Graduation and Promotion Testing: Potential Benefits and Risks for Minority Students, English-Language Learners and Students with Disabilities

by Jay P. Heubert

The stated objective of the “standards” movement in American public education is to hold all schools, teachers and students to high standards of teaching and learning. Accountability can take many forms, one of which is tests, known as “high-stakes” tests because they are used in making decisions about which students will be promoted or retained in grade and which will receive high-school diplomas. While many agree that high-stakes testing will especially affect minority students, English-language learners and students with disabilities, there are disputes over whether the consequences will be beneficial or harmful.

Graduation and Promotion Testing

Graduation testing has gone through several stages of development in the U.S. and varies considerably from state to state. In the 1970s and 1980s, a number of states adopted requirements under which students had to pass “minimum competency tests” as a condition of getting high-school diplomas, even if the students had satisfied all other requirements for graduation. In the late 1980s and 1990s — responding in part to A Nation At Risk, a report that warned of “a rising tide of mediocrity” in American public education, and to the rise of today’s “standards” movement — some states replaced minimum competency tests with graduation exams measuring knowledge and skills at the 10th grade level or higher. At present, about 23 states — up from 18 in 1998 — require students to pass graduation tests, and the number is expected to increase to 29 by 2003. Of the 23, 14 now set graduation-test standards at the 10th grade level or higher.

Further, in response to concerns about “social promotion,” a growing number of states — 13, about twice as many as a year ago — now require students to pass standardized tests as a condition of grade-to-grade promotion. Moreover, many school districts, particularly in urban areas, have also adopted promotion-test policies. Thus, large numbers of the nation’s minority students and English-language learners are now subject to these state or local promotion-test programs.

Moreover, under current federal law, students with disabilities and English-language learners — whom many states and school districts have traditionally exempted from large-scale assessments — must now be included in state and local testing programs, with accommodation and alternative assessment where necessary. To serve this objective, states and school districts must not only assess such students but also publish disaggregated data on their performance. Significantly, federal law takes no position on whether states and districts should use test results to determine whether individual students will receive high-school diplomas or be promoted to the next grade.

Effects of High-Stakes Testing

Proponents of standards-based reform and high-stakes testing point out (Please turn to page 2)
that blacks, Latinos, English-language learners, students with disabilities and poor children are among those who most often receive low-quality instruction, and who therefore have the most to gain from any movement that attempts to hold all schools, teachers and students to high standards of teaching and learning. Meanwhile, critics of high-stakes testing fear that such children will be disproportionately retained in grade or denied high-school diplomas because their schools do not expose them to the knowledge and skills students need to pass the tests. There is support for both positions, but the story is complex and the evidence incomplete.

Even on graduation tests that measure basic skills, for example, minority students and students with disabilities usually fail at higher rates than other students, especially in the years after such tests are first introduced. For example, in the 1970s, when minimum competency tests gained popularity, 20% of black students, compared with 2% of white students — a discrepancy of ten to one — initially failed Florida’s graduation tests and were denied high-school diplomas. And while many students with disabilities were excluded from state graduation-test programs, those who did participate failed at rates over 50%.

For a variety of reasons, failure rates typically decline among all groups in the years after a new graduation test is introduced. This was true of the early minimum competency tests; after a few years, for example, black failure rates were far lower than 20%, and failure rates for students with disabilities also declined. This also appears to be true for graduation tests adopted more recently. Texas, for example, which has a graduation test set at the 7th or 8th grade level, reports that pass rates of blacks and Latinos roughly doubled between 1994 and 1998, and that the gap in failure rates between whites, blacks, and Latinos narrowed considerably during that time. Even so, 1998 data from the Texas graduation tests show continuing disparities of three to one: cumulative failure rates of 17.6% for black students, 17.4% for Hispanic students, and 6.7% for white students.

Data for students with disabilities are harder to find, but they show a similar pattern. On the one hand, there is evidence that many students with disabilities do pass state tests in higher numbers over time: New York reports, for example, that the number of students with disabilities who passed the state’s English Regents exam in 1998-99 was nearly twice as high as the number who took the exam two years earlier. On the other hand, 1998 data from 14 states show gaps that remain quite high: students with disabilities consistently fail state graduation tests at rates 35 to 40 percentage points higher than those for nondisabled students.

An important, largely unanswered question concerns the extent to which improved pass rates on graduation tests actually reflect improved teaching and learning on the part of teachers and students. Such improvements are plainly one explanation, and the most desirable one. During the 1980s, however, when many states reported sharply improved pass rates on graduation tests, scores on the National Assessment of Educational Progress (NAEP) — a highly regarded nationally administered examination — showed little or no gain in student learning. Indeed, evidence that minimum competency tests were not producing improved student performance on the NAEP is one reason why the current standards movement emphasizes higher standards, and why some states have been raising graduation test standards. More recent 4th and 8th grade NAEP scores suggest improvements in student mathematics performance — especially for minority students and low-SES students — during the period 1990-96, particularly in some states (including Texas and North Carolina) that invested heavily in smaller class sizes, preschool programs and better resources for teachers. Gains reported on state tests continued to exceed the improvements measured by NAEP, however, and it is unclear to what extent improved 4th and 8th grade NAEP scores are due to high-stakes graduation testing rather than to such specific educational interventions.

What factors other than improved achievement may explain increased pass rates on state tests? First, test scores often increase, especially during the years after a test is first introduced, because teachers increasingly “teach to the test,” i.e., focus on subject matter and formats that appear on the test, and students become familiar with that test’s format. Second, some states may reduce initially high failure rates by making the state graduation tests easier or by setting lower cutoff scores that students must achieve to pass. Third, if low-achieving students are not part of the test-taking population, then the pass rates of those who remain will be higher — even if the achievement of those who actually take the test has not improved.

Thus, reported pass rates should be viewed in the context of such factors. 

(FEOM TESTING: Continued from page 1)
Race, Poverty and Social Security: Racing the Social Security Debate

by john a. powell

Since the presidency of Ronald Reagan, politicians have attacked and undermined this country’s hard-won social safety net. This attack has been color- and class-conscious: they have slashed and burned programs for low-income Americans, especially people of color. Meanwhile, Social Security remains sacrosanct. There is heated debate over Social Security, but it focuses on how to finance it and distribute its benefits, not how to cut or eliminate it.

This sacred cow status may seem odd, because Old Age Insurance (OAI), the heart of Social Security, redistributes more wealth and costs far more than any other government benefit program. Perhaps this popularity is owing to the fact that OAI and Medicare are the only welfare programs that benefit people regardless of income: retired migrant farmworkers and retired Fortune 500 CEOs alike receive OAI benefits.

One key factor obscured in the national debate about how to reform this popular government program is race. The reason so many politicians and voters support Social Security — even as they dismantle other, much less expensive social programs — is surely related to the fact that most of its beneficiaries are white and middle-class.

Racial Exclusion

The Social Security Act, originally passed in 1935 in the middle of the Great Depression, was the nation’s most serious foray into the area of social rights and the welfare state. Yet from the outset the program was racially exclusionary.

At the time of the Act’s passage, influential Southern and Western Congressmen opposed any program that would grant payments to black, Mexican or Asian agricultural workers, for fear of undermining the oppressive Southern plantation economy or Western agribusiness. To win the support of affluent whites, the Act also shut out domestic workers, most of whom were black women.

The exclusion of domestic, agricultural and government workers — the other major sector of black employment — from OAI and Unemployment Insurance (UI) meant that many, maybe even a majority, of black, Latino and Asian workers were ineligible.

Struggles for civil and labor rights have since corrected the Social Security system’s most egregious forms of racial and gender inequity. Virtually all workers now pay into and are eligible for OAI and UI. Government workers have their own retirement systems, and medical insurance, missing from the Act, was added in the 1960s. Benefits to widows have been expanded and increased.

Continued Unfairness

Despite these improvements, the Social Security system still perpetuates racial, class and gender disparities, though in somewhat disguised form.

First, Social Security taxes are regressive: a payroll tax of 12.7% is taken, regardless of whether a person makes the minimum wage and works for only one week of the year or makes $76,200 — no Social Security taxes at all are paid on income above that level. Recent tax law changes have made matters worse by lowering income tax rates (which are progressive because the more you earn, the greater percentage of taxes you pay) and increasing Social Security taxes (which tax rate, as noted, is flat).

Once they retire, poorer folk also get smaller monthly payouts than the affluent. OAI benefits begin upon retirement no earlier than age 62, and the amount received is based on the total amount paid in by the recipient over his/her lifetime: the less you pay in, the less you receive. People of color have lower incomes than whites. They thus put fewer total dollars into the system and receive lower benefits. In 1997, the median income of Latino families was $28,142; for African American families, $28,602; and for whites, $46,754. Similarly, women earn only about 60% as much as men.

Finally, people of color receive OAI benefits for a significantly shorter amount of time than whites, because they retire older and die younger. The life expectancy for African American males is only 65 years, compared to 73 for white men. A huge number of people of color die before ever receiving Social Security benefits, even though they pay taxes into the system throughout their working lives.

Notwithstanding these inequities, Social Security represents the most important source of retirement income for most people of color. Because people of color have far fewer assets than whites and are much less likely to be covered by private pension programs, they tend to be more dependent on Social Security at retirement.

The Race of Age

Dramatic changes in our national demographics threaten the viability of the Social Security system. As baby boomers reach retirement, the U.S. population is rapidly aging. In 1960, there were nine active workers paying into the system for each beneficiary.

(Please turn to page 4)
By 1996, the ratio of workers to beneficiaries had plummeted to 5.33. This trend, together with an increasing life expectancy and a declining birth rate, means that a larger number of longer-living retirees will be supported by a shrinking number of younger workers. Unless substantial changes are made in the way Social Security is structured, many project that the system will go broke by 2037.

Yet, with a booming economy and a huge budget surplus, politicians still insist on cutting taxes to corporations and the rich and returning money to middle-class taxpayers, instead of funding Social Security for the long run. Recently, George W. Bush proposed to transform the current guaranteed benefits program into individual stock accounts, a move that threatens to deprive millions of inexperienced investors of benefits and subject all recipients to tremendous stock market volatility.

The parties in the current debate, from left to right, completely skirt the important racial issues involved. The aging baby boomers are disproportionally white, while younger and new workers are increasingly people of color. This trend is reflected in school enrollment statistics. In 1996, students of color were 36% of the total K-12 enrollment nationally — a 50% increase since 1976 and still rising rapidly.

When these students become young workers of color, they will pay into a system in which most of the beneficiaries are white.

### Racial Time Bomb

Starting with the Great Depression, the U.S. government created a social compact, promising that the society would support the young in becoming productive citizens and workers, especially through quality public education. Those productive workers would in turn pay taxes to support the young and the retired elderly. No one segment would thereby be forced to bear more than its fair social share.

However, today government is abandoning youth of color. Inner-city schools suffer from inadequate investment, and racist housing and zoning practices continue the segregation and concentration of low-income students of color. Current tax policies have left low-income, largely minority communities to try to do the impossible — provide fiscal support to maintain their cities and take care of their young.

Taken together, these facts make it clear why the Social Security problem is a racialized time bomb. Youth of color are inadequately prepared to enter the workforce, condemning many of them to low-wage, dead-end service jobs — and to prison. In the not-too-distant future, this same poorly educated, underpaid population of color may be asked to accept an even higher rate of taxation to benefit elderly white baby boomers and to replace a crumbling infrastructure of school buildings, parks, sewers, bridges and roads. And, as the boomers continue to age, they will have to invite these young workers into their nursing homes and gated communities to attend to their aging bodies and failing health.

The solution to these inter-generational and racial tensions is not to cut benefits to the elderly or to refuse to invest in our children. Corporations, which have enjoyed major tax cuts, and workers, especially those at higher income levels, must be made to assume their fair share of taxes. We must insist that existing budget surpluses be used to shore up Social Security and to finance infrastructure and educational improvements, especially in the inner cities. And we must demand that Social Security benefits, upon which retirees of color are so dependent, continue to be guaranteed.

Failure to live up to the social compact because of a shortsighted racial gaze will hurl us into a perilous future.

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**PRRAC Update**

- **Staff departures:**
  - **Jana Rumminger**, our Mickey Leland Hunger Fellow, with us since last February, has departed for Northeastern Law School.
  - **Mark Iriye**, our summer intern, has returned for his final year at Duke.
  - **Deysa Rivera**, daughter of our office manager, Denise Rivera Portis, who was helping us out for several weeks, is now off to start her freshman year at Boston University.
  - **Sarah Goldberg**, who spent three weeks with us in June, is back in the Bay Area, finishing high school.
  - We miss them all.

- **Board member Don Nakanishi**, who heads the UCLA Asian American Studies Center, was named among the top 100 influential Asian Americans, in the November/December 1999 issue of the magazine *A*.  

- **New “Best of P&R” volume:**
  - Our forthcoming book — title still to be determined — is in production at the publisher (M.E. Sharpe, which published our first such volume, *Double Exposure: Poverty & Race in America*), it will be out by the end of the year. Congressman John Lewis has written the Foreword. The Nov./Dec. *P&R* will contain the table of contents.

- **Combined Federal Campaign:**
  - PRRAC’s CFC # is 2241. Please help out if you’re a federal employee; and let friends/relatives who are know about PRRAC. Thanks.
as: (a) dropout rates; (b) whether states count among dropouts (or include in test results) students who choose — or are encouraged — to leave school to pursue general equivalency diplomas; (c) exemption of students with disabilities or English-language learners from the test-taking population; and (d) excessive testing accommodations that may artificially inflate some students’ scores.

Not surprisingly, there is also a spirited debate about whether graduation testing causes increased dropout rates. On the one hand, it appears that many low-achievers start to disengage from school well before graduation tests loom. On the other hand, there are reputable scholars who argue — credibly — that fear of failing a graduation test increases the likelihood that low-achievers will leave school. (Such fears presumably are greater in states where graduation test standards are high.) Also, the current climate of accountability places new pressures on schools to increase student pass rates, which lead to increased and/or understated dropout rates. Unfortunately, this critical issue is complicated by a lack of uniformity among the states in defining and counting dropouts.

Given these complexities, it is difficult to draw firm, general conclusions — even regarding minimum competency tests — about the effects of graduation testing on minority students, students with disabilities and English-language learners.

In any event, the consequences of basic-skills graduation tests are becoming less relevant in the face of two important developments. One such development, already noted, is that more states are raising the bar: setting higher standards on state graduation exams. The most ambitious states are adopting graduation tests that reflect “world-class” standards, such as those embodied in NAEP.

Based on national NAEP data, about 38% of all students would fail tests that reflect such standards if the tests were administered today. For minority students and English-language learners, moreover, there is clear evidence that failure rates on tests embodying “world-class” standards would be extremely high — about 80% — at least at first. These predictions are consistent with recent data from Massachusetts, where students have begun taking graduation tests that reflect “world-class” standards. For students with disabilities, it is also reasonable to assume that initial failure rates on such tests would also be very high: in the 75-80% range.

Equally important, the proliferation of large-scale promotion testing, which is most pronounced in large, urban school districts, has led to sharply higher rates of retention in grade, especially for black students, Latino students and English-language learners. In New York City, Chicago and other cities, hundreds of thousands of students, the vast majority black, Latino, and/or English-language learners, have failed promotion tests and been retained in grade, and it is reasonable to expect that students with disabilities would also be retained in large numbers.

The single strongest predictor of whether students will drop out of school is whether they have been retained in grade. The rapid growth of promotion testing, particularly in our large cities, is therefore likely to create an increasingly large class of students — disproportionately comprised of blacks, Latinos, English-language learners, students with disabilities and low-SES students — who are at increased risk of dropout by virtue of having been retained in grade one or more times. Those retained in grade even once are much likelier to drop out later than are students not retained, and the effects are even greater for students retained more than once.

Promotion testing is thus likely to reduce, perhaps significantly, the numbers of students who remain in school long enough to take graduation tests, and to increase the numbers of students who suffer the serious consequences of dropping out. The effects of retention, moreover, may not be felt until years later. These potential consequences warrant more attention than they have received thus far.

Promotion and graduation testing may also have unintended consequences for teachers. High-stakes testing is intended to raise teacher motivation and effectiveness, and there is evidence that, with appropriate professional development, support, resources and time, teaching effectiveness can improve significantly. There is also evidence, however, that the negative publicity associated with poor test scores can lead experienced teachers to leave urban schools for the suburbs. Plainly, efforts to improve low-performing urban schools — and to educate all children effectively — will be undermined if those schools lose strong teachers.

Policies that lead to improved teaching and learning are likely to benefit minority students, English-language learners and students with disabilities even more than they do other students. New York State Education Commissioner Richard Mills, for example, has defended stringent graduation-test requirements partly because he hopes they will bring an end to low-track classes, in which students — most of them black students, Latino students and/or English-language learners — typically receive poor quality, low-level instruction from less-qualified teachers. There is very strong evidence that placement in typical low-track classes is educationally harmful for students, and that students in low-track classes would learn more if they were placed in more demanding classes. Disability rights groups likewise hope that state standards and tests will drive (Please turn to page 6)
acceptivity.

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not automatically be made on the ba-

basis of a single test score. Other rel-

vant information … should be taken

into account if it will enhance the over-

all validity of the decision.” Similarly,

the July 2000 AERA Policy Statement

provides that “[d]ecisions that affect

individual students’ life chances or

educational opportunities should not be

made on the basis of test scores alone....”

Why is it so important to use mul-
tiple measures in making important
decisions about individuals? The an-
swer is that any single measure is in-
evitably imprecise and limited in the
information it provides. Proponents of
high-stakes testing sometimes point out
the problems associated with exclusive
reliance on student grades in making
promotion and graduation decisions: there has been considerable grade
inflation during the last three decades,
and there is considerable variation
among teachers, schools and school
districts in what particular grades
mean. Their points are well taken.

At the same time, large-scale tests
also are limited in what they measure.

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cal Testing (by the AERA, the Ameri-
can Psychological Association and the
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Proliferation of promotion testing has
led to sharply higher rates of retention in
grade, especially for black and Latino
students, and English-

language learners.

Standards of Appropriate Test Use: Widely
Accepted, Often Ignored

Whether graduation testing helps or
hurts low achievers depends largely on
whether such tests are used to promote
high-quality education for all children

— the stated objective of standards-
based reform — or to penalize students
for not having knowledge and skills
they have not been taught in school.
If high-stakes tests are used properly
— a very big “if” — they can help le-
verage improved instruction.

Norms of appropriate test use have
been articulated by the testing profes-
sion, the National Research Council
(NRC) and the American Educational
Research Association (AERA). For
example, the December 1999 Stan-

dards for Educational and Psychologi-

cal Testing (by the AERA, the Ameri-
can Psychological Association and the
National Council on Measurement in

Education) asserts that promotion and
graduation tests should cover only the
“content and skills that students have
had an opportunity to learn.” The
Congressionally-mandated NRC
study, High Stakes: Testing for Track-
ing, Promotion, and Graduation,
reached a similar conclusion in 1999:
“Tests should be used for high-stakes
decisions . . . only after schools have
implemented changes in teaching and
curriculum that ensure that students
have been taught the knowledge
and skills on which they will be tested.”
So did the AERA in its July 2000
Policy Statement Concerning High
Stakes Testing.

Unfortunately, there often are dis-
crepancies between what high-stakes
tests measure and what students have
been taught. Results of a recent ten-
state study suggest that there is sur-
prisingly little overlap between a
state’s standards and what teachers in
the state say they are actually teaching
students. The actual overlap ranged
from a low of 5% to a high of 46%,
It is well known, for example, that standardized tests do not measure student motivation over time, even though such motivation is important to later success. Moreover, even the best standardized tests are far less precise than most people realize. Given the imprecision of grades and test scores, judgments based on combinations of both are more accurate and reliable than those based on either by itself.

To complicate matters, there is at present no satisfactory mechanism for ensuring that test developers, states and school districts respect even widely accepted norms of appropriate, nondiscriminatory test use. The two existing mechanisms — professional discipline through the organizations that develop test-use standards and legal enforcement through courts and administrative agencies — have complementary shortcomings. The professional associations that define appropriate test use have detailed standards, but they lack mechanisms for monitoring or enforcing compliance with those standards. For courts and federal civil rights agencies, the reverse is true: they have complaint procedures and enforcement power, but lack specific, legally enforceable standards on the appropriate use of high-stakes tests. Recognizing the problem, the U.S. Department of Education’s Office for Civil Rights has produced a draft resource guide to revisiting IEPs to make sure that all students subject to high-stakes tests are taught the relevant knowledge and skills with disabilities. This has important implications for all students of color, English-language learners and students with disabilities.

Unfortunately, there are some test developers, states and school districts insist that all schools and teachers provide high-quality instruction to all students. A regular high-school diploma. On this point, there is agreement among the authors of Standards for Educational and Psychological Testing, the Congressionally-mandated NRC study and the July 2000 AERA Policy Statement. This has important implications for all low-achieving students, and special consequences for some. For students with disabilities, it will be necessary to revisit IEPs to make sure that all students subject to high-stakes tests are taught the relevant knowledge and skills. English-language learners should get the opportunity to acquire high levels of English proficiency as well as the other knowledge and skills that high-stakes tests measure.

In conclusion, the standards movement and high-stakes testing present both opportunities and risks to students of color, English-language learners and students with disabilities. These students are among those who stand to benefit most if states and school districts insist that all schools and teachers provide high-quality instruction to all students. Such students are at great risk, however, especially in states that administer high-stakes promotion and graduation tests before having made the improvements in instruction that will enable all students to meet the standards. As noted above, if graduation tests embodying “world-class” standards were implemented today — when far too many students do not receive “world-class” instruction — students of color, English-language learners and students with disabilities would be denied high-school diplomas at rates of 75-80%, rates that are plainly unacceptable, for those students and for our entire society.

The key, then, is for students to have an opportunity to acquire the relevant knowledge and skills before individuals suffer high-stakes consequences such as retention in grade or denial of or denied regular high-school diplomas? The prospect of high failure rates has already produced a backlash against high-stakes testing programs in some states. Lawsuits are beginning, if only because there exists no viable alternative by which to ensure appropriate use of graduation and promotion tests.

All these questions call for additional research. There also remains a need for significantly improved data on the effects of high-stakes testing on student achievement and dropout rates, for students generally, and for such important groups as students of color, English-language learners and students with disabilities.

The stakes are high indeed.


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John Charles Boger, PRRAC Board Chair

Unlike many of my friends on the PRRAC Board, my primary institutional affiliation since 1990 has been neither with a civil rights organization (such as the NAACP Legal Defense & Educational Fund, Inc., where I spent 12 happy years in active litigation and legislative advocacy from 1978-1990), nor with an anti-poverty or social justice organization, but instead with a university—specifically, the School of Law of the University of North Carolina at Chapel Hill. My change from a life devoted to active litigation of civil rights cases to one devoted to teaching and scholarship, though rewarding, has been marked by important differences in pace and impact.

Obviously, the social separation between the courtroom and the classroom is wide. While teaching brings frequent opportunities to think about issues of racial injustice and economic inequality, the real world impact of most academic efforts is typically quite indirect, and tangible consequences, when they come at all, often take decades to flower. Active litigation brings direct, searing contact not only with what is worst in our society—cruelty and indifference, economic, political and social oppression—but also with what is best—the courageous human beings who struggle to endure and overcome injustice, and dedicated activists who join their struggle. Law schools sit at a considerable social distance from the front lines of change.

Yet in partial compensation, teaching permits the gift of sustained contact with bright, energetic young people, many of whom are on the brink of choosing where to commit their considerable intellectual and personal talents. The daily opportunity to question and challenge such students is remarkably rewarding, and occasional glimmers of real world impact appear, as when I recently read of a statewide award bestowed on a worthy former student, now a dedicated advocate for health care for the poor, or receive some email from students now in Legal Services programs or civil rights groups. I don’t have to persuade myself that their activities proceed directly from our classroom experiences to cherish the belief that our debates about issues of race and poverty may have contributed to the overall vision that now animates them in their present work.

The other way that academic personnel can occasionally have impact, of course, is through their research and writing. My recent academic work has focused on a disturbing series of decisions that emanate from the Fourth Circuit Court of Appeals. That federal appellate court, which hears legal appeals from Maryland, Virginia, West Virginia, North Carolina and South Carolina, has become notorious as one of the most conservative circuits in the nation. (Moreover, despite presiding over the largest percentage of African Americans of any federal circuit in the nation and regularly hearing many crucial issues involving justice and civil rights, the Fourth Circuit has remained all Anglo, all white; it has never has ever had a single African American, Asian-American or Latino judge). The three cases on which my recent research and writing have focused were all rendered in the autumn of 1999. In each case, school districts were forbidden to use race or ethnicity, even as one among several factors, in making student assignments to elementary and secondary schools, even if the school boards believed that the resulting student diversity was educationally valuable, even if they were supported by the local community, and even if every other course would otherwise lead to increased racial segregation and ethnic isolation. See Tuttle v. Arlington County School Board, 195 F.3d 698 ( 4th Cir. 1999); Eisenberg v. Montgomery County Public Schools, 197 F.3d 123 (4th Cir. 1999); see also Capacchione v. Charlotte-Mecklenburg Schools, 57 F.Sup. 2d 228 (W.D.N.C. 1999), appeal pending, 211 F.3d 853 (4th Cir. 2000).

The Circuit’s rationale looks to a body of affirmative action decisions rendered by the Supreme Court during the past decade in other affirmative action contexts. In a series of cases challenging various “zero sum” choices in government contracting, government set-aside programs and public employment decisions (where any decision to award a benefit to one party necessarily denies that benefit to other claimants), a five-person Supreme Court majority—despite heavy criticism by scholars and the dissents of four Justices—has struck down most express uses of race or ethnicity in making such decisions. What is new about the recent Fourth Circuit decisions is their uncritical extension of this “colorblind” rationale beyond the “zero sum” choices of past cases into a new realm — public elementary and secondary schools — where theoretically, there are no winners or losers, since all children are guaranteed a public education. Of course, some students and parents are always disappointed by particular student assignments, but the law of no state has ever recognized a right of parents to demand particular student placements for their children. Hence, school boards have consequently had great freedom to assign children to different schools for any of a variety of valid pedagogical, administrative or social reasons, including attainment of a racially and ethnically diverse student body.

The new Fourth Circuit decisions prohibit such longstanding and widespread practices. They clearly forbid modest efforts, for example, to assure that the populations of magnet schools...
mirror the demographics of the larger school district, as well as efforts to ensure that student transfer policies consider the racial implication of any individual student transfer requests. More broadly, these cases appear to threaten any use of race in assigning students, and possibly teachers, administrators and staff as well. Because of the widespread pattern of residential segregation by race in many school districts, implementation of these new decisions threatens the rapid de facto resegregation of school districts throughout the Fourth Circuit — a disastrous, judicially-mandated policy that would roll back nearly 50 years of hard-won progress since Brown v. Board of Education in 1954.

My research suggests, furthermore, that these “colorblind” decisions run directly contrary to assumptions clearly voiced by the Supreme Court in half a dozen leading cases over the past 30 years, including Swann v. Charlotte-Mecklenburg Board of Education in 1971 and the Bakke decision in 1978. Moreover, nothing in the Supreme Court’s recent affirmative action jurisprudence necessarily requires the steps the Fourth Circuit has taken; and Justice O’Connor, in particular, has repeatedly cautioned lower federal courts not to assume that race is an impermissible consideration in every governmental context. I’ve written at some length to lament the Fourth Circuit’s holding, identify its analytical deficiencies, suggest that its decisions will work profound educational and social harm, and invoke possible reversal in a some friendlier judicial forum (if any exist). See “Willful Colorblindness: The New Racial Piety and the Resegregation of the Public Schools,” 79 North Carolina Law Review (forthcoming).

On another educational front, I have participated as one of a team of lawyers acting amicus curiae to represent a class of Limited English Proficient (“LEP”) children who have sought to be heard in North Carolina’s ongoing school finance reform lawsuit, Leandro v. State of North Carolina. The plaintiffs in Leandro won a decision from the state’s Supreme Court in 1997 that recognized every child’s right under the state constitution to a “sound basic education.” The case was remanded for clarification of what might constitute a violation of that right, and how a court might measure any such deprivation. The plaintiffs included a number of poor county school districts in North Carolina that find themselves unable to raise sufficient money through local property taxes to meet the educational needs of their students. They contend that some additional state revenues, or the redirection of school funds that presently flow toward wealthier school districts, is necessary to provide the “sound basic education” mandated by Leandro. In our amicus curiae brief, we contend that LEP children — many of them the children of recent Latino and Asian immigrants — are not receiving any meaningful education because of the limitations of North Carolina’s educational programs for language minorities and the inadequate levels of both state and local funding. Resolution of that lawsuit is likely several years away. (Indeed, Leandro’s slow journey through the judicial system — with its fits and starts, appeals and remands, all so characteristic of other notable school finance lawsuits in California, Kentucky, New Jersey, Texas and elsewhere — suggests that my earlier distinction between the swift pace and impact of litigation on the one hand, and the imperceptible changes wrought by teaching and scholarship on the other, may be far less dramatic than I implied.)

Apart from these educational ventures, I have found myself drawn into a worthy social scientific effort to determine whether North Carolina’s present system of capital sentencing is racially biased. As many readers know, nearly 30 social scientific studies have been carried out during the past 25 years in many death penalty states, most notably by Professor David Baldus in research that became the foundation of the McCleskey v. Kemp case in the state of Georgia. Most of these studies have found serious patterns of racial bias, especially when considering the homicide victim (where cases involving white victims are often four or five times more likely to receive a capital sentence than other cases). North Carolina’s capital sentencing system has been the object of study on several prior occasions since the 1940s, but none of the prior studies can speak meaningfully to death sentencing practices in the past decade.

However, thanks to a generous donation from a local Episcopalian congregation in Chapel Hill, and to other funds from the Common Sense Foundation of Raleigh, North Carolina — a recent PRRAc grant recipient — a study to address recent capital sentencing experience in the Tarheel State is presently under way. This new burst of energy in North Carolina parallels the rising tide of concern over possible death penalty injustice that has manifested itself in many states — a profound shift in the public mood that has prompted a credible, ongoing campaign, supported by the American Bar Association, and already implemented in one state by the Governor of Illinois, to declare a national death penalty moratorium until further study of possible injustices can be conducted. Although the nation’s federal and state courts remain closed to most such appeals, the doors of the state legislatures and governors’ offices have cracked a bit, and there is real receptivity to consideration of these appeals, especially about possible racial biases, that we have not seen in North Carolina in a generation. The North Carolina project expects some preliminary results study by early spring of 2001.

Prof. Boger can be reached at jcbo@emial.unc.edu. Reprints of his forthcoming UNC Law Review article will be available soon and can be obtained, without charge, from the author.
This column, slightly shortened here, first appeared in the June 30, 2000 issue of *The Boston Globe* and is used with permission of the author, a Globe columnist. MCAS (the Massachusetts Comprehensive Assessment System) is a test (in English, math, science and social studies) given to all 4th, 8th and 10th graders in the state’s public and charter schools (including special education students and students whose first language is not English). A passing grade now is required for graduation. Fifty percent of the 10th graders failed the math test.

If You Think the MCAS History Test is Relevant, Try This Exam

by Derrick Z. Jackson

Recently I published questions from the MCAS 10th-grade history test, criticizing them as being grossly Eurocentric and of questionable relevance for today’s job-seekers.

Of course, many readers saw nothing wrong with the questions. One wrote that surgeons, construction workers and software designers may not need to know about the Edict of Nantes or the Treaty of Tordesillas at work but that such events “are not trivia - they are part of the framework within which we try to evaluate our own nation’s attempts to shape the world.”

Let us be nice and assume the reader is correct. But if you are going to be correct about how our own nation shaped itself, you have to have other questions that are not on the MCAS tests:

1. According to Goree Island’s slave museum, the number of stolen Africans is the equivalent of emptying out the current metropolitan areas of:
   (a) Milwaukee
   (b) Tokyo
   (c) Los Angeles
   (d) New York, Los Angeles, Chicago, Washington, San Francisco and Philadelphia combined

2. According to most histories, the number of stolen Africans who actually made it alive to the Americas is the equivalent of:
   (a) New York, Los Angeles, Chicago, Washington, San Francisco and Philadelphia combined
   (b) New York, Los Angeles and Chicago combined
   (c) Los Angeles and Chicago combined
   (d) just San Francisco and Philadelphia

3. The conservative value of slave labor to the American economy, when it was analyzed in 1983, is nearly the equivalent of the 1999 spending budget for:
   (a) Wisconsin
   (b) The Rolling Stones Tour
   (c) The New York Yankees
   (d) The United States

4. The World War II generation will bequeath $8 trillion to its children. In the years 1929 to 1969, wages lost by African-Americans to discrimination were:
   (a) nothing, because we are now a color-blind society
   (b) $1.6 billion
   (c) irrelevant because Michael Jordan owns part of the Washington Wizards and Magic Johnson owns part of the Los Angeles Lakers
   (d) $1.6 trillion, nearly equal to 1999 federal budget of $1.7 trillion

5. One result of post-slavery discrimination is that the average white baby boomer and the average black baby boomer will respectively inherit:
   (a) $50,000 and $42,000
   (b) $80,000 and $50,000
   (c) $20,000 and $15,000
   (d) $65,000 and $8,000

6. Under “40 Acres and a Mule,” about 40,000 newly freed slaves were given Southern coastal land that had been abandoned by unpardoned Confederate families. These black people held the land for two years before angry white people stole it through beatings, torture and legal chicanery. During those two years, the black occupants were known for:
   (a) being lazy and shiftless
   (b) being top local athletes
   (c) wanting back the good old days, where you could depend on a bowl of gruel and a watermelon from massa
   (d) fine crops and self-governance

7. New England is far from cotton fields and sugar plantations. Thus it is interesting that Brown University:
   (a) created a chair in honor of abolitionist John Brown
   (b) named its music department after James Brown
   (c) named its graduate school of business after Ron Brown
   (d) was founded by the Browns of Rhode Island, who profited from the triangular slave trade

8. In Lowell, Mass., in 1835, politicians, law enforcement, lawyers, doctors and shopkeepers signed petitions to:
   (a) call for the end of slavery
   (b) volunteer to go south for a Freedom Summer to understand the plight of the slaves
   (c) build a new Fenway Park for the Red Sox
   (d) oppose abolition because the textile mills depended on slave-picked cotton

9. African-Americans fought in every US war, hoping their participation would result in equality. After the Civil War, World War I and World War II, black sacrifice for America and the world was rewarded with:
   (a) full voting rights
   (b) free tickets to Jack Johnson and Joe Louis fights
   (c) free coupons for watermelon
   (d) lynchings and white race riots

By the way, the answer is (d) on all questions.
“This isn’t an Economic Boom, it’s a reconfiguration of wealth.” These words were spoken by actor/activist Danny Glover at a Columbus, Ohio homeless shelter during the most recent “Economic Human Rights Bus Tour.” The Institute for Policy Studies’ Progressive Challenge project (of which PRACC is a coalition member) on July 29, 2000, completed another leg of this tour with members of the Congressional Progressive Caucus, SEIU, and such NGOs as United for a Fair Economy, National Priorities Project, UHCAN and various Ohio-based groups. This tour visited sites in Columbus and Northern Appalachia.

The tour’s message was that the persistence of poverty, hunger and the fact that millions are without health insurance or good schools represents a massive violation of people’s basic human rights, a message articulated in the “Fairness Agenda for America” signed by 200 organizations across the country. The tour highlights our national scandal that millions of Americans work full time yet live in poverty. Congressional Progressive Caucus members Rep. John Conyers (D-MI) and Rep. Jan Schakowsky (D-IL) carried the message that a reordering of national budgetary priorities can steer resources toward ending hunger and poverty and toward decent health care and education for all.

IPS’ Progressive Challenge project organizes these tours in an attempt to bring policymakers to the grassroots and to begin to foster an educational, working relationship between these two worlds.


• Race, Gender & Class: A special issue of this journal, guest-edited by Keith Kilty & Eric Swank, will be devoted to the intersections of race, gender & class in social service & social welfare contexts. Proposals for papers are due by Nov. 15 to Prof. Swank, Morehead St. Univ., Dept. Soc./Social Work, Morehead, KY 40351, 606/783-2190, e.swank@moredhead-st.edu.

• World Conference Against Racism, Racial Discrimination, Xenophobia & Related Intolerance: Background inf. on this Aug. 31-Sept. 7, 2001 event in South Africa is available at http://www.un.org/rights/racism/

• Growing Up Nisei: Race, Generation & Culture Among Japanese Americans of California, 1924-1949. by David K. Yoo, has been published by the Univ. of Illinois Press (2000).

• “Slavery & Reparations,” the 7th Philo- sophy Born of Struggle Conf., will be held Oct. 20-21 at the New School, NYC. Inf. from J. Everett Green at SUNY-Rockland, 914/574-4797, everet@aol.com.

• “Integration Works: Building Open & Thriving Communities,” co-sponsored by the Fund for an OPEN Society and other organizations, will be held Dec. 1-2 in Philadelphia. Inf. from the Fund, 603 Walnut Ln., #2, Phila., PA 19128-1713, 215/482-6736, open@libertynet.org.


• “Racial & Ethnic Data” is available (likely free) from the Alameda Ctr. for Children in Poverty, 1263 Alameda Ave., Oakland, CA 94606. Contact Martin Green at mhgreen@clasp.org.

Poverty/Welfare

• Economic Apartheid in America: A Primer on Economic Inequality & Insecurity, by Chuck Collins & Felice Yeskel of United for a Fair Economy (229 pp., 2000), is available ($16.95) from New Press, 450 W. 41 St., 6th flr., NYC, NY 10036.

• The Ctr. on Urban Poverty & Social Change of Case Western Reserve has a website with poverty data for the Cleveland area: http://povertycenter.cwru.edu

• “Seeing TANF from the Inside Out — Reconsidering the Program’s Role in the Wake of Welfare Reform,” by Frederica Kramer, is the July 2000, 4-page issue of The Forum, available (likely free) from the Research Forum on Children, Families & the New Federalism, 154 Haven Ave., NYC, NY 10032-1180, 212/304-7132, info@researchforum.org.


• “Child Poverty in the States: Levels & Trends from 1979 to 1998,” a study by the Natl. Ctr. for Children in Poverty, is available from them: 154 Haven Ave., NYC, NY 10032-1180, 212/304-7110. Also on their website: www.nccp.org, to go to “what’s new.”

• “Unfinished Business: Why Cities Matter to Welfare Reform,” by Katherine Allen & Maria Kirby, is a 16-page, July 2000 report, available (likely free) from the Brookings Ctr. on Urban & Met. Policy, 1775 Mass. Ave. NW, Wash., DC 20036-2188, 202/797-6139. The survey also is available on their website: www.brookings.edu/urban. Also available on the website are annual caseload data for 89 counties (1990-99) and racial & ethnic data for 20 of the largest counties (1996-99).


• “Looking Ahead to Reauthorization of TANF: Some Preliminary Thoughts,” a Feb. 2000 presentation by Mark Greenberg for the Bipartisan Welfare Reform Seminar for Sr. Congressional Staff, is available on-line at www.clasp.org/pubs/TANF/Looking%Ahead%to%Reauthorization.htm. For questions about the presentation, contact Greenberg at mhgreen@clasp.org.

• “Ways That States Can Serve Families That Reach Welfare Time Limits” is available on the Ctr. on Budget & Policy Priorities website: www.cbpp.org/6-21-00wel.pdf. For paper copy, contact Martin Taylor, taylor@cbpp.org.


- “Big Cities & Welfare Reform: Early Implementation & Ethnographic Findings from the Project on Devolution & Urban Change,” by Janet Quint, Kathryn Edin, Maria L. Buck, Barbara Fink, Yolanda C. Padilla, Olis Simmons-Hewitt & Mary Eustace Valmont (28 pp., April 1999), is available (possibly free) from the Manpower Demonstration Research Corp., 16 E. 34 St., NYC, NY 10016, 212/532-3200. It’s an Exec. Summary.


- “Welfare Time Limits: An Interim Report Card,” by Dan Bloom (78 pp., April 1999), is available (possibly free) from the Manpower Demonstration Research Corp., 16 E. 34 St., NYC, NY 10016, 212/532-3200.


- The Democratic Promise: Saul Alinsky & His Legacy, a 56-minute documentary narrated by Alec Baldwin, is available (free to social change orgs.) from the Chicago Video Proj., 800 W. Huron St., #3South, Chicago, IL 60622.


- The Ctr. for Third World Organizing Resources for Organizing Action & Research will be held Oct. 18-20 in Oakland. Inf. from CTWO, 1218 E. 21 St., Oakland, CA 94606, 510/533-7583, www.ctwo.org.

Criminal Justice

- Neighborhood Safety & Crime Prevention” is the theme of the Spring/Summer 2000 issue of The NeighborWorks Journal, free (as is a sub) from The NeighborReinvestment Corp., 1325 G St. NW, #800, Wash., DC 20005, 202/220-2366, cunderwood@nw.org.

- “Poor Prescription: The Costs of Imprisoning Drug Offenders in the US,” a 35-page, July 2000 Justice Policy Inst. report, is available ($7) from JPI, 1622 Folsom St., SF, CA 94103; also on their website: www.cjcj.org. A new (Aug. 2000) related JPI study is “Texas Tough: An Analysis of Incarceration & Crime Trends in the Lone Star State,” available on their website. The study shows that 1 in 5 new prisoners added nationally were added in TX, and that 1 out of 20 adult Texans are under criminal justice control.

- “Punishment & Prejudice: Racial Disparities in the War on Drugs” is a 28-page+tables, May 2000 Human Rights Watch report, available (no price listed) from HRW, 350 Fifth Ave., 34th flr., NYC, NY 10118-3299, hrwdc@hrw.org.

- “Juvenile Crime: Causes & Consequences” is a 4-page, Jan. 2000 Congressional Research Briefing Summary. Available from us with a SASE.

- “A Broken System: Error Rates in Capital Cases, 1973-1995,” by James S. Liebman, Jeffrey Fagan & Valerie West, is a 2-volume, June 2000 study (147 pp., plus a volume of Appendices). The study shows that 2/3 of death convictions or sentences were upset on appeal for such reasons as incompetent defense lawyers or prosecutors who bent the rules. And we all know the race and class disparities in who get the death sentence. It’s on the web: www.thejusticeproject.org. Hard copies are available from Prof. Liebman, Columbia Univ. Law School, NYC, NY 10027.

- The Amer. Assn. of Law Schools Equal Justice Project is a series of 19 2-day colloquia being held at law schools around the country, beginning Sept. 21-22 at American Univ., ending March 21-22 at Syracuse.
Univ. Detailed inf. on their website: www.aals.org/equaljustice or from Christine Chatham at AALS, 202/268-8851., cchatham@aals.org.

- Voting Disenfranchisement of Felons: The Sentencing Project has available (likely free) a packet of materials on this issue, including inf. on a Congressional bill to ease these restrictions, which disproportionately affect those who are young, poor and minority. Contact them at 514 10th St. NW, #1000, Wash., DC 20004, 202/628-0871, staff@sentencingproject.org.

- “Critical Resistance: Beyond the Prison Industrial Complex,” a Northeast regional conf., will be held March 9-11 in NYC. They’ve issued a call for presenters, papers & workshops. Contact the Organizing Comm., PMB #4053, 341 Lafayette St., NYC, NY 10012; website: www.criticalresistance.org.

**Economic/ Community/ Development**

- **Building Blocks: A Practitioner’s Guide to Planning & Financing Community Revitalization** is a new quarterly Fannie Mae Fdn. publication. “Re-imaging Distressed Communities” is the theme of the initial, Spring 2000 issue. Likely free, from the Fdn., 4000 Wisconsin Ave. NW, Wash., DC 20016-2804, 202/296-8660, x 118, JOrvisICE@aol.com.

- **“Community Solutions” is the 19th annual Enterprise Fdn. conf., Nov. 12-15 in Atlanta. Inf. from the fdn., PO Box 1526, Columbia, MD 21044-0526, 410/772-2418, networkconference@enterprisefoundation.org.**

**Education**

- **FEAT News** is the newsletter of Fighting for Equality in Allocation of Textbooks, 546 Main St., #817, NYC, NY 10044, 718/356-6583.

- “Recess is Over! It’s Time to Address our Deteriorating & Overcrowded Schools” is a 21-page, 2000 Natl. Priorities Project/Natl. People’s Action report, available (possibly free) from NPP, 17 New St. S., #302, Northampton, MA 01060, 413/584-9556, info@natprior.org. State fact sheets for all 50 states available at www.natprior.org.

- **Next Steps: Research & Practice to Advance Indian Education,** eds. Karen Cayton Swisher & John W. Tippeconic III (316 pp., 1999), is available ($24) from ERIC/CRESS, PO Box 1348, Charleston, WV 25325-1348, 800/623-9120, ericc@aol.org.

- **Title I Program:** Stronger Accountability Needed for Performance of Disadvantaged Students is a 57-page, June 2000 GAO study (GAO/HEHS-00-89), available, free, from USGAO, PO Box 37050, Wash., DC 20013, 202/512-6000.

- **Project Transition: Testing an Intervention to Help High School Freshmen Succeed** by Janet C. Quint, Cynthia Miller, Jennifer J. Pastor & Rachel E. Cytron (26 pp., April 1999), is available (possibly free) from the Manpower Demonstration Research Corp., 16 E. 34 St., NYC, NY 10016, 212/532-3020. It’s an Exec. Summary.


- **Improving Student Achievement: What State NAEP Test Scores Tell Us,** by David Grissmer, Ann Flanagan, Jennifer Kawata & Stephanie Williamson (271 pp., 2000), is available (no price listed) from RAND, 1700 Main St., PO Box 2138, Santa Monica, CA 90407-2138, 310/393-0411, order@rand.org.

- **“The Myth of the Texas Miracle in Education,”** by Boston College professor Walt Haney, appears in vol. 8, #41 of The Education Policy Analysis Archives, accessible at http://epaa.asu.edu/epaa/v8n41/

**SALSA (the Inst. for Policy Studies’ Social Action & Leadership School for Activists)** has its Fall 2000 catalog of sessions/classes, covering a full range of issues: (Globalization, Activists’ Toolbox, Cyberactivism, Money Matters, etc.) SALSA/IPS, 733 15th St. NW, #1020, Wash., DC 20005, 202/234-9382, x229, netfa@hotsalsa.org.

- **The 2000 Natl. Ctr. for Research on Evaluation, Standards & Student Testing [CREST] Conf. will be held Sept. 14-15 at UCLA. Speakers include Roy Romer, Chris Edley, Lauren Resnick, Edmund Gordon et al. Inf. from CREST/UCLA, 301 GSE&IS, Box 95122, LA, CA 90095-1522, 310/794-9140.**

- **“Seeing is Believing: Evidence that We CAN Close the Academic Achievement Gap” is the 11th Annual Education Trust natl. conf., Nov. 2-4 in DC. Inf. from the Trust, 1725 K St. NW, #200, Wash., DC 20006, 202/293-1217, x317, swilson@edtrust.org.**


- **The 3rd Internatl. Summit of Development Agencies will be held Sept. 13-14 in Atlanta.**
Employment/ Jobs Policy

- A Jobs Agenda Packet is available (likely free) from The Coal. on Human Needs, 1700 K St. NW, #1150, Wash., DC 20006, 202/736-5885.

- “Dept. of Housing & Urban Dev. and Sec. 3: Challenges & Opportunities,” by Wendy Pollack & Dina Schlossberg, is a 16-page article that appeared in the May/June 1999 issue of Clearinghouse Review. For reprints, contact 312/263-3830.

- “Safety Net for Sale” is a 35-page, 1999(?) report on privatization of core safety-net functions — public assistance, child support enforcement & child welfare — available (likely free) from AFSCME, 1625 L St. NW, Wash., DC 20036-5687, 202/429-1130.


- “Public Service Privatization: Findings from a nationwide survey of 600 attentive voters” is a 16-page report of a Lake Snell Perry & Assoc. survey, available (likely free) from AFSCME, 1625 L St. NW, Wash., DC 20036-5687, 202/429-1130.


- “Crime & Work: What we can learn from the low-wage labor market,” by Jared Bernstein & Ellen Houston, is a 39-page, 2000 booklet, available ($9.95+s/h) from the Econ. Policy Inst., 800/EPI-4844.


- “Making Work Pay” is a special 96-page double issue (June 19-July 3, 2000) of The American Prospect. Authors of the 11 articles include Robert Reich, Harold Meyerson, Michael Massing, David Moberg & Jared Bernstein. For copies, contact Eric Waldeman, 202/783-4090.

Environment


- ECO-Action has a “Need to Know Initiative” to stop use & release of harmful chemicals in Georgia’s communities: Env. Comm. Action, 44 Broad St., NW, #711, Atlanta, GA 30303, 404/584-6499, ecoact@mindspring.com.

Families/ Children/ Women

- “Low-Income Families Face Barriers to Support Programs,” by Lisa Bell & Carson Streges-Flore (May 2000), is available (no price given) from the NW Fed. of Comm. Orgs./Natl. Campaign for Jobs & Income. NWFCO is at 100 S. King St., #240, Seattle, WA 98104, nwfco@seanet.com.

- “The Child Care & Development Fund: An Overview,” by Mark Greenberg, Joan Lombardi & Rachel Schumacher, explains the major federal block grant available to states to provide subsidized child care to low-income families & to improve the

- The Board on Children, Youth & Families (Inst. of Medicine, Natl. Research Council) website has many useful materials: national-academies.org/cbss/bocysf.


- “Opening a New Window on Child Care” is a Feb. 2000 report from the Natl. Council of Jewish Women, 800/829-NCJW.


- “Family Care or Foster Care? How State Policies Affect Kinship Caregivers,” by Shelley Waters Boots & Rob Geen, is a 5-page, July 1999 report, available (free) from The Urban Inst., 2100 M St. NW, Wash., DC 20037, 202/261-5687, paffairs@ui.urban.org.


- “Characteristics of Food Stamp Households” is a USDA study downloadable from www.fns.usda.gov/oane.

- Community Food Security Conf. will be held Oct. 29-31 in Santa Fe. Inf. from CFS Coal., PO Box 209, Venice, CA 90294, 310/822-5410, www.foodsecurity.org


- Health Status by Counties: A snapshot of all 3082 US counties is available on the web: www.communityhealth.hrsa.gov. Indicators include environmental health, population characteristics, 4 summary health measures, leading causes of death, birth/death measures, vulnerable populations, preventive services use, risk factors to premature death, access to care.

- Conducting Children’s Health Insurance Outreach in African American Communities” is an 8-page, June 2000 paper by Jacqueline Patterson, available (likely free) from the Ctr. on Budget & Policy Priorities, 820 First St. NE, #510, Wash., DC 20002, 202/408-1080, center@center.cbpp.org. A free Child Health Insurance Outreach Kit is also available from them.

- The 2000 Summer Public Health Research Videoconf. on Minority Health: Complimentary copies of this event, held last June at UNC, are available via www.minority.unc.edu, 919/843-6758.

- Health Coverage/Access Issues for Four Minority Populations: 2-page fact sheets on African Americans, Latinos, Asian Americans/Pacific Islanders, Native Americans/Alaska Natives are available (likely free) from the Kaiser Commn. on Medicaid & the Uninsured, 800/656-4533. The fact sheets are based on a longer report, Racial & Ethnic Disparities in Access to Health Insurance & Health Care, by the UCLA Ctr. for Health Policy Research & the Kaiser Family Fdn., available (possibly free) from the above number.


- National Health Reform American Style: Lessons from the Past, by Norton Israel Goldfield (174 pp., 2000), has been published by Amer. College of Physician Executives, 4890 W. Kennedy Blvd., Tampa, FL 33609-2575, 813/287-2000; contact them re price/ordering inf. It is a history of efforts to enact national health reform in the US.

- “Opening the Door to Health Care” is the annual conf. of the Calif. Primary Care Assn., Sept.. 27-28 in Sacramento. Inf. from CPCA, 1215 K St., #700, Sacart., CA 95814, 916/440-8170, x216.

- Homelessness

- “Homelessness: Barriers to Using Mainstream Programs,” a new GAO report (RCED-00-184), focuses on programs such as Food Stamps and Medicaid, offering strategies the govt. could pursue to improve access to/use of these programs by the homeless. Available (free) from USGAO, PO Box 37050, Wash., DC 20013, 202/512-6000, www.gao.gov.

price listed) from the Natl. Law Ctr. on Homelessness & Poverty, 1411 K St. NW, #1400, Wash., DC 20005, 202/638-2535.


**Housing**


- “Legal Resources on the Internet: Housing,” by Gwendelyn A. Daniels, is a useful 4-page review of websites dealing with housing. It’s in the July/Aug. 2000 Clearinghouse Review, available from the Natl. Ctr. on Poverty Law, 205 W. Monroe St., 2nd flr., Chicago, IL 60606-5013, 312/263-3830, admin@povertylaw.org.


- HUD USER has available a free booklet, “An Overview of Services”: 800/245-2691.


- Housing Discrimination/Segregation Teaching Materials: Prof. Florence Roisman of the Indiana Univ.-Indianapolis Law School is offering these materials, as well as a social justice supplement for Property I. Contact Mary Deer, 317/274-1909, mdeerl@iupui.edu.

- “Locked Out: California’s Affordable Housing Crisis,” by the Calif. Budget Proj., is available at: www.cbp.org/press/pr00loc.html.

- Public Housing Desegregation Litigation: HUD has 2 new studies: “Baseline Assessment of Public Housing Desegregation Cases: Cross-Site Report” (vol. 1) & “Baseline Assessment of Public Housing Desegregation Cases: Case Studies” (vol. 2). The focus is on 8 sites: Allegheny Cty. (PA), Buffalo, Dallas, E. Texas, Mpls., New Haven, NYC & Omaha. $5 each from HUD USER, PO Box 6091, Rockville, MD 20849-6091, 800/245-2691, huduser@aspenys.com.

- “Housing America’s Working Families,” by Michael Stegman, Roberto G. Quercia & George McCarthy, is the initial (June 2000) issue of New Century Housing, published by The Ctr. for Housing Policy (the research affiliate of the Natl. Housing Conf.). The 48-page issue is available (likely free) from the Ctr., 815 15th St. NW, #538, Wash., DC 20005, 202/393-5772, chp@nhc.org.

- “The State of the Nation’s Housing: 2000” (36 pp.) is available (likely free) from the Harvard Jt. Ctr. for Housing Studies, 79 JFK St., Cambridge, MA 02138, 617/495-7908.

- “Housing Policy in the New Millennium” is a Oct. 2-3 HUD conf. (presumably in DC — at the moment, all we have is a “hold the date” postcard). Further inf. from www.hud.gov.

- “Affordable Housing” is an audio conf. training program produced by the Amer. Planning Assn. Oct. 4. Inf. from APA, S. Michigan Ave., #1600, Chicago, IL 60603-6107, 312/431-9100.


- The Natl. Assn. of Housing Cooperatives 2000 Annual Conf. will be held Oct. 25-28 in DC. Inf. from NAHC, 1401 NY Ave. NW, #1100, Wash., DC 20005, 202/737-0797, info@coophousing.org.


**Immigration**


- “Without Coverage: Immigration’s Impact on the Size & Growth of the Population Lacking Health Insurance,” by
Rural


- “Preventing Agricultural Chemical Exposure: A Safety Program Manual-Participatory Education with Farmworkers in Pesticide Safety” is available ($10) from Donna Mowery, Wake Forest Univ. School of Medicine, Dept. Fam. & Comm. Medicine, Med. Ctr. Blvd., Winston-Salem, NC 27157-1084, prao@wfubmc.edu.

Miscellaneous


- Winning Campaigns Online: Using the Internet to Win Contributions, Volunteers & Votes, by Emilienne Ireland & Phil Tajitsu Nash (151 pp., 2000), is available (no price listed) from Science Writers Press, 4701 Sangamore Rd., #220N, Bethesda, MD 20816, 301/263-9302, info@sciencewriters.com.

- University-Community Partnerships: Inf. on these available on the Fannie Mae Fdn. website: www.fanniemaefoundation.org.ucpi.

- The Alternative Press Index is a quarterly compilation of citations drawn from ca. 250 “alternative radical & left publications that report & analyze the practices & theories of cultural, economic, political & social change.” Vol. 32:1, indexing Jan.-March 2000, is 213 pp., with ca. 100 entries per page. Subs. are $300 for libs./insts., $75 indivs. & high schools, with reduced rate for social movement groups. Available on CD-ROM as well. Contact them at PO Box 33109, Baltimore, MD 21218, 410/243-2471, altpress@altpress.org.

- The Right Guide (450 pp., 4th ed.), providing a wealth of data on conservative research, lobbying, philanthropic and other right-wing organizations, is available ($49.95) from Economics America, 612 Church St., Ann Arbor, MI 48104, 800/878-6141.

- “The State of the Cities 2000” is available, free, from HUD USER, 800/245-2691.


- Transportation Equity Network: A packet of materials regarding draft regulations issued by the US Dept. of Transportation is available (likely free) from Rich Stolz (who wrote the lead article in the March/April 2000 P&R, “Race, Poverty & Transportation”), Ctr. for Comm. Change, 1000 Wisconsin Ave. NW, Wash., DC 20007, 202/339-9343.

- Remaking Chicago,” co-sponsored by the Univ. of IL at Chicago & the Urban Universities Collaborative, will be held Nov. 30-Dec. 1, in Chicago (of course). Inf. from 312/996-8700, gcwforum@uic.edu.

Job Opportunities/ Fellowships/ Grants

- The Workplace Project is seeking a Women’s Organizer and a Cooperatives Program Coordinator. Ltr./resume/refs. to the Project, 91 N. Franklin St., #207, Hempstead, NY 11550, 516/565-5377.

- The National League of Cities is seeking a Senior Program Associate (Education). $48-60,000. Resume to the League, 1301 Pennsylvania Ave. NW, Wash., DC 20004.

- America’s Second Harvest is seeking a Research Coordinator. Ltr./resume to them, 116 S. Michigan Ave., #4, Chicago, IL 60603, 312/263-5626(fax), dawilson@secondharvest.org.

- The National Women’s Law Center is seeking a Program Assistant. Resume to them, 11 Dupont Circle NW, #800, Washington, DC 20036, 202/588-5180.

- The [Baltimore] Neighborhood Design Ctr. is seeking an Executive Director. Ltr./resume to The Welch Co., 1401 Hollins St., Baltimore, MD 21223.

- The National Asian Pacific Amer. Bar Assn. seeks an Executive Director. Ltr./resume/3 refs. to Howard L. Halm, 1055 W. Seventh St., #2700, LA, CA 90017, 213/624-8060 (fax).

- The Organization of Chinese Americans is seeking a Director of Development, Director of Membership Services, & a Bookkeeper. Ltr./resume/writing sample/refs. to OCA, 1001 Conn. Ave. NW, #601, Wash, DC 20036.

- Project South is seeking a Development Director. Resume to them, 9 Gammon Ave., SW, Atlanta, GA 30315, 404/622-0602, projectsouth@igc.org
The Rural School and Community Trust is seeking a Director (Capacity Building Program). Ltr./resume to Susan Himmelsturf, 711 Superior St., Oak Park, IL 60302, 708/848-0086, 708/848-8001(fax).


The Inst. for Food & Development Policy (FoodFirst) is seeking an Internet Program Coordinator (half-time). Ltr./resume/URL where your work can be seen to Food First, 398 60th St., Oakland, CA 94618, 510/654-4400, 510/654-4551(fax), foodfirst@foodfirst.org.

The Mexican American Legal Defense and Educational Fund is seeking a Sr. Director of Communications & Public Policy. Resume/2 writing samples/3 refs. to MALDEF, 1717 K St. NW, #311, Wash., DC 20036, 202/293-2828.

A Large Non-Profit in DC (unnamed in the job announcement, from a search firm) is seeking a Director of Development. $90,000 (mid-point). Ltr./resume to Richard Clarke, 9 W. 59th St., NYC, NY 10025-6779, 212/222-5600, 212/222-6204 (fax), clarkeassoc@msn.com.

Solutions for Progress (Phila.) is seeking a Research Assistant. Resume to rbrand@solfopro.com, 215/972-8109(fax).

Communication Works, a public interest PR firm, is seeking 2 Senior Account Mgrs. (1 for gun violence) and an Account Mgr.. Resume/ ltr./3 writing samples/3 refs. to them, Pier 9 Embarcadero, #116, SF, CA 94111, 415/255-1947 (fax).

The AFL-CIO is seeking a Recruiter (temp. 9 mos. position). Ltr./resume to Marlene Smith, Human Resources Dept, 815 16th St. NW, Wash, DC 20006.

The National Korean American Service & Education Consortium is seeking an Office Manager & Program Director (salary $22-24,000). Ltr./resume/ writing sample/2 refs. to NAKASEC, 50-16 Parsons Blvd., Flushing, NY, 11355, 718/445-3939, 718/445-0032 (fax), nakasec@sprynet.com.

The Center for Reproductive Law and Policy is seeking a Domestic Program Attorney. Ltr./resume/ writing sample/2 refs. to The Center, 120 Wall St., NYC, NY 10005, resumes@crlp.org.

The Center for Third World Organizing is seeking a Development & Communications Director, Senior Organizer & a Retreat Center & Office Coordinator. Ltr./resume to CTWO, 1218 E. 21st St., Oakland, CA 94606, 650/725-8831, edlee@ctwo.org

The Martin Luther King, Jr. Papers Project is searching for a Research Assistant. Ltr./resume to Jane Abbott, Stanford Univ., Cypress Hall-D, Stanford, CA 94305-4146.

The Community University Consortium for Regional Environmental Health is seeking an Executive Director. Ltr./resume to CUCREJ, Rutgers Univ., 360 Martin Luther King Jr. Blvd., 714 Hill Hall, Newark, NJ 07102, 209/927-4574 (fax).

The Twin Cities Urban Coalition is searching for a President. Ltr./resume/refs. to Presidential Search Comm., 2610 University Ave. W., #201, Saint Paul, MN 55114-1090, 617/348-8550, 348-2533 (fax).

Grantmakers Directory 2000 - A Resource Guide for Funders & Practitioners, produced by the Natl. Network of Grantmakers (representing the social justice/social change wing of philanthropy), is available ($56) from NNG, 1717 Kettner Blvd., #110, San Diego, CA 92101, 619/231-1348. 200+ foundations are profiled with contact persons, and there is a Tool Kit of helpful articles on fundraising, as well as a commentary/feedback section.

111 Visionary Program Officers, a directory of progressive, social change-oriented foundation officials, is available ($22.95) from ProgressivePubs, 3713 Warren St. NW, Wash., DC 20016, 202/238-0010, mac@progressivepubs.com.

Environmental Leadership Program Fellowships: 30 are awarded annually, “training and supporting a new generation of environmental leaders from diverse cultural backgrounds, disciplines & sectors.” It’s a 3-year program to support and complement concurrent employment. Oct. 2 deadline. ELPW, PO Box 446, Haydenville, MA 01039, 413/268-0035, elpnet/mindspring.com, www.elpnet.org.

ISM, “a Washington, DC-based natl. nonprofit that has worked with 10,000 students at 86 colleges & univs. to engage the ‘isms’ of their schools and surrounding communities,” is seeking an Executive Director. Inf. from www.aacu.edu.org/jobdesc.html.

The Southeast Community Research Ctr.-Atlanta, a new collaborative to promote/facilitate community-based research & social change in the Southeastern US, is seeking a Managing Director (p.t., possibly becoming f.t.). $17,000 (p.t.) Contact Madeleine Scammell, The Brisbane Inst., Morehouse College, 830 Westview Dr. SW, Atlanta, GA 30314, 404/681-2800 x2344, m_scammell@yahoo.com.

The National Women’s Law Ctr. is hiring a Program Assistant for their Communications Dept. Resume to NWLC, 11 Dupont Circle NW, #800, Wash., DC 20036, 202/588-5180, jsmith@nwlc.org.
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