

Is Law Undermining Public Education?

Wednesday, November 5, 2003

8:45 a.m. — 2:00 p.m.

Brookings Institution, Falk Auditorium

1775 Massachusetts Ave., N.W., Washington, D.C. 20036

Public education is being undermined by a growing legal overlay – a web of “rights” and legal mandates so complex that it is difficult to define at times. It is hard to find a teacher or principal whose judgment has not been undermined by legal claims or legal process. The moral authority of public schools – so important to children’s ability to learn – has been replaced by disparate legal authorities and due process. Teachers, parents and students are fleeing the public schools in search of schools that work. Despite decades of reform efforts, public schools are still failing. Why?

Please join *Common Good* and the *AEI-Brookings Joint Center for Regulatory Studies* for a conference addressing this important question. Panel 1 will discuss the proliferation of law in public education and its impact on the quality of our schools. Panel 2 will discuss possible solutions for allowing the public schools to compete with less regulated alternatives.

9:00 WELCOME: ROBERT W. HAHN, *Executive Director, AEI-Brookings Joint Center*

9:10 Speaker: PHILIP K. HOWARD, *Founder and Chair, Common Good*

9:30 **PANEL 1: THE EFFECTS OF LAW ON PUBLIC EDUCATION**

Moderator: TOM LOVELESS, *Director, Brown Center on Education Policy, Brookings Institution*

Panelists: RICHARD ARUM, *Associate Professor of Sociology, New York University*

JANE HANNAWAY, *Director, Education Policy Center, Urban Institute*

DAVID SCHOENBROD, *Professor of Law, New York Law School; Adjunct Scholar, Cato Institute*

11:15 **PANEL 2: LETTING PUBLIC SCHOOLS ACHIEVE**

Moderator: FREDERICK M. HESS, *Resident Scholar, American Enterprise Institute; Executive Editor, Education Next*

Panelists: DAN CORLEY, *Head of School, Community Preparatory School*

WILLIAM OUCHI, *Professor, John E. Anderson Graduate School of Management, UCLA*

ALAN D. BERSIN, *Superintendent of Public Education, San Diego City Schools*

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1:00

LUNCHEON

Keynote
Speakers:

EUGENE W. HICKOK, *United States Under Secretary of Education*

DEBORAH WADSWORTH, *Senior Advisor, Public Agenda*

CLOSING:

CHESTER E. FINN, JR., *Senior Fellow, Hoover Institution, Stanford University & President, Thomas B. Fordham Foundation*

2:00

Adjournment

RSVP: Please contact Shannon Leahy at sleahy@brookings.edu and include both your name and affiliation.