

Comments to the Forum on Minority Issues of the United Nations Human Rights Council

Regarding: "Draft Recommendations on Minorities and the Right to Education"
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Good afternoon. Madame Chair, Ms. McDougall, Distinguished Experts and Delegates, thank you for this opportunity to bring the voices of minority parents in Los Angeles, California to this inaugural Forum on Minority Issues. My name is Maisie Chin and I am from the United States. I am the Co-Founder and Director of an NGO in Los Angeles, California, called CADRE – which stands for Community Asset Development Re-defining Education. We are an independent, community-based, parent membership organization. Today I am representing our members, low-income and poor minority adults of color who are parents and/or caregivers of children who attend our local public schools, and whose capacity and leadership are being built through our model of facilitating empowerment from the ground up. However, our parents' children, like those in many American cities, are also being systematically excluded and *pushed out* of school through substandard educational quality, hostile environments, degrading treatment, and abusive discipline within our public educational system, from which we expect opportunities and recognition of every child's potential and self-determination. Beyond the low levels of academic achievement among minority children of color, few options then remain beyond gang

membership, violence, incarceration, and long-term poverty. Many of us in the United States call this the “school-to-prison pipeline.”

Our mission at CADRE is to solidify and advance parent leadership to ensure that all children are rightfully educated regardless of where they live. It is in the spirit of this mission that I frame my comments today on the recommendations.

An independent parent organization such as CADRE has become necessary due to the fact that the learning environment in the vast majority of American public schools directly contradicts the promises and potential of American public education, especially in the urban areas where minorities, people of color, and poor families living amid poverty and violence are concentrated. On behalf of our constituents, *we first want to wholeheartedly concur with the specific recommendations that elevate the significance of the learning environment in the fulfillment of the human right to education, and we suggest continuing to raise the bar even higher*, because with any number of violations against the human rights of the child in our public schools, the situation is further exacerbated when we consider *the number of simultaneous violations against the human rights of their parents, especially in regards to minority parents’ human rights to dignity and participation as advocates for and defenders of their children*. In the case of the United States, these violations of parents’ human rights are as equally reflective of racial bias and a rush to criminalize and exclude as are the educational outcomes and treatment of minority children, specifically Black, Latino, or poor.

We commend the construct and definition of “the learning environment” in the recommendations, and suggest that it be expanded to specifically indicate governmental

accountability for the resolution of claims made by minority students and/or their parents/caregivers when the learning environment fails to respect minorities' rights, and specifically when the violations pertain to racial bias, the dehumanization of children, adolescents, and parents, and the exclusion of minority parents' right to monitor, participate, and hold publicly-funded educational institutions accountable. For example, in regard to the recommendation that systems of recording racist or similar incidents targeting minorities and policies to eliminate such incidents be developed in school systems, recourse for victims must be legitimized in the event such systems are inadequate, ineffective, ignored, or nonexistent. And when disciplinary actions are not fair and unbiased, restorative processes must be practiced if any mutual trust is to be maintained between minority families and school authorities.

The standard of states promoting systematic consultation and co-operation between parents of minority children and school authorities is also fundamentally paramount if we are to eliminate hostile, unfair, biased, and disproportionate discipline meted out to minority children of color. When such incidents occur, not only are minority families' experiences with school authorities fragmented, but the disengagement worsens to the point where few institutionally-initiated overtures will bring those families back into the public school system. We must remember that the parents of minority children in the U.S. today very likely experienced when they were younger the same human rights violations as their children, and that states' relationship with the greatest untapped resource for the improvement of education, minority parents, may have already been eroded for multiple generations.

In the spirit of emphasizing participation, *we would like to encourage the addition of a standard addressing the need for parents to have: 1) access to information about their children's school records, including what has been written about their behavior and disciplinary history; 2) the right to participate in disciplinary decisions regarding their children; 3) the right to suggest alternative discipline strategies that stress positive behavioral support, meeting mental health needs, restorative justice, and maintaining children's dignity; and 4) access to mediation and/or an independent ombudsperson to ensure fairness and due diligence in determining the discipline meted out to their children.* All of this is necessary to weaken the unfortunate connection between the American public education system from the juvenile and adult prison system. There must be an explicit commitment to requiring ways and means to overcome obstacles and difficulties in the fulfillment of the human right to education.

The complexity with which violations of the human rights of minority children, youth, and parents occur concurrently exacerbates the educational crisis for non-white minorities in the United States. This predicated our NGO's formation nearly nine years ago, our adoption of the human rights framework, and our passionate belief in not only the human right to education, but also its necessary enforcement by governmental authorities beyond the local and state or provincial levels, but nationally and internationally. We look forward to a refreshed, international, cross-sector analysis and assessment of the current progress towards fulfillment of the human right to education specifically for minorities. We enthusiastically support and commend the attention and weight that have been and are being paid to this right by the U.N. Independent Expert and the Forum on Minority Issues. *We request that as the recommendations proceed for international consideration, that the voices of NGOs and our constituents continue to be represented, reflected, heard, and understood. We also pray for conviction and courage to root*

out, as the recommendations say, “bad education strategies [that] can violate human rights as much as good strategies enhance rights and freedoms.”