Introduction
Welcome to the course. I appreciate your participation. Demands for education reform regularly make headlines in newspapers across the United States, and legal challenges put “schools on trial” before both federal and state courts. From the famous Brown v Board decision ordering racial desegregation in 1954 to more recent challenges before state supreme courts concerning the “adequacy” of public education, individuals have sought to access and improve public schools by taking their complaints to courts. In the past few decades, the resounding judgment of state courts has been that the current system of public education is inadequate to the task of preparing the next generation for democratic citizenship and global economic competition. The consequences are dire: poor performance sets us up for declining living standards, growing inequalities, and more social conflict, while the disproportionate impact of educational inadequacy on racial minorities and the poor dooms a growing segment of the population to a future of poverty and prison. How can public education be reformed to serve the needs of all children, as well as democracy and the market? Can courts play a constructive role in this process? How has politics interacted with court-ordered education reform to produce contemporary challenges? Are we alone in our dilemma?

Learning outcomes of this course are to develop students’
• Understanding of the relationship between legal and political efforts to reform education in the US, Colorado, and a few European democracies
• Knowledge of post-Brown efforts to equalize educational opportunity, the limits of this goal in practice, and the consequences of those limits for US politics and society
• Awareness of what it means to be a member of an intellectual community by meeting rigorous academic expectations through critical reading, discussion, research, and writing
• Practice of newly acquired skills in an active learning environment where writing, quantitative and qualitative analysis, and peer collaboration are integral to the goals of the seminar
• Capacity to manage time to meet deadlines in the context of competing priorities

Required Readings
Book: James Ryan, Five Miles Away, A World Apart (2010); a set of articles available on Blackboard (including all readings assigned for “Discoveries”; selected case law from the European Court of Human Rights (ECHR); articles distributed in class. I recommend that you attain an “actual” book and print each of the documents on Blackboard.¹

¹ A growing body of research indicates that readers are more likely to skim electronic sources and take longer to complete electronic texts given electronic interruptions (Facebook feeds, beeping incoming emails) and the ergonomic discomfort and poorer resolution of e-texts. By contrast, readers of print text have been found to concentrate more effectively and annotate texts in ways that help them recall and retrieve information for later use (see discussion of “technology and learning” on p. 3-4 and the works cited at the end of this syllabus).
Schedule of Assignments
Reflections (individual) Complete in a Word document before coming to class
Be prepared to post on Blackboard during class
Analyses (collaborative) In-class writing: be prepared to post on Blackboard
Research memo Due to be uploaded to Blackboard by 2 pm on the Tuesday
(Monday presenters) or Thursday (Wednesday presenters) one full week after the presentation
Presentation Various, see Schedule of Readings and Discussions
Litigation simulation M&W, October 6 & 8
Final exam Submit to Blackboard by 2 pm on Monday, 11/17
All presentation make-ups 2-3:50 on Monday, 11/17

*Mandatory attendance for all students on these dates.

Grading
Reflections on readings 20 percent of course grade
Analyses of readings 15 percent of course grade
Research memo 20 percent of course grade
Presentation of research 5 percent of course grade
Litigation simulation 10 percent of course grade
Final exam 30 percent of course grade
Participation in discussion Course grade adjustment (see below)

Calculation of the final course grade: Reflections and analyses are credit/no credit. Other assignments receive letter grades with DU grade points.
Letter grades correspond to the following values to calculate course grades:
A+ 4.33 A 4.0 A- 3.67 B+ 3.33 B 3.0 B- 2.67
C+ 2.33 C 2.0 C- 1.67 D+ 1.33 D 1.0 D- .67 F = 0

Grading for reflections and analyses:
All completed on time: A+ 90 percent completed on time: A
80 percent completed on time: B 70 percent completed on time: C
60 percent completed on time: D Less than 59 percent completed on time: F

Participation and the final course grade
Frequent constructive contributions improve your course grade by ~.33 (B+ becomes A-).
Periodic constructive contributions have a neutral impact on your course grade.
Attentive silence results in a ~.33 deduction (B+ becomes a B).
Habitual absenteeism (more than two absences) results in a ~.66 deduction (B+ becomes a B-).
Inappropriate contributions and disruptive behavior result in your course grade being lowered by one full grade (B becomes a C).

What are constructive contributions? These include comments and questions that relate directly to course material from assigned readings, lectures, and films or discussion of relevant current events. Your contributions should reflect your understanding of course materials and related ideas. The quality of contributions matters more than quantity, so avoid dominating discussions.
What is inappropriate and disruptive? The habitual expression of irrelevant points, claims from dubious sources, or unsubstantiated opinions; persistent efforts to dominate discussion; and tuning out of class by tuning in to electronic media or side discussions with a neighbor.

Cooperative Learning
Students will spend part of some class sessions collaborating in teams of 3 or 4 students on analyses of course material. Teams will also prepare a research presentation and engage in a simulation of litigation. Research on cooperative learning confirms that students learn more in structured collaborative activities than in either individualistic or competitive arrangements. Even students who perform very well on their own learn more as they articulate their ideas with others and take on leadership roles. To deter “free-riding,” students will evaluate each other’s contributions to collaborative efforts. Student evaluations indicate that collaboration enhanced understanding of course material and performance on assignments. Functioning effectively as a team player and exercising leadership are valuable skills in contemporary careers.

CLASS AND UNIVERSITY POLICIES

Student conduct: Regular attendance and active engagement in assignments and discussions maximize learning. As we discuss course topics, feel welcome to question and disagree respectfully with the professor, your peers, and the assigned authors in a manner that facilitates the learning process for others and acknowledges the dignity of all individuals. University policy requires respect for values related to academic honesty, civility, and compliance with the law. You may consult University policies concerning the details of these values and the consequences for their violation at http://www.du.edu/studentlife/studentconduct/policies/

Technology and learning: I want you to learn as much as possible and earn a good grade. As a result, I ask that you bring print copies of assigned readings to class; take notes on paper; and restrict your use of laptops during class sessions to specific assignments that require online research, collaborative writing, or posting to Blackboard. Meanwhile, texting during class is appropriate only in emergency situations.

Why am I advocating such traditional approaches to learning? Research demonstrates that “students who read texts in print score significantly better on … reading comprehension … than students who read … texts digitally” (Mangen, Walgermo, and Brønnick 2013, 61). Research also shows that “students who use laptops in class spent considerably more time multitasking and that laptop use posed a significant distraction to both users and fellow students” (Fried 2008). Indeed “participants who multitasked on a laptop during a lecture scored lower on a test compared to those who did not multitask, and participants who were in direct view of a multitasking peer scored lower on a test compared to those who were not” (Sana, Weston, and Cepeda 2013, 24). “Research on multitasking has uncovered clear evidence that human information processing is insufficient for attending to multiple stimuli and for performing simultaneous tasks” (Junco 2012a, 2236). This is true even for the “Net Generation” born after the 1980s (Kirschner and Karpinski 2010, 1237). As a result it is not surprising that “…using Facebook and texting during class were negatively predictive of overall semester GPA” (Junco 2012a, 2241). Finally, even when laptops are solely used to take notes and students are given the opportunity to review their notes after a week’s delay, “participants who had taken notes with laptops performed worse on tests of both factual content and conceptual understanding, relative
to participants who had taken notes longhand" (Mueller and Oppenheimer 2014, 1, 8). As you learn to manage competing demands for your time outside of class, you may want to consider that “time spent on Facebook was strongly and significantly negatively related to overall GPA” (Junco 2012b, 187). Those who access Facebook while studying at home also have lower GPAs than those who stay “on task” (Rosen 2014, 948). Similar to the impact of multitasking during class, “…evidence from psychology, cognitive science, and neuroscience suggests that when students multitask while doing schoolwork, their learning is far spottier and shallower than if the work had their full attention. They understand and remember less, and they have greater difficulty transferring their learning to new contexts” (Paul 2013). You must decide how to balance such trade-offs outside of class. During class, multitasking with your laptop, phone, or tablet will result in a reduction in your course grade.

Accommodations for students with special needs: If you have a disability protected under the Americans with Disabilities Act, the Disability Services Program (303.871.2278 or dsp@du.edu) is a resource on campus that can help you to coordinate appropriate accommodations with faculty in all of your courses. Please consult with me privately during office hours or via email before assignments are due if you anticipate that particular components of this course may pose obstacles for you. For information about the Disability Services Program at the University of Denver, see http://www.du.edu/studentlife/disability/dsp/index.html.

Accommodations for religious observance: University policy grants students excused absences from class for observance of religious holy days, unless the accommodation would create an undue hardship. Please consult with me privately during office hours or via email prior to missing class or assignments. For more information about the University of Denver’s religious accommodation policy, see http://www.du.edu/studentlife/religiouslife/DU_religious_accommodations_policy.html

Late assignments and make-ups: Students with legitimate reasons for missing specified deadlines or participation during class assignments (not including reflections and analyses) may consult with the professor privately during office hours or via email to arrange an appropriate alternative concerning credit for their work. Credible excuses for all but emergencies are communicated prior to missed deadlines and classes or disappointing grades. Please use email or voice mail in the event of potentially contagious illness. Make ups of assignments requiring in-class participation entail alternative written assignments: Students are responsible to pre-arrange these make-ups or consult with the professor as soon as possible after an emergency. Make-ups are due at the time of the missed class session or within 72 hours of the professor’s communication of an alternative written assignment, depending on the circumstances of the absence.

In the absence of a pre-approved exception or documented emergency, late penalties apply: Same day after the specified deadline (until midnight): a one-step deduction (– ). Each subsequent day after the deadline: another step down (A becomes a B+ when submitted the day after a deadline, and falls to a B- on the second day after a deadline).
Schedule of Readings and Discussions
Read all articles/chapters and complete your reflection in a Word document before coming to class on each day specified below. *All readings other than the chapters from the book by Ryan will be available on Blackboard. Hand-outs distributed during class are required and may be reflected upon and analyzed in subsequent seminar meetings.

I. SUING TO END SEGREGATION IN SCHOOLS

<table>
<thead>
<tr>
<th>Week 1</th>
<th>What impedes equal educational opportunity in the US?</th>
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<tbody>
<tr>
<td>Monday</td>
<td>Ryan, Chapter 1</td>
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<tr>
<td>9/8</td>
<td></td>
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<tr>
<td>Wednesday</td>
<td>No class meeting: instead, view the film “Stand and Deliver” on your computer</td>
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<tr>
<td>9/17</td>
<td>Ryan, p. 41-61</td>
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<tr>
<th>Week 2</th>
<th>Does the “s” in suburb stand for segregation?</th>
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<tr>
<td>Monday</td>
<td>Film, “Freedom Writers” to be viewed during class</td>
</tr>
<tr>
<td>9/15</td>
<td>Ryan, p. 21-41</td>
</tr>
<tr>
<td>Wednesday</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>Week 3</th>
<th>Does the “n” in north stand for no?</th>
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<tbody>
<tr>
<td>Monday</td>
<td>Ryan, p. 63-90</td>
</tr>
<tr>
<td>9/22</td>
<td></td>
</tr>
<tr>
<td>Wednesday</td>
<td></td>
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<tr>
<th>Week 4</th>
<th>To what extent are US cities and Denver segregated today?</th>
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<tbody>
<tr>
<td>Monday</td>
<td>* Kozol, “Still Separate, Still Unequal” from Harpers</td>
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<tr>
<td>9/29</td>
<td>Presentation on Title IX violations of universities</td>
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<tr>
<td>Wednesday</td>
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<tr>
<td>10/1</td>
<td>Workshop examining Denver public schools</td>
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<th>Week 5</th>
<th>Is the European Court of Human Rights following our lead?</th>
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<tr>
<td>Monday</td>
<td>* D.H. v Czech Republic, ECHR, 2007</td>
</tr>
<tr>
<td>10/6</td>
<td>Preparation of written briefs and questions</td>
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<tr>
<td>Wednesday</td>
<td></td>
</tr>
<tr>
<td>10/8</td>
<td>Simulation of an oral hearing before the ECHR</td>
</tr>
</tbody>
</table>
II. SUING TO GAIN FUNDING AND ACCESS

Week 6  Is money the real problem?
Monday  Ryan, Chapter 3  
10/13  Presentation on Denver’s “star” charters

Wednesday  Advising: Common curriculum, major preparation, and registration  
10/15  Presentations on Douglas county and value of University education

Week 7  What can money buy?
Monday  Ryan, p. 145-158  
10/20  * Klein, “Who Ruined our Schools? Scenes from the Class Struggle” from the Atlantic  
Presentation on education in Finland

Wednesday  Ryan, p. 158-179
10/22  Film, “Waiting for Superman”

Week 8  Does school “choice” offer better options? For whom?
Monday  Ryan, p. 181-202
10/27

Wednesday  Ryan, p. 202-213  
10/29  * Ong-Dean, “Introduction,” from Distinguishing Disability  
Film, “The Inconvenient Truth about Waiting for Superman”

Week 9  Do courts and testing help families choose better schools?
Monday  Ryan, Chapter 6  
11/3  Presentation on common core

Wednesday  Ryan, Chapter 7
11/5

III. IS THERE HOPE ON THE HORIZON?

Week 10  Is demography destiny?
Monday  Ryan, Chapter 8 and Epilogue, p. 305-307
11/10  Final exam question distributed in class

Wednesday  Review for the final exam
11/12  Revisiting and revising reflections on Blackboard

Exam session  Upload your take-home final exam to Blackboard for the professor’s evaluation by 2 pm  
Monday, 11/17  Make-up period for presentations:  
2-3:50 pm  All students should be prepared to attend this session
DESCRIPTION OF COURSE ASSIGNMENTS

Participation in seminar discussions
This course will proceed in a seminar style, meaning that the professor may lecture briefly, but much of class time should consist of discussion and activities where the professor is a facilitator. The success of seminars depends on students’ ability to contribute to an informed discussion. Prepare yourself to make constructive contributions by jotting down questions and taking notes on central arguments and corresponding evidence from readings and films.

Reflections on readings, films, and data (individual assignment)
For most assigned readings: within one or two typed paragraphs on a single page, (1) briefly summarize the primary argument of the author (ideally in one sentence), (2) include one or two quotations that illustrate evidence or reasoning that supports the author’s central argument (with a proper citation), and (3) articulate at least one question for the class to discuss.

For films, discuss how events in the film relate to ideas from assigned readings, class discussions, or evidence presented by the professor or other students in the class, and include at least one question for the class to discuss.

For data, interpret results according to the professor’s instructions, relating your conclusions to other ideas or information from other course materials such as assigned readings, class discussion, and films.

Remember to run a spell-check and proofread your writing before coming to class so your reflection would be postable to Blackboard for all to see from the beginning of class sessions. Reflections are credit/no credit and must be submitted on time for credit, with grades determined by the percentage of reflections completed (see p. 2).

Analyses of readings, films, and data (collaborative assignment)
In cooperative learning teams of three, students will analyze information and ideas from assigned readings, films, or specified data and collaboratively write a brief essay or report during some class sessions. To be prepared to participate in these analyses, it is important that students come prepared to each class having read the assigned material for the day. Individually prepared reflections on readings should also help all members of each team participate constructively.

Analyses may be announced ahead of time, but they often occur without prior announcement. Analyses are credit/no credit and must be submitted on time for credit. The grade individuals receive depends on the percentage of analyses completed (see p. 2), and whether it is apparent that students participated in the analyses of their teams. Free riding on the efforts of team members will result in no credit for the free rider.

European Court of Human Rights Litigation simulation
The class will engage in a simulation of a hearing at the ECHR, examining an allegation of a human rights abuse related to the right to education in an European Union (EU) member state. Teams of a few students assigned to act as lawyers will prepare legal briefings (equivalent of 2-3
and a series of oral arguments about whether or not the ECHR should declare a violation of the European Convention of Human Rights. The set of students assigned to act as a chamber of ECHR judges will ask questions of lawyers during the hearing and issue a judgment (equivalent of 2-3 pages) and concurring or dissenting opinions of similar length if judges disagree on the reasoning or decision of the majority, respectively. The legal briefings and judgment are credit/no credit, must be submitted on-time, and count toward the “Analyses” grade.

Lawyers submit briefings by 2 pm on the day of the oral hearing and have 15 minutes in class that day to coordinate their final litigation strategy before the hearing commences. At the end of the proceedings that day, the judges break out to deliberate. They submit a judgment that gives a ruling and explains the reasoning behind their decision, including any concurring or dissenting opinions, by 2 pm at the first class after the hearing. Each student receives a grade on this assignment based on the quality of verbal contributions during the litigation. Silence results in a zero.

Punctual attendance and active participation are required on both days of the simulation. Arriving more than five minutes late to class will result in a one step grade penalty on this assignment. Arriving more than 15 minutes late will result in a full grade penalty. Missing the entire in-class simulation without a legitimate excuse will result in a zero on this assignment.

**Formatting for all formal writing assignments in this class (research memo and final exam)**
The text must be double-spaced, with 1-1.25” margins and a 12 point font. Fonts must be easily legible, standard manuscript fonts, e.g. Times New Roman or Helvetica are good choices.

Each “side” of a page of paper counts as one page for the purposes of all page lengths described throughout the syllabus, e.g. a six page paper takes up three double-sided sheets of paper or six single-sided sheets of paper.

*Refer to the discussion of technology and learning on p. 3-4 and the works cited listing at the end of the syllabus for examples of required in-text citation and fuller bibliographic listing of sources for all material that you quote, paraphrase, or borrow.*

**Research memo and presentation**
In this assignment, students develop a set of individual research memos and a joint presentation in collaboration with their cooperative learning team that involves independent research analyzing one of the topics listed below. Each team examines one topic, and each student on the team researches a specific issue related to the broader topic:

1. US Department of Education’s investigations of Title IX violations related to sexual violence and harassment at universities (present 9/29)
2. Charter school “stars” in Denver (KIPP, DSST, Strive prep) (present 10/13)
3. Politics of education reform in Douglas County, Colorado (present 10/15)
4. Value of university education (present 10/15)
5. Educational achievement in Finland (present 10/20)
6. Adoption of national “common core” requirements for K-12 education (present 11/3)
Reliable sources of evidence will include documents from
• official web sites of the federal and state departments of education in the US
• official web sites of local school districts and universities
• scholarly journals or books and book chapters from respected academic publishers
• news stories or specific evidence from editorial essays in respected media outlets (e.g. *New York Times, Denver Post, Washington Post, Christian Science Monitor, Economist, Time*, but not letters to editors or unsubstantiated claims from editorial essays)
• working papers and studies from independent, non-partisan “think tanks” and research centers but not partisan sources unless analyzed for their partisan content specifically
• the US Census Bureau and other reliable online data produced by organizations with identifiable missions and commitments to verifiable and reproducible results

Please consult a reference librarian in Penrose for assistance with your search for sources.

*Each student will write a memo summarizing their findings in 4-6 pages,* not including pages with tables, charts, graphs, or the *required annotated bibliography.* Each student’s memo should examine a distinct element of the topic, avoiding duplication of each other’s efforts.

*Each team participant presents his or her distinct findings summarized in the individual memo, while coordinating with other team members to present the general topic coherently.*

*Individual segments (5 minutes each) of the team presentation (with the entire presentation totaling no more than 25 minutes) are evaluated on their content, clarity, and organization:*

1. Structure your talk to explain your arguments and interpretation of evidence.
2. Practice and time your talk to discuss the most important points within the time limits.
3. Remember that you are the expert: explain crucial terms or events.
4. To illustrate your points, prepare a visual aid of some type. Create a hand-out to communicate your points or a set of slides: Limit any hand-out of “text” to two single-sided pages using a 12 point font (or one double-sided page). Hand-outs or slides should highlight major ideas in the form of an outline, listings of bullet points, or clearly labeled tables and graphs of data. If you use slides, your group is responsible for bringing a laptop loaded with the presentation and getting the LCD projector functioning immediately. *Prepare an alternative:* groups who cannot get their slides projected within a few minutes of “taking the stage” will need to proceed without the slides. Take care that all text on slides is legible through any images you select as background, and avoid small font sizes and dense text (usually no complete sentences and never entire paragraphs on any slide). If you want to quote an entire paragraph of text, provide this as a hand-out. Detailed tables or graphs of data are also most helpful as a hand-out that others can refer to later.
5. Provide a hard copy, annotated bibliography of your sources to the class and professor. Any tables or graphs need the full source information at the bottom of the graphic.
Final exam
Students demonstrate their understanding of assigned course material and findings from student research in a comprehensive take-home essay exam that takes the form of a paper up to 8 pages. The exam question will be distributed on Monday, November 10.

*Evaluation of research memos and the final exam are based on the extent to which they*
1. demonstrate an understanding of relevant evidence and course material respectively (data from reliable sources; assigned readings, class discussions, and films)
2. organize discussions in a coherent manner
3. articulate ideas clearly, using the English language correctly
4. provide adequate acknowledgment of sources with appropriate citation
5. arrive in the specified format.

**Works cited on technology and learning**


Discussing research findings in Larry Rosen’s 2014 study on students’ inability to resist media multitasking while studying for 15 minutes.
