Educational Equity and Access as Universal Human Rights:
Effects on Teacher Education in the U.S.

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Abstract

The relationship between universal human rights and educational equity and access within the context of the U.S. educational system is the focus of this article. The author, a professor for pre-service and in-service teachers, explores their notions of equity and access within the context of public schools in the United States. Analyses of reflective journal entries written by her students in response to readings and class discussions produce the domains that appear most relevant to teachers in gaining understanding of the issues that affect equal opportunities for ALL students and how these opportunities are not privileges but rather rights that have been upheld universally. The concepts of equity and access are embedded in universal human rights, yet students' statements fail to reflect these connections. Deeper connections to broader community contexts and worldviews are recommended for teacher educators in order to relate U.S. educational equality to universal human rights concerns.

Key words: Equity; access; human rights; language rights; teacher education; diversity; community.

INTRODUCTION

The promise of access to quality education is a driving force both in the immigration experience and in the quest for upward mobility throughout the world. The path to this universal goal is often evasive or even non-existent in many countries and in urban centers throughout the United States (U.S.) which also happen to house many immigrant populations. These settings involve poorly funded school districts with high dropout rates and notable achievement gaps between students of Anglo European descent, often referred to as White, and students of other ethnic backgrounds, identified in these low-income settings predominantly as Blacks of Afro-American and West Indian descent and Latinos/Hispanics. Although the Black-White binary is based on generalized stereotypical

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perceptions related to phenotypes, the Latino population includes individuals of all skin colors and of Latin American descent from Mexico, Central America, South America and the Spanish speaking Caribbean. Low socio-economic status is the common variable among the Black and Latino populations, although most Blacks and all Latinos of Puerto Rican descent are U.S. citizens. In spite of their citizenship status, these two groups suffer similar human rights violations in terms of their access to quality education as those suffered by the broader categories of Blacks and Latinos. The equality of rights and freedoms as promulgated in the United Nations'1948 Universal Declaration of human rights,

> **Article 1.**All human beings are born free and <u>equal in dignity and rights*</u>. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

> **Article 2.**<u>Everyone</u> is entitled to all the rights and freedoms set forth in this Declaration, <u>without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status</u>. (**underlining is mine*)

is still to be seen in many parts of the world, and many of us know that the U. S. is not an exception. Unfortunately, the lack of acknowledgment of human rights violations in the U.S. seems to be a common practice. As with other international policies, the U.S. is often at odds with the international community. As Churchill (1994) has posited in Duncan's (2000) eloquent article on race and human rights violations in the U.S.:

> ..the reluctance of the United States to ratify the Convention on the Rights of Children is not without precedent and should be understood as part of a long-established pattern in which the country seeks to retain the "legal" or "constitutional" prerogative to engage in policy or activities that the rest of the world condemns as human rights violations (Churchill 1994 cited in Duncan 2000).

Within our borders, the awareness of the population regarding educational inequality appears to be localized only among the under-funded and lower-achieving districts and their respective, often disenfranchised, communities. In these sites, immigration and migration co-mingle, blending student populations from families of inter-state labor migration and immigration, in educational settings where they are often lumped into a mass sorted into lower-tracked and "under-achieving" students. Those who pursue equity and social justice are charged with creating awareness about the inequalities while assisting in the social re-construction within the schools themselves. In this essay, I will discuss action research projects developed with pre-service and in-service teachers to examine and address educational inequality in a number of school districts in the northeastern region of the U.S. How does teacher education assist in providing equity and access in classrooms and schools to uphold human rights for their students?

The conceptual frameworks of Critical Pedagogy (Freire 1970) and Critical Race Theory (Bell 1995; Ladson-Billings & Tate, 1995) are the main theoretical underpinnings for action research projects conducted by teacher education, counseling students, and interns in the courses discussed herein.   Freire's work contests the banking model for teaching where students are passive receivers of knowledge transmitted by their teachers. He challenges educators to examine their teacher centered practices relinquishing their power and opting instead for a model where the learner is an active participant in his or her learning process. In this model, knowledge is conceptualized within the context of the world and its oppressions.

Critical Race Theory which looks at race relations in the U.S. with a broader lens than just through Civil Rights, is described as a powerful analytic device for illuminating issues of human rights in the U.S. given the persistent contradiction between democracy and capitalism which favors *property* rights over *human* rights (Bell 1995; Ladson-Billings and Tate 1995). Within this context, people of color are in the lower socio-economic rungs of society. This is evident in the funding formulas used by school districts in the U.S. based on property taxes and resulting in lower levels of funding for the neediest schools. These practices affect the access to equal educational opportunities and impact populations that

are not as knowledgeable about their human rights or the avenues for demanding that these be enforced. Immigration status and poverty, both strongly linked to lack of health coverage, result in the denial of health care and education services, ignoring universal human rights arguments.

Politics of Teaching and Learning

In the current economic climate in the U.S., accountability and high stakes testing are the driving forces for funding both at the K-12 level and in higher education in the U.S. There is universal acceptance for the belief that equal access to education is a human right, as is promulgated in article 26 of the United Nations' Universal Declaration of Human Rights.

> (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

> (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

The enforcement of these rights is often disregarded in the political debates and this translates into violation of these human rights. Socio-economic deprivation and poverty are exacerbated by lack of access to education and yet the structural inequities that result in the denial of access are not addressed effectively. Funding for curriculum development, for academic support for students and for professional development for staff, is contingent on competitive grants whose continuity is often based on performance outcomes of students as a result of the *No Child Left Behind* legislation (2002). This appears to be sound policy were it not for the shifting demographics that raise academic challenges and missed opportunities presented by culturally, linguistically, and socio-economically

diverse populations. In the meantime, schools of education have had to re-invent themselves by developing coursework and teacher preparation strategies that will provide experiential and theoretical depth at the levels of mastery needed to meet the needs of our K-12 populations. In order to carry out their missions, schools of education at universities and colleges must also secure funding. These dynamics translate into an ethos of incentives and rewards for faculty who are most skillful in obtaining the funding and producing the scholarship that will result in even more funding for the institution. This climate is often more challenging for underprivileged communities in the k-12 context and for university faculty from underrepresented groups, namely Blacks and Latinos.

The consistent and long standing underrepresentation of faculty of color and of working class backgrounds in higher education and in schools of education in particular, continues to be problematic from the perspective of firsthand knowledge of the social context of schools and of the immigration and labor experiences of the disenfranchised. It is in these contexts, where human rights violations such as denial of appropriate language instruction and academically rich curriculum and resources, are commonplace. Teacher educators need to have more grounded knowledge of the communities that their pre-service teachers are to practice and teach in. Culturally relevant pedagogy and curriculum should draw from this context in order to produce the connections students need to see between their realities and the disciplines. This knowledge needs to be gleaned from outside of the classroom before the involvement of pre-service teachers with the schools and their participants begins (Reyes 2003).

In the absence of teacher education programs that are structured with a focus on the community context and deeper understandings of the dynamics of the populations, responsible teacher educators need to construct their own practices with a purposeful exploration of these contexts. In order to do this, faculty too need to immerse themselves in the context in deeper ways that are informed by knowledge of universal human rights. They need to model for their own teacher education students, the familiarity with the lives and realities of the communities where these schools are located. The visibility beyond an occasional event or supervisory visit is relevant not only for the pre-service teacher but

also for the collaborations that must occur with community members, parents and other stakeholders in the system. These relationships validate the involvement and care for the human rights issues that affect the school climate and ultimately student outcomes and performance. The reciprocal learning (Freire 1970) that takes place in classrooms and communities can inform the critical awareness needed to interrogate and claim the equal opportunities that all students should be afforded.

Uncovering Inequity in the U.S .Education System

The world learned of segregated schools and racial inequality in the U.S. in much the same way it learned of Apartheid and other exclusionary practices: through media reports and exposés. But the complexities of *de facto* segregation in educational practices in the U.S. are often unknown to the world. Perhaps the best known account of these practices is contained in Jonathan Kozol's *Savage Inequalities* (1991) which described the inequity in funding and the disparaging conditions in predominantly urban settings in different U.S .cities. These schools also happen to "serve" the most marginalized communities. His disturbing accounts were followed by numerous reports and studies that connected these dire socio-economic conditions to the high dropout rates and to the achievement gap between students from higher socio-economic and predominantly mainstream backgrounds and their non-mainstream counterparts in lower income school districts. These disparities are illustrative of human rights violations.

Some U.S. based writers, such as Antonia Darder, point to the differences emerging between students from the dominant culture and those from subordinate cultures (1991) as critical factors in our schools and classrooms affecting teacher-student relationships in negative ways that reflect inequitable power relationships in education (Apple 1985; 2004). Others attributed differential academic performances to issues of tracking (Oakes 1995) where testing and other strategies are used to sort students according to abilities, even though we are aware of the fallacies of testing (Gould 1997), or to traits related to migratory patterns such as voluntary versus involuntary immigration (Ogbu 1998). Ogbu's work pointed to differences in self-concept and confidence in academic

performance that could be linked to whether an individual was a voluntary immigrant or not. Thos immigrants who came voluntarily manifested different and often more positive behaviors that aided their success in the host country, when compared to the behaviors of slaves and colonized people, or those displaced as war refuges (often resulting from U.S. initiated involvement in other countries). This could also be extended to labor migration movements which impact turnover patterns of children of migrant workers in schools.

Education researchers have also focused on patterns that affect teaching practices grounded in teachers' lack of knowledge and social interactions with individuals who do not share their cultural backgrounds and educational experiences (Delpit 1996; Nieto 1996; Noguera 2003). In addition, some of us have examined patterns that relate to the ways in which educators glean information and shape their worldviews about their students' backgrounds (Reyes 2003) and how stereotypes about certain groups are reaffirmed through media representations, seen throughout the world, that continue to reinforce mainstream images of successful teachers and of failing minority students (Reyes & Rios 2003). The focus on teaching methods and strategies has often been considered the impetus for education and teacher preparation programs. The contextual issues of educational practice and the incongruence between teacher backgrounds and the backgrounds and experiences of their students, have received less attention. Although in recent years attention has been given to global issues, these have not been framed within human rights discourses. Educational inequality is the context of our teacher education research discussed in this article.

Framing research on educational inequality

There is no doubt that technological advances have changed the world. The immediate access to information through the internet and through satellite television has become a factor in how we teach and how we communicate equality and justice in education. The world had immediate access to information and images of the Columbine and Virginia Tech tragedies with the same immediacy that it has viewed films such as *"Dangerous minds"* and *"Freedom Writers."* These films are based on true stories where heroic

mainstream teachers are cinematographically celebrated (and somewhat embellished) and hailed as the transformative teachers for the struggling, failing, and often oppositional urban populations in U.S. schools. Sparks (1994) and others suggest that violence occurring in inner cities is a result of racism, discrimination and poverty. So how do these intermingling combinations of news reports and Hollywood interpretations of school dynamics impact the worldviews in the U.S. and abroad, of social justice and educational equality in the U.S.?

Answers to this question appear in the reflective writings of students of diverse backgrounds who respond to readings on educational equity and access in the U.S. The contexts in which these reflections are written, is a core graduate course dealing with issues of diversity that is designed for both pre-service and in-service teachers. Half of the population in the course is from a variety of countries that are predominantly Spanish speaking. They range in ages from the mid-twenties to early forties. Some teachers are parents of students in the U.S. school system in addition to being teachers in urban settings where there are many English Language Learners (ELLs). The pre-service population in the course examined here, are all females of mostly European descent and of middle and upper middle-class backgrounds. Some have experienced the world through study abroad or other exchange experiences including having international students visiting their homes. Most of the course involves readings related to the historical processes and events that define educational policy and these are complemented by research articles and reports that illustrate the effects of these policies in our schools. Reflections and class discussions precede a research project that addresses any of the themes form the course with data collected from their different environments using an action research model that will translate into a school/classroom improvement initiative. They involve teachers and interns examining their own classroom practices and contextual issues. Because the schools where projects were developed are in districts populated by low income, immigrant and migrant students and have underfunded programs, the issue of equal access to educational opportunity permeates every aspect of teaching and learning discussed in the course.

PROCEDURES

Data for this study were collected from a compilation of 5 reflective essays from groups averaging 25 students for a total of 125 essays for 5 sections of the course between 2006 and 2009. In addition, statements from research projects were examined and the data from these and from the reflections were coded thematically (Miles & Huberman 1994) according to frequency of repetition of topics. Gee's (1999) discourse analysis frameworks were also used. Gee defines discourses as "different ways in which we humans integrate language with non-language "stuff," such as different ways of thinking, acting, interacting, valuing, feeling, believing, and using symbols, tools, and objects in the right places and at the right times so as to enact and recognize different identities and activities, give the material world certain meanings, distribute social goods in a certain way, make certain sorts of meaningful connections in our experience, and privilege certain symbol systems and ways of knowing over others" (1999 p. 12). These complexities make any inferences drawn from discourse patterns, multifaceted, and the interpretation of the findings invites continued analyses by readers as to the intersections between teachers' knowledge of human rights and their ability to create awareness of privilege or disempowerment of their students.

DISCUSSION

The close examination of students' written reflections is critical in developing the course constructively to further enhance the development of the attitudes and dispositions that we need in teachers who are to uphold the values related to equity and access embedded in the declaration of universal human rights.   In becoming the transformative intellectuals (Giroux 1985) they can be, there needs to be transformation in their ways of knowing and thinking about teaching and its consequences.   Hence, I have organized texts here according to stages of transformative thinking about themselves and about issues of equality in a continuum that reflects trends toward deeper thinking, questioning and action.   Writings have been grouped according to the following themes or domains:

understanding of privilege; community; linguistic and cultural differences; parent involvement; and teacher preparation.

Understanding Privilege

Most of the pre-service and in-service teaching population in the U.S. is constituted by White females of middle to upper class socio-economic status. Many have attended suburban schools where there is very little diversity with very few immigrants. Most, if not all, have been socialized to take their privilege for granted or not even acknowledge privilege. Deprivation and inequitable conditions of schooling seem fictional to some. Moreover, human rights are usually associated to other parts of the world and especially to underdeveloped countries. In fact, one of my former students argued that Kozol's *Savage Inequalities* was a fictional account. The lack of knowledge about the conditions in the rest of the world and how U.S. presence in some spaces has spawned refugee movements to the U.S., reflects a lack of awareness of this privilege and of the inequity in access to educational opportunities

 "Additionally, I have had the opportunity to reflect on what we are trying to accomplish through our school curricula, and what I can do as an educator to be sure to expose students to information that they would normally not be privileged to access. This is especially important in urban school districts where we have so many minority students that need to learn and find their own history." (In service-female teacher 2009).

 "While I thought of myself as a very caring and helping individual before, I suddenly felt like   I—in no way—did anything to help others on a global level. It upset me that I don't think about global issues on a daily basis, and even more so that far too many people in this world do not and don't care to." (Pre-service female 2006)

Inequality and suffering have been invisible to many sectors of society who remain comfortably distant from these realities through mechanisms such as white flight, herding practices in real estate (an illegal sales approach that pushes buyers to certain

neighborhoods based on their ethnic make-up), and *de facto* segregation in our school systems through exclusion of certain groups from advanced placement and honors classes using tracking. These dynamics can literally shield people from the "discomfort" of ever interacting with poverty and deprivation. As educators we must take responsibility for unmasking these realities and make sure that students are aware of the ways in which human rights violations occur everyday. Reflections on white privilege and homogeneity in teachers and pre-service teachers' backgrounds have been pervasive among the majority of students over the years. The awareness of how this affects teaching becomes a theme throughout the course.

Linguistic and Cultural Differences

Access to educational opportunities in the U.S. is tightly bound to English proficiency and yet addressing the needs of ELLs continues to be a challenge for low income districts in particular. Legislation limiting native language support to a finite amount of time –30 months—is not grounded in sound research. Language acquisition research has shown that developing proficiency varies based on context, native language proximity to the target language, social interactions and opportunities to use the language in meaningful contexts (Collier 1987; Cummins 1979, 1981a). Culture and language are intimately connected to identity and the opportunity to nurture these is conducive to developing a strong and positive self-concept.

The need for culturally relevant practices was constantly mentioned in student reflections as shown below:

> "White, middle-class educators often have to remember that students who aren't fluent in English or who don't feel like they fit in because of their cultural background or color have many day-to-day issues they face that some people don't experience in a lifetime." (Pre-service teacher male 2008)

> "During this course I have also learned the importance of experiencing other cultures. I have witnessed in class every week, the different backgrounds and

countries of origins of the people in our class, which is probably the most diverse group in a class that I have ever taken. This makes me want to learn more about other cultures and experience them first-hand by travelling whenever I have the opportunity to do so." (Pre-service female 2009)

"Now given the history and the research, I feel like English language learners not only have the right to continue learning in their native language, but the research shows that second language acquisition is supported by and enhanced by strong native language proficiency."(In-service teacher female 2009)

Undoubtedly, educational institutions should be the first to enforce the right to maintain one's native language and culture while acquiring those of the host country. However, the hegemonic status of English and the fear mongering ideologues seem to loom heavily in determining the U.S. national 'stance that supports monolingual goals and ethnocentric ideologies that favor the dominant group. In so doing, the rights of individuals to pursue equal educational opportunity then becomes impossible. In their projects some students interviewed teachers to ascertain their academic background in issues of Language acquisition and strategies that have been proven effective for teaching English Language Learners. It was reported that many teachers who attended teacher education programs after the early 90s did have some course work dealing with issues of diversity and multiculturalism, but very few have had any specific courses on strategies for teaching English Language Learners. Again receiving instruction in ones native language is a need and is considered a child's universal right.

Community: important connections

Our U.S. schools and teachers have operated in a bubble, the bubble of the school and classroom context. In doing this, they ignore the realities of the communities where the schools are located, especially those that are in predominantly immigrant communities whose needs are specific in terms of language and culture. The importance of knowing the community is understated in traditional education programs and in schools. The

information gleaned from the community needs to be infused in the teaching and learning experience as mentioned here:

> "I think that because this country is changing, and the students that come through the school systems are changing, it is inevitable that we must change our ways to best accommodate all the students that come in. We cannot expect to be teaching the same way, same style forever. Collaborating with the community and parents is definitely important as well. I found that a lot of the presenters in the class were emphasizing collaboration with the community or parents is important." (In-service female 2009)

> "I realized that I was practicing a form of "cultural blindness" and now I realize how detrimental that mindset is in a classroom. I understand that students from diverse backgrounds do bring different ideas and expectations to my classroom and it is my responsibility to try to uncover them and include them in my teaching style. Third, I have learned how important it is to learn about the communities where students live in addition to learning about their personalities. " (Pre-service female 2008)

Educators in many under-funded and diverse communities, often choose to live in other districts in order to send their children to schools outside of the districts where they teach. This practice sends a message to the community where they teach, namely that the quality is not up to par for their own children. This has been addressed by some districts by requiring residency for teachers. Even so, some will find subversive ways to comply and yet be able to do as they please. In the meantime, the community begins to question educators' commitment to their own schools if they find that they are not good enough for their own children. Those who do not have a choice are left feeling undermined and devalued. Research projects on teachers' knowledge of the community confirmed that the majority of teachers interviewed in the schools did not live in the districts nor did their children attend the district schools where they were employed.

Parent Involvement

The participation of parents in their children's education is expected in the U.S. and this is only possible when one is culturally and linguistically groomed to be involved. The desire to research this topic is prompted by remarks that are heard and repeated in and outside of schools, where teachers and administrators are heard stating that parents who are not involved simply do not care. Districts embark on parent training modules and a variety of outreach strategies. Students and teachers in the course are intrigued by these issues:

> "While events like open house and conferences are important, I think that parents would love to be invited to events where they can <u>see their kids in action</u>, both during the school day and at night, rather than just hearing teachers tell parents about what their kids are doing. These could range from as simple as parents sharing lunch time with their children to more grand events like those that could culminate units and celebrate cultures." (In service female 2009)

> "I found the juxtaposition of teacher and parental beliefs about college attendance for Latinos very interesting as well as concerning. While these students are raised by their parents to believe that a college education is most important for success, teachers convey that thinking about college is a waste of time for them. This is horrifying to me."(School Psychologist. female 2008)

> **"**Many people focused on the affects [sic] that the language and cultural barriers that exist in our school systems have on the parents of our students. Never before have I thought so much about the effect that a pamphlet or newsletter sent home could have on the comfort level of the parents in being involved in their child's schooling. Many parents do not even know how involved they are allowed to become with their child's schooling, and automatically are labeled as ignorant, careless, or even neglectful." (Pre-service female 2009)

For many immigrant and working class parents, participation in schools is related to their own schooling experiences. Research findings from projects included responses to

questions regarding what factors affect their involvement levels. The most frequent barrier cited was language but many mentioned that " it was not as much that they had limited English proficiency but that the jargon of school talk was intimidating". References to standardized tests and outcomes and other performance measures and even grading differed from what parents were familiar with. In addition, parents who had low literacy levels, both from the U.S. and from abroad, felt uncomfortable in the school setting. Work schedules, child care and transportation challenges were also mentioned. The aggregate of these factors clearly point to unequal access and results in the denial of equal educational opportunities for many students.

Teacher Preparation

According to Gundara (2008), the "professional abilities and capacities of teachers to work effectively as anti-racist and intercultural professionals, are not optimized. Their knowledge understanding and skills do not provide them with the professionalism to operate in complex and diverse contemporary societies."(p.350) Teacher education programs are in a quandary to meet the pressure to attain the prestige and status sought by the institution through recognition of their faculty in publishing and through their success in obtaining grants while at the same time needing to develop appropriate collaborations with schools and communities to meet the changing needs of the population. All this occurs while responding to the accountability instruments imposed by educational administrators. Theory and practice seem to collide and human rights, ignored.

> "A common theme that runs throughout all of my writings is the call for teachers to understand their responsibilities beyond teaching math, reading, and science. My culturally diverse classroom will require me to become an advocate for their educational needs, educating myself and collaborating with peers to plan authentic cultural experiences, and encourage their strengths and become a support." (Pre-service female 2009)

"Teachers need to take a hard look at the impact of their actions and their speech and what they don't say to realize what it is that they are doing wrong. Administrators and teachers are far too quick to blame students rather themselves. All students no matter their race or culture are very sensitive to what adults tell them." (In service female 2007)

It is critical that we are able to enforce equal educational opportunities for ALL students. In the projects completed in the course, teachers often state that they lack confidence in their teaching specifically in regards to classroom management and cultural understandings that affect classroom communication and teaching and learning. Although many teacher preparation programs are investing in urban initiatives there still seems to be a lack of awareness regarding the processes that have influenced demographic change and its connections to protection of human rights. They often lack knowledge of the socio-economic conditions in schools and communities and how they eventually impact the delivery and quality of education provided to students inequitably. This is the awareness that Freire and others demand for educational initiatives. Students have a right to know how the quality of services they receive compares to that of peers in other settings and why this is so. They should also seek to educate themselves and their communities as to how to participate in the decision-making that impacts these conditions.

CONCLUSION

When we consider the overarching principle of equal education as a universal human right, meeting the needs of *all* children is imperative. In view of the constraints imposed by bureaucratic processes at the institutional, district, state, national, and international levels, many of us who see the urgency of engaging in transformative effective practices in teaching and learning, infused by diverse perspectives and worldviews, have opted for more pragmatic approaches to educational reform and community development. In this vein, and after absorbing Freirian stances of fostering awareness (*conscietizao*) of one's realities and oppressive practices around us, it seems natural to adopt the Vygotskian

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social development model known in education as the Zone of Proximate Development (ZPD) theory whereby advancement on a learning continuum is possible through the mediation of more proficient peers.

Although this study focuses on the inequalities in educational opportunities in the United States as universal human rights violations, the intersections of these dynamics in the field of teacher education may be informative in other cultural settings given the mobility of world populations. In addition, communication advances facilitate international dialogues for comparative analyses of teacher preparation practices related to varied socio-cultural contexts and inequality. More knowledge about educational practices around the world and more interactions with international colleagues are needed in mediating the experiences of students as we move further into globalization. Finally, those of us who have already accessed knowledge and information about how people succeed in different educational systems throughout the world, have the obligation to ensure that those being left behind in the U.S. and elsewhere, are enlightened and guided to the resources they need in order to succeed and to assert their human rights.

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