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**Pushing Back School Push Out: Asserting Education Rights for the
Most Vulnerable**

Tuesday , July 12, 2011, 1:30- 3:00 am

Session Organizer:

Don Cipriani, Just and Fair Schools Fund/ Public Interest Projects

Facilitator:

Don Cipriani, Senior Program Officer, Just and Fair Schools Fund/Public Interest Projects

Panelists:

Robert Kushen, Executive Director, European Roma Rights Centre

Judith Browne-Dianis, Co-Director, Advancement Project

Praz Barua, Youth Leader, Desis Rising Up and Moving (DRUM)

Sponsors:

US Human Rights Fund, Disability Funders Network, IHRFG Working Group on U.S. Human Rights, Grantmakers for Education

Robert introduced the session by beginning with a discussion about government officials and decision makers – mechanisms that force children out of schools. The interplay of poverty and discrimination is powerful in Eastern and Western Europe and discrimination occurs at all levels. Disability gets used as proxy for Romani children . Furthermore, there exists an inferior language ability - Eastern Europe tradition of people with disabilities being regarded as inferior – served best by being separate from rest of society (families encouraged to give up children to the state at birth)

European Court of HR cases compared to US Brown v. Board of Ed. – case law impact: European Roma Rights Centre strategic litigation big part of their work: 3 cases brought about segregation of Romani children in schools
European Court of HR creates binding case law for 47 states of Council of Europe – broad reach and potentially significant. Case that ERC brought against Czech Republic: Notable case because court found violation on part of Czech Republic – disproportionate number of Romani children entering special education. The state had to rebut the presumption and so is wondering how is DRUM working on school push out in NY?

Praz Barua: Went to school in Harlem and noticed that NYPD were lined up, roaming around school. Student safety agents inside of schools. Student safety agents would pick up late students and give suspensions to students and as a result kids would be out of school for 2-3 months. Guidance counselor advised that the kid should drop out and get his GED. Also told him that he was on a list of targeted students who would be targeted and pushed out as well. "School needs to look better."

Question and Answers:

(Q) How does DRUM fight back against school push out?

(A) DRUM has held rallies and hearings to make the issue more visible. There are also campaigns that address zero tolerance issues to try and enforce positive, mediation. Also, as part of Dignity in Schools, a national coalition, is working on school to prison pipeline issues. They are working towards not having suspensions as only option. DRUM has summer institute with certain # of youth going through critical thinking and grassroots advocacy.

DRUM takes individual experience, bring people together and build power around that. Student Safety Act: started in 2007, passed in December 2010 – hold DOE and NYPD accountable to write a report every quarter on how many suspensions, expulsions taking place, categorized by race, gender, age. The data gathering takes place in March, and they report back in October.

(Q) Intentionally marginalized youth – how do we make sense of this societal failure to not uphold fundamental right?

(A) Judith Browne-Dianis: Right to Education is not a right in this country. There is a prevailing notion that not every child should have high quality education. It is competitive society where only some kids should succeed. There is no public will to shift this mindset. 50% of African American males drop out of school (pushed out). Many youth pushed out by advisors, school administration, police officers. Every day out of class means you are failing.

For example, a 2005 videotape of 5 year old girl Jaisha Scott in Florida who threw a tantrum during a jelly bean counting game. Teachers took her to the principal's office. She continued to have tantrum and stomped on tables. They leave the room, she sits down. Police officers took the baby pushed her down on the table then shackled her ankles and put her in police car. Worked with NAACP to change discourse in Florida. Empowering parents to make difference. Getting more parents and youth involved and re-writing discipline code with school district

Community, youth, other organizers need to be paid to build their own capacity to do the work. Most of the partners need more resources because they are taking on school districts.

Funding Strategies that are working: Atlantic Philanthropies took on issue in strategic way – track record of victories in this area – we can make a difference on this issue then it can be great.

Comprehensive strategy which includes funding community groups, national advocacy groups, legal groups, research, communications.

(A) Robert Kushen: Vast majority of Roma have not finished school. Sitting in position of having to raise money – idea of sustainability and diversification of resources is good up to a certain point. You have to be in for the long haul – be with grantee for a long time. Not realistic to provide funding for short amount of time. Working with groups with socio-economic barriers, what are implications for fundraising and grantmaking practices?

It is not a popular cause. On advocacy side – work involved confrontation with government. In US there is a top down approach, which does not include people being impacted. Not coming in from that perspective. Advocacy is something difficult to get funding for.

(Q)Emily Martinez: Advocacy for support for integration?

(A)Robert: Thoughts on what is needed to see Romani children succeed. There needs to be a promotion of the idea that school leaders be from Roma communities to act as interface between Romani children, their families, and school administrators.

There has been some success in training mediators and using them in school, but money has been scarce for these programs.

Training and nurturing of Romani teachers has not gotten as much traction. What is needed is support for children and families, and a recognition that Romani children may lack basis for

(A)Judith: Prepare children with education that will enable them to have a career. Preparing for career and participating in open democratic society, protecting rights and responsibilities for others.

(Q)Question for Braz: To what extent has he used language of rights with colleagues and whether he has found it effective? Gender dimensions of the group that DRUM works with? Membership is mostly young females, organization is mostly female run. And they do believe they have a right to education (documented or undocumented)? As for community based organizations, how do they manage to keep voices from community and grassroots in strategic litigation? What advice to funders on how they should work with youth-led organizations?

(A) Braz: Litigation is used as 1 tool in larger campaign. Community continues to monitor the wins they have. It is different from the boutique litigation model which takes a long time. As long as it is something they want, they continue to engage in it. The youth voice is absent in a lot of dialogue and we are making sure their voices are heard.

(Q) Sue Simon: Universality of HR and global nature – what are the connections between what is happening in US vs. Europe. What is global connectivity around this issue? What can be done to promote it? Outcomes?

(A) Conversations amongst grantees from around the world that are doing similar work/issues – wanting to learn from each other. Grantees should connect with one another. Roma community taken inspiration from civil rights movement in the US. Came to US and spoke to African American community in US. A lot of knowledge sharing at the community level. That is where work of Romani community is still weak.

(Q) DRUM ED: We took on school work in last 5-6 years because that is where national security enforcement and immigration is being carried out, in terms of a broader understanding. Panelists and funders on how you see connection?

(A) Dimple: Grantmakers see connection between these issues in bullying and other forms of discrimination – and as youth get older in the workplace. It is something funders see but helpful to make that connection.

The more that we see move to turn back the clock on law that allowed undocumented children to go to public school is under attack. Now we see data collection on status of children. We have to think about how we bring these movements closer together because it is about the bigger issue.

Important to see how national security and immigrant backlash forces playing out because important opportunities provided for building alliances. Bullying and bringing together different communities of children experience same things/discrimination and bullying. Important to have lots of allies.

Conclusion:

Human rights are universal, inter connected – children's rights are not mini version of human rights. Need to talk about juvenile justice because it is related to criminal justice, immigration, national security, "police state" atmosphere. Prism where it comes together in integrated way. HR framework to talk about this issue is powerful for that reason.