

I am the senior education law and policy associate of the civil rights project at UCLA. I am deeply honoured to present to this esteemed forum.

My subject is the importance of data in our efforts to ensure that minority children enjoy their right to an education, simply put we only count those who we care about.

Uncounted children as invisible. If we cannot keep track of minority children their educational outcome and their access to educational resources, then we cannot protect their right to be educated. From a human rights perspective having access to disaggregated quantitative data increases our capacity to reveal injustices and speak truth to power.

My efforts on behalf of the civil rights project, have focused on using data to reveal inequalities in educational opportunity and to persuade members of congress to remedy these problems. In the remedy phase access to quantitative data is critical for developing systems of monitoring, evaluation and accountability which are central to protecting the rights of minority children to an opportunity to learn.

I commend the document where it highlights the need for quantitative data, I would seek to go further by encouraging the public reporting of accurate data, disaggregated by race and ethnicity. I would also specify the need for data on gender and disability status along with race. Data on poverty status and on language minorities are also critically important. Such public reporting must always contain privacy protections for individual students and clear safeguards against misuse.

I offer 3 examples to further illustrate the importance of data to protecting the right to education. My first example emphasises the need to look at racial data together with data on disability status, in 1999 the civil rights project responded to concerns about black children being labelled mentally disabled and relegated to sub-standard and segregated education facilities across the US, very similar to the plight of Roma children throughout Europe. In the US there is a legacy of labelling minority children disabled in an effort to avoid integrating them.

But outside of this context students with disabilities have a parallel history of being excluded from school and discriminated against on the basis of their disability. The civil rights project conducted research on these problems and brought quantitative findings and policy recommendations to congress. The national news media broadcast that blacks were three times as likely than whites to be labelled as mentally retarded, our full report also showed that black and latino students with disabilities were far more likely than their white counterparts to be suspended from school, to drop out, or to wind up incarcerated. Revealing this data elicited a human reaction, most members of congress were deeply disturbed and soon the relevant education law was amended making remedying racial disproportionality and special education a top government enforcement priority.

My second example highlights the importance of further disaggregating racial data by gender. This is what the example on the screen speaks to. While internationally the denial of education to females is a primary concern the example I use for the US shows that black males are often the sub-group experiencing the greatest harm. For example when rates of discipline, or school failure are disaggregated by gender and race, black males are often significantly worse off than other groups including compared to black females. So as this graph, this is 12 to 14 year old students demonstrates dramatic difference both between racial groups and within racial groups when the data is broken down by gender. The second slide shows the US national graduation rates by race and gender for the class of 2001.

My final example highlights the importance of accurate and accessible quantitative data. The civil rights project published the analysis above to confront a major problem, we knew that minority youth were failing to finish high schools at very high rates but that the public was largely unaware of this problem.

US department of education was not reporting any data to the public on graduation rates, state government filled the void with grossly misleading reports that masked over the educational crises for minority students.

Fortunately our report on graduation rates for minority youth generated attention and awareness has grown steadily, this year the US department of education responded by requiring the reporting of more accurate disaggregated rates and with accountability for the very low graduation rates of minority students. The disparities I have highlighted reflect deep resource inequalities therefore I conclude by recommending the tracking of educational resource within each nation to reveal where minority children have an unequal opportunity to learn. Recently I have been assisting the Short Foundation for public education and others with just such an initiative in the US. One resource research suggests is critically important to track is access to teachers of high quality. Thank you once again for the opportunity to present to this important international forum.