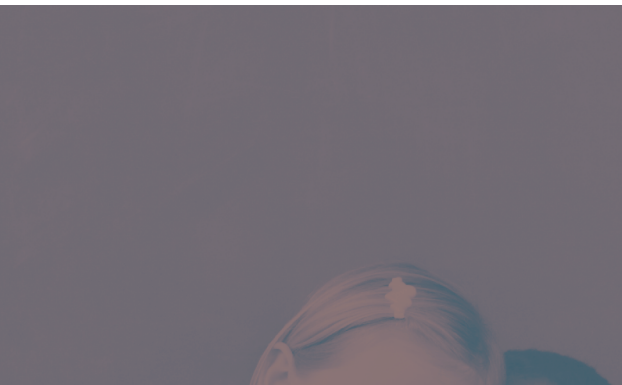
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Providing Comprehensive Educational
Opportunity to Low-Income Students

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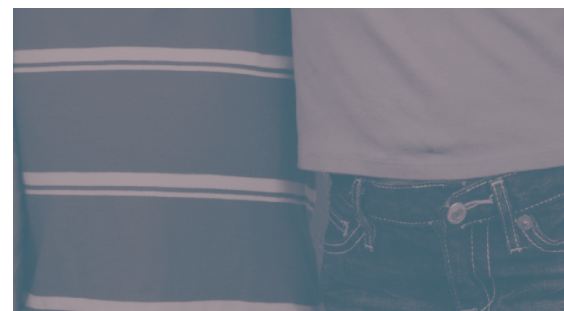
A Proposal for Essential Standards and Resources

A Report of the Task Force on Comprehensive Educational Opportunity



Michael A. Rebell
Jessica R. Wolff

October 2011



The Campaign
for **Educational
Equity**

Teachers College, Columbia University

**+ Achievable
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The Campaign for Educational Equity is a nonprofit research and policy center at Teachers College, Columbia University, that champions the right of all children to meaningful educational opportunity and works to define and secure the full range of resources, supports, and services necessary to provide this opportunity to disadvantaged children. Founded in 2005 by educational law scholar and advocate Michael A. Rebell, the Campaign pursues systems change through a dynamic, interrelated program of research, legal analysis, policy development, coalition building, curriculum development, and advocacy dedicated to developing the evidence, policy models, curricula, leadership, and collaborations necessary to advance this agenda at the federal, state, and local levels.

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Executive Summary

If comprehensive educational opportunity is conceived as a right, then the state must commit to providing it and must develop a policy infrastructure to assure broad access, uniform quality, regularized funding, and firm accountability strictures to ensure all students a meaningful opportunity to obtain necessary services. Past efforts to ensure comprehensive opportunities for low-income students have proven ephemeral mainly because the policy infrastructure to ground the reforms permanently was never adopted.

The standards movement has established such a policy infrastructure in regard to K-12 education. The standards-based approach consists of expected outcomes, specific academic standards, and extensive accountability requirements. The New York Court of Appeals in the *CFE* case and courts in many other states have issued mandates to provide the resources required to meet those standards in the sound basic education cases that have been litigated throughout the country in recent years. The aim is to create a coherent system of standards, resources, and assessments that will result in significant improvements in achievement for all students.

The task force contends that the appropriate way to implement children's right to comprehensive educational opportunity and to ensure adequacy and equity in access to services in early childhood education, expanded learning opportunities, health, and family support services is to apply the same policy infrastructure that has proved so useful in K-12 education. To create guidelines for developing the full policy infrastructure for comprehensive educational opportunity, for each of the component areas of children's services that constitute comprehensive educational opportunity the task force members and invited experts developed a policy framework that included (1) setting goals for the system and articulating expected student outcomes; (2) delineating the range of program quality and performance standards that the state needs to develop in each area to ensure those goals are reached; and (3) detailing the essential resources and services needed to provide meaningful opportunities to achieve the standards.

Using figures from Rothstein, Wilder, and Allgood (2011) and subtracting the current expenditures in these areas as calculated by Belfield and Garcia (2011), we estimate that a high quality, integrated system of comprehensive educational opportunity would require approximately \$4,750 more per disadvantaged child in New York State than we are now spending for these services; the national equivalent figure would be \$4,230. This is not an inconsequential amount of money, but our analysis shows that broad-based implementation of the right to comprehensive educational opportunity is a feasible proposition. Furthermore, actual implementation of this range of services is likely to involve more effective and efficient arrangements than the compartmentalized way that each service is separately described for analytic purposes. Effective coordination in implementing comprehensive services is likely to reduce the total costs.

Belfield, Hollands, and Garcia (2011) demonstrate that the social and economic returns of providing disadvantaged students a meaningful educational opportunity are substantial, and they clearly justify the moderate investments that are really necessary to overcome achievement gaps and ensure that all of our students are prepared for the challenging economic and political environments with which our nation will have to cope in the years to come. It is our responsibility to these students today, and to the futures of all our children, that we begin the hard work of adopting the policy infrastructure necessary to secure this right and determining to make these investments most effectively to create a system to provide it.

This report was written by Michael A. Rebell and Jessica R. Wolff, based on input gathered in meetings of the task force. Although the members of the task force provided valuable input reviewed and commented on the contents of drafts of each of the issues and studies discussed in this document, the report has been prepared by the Campaign for Educational Equity, and members of the task force have not been asked to specifically endorse our findings and recommendations. The Campaign for Educational Equity thanks the Smart Family Foundation, the Robert Sterling Clark Foundation, the W.T. Grant Foundation, and the James and Judith K. Dimon Foundation for their support of this work.

I. Introduction

On international academic comparisons, the United States posts disappointing results compared with most advanced European and Asian countries (Fleischman, Hopstock, Peczar, & Shelley, 2010). However, our average national performance masks a huge dichotomy. According to an analysis of the latest PISA (Programme for International Student Assessment) reading scores by Gerald N. Tirozzi (see Riddile, 2010) U.S. schools that serve middle class and wealthy American public school students actually do very well on international tests; the problem is that the United States has by far the highest rate of child poverty of any of the advanced industrial countries, and it is these children who perform very poorly.

U.S. Free and Reduced Meal Rate	PISA Reading Score
U.S. schools with < 10%	551
U.S. schools with 10–24.9%	527
U.S. schools with 25–49.9%	502
U.S. schools with 49.9%–74.9%	471
U.S. schools with >75%	446
U.S. average	500
OECD Average	493

Our mediocre international standing thus reflects the dismal academic performance of students from high poverty schools.

The U.S. poverty problem is significant, and it has a profound impact on children's learning. At nearly 22%, the childhood poverty rate in the United States is the highest among the wealthy nations in the world (Childstats.gov, 2011; Denmark and Finland's rates are below 5% (OECD, 2009).¹ The United States also leads the industrialized world in the percentage of its population that is permanently poor (Berliner, 2006). Achievement gaps for disadvantaged children begin before they start school and widen throughout their school careers (Layzer, Layzer, Goodson, & Price, 2007; Miller, 1995; Robelen, 2002). Children who grow up in poverty are much more likely than other children to experience deprivations that make learning difficult and put them at risk for academic failure. Moreover, the longer a child is poor, the more extreme the poverty, the greater the concentration of poverty in a child's surroundings, and younger the age of the child, the more serious the effects on the child's potential to succeed academically.

Multiple educationally relevant factors related to poverty contribute to these gaps. For example, children born to low-income mothers often lack prenatal care and therefore have lower birth weights, diminished cognitive abilities, and ongoing health problems (Rothstein, 2004). Children who are poor often have lower-quality adult-child interactions, characterized by a smaller number of words spoken to them (Brooks-Gunn & Duncan, 1997). They receive lower quality early childhood educational experiences and when they reach school age are likely to attend segregated, high poverty schools. They have fewer books in the home and

¹ OECD (2009) defines "poverty" as living in a household where the equivalent income is less than 50% of the national median. If "poverty" is defined in terms of the average income that families need to make ends meet (\$42,400 for a family of four in 2008) rather than the more artificial federal poverty level (\$22,050 in 2009), then the poverty rate in the United States, which according to the current federal standard is 14.3% overall in 2009 is actually 39% (Eckhold, 2010).

are read to less frequently. They are less likely to have a computer and spend more time watching television (Ferguson, 2007). Children from low-income families also are more likely to have a history of severe vision impairments, hearing problems, untreated cavities, lead exposure, and/or asthma, poor nutrition, all of which affect children's readiness and ability to learn (Rothstein, 2004).

The vast majority of successful schools nationwide can be assured that their students come to them equipped with the basics for school success. In these schools, students arrive having received the early childhood educational experiences they need to be ready for grade level work; their health and mental health needs are largely being met; they enjoy a range of both academic and nonacademic learning experiences beyond the school day that complement what they learn in school; and they receive the family support that ensures they are motivated and prepared to learn when they are in school. These ingredients are a necessary but often invisible and unacknowledged part of the recipe for a successful school. Like yeast in dough, they catalyze the other basic ingredients. As a result, high poverty schools, whose students often lack these educational basics, have a much greater challenge in meeting their academic goals.

America's prime educational policy attempts to respond to this challenge and to the vision of equal educational opportunity that has been at the core of our democratic traditions. At both the state and federal levels, our national goal is to raise academic achievement and to prepare *all* students to be proficient in meeting them. The state standards reform movement of the past 20 years is premised on the conviction that if provided proper resources and supports, "[a]ll children can learn...at world class levels" (New York State Board of Regents, 1993) and the federal No Child Left Behind Act (NCLB) holds states and school districts accountable for making sure that all children attain "proficiency on challenging State academic achievement standards" by the 2013-2014 school year (No Child Left Behind Act, 2001).

This policy reflects a bipartisan consensus of presidents, governors, educators, and business leaders. It seeks to allay fundamental concerns that America's ability to compete in the global marketplace and the continued viability of our democratic institutions are threatened by the large achievement gaps of the economically and otherwise disadvantaged students who will soon become the majority of our public school population (see, e.g., National Center on Education and the Economy, 2007; U.S. Department of Labor, 1990).² Pursuant to this policy, the federal government has increased its level of educational funding for low-income children,³ and courts in more than two dozen states have mandated more adequate and equitable funding for these students' schools.⁴ At least in the states where plaintiffs have prevailed, these efforts have helped rectify the highly inequitable systems for financing public education. Despite these efforts, however, most low-income students still attend schools of substantially lower quality than nonpoor students. Large funding gaps persist and, as a result, limited access to high quality human and other resources also persists in many if not most of these public schools.

Additional funding and expanded efforts to improve K-12 public educational systems since passage of NCLB have made limited progress in promoting proficiency and overcoming the achievement gaps caused by America's strikingly high child poverty rates.⁵ While vital school improvement efforts must continue, many

² Inadequate education also dramatically raises crime rates and health costs, and denies the nation substantial tax revenues. These issues are discussed in detail in Belfield and Levin, 2007.

³ Between 2001 and 2007, federal funding under Title I of the 1965 Elementary and Secondary Education Act increased by over \$4 billion or approximately 45%; however, these appropriations fell far short of the \$16 billion authorization increase that Congress had included in the No Child Left Behind Act of 2001, of which ESEA is a major component (Rebell & Wolff, 2008). In the American Reform and Reinvestment Act of 2009, Title I funding was temporarily increased by \$13 billion as part of the government's educational stimulus plan, but by 2011 funding levels will revert to pre-ARRA levels (American Recovery and Reinvestment Act, 2009).

⁴ For a detailed discussion of the "equity" and "adequacy" litigations that have been litigated in the courts of 45 of the 50 states over the past 35 years, see Rebell, 2009.

⁵ There has been incremental progress on 4th grade reading and math scores and in reducing achievement gaps on the National Assessment of Educational Progress (NAEP), although the rate of gain in the years since NCLB was enacted does not exceed the general rate of progress registered in the decade before the law's passage; at the 8th grade level, however, there has been virtually no gain in standardized reading scores. In addition, the

educational researchers recognize that these alone are not sufficient to meet our national educational goals. To overcome the achievement gaps and provide meaningful educational opportunity to all students, large scale efforts must also be made to overcome the educationally relevant effects of poverty and to promote the complementary cognitive and social development, physical and mental health, and nonacademic knowledge and skills, from birth through the end of formal schooling, that are also necessary for school success. Child poverty cannot be used as an excuse for low academic achievement, and neither can school improvement efforts be used as an excuse to ignore the effects of poverty on students' ability to succeed academically.

To close the achievement gap requires a *comprehensive* concept of equity in education, one that focuses *both* on the resources and opportunities provided in formal school settings from kindergarten through high school, *and* on the importance of providing students the full range of educationally relevant “out-of-school” services that students need to overcome the impediments to learning that poverty imposes. Accordingly, we define “comprehensive educational opportunity” as the provision of meaningful mechanisms for children from backgrounds of poverty to obtain the early childhood, health, expanded learning, and family support opportunities that are necessary for academic success.

Although the need for such a comprehensive approach to educational opportunity is widely recognized, and a large number of demonstration projects have been implemented in recent years to meet children's broad learning needs, there has been no broad-based initiative at the federal or state level to provide comprehensive resources and services on the scale that is needed to overcome the substantial gap caused by health and family support factors, and by the lack of early childhood and expanded learning opportunities for millions of poor and minority American school children. In order to ensure that such comprehensive services are adequate, effective, and sustained, Americans must understand that comprehensive educational opportunity is a right that must be made available to all children, not merely a set of sometime services that are provided to some children when political forces are aligned and some funding is allocated.

Our research has identified four prime areas of supportive services for children and youth that relate most directly to overcoming the impediments to educational achievement imposed by the conditions of poverty. These core areas are (1) early childhood education beginning from birth that ensures the range of development necessary to be ready for school, (2) routine and preventive physical and mental health care that maintain bodies and minds that are able to learn effectively, (3) after-school, summer, and other expanded learning time opportunities that both bolster academic learning and promote social, emotional, and civic development necessary to succeed in school, and (4) family engagement and support that foster students' academic development.⁶

In each of these four areas, studies commissioned by the Campaign for Educational Equity at Teachers College, Columbia University, have analyzed the current state of research and demonstrate a direct relationship between each of these factors and student achievement. For example, children who attend center-based preschools perform better in kindergarten when compared with peers who did not attend preschool, and these effects are larger for lower income students (Kagan, 2009). Poor urban youth have higher rates of asthma, which results in sleep deprivation and absenteeism that adversely affects their motivation and ability to learn in school (Basch, 2010). After-school programs have been found to result in

performance of 12th-grade students nationwide in reading and mathematics on the 2009 NAEP showed improvement since 2005, but the average score for reading was lower compared with 1992, and significant achievement gaps among major racial/ethnic groups remain in both subjects (National Center for Education Statistics, 2010). No state is on track to reach full proficiency by 2014. In fact, the number of schools that are failing to make “adequate yearly progress” (AYP) toward this goal is rapidly accelerating: In 2008-2009, one-third of all schools in the country failed to make AYP and in nine states and the District of Columbia more than 50% of the schools failed to meet these legally mandated targets. It is likely that 50% of all schools nationwide will fail to make AYP by the end of the current school year (Dietz & Roy, 2010). At current rates, it will take 30 years in reading and about 75 years in math to overcome the racial achievement gaps (Harris, 2010).

⁶ Other supports, such as family income, employment, housing and welfare policies, although they are of great economic and social significance and may also have some effect on educational opportunity, have not been the focus of our analysis. For a discussion of the problems and reform possibilities in these areas, see Anyon, 2005.

small, but meaningful positive effects on academic outcomes and significant improvements in educationally relevant attitudes and behaviors (Gardner, Roth, & Brooks-Gunn, 2009). From preschool through high school, “positive family-school relationships promote information sharing, convey to children the importance of education and increase children’s educational expectations and achievement” (Weiss, Bouffard, Bridglall, & Gordon, 2009, p. 21). If all of these resources were available in a coherent, integrated manner on a regular basis to disadvantaged students, as they regularly are to more advantaged students, there is no doubt that the overall impact on student learning would be even more powerful.

The recognition that children need this range of in- and out-of-school resources is not new. Beginning with the settlement houses in the 19th century and continuing to the present in forms like community schools and the Harlem Children’s Zone, many efforts have been made to provide low-income children and their families with these critical resources. In the early 1990s, the bipartisan congressional committee that drafted “Goals 2000” to guide the national standards-based reform movement, recognized that the first goal must be that “All children in America will start school ready to learn,” and that to achieve this goal all children must have access to “high quality...pre-school programs” and must “receive the nutrition, physical activity experiences and health care necessary to arrive at school with healthy minds and bodies, and to maintain the mental alertness necessary to be prepared to learn...” Political differences soon undermined these Goal 2000 efforts, and the comprehensive approach to student needs called for by the committee was never put into effect.⁷

The Obama administration has supported and invested in aspects of comprehensive or whole-child approach through new initiatives that support high-quality early childhood programs, nurse-family partnerships, school-based health centers, full-service community schools, and “Promise Neighborhood” demonstration projects. But the administration has not promoted policies to deliver these initiatives in a coherent, financially stable manner, nor has it identified the comprehensive approach as an essential priority in its proposals for reauthorization of the Elementary and Secondary Education Act.⁸

Indeed, in spite of much evidence and widespread agreement about the need for a comprehensive approach to educational opportunity, and numerous programs that deliver elements of it, there has been little recent work to develop the policy infrastructure, legal context, and economic feasibility necessary to implement it – at either the federal or state level. Developing a practical approach for implementing comprehensive educational opportunity cost effectively on a large scale is the challenge that the Campaign for Educational Equity at Teachers College has undertaken. To do so, we believe it is necessary to (1) identify through rigorous *research* the core elements of comprehensive educational opportunity; (2) articulate a credible *legal theory* to support a rights-based approach to the provision of such opportunities; (3) undertake *cost analyses* to identify the level of expenditure needed to provide comprehensive services on a sustained, stable basis; (4) create guidelines for the *policy infrastructure* necessary to deliver comprehensive educational opportunities; and (5) develop *specific legislative proposals* for implementing a coherent, broad-based cost-effective system to provide comprehensive educational opportunity for all students.

The research and legal analysis phases of this approach were undertaken by members of the faculty at Teachers College and other universities with expertise in the particular areas and by the staff of the Equity Campaign. Our other efforts to move the comprehensive approach from the realm of research and pilot projects into the realm of concrete implementation was undertaken with the assistance of a task force of key experts — researchers, policymakers, practitioners, and advocates — from the spectrum of fields represented by comprehensive educational opportunity as well as key organizations that are piloting comprehensive projects. The task force has met regularly over the past two years with the purposes of (a) creating guidelines for

⁷ The history and the implications of the Goals 2000 experience are discussed in more detail in Rebell & Wolff, 2008, chapters 3 and 4.

⁸ The blueprint proposes “competitive grants” but not universal funding for comprehensive approaches to meeting children’s needs (U.S. Department of Education, 2010).

the policy infrastructure for delivering comprehensive educational opportunity and (b) providing expertise to support a comprehensive analysis of the costs of such a system; future meetings of the task force will focus on developing legislative proposals for implementing a statewide comprehensive educational opportunity system.

The task force approach has resulted in a unique collaboration among a diverse spectrum of agencies, organizations, and individuals who traditionally work separately and without coordination. It has allowed us to share information (research, advocacy opportunities, policy development, best practices) that usually is siloed; provided a strategy and framework for well-informed, coordinated policy development; and helped to build a strong, coherent force for systems change. The task force has focused on issues, institutions, and costs in New York State, but its general findings and recommendations would be replicable in other states and localities.

The members of the Task Force for Comprehensive Educational Opportunity are

- The After-School Corporation
- Alliance for Quality Education
- Annenberg Institute for School Reform
- Campaign for Fiscal Equity
- Center for Children's Initiatives
- Center for New York City Affairs
- Chemung County School Readiness Project
- Children's Aid Society
- Children's Defense Fund – New York
- Citizens Committee for Children
- Good Shepherd Services
- Harlem Children's Zone
- Metropolitan Center for Urban Education
- Mission Society of New York City
- Neighborhood Family Services Coalition
- New York City Department of Education
- New York State Afterschool Network
- New York State Coalition for School Based Health Centers
- New York State Council on Children and Families
- New York State Council of School Superintendents
- New York State School Boards Association
- New York State United Teachers
- Say Yes to Education
- Schuyler Center for Analysis and Advocacy
- Turnaround for Children
- United Federation of Teachers⁹

⁹ A full list of the individual subject matter experts and advisors who, in addition to the representatives of the groups listed above, participated in the deliberations of the task force can be obtained from the second author at wolff@tc.columbia.edu.

II. Implementing the Right to Comprehensive Educational Opportunity

As indicated above, our approach to implementing comprehensive educational opportunity on a large scale is a five-pronged strategy that emphasizes (a) research, (b) legal theory, (c) cost analysis, (d) policy guidelines, and (e) legislative proposals. The research phase has been completed and four separate research papers have been issued (Basch, 2010; Gardner et al., 2009; Kagan, 2009; Weiss et al., 2009). The legal theory and cost analysis work has also been completed and four separate papers setting forth our analysis and recommendations in these areas are being issued together with the present report (Belfield & Garcia, 2011; Belfield, Hollands, & Levin, 2011; Rebell, 2011b; Rothstein, Wilder, & Allgood, 2011). Short summaries of the analyses and conclusions of these reports will be included in the present document. The main focus of this report will be on the fourth item, the guidelines for the policy infrastructure for delivering comprehensive educational opportunity. The fifth and final phase of the project, the development of legislative proposals, will constitute the next phase of the task force's deliberations. It will focus on laws and regulations the state should adopt to encourage localities to develop a range of service delivery and coordinating mechanisms, to ensure stable financing, and to develop appropriate accountability and evaluation systems.

A. The Moral and Legal Right to Comprehensive Educational Opportunity

The premise of the task force's approach to comprehensive educational opportunity is that meeting children's comprehensive educational needs must be viewed as part of a right to education. It is not fair, adequate, or effective for the state to provide services vital to academic success on a discretionary basis only to some of its disadvantaged children some of the time. In a detailed legal analysis that is being issued together with the current report, Michael A. Rebell, the executive director of the Equity Campaign, argues that the asserted right has firm ideological underpinnings in the "American dream" credo that affirms the competitive nature of our society, but justifies its fairness on a presumption that all children will be provided a basic education that will prepare them to go as far as their individual talents and motivation will take them (Rebell, 2011b). Rebell also emphasizes that the federal No Child Left Behind Act (NCLB) implicitly establishes a statutory right to comprehensive educational opportunity through its stated goal of providing "fair, equal and substantial" educational opportunities to all children and its mandate that all children be proficient in meeting challenging state standards by 2014; in the pending reauthorization of the Elementary and Secondary Education Act this implicit right should be made explicit.

Moreover, Rebell argues that there is a firm constitutional basis for a right to comprehensive educational opportunity based on both state and federal precedents. Dozens of state courts throughout the country have held that children have a constitutional right to a "sound basic education"; some of these cases have specifically held that the state constitution imposes an obligation on the state to create an education that overcomes the effects of poverty. There are also strong arguments for such a right based on a broad range of equal protection cases under all three of the Supreme Court's equal protection categories.

First, probing an issue the Court left open in *San Antonio Independent School District v. Rodriguez* (411 U.S. 1 (1973)), evidence and precedents from the state sound basic education cases demonstrate that an adequate education is a necessary prerequisite for students to exercise their free speech and voting rights; a sound basic education – and one that incorporates necessary comprehensive services – therefore, does constitute a fundamental interest under the federal constitution, a denial of which is entitled to strict scrutiny analysis. Next, based on the precedent of *Plyler v. Doe* (457 U.S. 202 (1982)), failing to provide children from backgrounds of poverty a meaningful educational opportunity will "perpetuate a subclass of

illiterates within our boundaries, surely adding to the problems and costs of unemployment, welfare and crime,” and their plight is, therefore, entitled at least to intermediate level scrutiny. Finally, even under the less demanding rational relationship standard, recent “second order” precedents indicate that the present practice of providing some, but far from all, low-income students with vitally needed comprehensive services creates “two tiers” of citizens, a pattern that strongly offends the concept of equal protection.

In the United States, realization of major social reform generally is accomplished through the establishment and enforcement of legal rights. As the astute French observer of American culture, Alexis de Tocqueville (1835) noted almost 200 years ago, “Scarcely any political question arises in the United States that is not resolved, sooner or later, into a judicial question” (p. 290). De Tocqueville’s description continues to hold true today as we continue “to speak of what is most important to us in terms of rights and to frame nearly every social controversy as a clash of rights” (Glendon, 1991, pp. 3-4). If a political position is perceived as a “right,” those asserting it are in an advantageous position for laying claim to societal resources and efforts to support their ends.

This truth is substantiated by the fact that, in a variety of areas of education reform, significant progress has been made in eliminating inequities by asserting and enforcing children’s rights in the particular areas, such as providing meaningful access for students with disabilities and implementing students’ right to a sound basic education. The need to overcome the barriers to school success created by conditions of poverty should also, therefore, now be discussed in terms of a legal right that can be enforced through the courts, if necessary, but that should also be acknowledged and implemented by all three branches of government. The fact that Congress and the state legislatures have recognized that students with disabilities have a right not merely to access to public education, but to receive “a free appropriate public education that emphasizes special education and related services designed to meet their unique needs” (Individuals with Disabilities Education Act, 1990) has major implications for considering the highly analogous individual needs of economically disadvantaged children. As with children with disabilities, affording children from backgrounds of poverty the right to enter public school buildings, without providing them the supports and services they need to overcome the impediments that inhibit their learning potential, is to deprive them of an adequate or appropriate educational opportunity.

B. The Policy Infrastructure for Implementing Comprehensive Educational Opportunity

If comprehensive educational opportunity is conceived as a right, then the state must firmly commit to providing it, and it must develop a policy infrastructure that will assure broad access, uniform quality, regularized funding, and firm accountability strictures to ensure all students a meaningful opportunity to obtain necessary comprehensive services. Past efforts to ensure comprehensive opportunities for students from backgrounds of poverty have proven ephemeral mainly because the policy infrastructure that could permanently ground the reforms was never adopted.

The state standards movement, enhanced by court orders enforcing children’s rights to the opportunity for a sound basic education,¹⁰ has established such a policy infrastructure in regard to K-12 education. The standards-based approach, which has been adopted by virtually all of the states and permeates NCLB, consists of expected outcomes, specific academic standards, and extensive accountability requirements. The New York Court of Appeals (*CFE v. the State of New York, 2003*) and courts in many other states have issued mandates to provide the specific resource requirements to meet those standards in the sound basic

¹⁰ For a discussion of the interplay between the state standards-based reform movement and the state courts’ enforcement of the right to the opportunity for a sound basic education, see Rebell, 2009, chapters 2 and 5.

education cases that have been litigated throughout the country in recent years.

Standards-based reform is built around substantive academic content standards that presumably are set at sufficiently high cognitive levels to meet the competitive standards of the global economy, and they are premised on the assumption that virtually all students can meet these high expectations if given sufficient opportunities and resources. Once the content standards have been established, every other aspect of the education system — including teacher training, teacher certification, curriculum frameworks, textbooks and other instructional materials, and student assessments — are expected to conform to these standards. The aim is to create a coherent system of standards, resources, and assessments that will result in significant improvements in achievement for all students (see Fuhrman, 1993; Rothman, 1995; Tucker & Coddling, 1998 for general descriptions of the standards-based reform approach). The federal No Child Left Behind Act is built around a related emphasis on standards, assessments, and accountability.¹¹

The task force contends that the appropriate way to implement children's right to comprehensive educational opportunity is to apply to the specific areas of early childhood education, extended learning time, health, and family support services, the same policy infrastructure of defining expected outcomes, explicit standards, necessary resources, and effective accountability mechanisms that have proved successful in regard to K-12 education. Although further efforts are needed — especially in these times of recession and extensive state budget deficits — fully to implement students' rights to sound basic services in K-12 education, standards-based reform has been an important tool for moving toward educational equity in this realm. Disadvantaged students are equally dependent on other areas of children's services to ensure meaningful educational opportunity, yet no official standards exist that hold institutions accountable for the adequate and equitable provision of these services or that commit the state to providing resources to fund them. To ensure comprehensive educational opportunity for disadvantaged children, a standards-based approach to the other prime areas must be developed.

Accordingly, the policy infrastructure for implementing comprehensive educational opportunity that is being recommended by the task force makes use of the same standards-based strategic framework that has been adopted by virtually every state and by the federal government as the major thrust of education reform for the past two decades. To create guidelines for developing the full policy infrastructure for comprehensive educational opportunity, the task force delved separately into each of the component areas of children's services that constitute comprehensive educational opportunity, that is, early childhood, expanded learning opportunities, health, and family engagement and support. For each area, the task force members and invited experts developed a policy framework that included (1) setting goals for the system and articulating expected student outcomes; (2) delineating the range of program quality and performance standards that the state needs to develop in each area to ensure those goals are reached; and (3) detailing the essential resources and services needed to provide meaningful opportunities to achieve the standards. In addition, the task force envisioned the type of accountability system needed to ensure that these opportunities are actually made available to all students and to measure improvement.

Our specific recommendations for policy frameworks are set forth in the pages that follow. We begin by summarizing the existing policy infrastructure for elementary and secondary education in New York State. We then use standards-based approach as the model for developing our recommendations for policy frameworks in early childhood, expanded learning, health, and family engagement.

¹¹ The federal law does not, however, emphasize resources or specific reforms in other areas that would advance the aims of standards-based reform. For a discussion of these issues, see Rebell & Wolff, 2008, p. 12.

1. The Existing Policy Framework for Elementary and Secondary Education

a. Goals and Expected Outcomes for Elementary and Secondary Education

A critical part of the policy infrastructure for comprehensive educational opportunity is a clear understanding and definition of the goals both for the system and for student outcomes. In New York State, these goals have been defined by the state constitution and the outcomes have been specified in the Regents Learning Standards. Under the state constitution, all students are entitled to the “opportunity for a sound basic education.” As was further spelled out by the courts in, *Campaign for Fiscal Equity v. State of New York* (2003), the constitution requires that all students be provided the opportunity for a “meaningful high school education” that allows them to develop the knowledge and skills they need to function productively as civic participants, and to compete in the global marketplace. The ultimate goal of a system of comprehensive educational opportunity is that all New York students achieve those outcomes. The K-12 education system must ensure that students graduate from high school with a diploma that attests to the attainment of those skills.

b. Standards for Elementary and Secondary Education

The next critical piece of the policy infrastructure in elementary and secondary education is a set of standards that lays out specific expectations for teaching and learning for all students to ensure that the goals are reached. The New York State Board of Regents has established learning standards in all academic areas for all students in the state. These learning standards are general statements of what students need to know and be able to do at each grade level and upon graduation from high school; they form the foundation for kindergarten through grade 12 teaching and learning.

The 28 New York State Learning Standards are organized into seven standards areas:

- The Arts (dance, music, theatre, and visual arts)
- Career Development and Occupational Studies
- English Language Arts
- Health, Physical Education, and Family and Consumer Sciences
- Languages Other Than English
- Mathematics, Science, and Technology
- Social Studies¹²

For each standards area, the New York State Education Department (NYSED) offers core curricula and/or curriculum guidance materials that express what all students should know, understand, and be able to do at the elementary (kindergarten-grade 4), intermediate (grade 5-grade 8), and commencement (grade 9-12) levels. It is the responsibility of each local school district to develop curricula based on the NYS Learning Standards, select textbooks and instructional materials, develop pacing charts for learning (scope and sequence), and provide professional development to ensure that all students have access to instruction leading to attainment of these learning standards as evidenced by passage of Regents examinations in these areas.

¹² 8 NYCRR § 100.1 (t). In July 2010, the Regents adopted the Common Core State Standards (CCSS) for Mathematics and for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects. The Common Core State Standards Initiative, coordinated by the National Governors Association and the Council of Chief State School Officers, is an effort to provide a clear and consistent framework to prepare America's children for college and the workforce. The Regents concluded that the CCSS aligned well with previous state learning standards in English Language Arts and Mathematics; included some new or updated areas of knowledge and skills; and provided opportunities for adding additional content for New York's students.

c. Essential Services and Resources

For an equal opportunity to meet standards, all students must have equal access to adequate levels of essential resources and services. State courts in education adequacy cases around the country have heard evidence and rendered decisions about the specific resources students need for meaningful opportunity to obtain a basic quality education. There is a consensus from the courts on basic resources and services for which the state is responsible in elementary and secondary education. The state must provide adequate funding and appropriate regulation to ensure

1. A sufficient number of effective teachers, principals, and other personnel
2. Rich and rigorous curricula
3. Appropriate class sizes
4. Adequate school facilities
5. A full platform of services including guidance services and necessary tutoring and additional time on task for students from backgrounds of poverty
6. Appropriate programs and services for English language learners
7. Appropriate programs and services for students with disabilities
8. Instrumentalities of learning, including, but not limited to, up-to-date textbooks, libraries, laboratories, and computers
9. A safe, orderly learning environment. (Rebell & Wolff, 2008, pp. 71-72)

In 2007, the state legislature committed itself to providing sufficient resources for all school districts to provide these resources in the manner that they would determine to best meet the needs of their students, and in accordance with the particular educational practices they deem appropriate for their students needs. The new education finance statute called for a funding increase of \$5.4 billion for New York City and \$4 billion for the rest of the state, equitable reforms of the state funding system, to be phased in over four years, and new accountability strictures known as the “Contract for Excellence” to ensure that the new funding was spent to rectify deficiencies (New York State Education Budget, 2007).¹³

2. A Proposed Policy Framework for Early Childhood Education

A child’s first years comprise a critical developmental period that should set the stage for success in school; many aspects of a child’s early care and learning affect whether children start school prepared to do grade level work. High quality early childhood education, including abundant language exposure at home, enhances school readiness, improves academic outcomes and achievement, and lowers the incidence of special education placement (Kagan, 2009).

Unfortunately, there are huge inequities in the quality and availability of early childhood care and learning experiences. So, while most American children routinely receive the experiences that vastly improve chances for academic success, those who do not are at a great disadvantage—as are the schools that serve them. An expanded education system to deliver comprehensive educational opportunity must include clear goals,

¹³ The state largely met its constitutional and statutory obligations for the first two years of the phase-in, but, as the fiscal exigencies of the recession started to take hold, in its budget for FY 2010, the third year of the scheduled four-year phase-in, the legislature froze foundation funding at the prior year’s level for two years, thereby deferring the scheduled increases and further progress toward implementing the sound basic education formula the legislature had adopted. The statute also pushed back the date for completing the phase-in of the promised CFE amounts for an additional three years. For FY 2011, the legislature reduced statewide funding for education by over \$1 billion, thereby undermining the legislative commitment to meet the constitutional obligation to provide all students the opportunity for a sound basic education.

standards, and requirements for essential resources to eliminate these inequities and ensure that all students have the early childhood opportunities necessary to succeed in school.

New York State has taken some steps toward developing the policy infrastructure for ensuring children's rights and delineating the responsibilities of the state in early childhood education. The state has issued regulations covering curriculum, teacher preparation, and other standards for universal pre-K programs, as well as some limited requirements for private nursery schools that voluntarily register with the state. Through the Children's Cabinet, it has created the Early Childhood Advisory Council to address issues that have impeded the development of a comprehensive system of early childhood supports and services. Two state groups are working to develop early learning standards. A group led by the New York State Council on Children and Families, the New York City Early Childhood Professional Development Institute, and the New York State Association for the Education of Young Children is currently developing birth to three early learning standards. The New York State Department of Education has developed draft prekindergarten early learning standards aligned both with the K-12 Regents Learning Standards and the birth-to-three standards. And the Regents have endorsed including pre-K learning standards in New York State's Common Core.

While the state is taking important steps, it does not yet have in place the type of broad, systemic policy infrastructure that is needed to ensure the early childhood care and learning necessary for comprehensive educational opportunity. The bulk of the standards it is developing will be voluntary, not binding. The state, therefore, needs to complete and build on its current work and adopt binding goals, standards, and resource requirements for early childhood education according to the guidelines below.

a. Goals and Expected Outcomes for Early Childhood Education

All children will have access to high quality and developmentally appropriate early childhood education programs as needed from birth on to provide them meaningful opportunities to arrive at elementary school ready to learn in accordance with the standards and academic expectations appropriate for their grade level.

b. Early Childhood Learning Standards

To reach the above-stated outcome goals, the state needs to adopt and enforce comprehensive early learning standards that cover the full range of knowledge, skills, habits, attitudes, and dispositions that children from birth to age five must master in order to arrive at elementary school ready to learn at grade level. Such comprehensive early learning standards need to take into account the following five domains of school readiness:

- Physical well being and motor development
- Social and emotional development
- Approaches to learning¹⁴
- Language development
- Cognitive and general knowledge (National Education Goals Panel, 1995)

c. Essential Services and Resources for Early Childhood Education

To ensure that all children can meet standards, the state must ensure the following essential resources and

¹⁴ This domain of school readiness refers to attitudes and skills that help children "learn how to learn," like initiative, curiosity, engagement, persistence, reasoning, problem solving, and imagination.

services are in place:¹⁵

1. A sufficient number of qualified and effective teachers and other pedagogical personnel who have the preparation, knowledge, and skills in child development and early childhood education necessary to promote children's learning and development and to support families' diverse needs and interests
2. Qualified, stable leadership, including both program and fiscal management staff
3. Rich curricula built on knowledge of children's strengths and needs that promote learning and development in each of the following areas: social, emotional, physical, language, and cognitive
4. Appropriate programs and services for English language learners and students with disabilities
5. Adequate programmatic time
6. Adequate facilities including both appropriate and sufficient classroom space for learning and outdoor space for exercise and play.
7. Instrumentalities of learning, including, but not limited to, sufficient equipment, books, technology, toys, and supplies to facilitate child and staff learning and development
8. Healthy meals and snacks
9. A safe, healthful environment
10. Periodic developmental screening and appropriate follow up

3. A Proposed Policy Framework for Expanded Learning Opportunities

Children who succeed in school by and large have access to broad constructive learning opportunities and positive adult-child interactions beyond those provided by their teachers during the school day. Some of these are informal learning opportunities afforded them through everyday interactions with their families and their communities, and others are more formal supplemental learning opportunities provided through extended-day and extended-year programs, after-school activities, tutoring and lessons during out-of-school time, online learning, sports, faith-based activities, summer camp, jobs, libraries, vacations, and the like. These experiences support in-school learning and serve to foster children's intellectual, creative, social, emotional, civic, and physical development, all of which are necessary for school success (Gardner, Roth, & Brooks-Gunn, 2009).

Though these expanded learning opportunities are integral to school success, they are not available to all children. There are huge inequities in access to and participation in high quality expanded learning opportunities. Disadvantaged students who most need these experiences to bolster and enhance their school day learning are frequently the least likely to have them (Rothstein, 2004).

New York State has taken steps to advance program quality standards for expanded learning programs, and initiatives are underway to develop statewide policies to integrate expanded learning opportunities into the education system, including after-school, summer learning, and extended day and/or year programs. New York City has a promising model, Expanded Learning Time/New York City or ELT/NYC, for the delivery of hands-on, experiential learning opportunities, recasting them as part of the school day.

While these steps are promising, they are not sufficient to ensure that all students have the expanded learning opportunities necessary to succeed in school. Existing expanded learning programs vary widely in

¹⁵ Legislative proposals for developing a finance system for ensuring that adequate resources as outlined in the text are available on a stable, sustained basis doing so will be included in the next phase of the task force's work.

structure, focus, and quality. New York State is a national leader in advancing program quality standards; however, both in New York and nationally, the effort to create learning standards and benchmarks for expanded learning programs is just beginning and there is little coherent implementation in this area. Accordingly, the task force recommends the following guidelines for the state to utilize in developing the policy infrastructure for adequate expanded learning opportunities for comprehensive educational opportunity.

a. Goals and Expected Outcomes for Expanded Learning Opportunities

All children and youth will have access to sufficient high quality expanded learning opportunities, including extended day and extended year programs, and after-school, summer, and other out-of-school time (OST) programs to provide them with the developmentally appropriate activities, services, and supports needed to complement the learning opportunities providing by schooling and cultivate the intellectual, creative, social, emotional, civic, and physical development required for school success.

b. Standards for Expanded Learning Opportunities

To advance comprehensive educational opportunity, the state needs to adopt and enforce program quality standards and develop and adopt comprehensive learning standards for expanded learning programs that cover the following educationally relevant domains of learning and development:

- Physical well-being
- Social and emotional development
- Cognitive and academic knowledge and skills, including critical thinking, coordinated with in-school learning
- Communication
- Planning and organization
- Creativity
- Ethics and integrity
- Leadership and teamwork
- College and career readiness
- Civic responsibility and community engagement

c. Essential Services and Resources for Expanded Learning Opportunities

To ensure that all children can meet standards, the state must ensure that the following essential resources and services are provided to all children and students:

1. High quality after-school and extended day programs that operate for at least three hours per day, five days a week and on Saturdays for the 38 weeks of the basic school year with, including, and high quality summer and vacation time programs that operate for at least 8 hours per day for 6-8 weeks
2. Program content that is comprehensive and provides variety and choice in program approaches and settings that cover cultural, athletic, academic, civic, community service, and other enrichment activities, as well as internships, and summer jobs
3. Appropriate programs and services for English language learners and for students with disabilities

4. A sufficient number of appropriately compensated, qualified, trained, and caring adults from diverse backgrounds
5. Sufficient leadership, including a committed school principal, leadership from community-based organizations, and a full-time coordinator/program director who works on site
6. Adequate facilities, including sufficient room for all program activities, and outdoor play areas
7. Sufficient equipment and instructional supplies
8. Healthy meals and drinks
9. A safe and engaging environment for learning and development
10. Safe and accessible transportation

4. A Proposed Policy Framework for Health Services

Most American schools can be assured that their students receive from competent medical professionals the routine and preventive health services they need to maintain the healthy bodies and minds required to succeed in school. Schools that serve children from low-income families, however, do not have this advantage. Children from low-income families are much less likely to receive these health services on a regular basis, and they are less likely to have learned from their homes and communities sufficient nutritional and other sensible health practices. These health disparities have both direct and indirect effects on academic outcomes (Basch, 2010).

In New York State, the Regents Learning Standards do cover health issues. Specifically, the current standards deal with (1) personal health and fitness, and (2) a safe and healthy environment (8 NYCRR § 100.1(t) (1) (vi)). The Regents standards do not, however, encompass the full range of health issues that can create barriers to learning and school success. While they cover some of the health education issues students need to master, they are not comprehensive, nor do they ensure the health services that disadvantaged students require to manage educationally relevant health factors. To build a system of comprehensive educational opportunity, New York State must create the necessary policy infrastructure –the clear goals, standards, and resource essentials – required to ensure that all students have the comprehensive health services and educational opportunities necessary to succeed in school. The task force’s proposed guidelines to meet these needs are as follows.

a. Goals and Expected Outcomes for Health

All children will receive the physical and mental health care and physical activity experiences they need to develop and maintain the mental alertness and healthy bodies necessary to learn. They will also learn how to maintain good nutrition habits and to practice health-enhancing behaviors and to reduce health risks.

b. Health Standards

To advance comprehensive educational opportunity, the state needs to adopt and enforce health standards that cover the following educationally relevant domains of health care and health learning:

- Health services, including but not limited to prenatal care, vision care, reproductive services, routine and preventative care, dental, and asthma care
- Comprehensive health education
- Physical education

- Nutrition
- Counseling, psychological, and social services
- Healthy school environment
- Parent engagement and education in health care

c. Essential Services and Resources for Health

To ensure that all children can meet standards, the state must ensure that the following essential resources and services are provided for all children and students:

1. Adequate prenatal care
2. Adequate routine and preventive health care for children from birth through school age
3. Health, counseling and social services to meet students' physical, mental, emotional and social health needs through coordinated school-based or school-linked services and/or coordinated community services.
4. A sufficient number of health professionals, including school nurses, school health coordinators, and health educators who possess the knowledge and skills needed to develop a safe and secure learning environment, identify students with physical or mental health problems, make appropriate referrals when necessary, and implement appropriate follow up measures;
5. A high quality health, nutrition, and safety curriculum taught by appropriately trained school personnel or partners
6. A physical education program that provides regular and sufficient opportunities for physical activity to produce physically fit students and for the development of knowledge and skills to pursue a lifetime of healthful physical activity and avoid unhealthy behaviors
7. Availability of breakfast, lunch and a range of snacks at school in a manner that is financially accessible to families and that meet students' nutritional needs
8. A safe, secure, and engaging environment for learning
9. Adequate school facilities, including a gymnasium, outdoor play space, and school-based or school-linked health center.

5. A Proposed Policy Framework for Family Engagement and Support

Family engagement both in and out of school is one of the most powerful supports for children's learning. Families play critical roles in their children's cognitive, social, and emotional development from birth through adolescence, and family engagement is one of the strongest predictors of children's school success (Weiss et al., 2009). Positive family engagement includes activities that most families regularly carry out to support children as students: helping with homework, making sure get enough sleep at night, communicating with the school; volunteering in the school, and so on. In addition, most families provide a wide variety of educational opportunities for their children outside of school (Gordon, 2005). Disadvantaged children are much less likely to experience these supportive practices (Weiss et al., 2009). Their families often have not been exposed to the practices, experiences, and values that prepare them to access necessary resources and relevant opportunities for their children. In addition, these families often lack access to the social and political networks that allow them to be effective advocates for their children (Gordon, Bridglall, & Meroe, 2005, chapter 2).

In the area of family engagement and support, New York State has a number of policies, programs, and initiatives that support family involvement in students' success in school. In 2007, the Regents strengthened its policy statement on family involvement (Stevens, 2007). In addition, the Commissioner's regulations require parent involvement in school planning and decision making.¹⁶ New York State Parenting Education Partnerships, convened by the New York State Council on Children and Families, New York State Children and Family Trust Fund, the New York State Offices of Mental Health, and Prevent Child Abuse New York, work to improve and increase participation in parent education programs. A small network of state-funded Family Resource Centers provide programs to build the capacity of families to support the health and success of their children, and several Parent Information and Resource Centers (PIRCs), a USDOE-funded collaboration to strengthen parent-school partnerships, have been established.

These efforts are worthy, but they are still piecemeal. They do not yet represent a coherent, comprehensive, and sustainable approach to providing the full range of family engagement resources and supports necessary to ensure that all students succeed in school. To provide adequate family engagement and support for comprehensive educational opportunity, the following infrastructure improvements are needed.

a. Goals and Expected Outcomes for Family Engagement and Support

All families will have access to the comprehensive opportunities they need to gain the knowledge, skills, confidence, and social networks and supports that are required to nurture the health, safety, positive development, and academic achievement of their children.

b. Family Engagement and Support Standards

To advance comprehensive educational opportunity, the state needs to adopt and enforce program quality and student outcome standards for family support and engagement covering the following categories:

- Parenting education (from prenatal and early parenting through parenting teens) and education for parents, as needed, in basic and advanced knowledge and skill areas
- Active family engagement with school and other child services, across all learning contexts and age groups
- Professional development for family engagement
- Respectful and engaging environments at school and across all learning contexts
- Crisis counseling and support for families, including food, health, housing, transportation, financial assistance, and child care
- Effective communication among families, schools, early childhood centers, expanded learning providers, health providers, and other learning contexts
- Education of high school students in the demands of parenting

c. Essential Services and Resources for Family Engagement and Support

To ensure that all children can meet standards, the state must ensure that the following essential resources and services are provided for all children and students:

1. Adequate and appropriate parenting education and support services for new parents

¹⁶ 8 NYCRR § 100.11.

2. A sufficient number of qualified personnel to provide services in maternal health, the physical and emotional care of the child, environmental safety, parent-child communication, family planning, and early childhood literacy support for parents
3. Adequate and appropriate parenting education for families of school-aged children to build their capacity to assist students with homework, communicate with school personnel and other comprehensive service providers, advocate for their children's needs, and engage in school governance and other school-related and educationally relevant activities.
4. Adequate crisis intervention counseling and supportive services for families of preschool and school-aged children, including adequate outreach to identify families in need of services and timely engagement with families
5. Adequate access to computers and other vital technological supports for all students and their families
6. A sufficient number of school social workers or professionally qualified parent coordinators or other similar personnel to provide information to families about services offered at school, social service agencies, and youth development institutions and to encourage family engagement with early childhood centers, schools health services, after school programs, and other learning contexts
7. Sufficient and accessible communication between home and school, early childhood centers, health providers, after school programs, and other learning contexts, including adequate access to translation services and culturally and language appropriate personnel and materials
8. Adequate facilities to accommodate family involvement across all learning contexts and age groups

C. Implementation Issues

The precise manner in which this infrastructure could be put into practice will require substantial additional research and deliberation, and we see this as an important aspect of the next phase of the task force's work. The policy frameworks we recommend can and should be implemented in a wide variety of ways, but the legislature needs to establish statutory and regulatory parameters for how this should be done. Some of the areas that require careful consideration are the types of needs assessment that each community should undertake to identify local priorities, alternative structures for delivering services, coordination and collaboration between schools, other public agencies, and community-based organizations, public engagement and maximizing access to, and participation in, the various programs. Additional areas of major concern are mechanisms for ensuring adequate and stable funding, and accountability and evaluation procedures to ensure that services are provided in an efficient and effective manner.¹⁷

D. Cost Issues

A key question that the task force had to face was whether the cost of providing this full range of compre-

¹⁷ The task force has begun to consider the accountability issues, and it has identified for further analysis the following specific needs in this area (1) assessing through multiple mechanisms progress toward providing necessary resources and meeting the outcome standards in the areas of early childhood, expanded learning, health, and family support, (2) creation of a system of shared accountability that expands the traditional scope of responsibility for student success by including community-based organizations and other public agencies, in addition to the schools; (3) developing quality integrated data collection systems covering all four areas of comprehensive educational opportunity that are aligned with accessible school data to track and widely disseminate key indicators on input and outcome factors; and (4) requiring comprehensive educational opportunity impact statements before substantial budget reductions or other major policy changes affecting services to children are adopted.

hensive services would be prohibitive. The Equity Campaign, therefore, commissioned a detailed cost study to determine, in specific dollar terms, how much it would cost to provide sufficient, high quality services in each of area of comprehensive educational opportunity¹⁸ to all students in New York State whose families are at or below 185% of the federal poverty standard (i.e., those eligible for free and reduced price school lunches). The high quality services included adequate prenatal and obstetric care for expectant mothers; visiting nurses from the second trimester of pregnancy until the child's third birthday; visiting home literacy coaches for children ages three, four and five; parent access to continuing education; high quality early childhood care and education from age one through age four, including pre-kindergarten for three and four year olds; routine and preventive physical and mental health care through a school-based clinic from birth through age 18; high quality after-school and summer programs from age five through 18; and school-based comprehensive service coordinators from age three through high school.

The study, undertaken by education economist Richard Rothstein and his colleagues, estimated the cost of providing the full range of core high quality services in all of these areas for children at this poverty level from birth (or more precisely, from six months before birth since prenatal health services for the mother, beginning in the second trimester of pregnancy are included) through age 18 (Rothstein, Wilder, & Allgood, 2011). It determined that, assuming that an average participation rate for use of these services of 75%, and that current spending on special education in programs for the disadvantaged could be reduced as the model takes effect, the average cost to provide the full range of these comprehensive services in 2010 dollars divided by the number of eligible children would be approximately \$10,100 per child for New York State students.¹⁹ (These costs would be in addition to the current per capita costs for K-12 education.) New York is, of course, a relatively high cost state; on average national basis the cost of providing an equivalent set of services, given the same assumptions, would be approximately \$9,000 per child.

An additional study commissioned by the Equity Campaign identified the amounts that presently are being spent by the federal, state, and municipal governments, as well as private philanthropy, to provide partial early childhood, health, expanded learning, and family support services in New York City (Belfield & Garcia, 2011). Its finding, translated into comparable average per capita terms, was that \$6,070 per child per year is already being spent to provide a number of these services in a nonsystemic manner to a limited number of children in the eligible population. This figure represents approximately 53% of the cost of providing the full set of comprehensive educational services to students in New York City. Assuming that an analogous amount is being spent on partial provision of comprehensive services in New York State as a whole, one might surmise that a high quality, integrated system of comprehensive educational opportunity would require approximately \$4,750 more per disadvantaged child than we are now spending for these services; the national equivalent figure would be \$4,230.

In other words, it appears that all children eligible for free and reduced price school lunch could be provided the full range of critical comprehensive services that would truly provide them a meaningful educational opportunity for about \$4,750 per disadvantaged child in New York State or about \$4,230 on a national average above what we are currently spending on K-12 education and a incomplete patchwork of additional services. This is not an inconsequential amount of money,²⁰ and these preliminary findings

¹⁸ The specification of critical core services in each of these areas was based on a thorough analysis of necessary and effective programs in the literature, which was then vetted by the task force.

¹⁹ The full cost for an individual New York State child who takes advantage of all the services offered by the model would average \$13,900 per year over the 18½ year period. Reducing the high incidence of special education identification for low income students to the rate for middle class students could save an estimated average of \$380 per year, under certain assumptions. Accepting the reasonable assumption that approximately 75% (full time equivalent) students would take full advantage of the rich range of services being provided through the model brings the final total cost to \$10,104. This calculation does not take into account increases in class size and reductions in compensatory services that are currently being provided to disadvantaged students that presumably could be eliminated if the model were fully implemented.

²⁰ The full amount of funding would not, of course, need to be provided in the early years. For example, if these services were to be phased in a year at a time, only the cost of prenatal care for expectant mothers in year one, only early childhood, health and family support for infants and toddlers in years

obviously need to be validated and refined by further cost analyses. But the critical conclusion to be drawn from this analysis is that broad-based implementation of the right to comprehensive educational opportunity is a feasible proposition.

Moreover, Belfield, Hollands, and Levin (2011) demonstrate that the actual costs to society would be substantially less than the outlays described above. Approximately 60% of the per-student expenditures would be offset by direct fiscal benefits to the federal and state governments through higher tax revenues and lower governmental expenditures for the substantially increased proportion of low-income students who could be expected to graduate from high school as a result of these investments. In addition, society would reap substantial benefits through lower health costs, lower crime costs, and added workplace skills that in dollar terms the authors value at more than double the initial outlays. In other words, the estimated return on investment for a program of comprehensive educational opportunity for low income students would be approximately 9% per year.²¹

In light of the present recessionary conditions and the growing state budget deficits in New York and other states, it will clearly be a challenge to develop political support to initiate major new spending on education-related services. Legally, it is clear that children's rights cannot be put on hold because of fiscal constraints. In fact, in these hard economic times, it is more, not less, important than in times of plenty to confront the needs of children from low-income families since the recession has increased the numbers of children in poverty and has exacerbated the impact of poverty on their opportunity to learn (Isaacs, 2010). Tough times require tough decisions on priorities, and, from a comparative perspective, America's commitment to providing social welfare services in general lags far behind other industrialized nations (Wells, 2009). Moreover, while our overall spending on education is high, as a percentage of gross national product, the United States is only 13th out of the 30 advanced nations in the Organization for Economic Cooperation and Development (OECD, 2007).²²

Indeed these tough times may be the most inopportune time to forego or delay implementation of comprehensive services necessary to provide students from poverty a meaningful educational opportunity. With more children at greater risk, the result is likely to be an even greater burden on the economy going forward.²³ Demographers expect that by 2020 more than half of all public school students in the United States will be from minority groups, and, if current trends continue or worsen, most of them are likely to be from backgrounds of poverty. If these students are not well educated and do not graduate from high school prepared to function productively as civic participants and ready to move on to college or to a productive career in the global marketplace, America's comparative economic position – and the nation's ability to honor its commitments to provide social security and medical benefits to retired members of older generations – will be seriously compromised. This reality makes it more, not less, important to begin to implement the right to comprehensive educational opportunity on a large scale right now.

two, three and four, and so on. The full amount specified above need only be borne in year 19.

²¹ The current conditions of widespread state budget deficits and fiscal constraint may cause states and school districts to focus on ways to improve cost efficiency and cost effectiveness in providing basic educational services, without reducing the quality or quantity of core educational services. For example, the Campaign for Educational Equity's Safeguarding Sound Basic Education Project is currently analyzing whether there are ways to reduce special education costs while maintaining or improving the services to the affected students. To the extent that savings can be identified through cost efficient or cost effective delivery systems, the fiscal impact of adding new services will correspondingly be reduced.

²² The United States ranks first among the 30 affluent OECD countries in overall spending on education, K-16 and among the OECD countries in per pupil spending for K-12 education.

²³ Some policymakers have recognized the importance of expanding these investments, even in the current economy. For example, the new mayor of Washington, D.C., Vincent C. Gray, announced that despite the fact that we're in a "fiscally challenged era," and that the District anticipates a \$400 million shortfall in next year's budget, his administration would promote a "robust expansion of infant and toddler care." "Doesn't that make sense?" he stated. "It will reduce the number of children who wind up in special education, sometimes outside of our system, at a huge social and financial cost." Gray also makes clear that he intends to implement credentialing programs for infant and toddler professionals and add new rigor to teacher evaluation in the early childhood sector. Washington, D.C., has already implemented universal pre-K services (Turque, 2010).

III. Conclusion

The economic benefits of providing disadvantaged students a meaningful educational opportunity are substantial, and they clearly justify the moderate investments that are really necessary to overcome achievement gaps and ensure that all of our students are prepared for the challenging economic and political environments with which our nation will have to cope in the years to come. In the end, however, the moral reasons are the most compelling. Providing disadvantaged students the comprehensive services they need to obtain a meaningful educational opportunity is their right, and compliance with that right is long overdue. It is our responsibility to these students today, and to the futures of all our children, that we begin the hard work of adopting the policy infrastructure necessary to secure this right and determining to make these investments most effectively to create a system to provide it.

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