

# Bringing A Human Rights Vision to Public Schools:

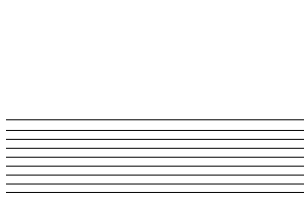
## A Training Manual for Organizers

Spring 2007

“The importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.”

—UN Committee on Economic, Social and Cultural Rights





# Acknowledgements

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Bringing A Human Rights Vision to Public Schools:

A Training Manual for Organizers

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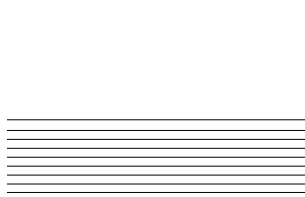
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# Table of Contents

## **Part 1: Know Your Human Rights**

|   |    |
|---|----|
| 1. Human Rights: The Basics .....                                       | 2  |
| 2. A Human Right to Education in U.S. Public Schools .....              | 7  |
| 3. Holding Governments Accountable to Human Rights .....                | 10 |
| 4. Exercise: "CADRE Standards of Dignity and Respect for Parents" ..... | 14 |

## **Part 2: Using Human Rights for Social Change**

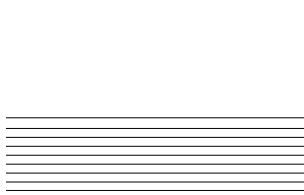
|   |    |
|---|----|
| 1. Introduction to Strategies for Change .....    | 16 |
| 2. Human Rights as a Tool for Social Change ..... | 18 |
| 3. Putting it All Together .....                  | 20 |

## **Part 3: Taking Action by Documenting Human Rights Abuses**

|   |    |
|---|----|
| 1. Discussion About Organizational Vision and Goals ..... | 22 |
| 2. Goals of Human Rights Documentation .....              | 22 |
| 3. Starting a Documentation Project .....                 | 24 |
| 4. Conducting and Analyzing Interviews .....              | 29 |
| 5. Strategy for Your Organization .....                   | 32 |

## **Appendices**

|  |  |
|--|--|
| 1. Training Materials                  |  |
| 2. Glossary and Human Rights Resources |  |



# About this Manual

This manual is a resource for advocates, organizers, community members, parents and youth interested in using human rights as a tool for improving public education in the United States. This manual emerged from a series of trainings conducted with parent organizers in South Los Angeles by the National Economic and Social Rights Initiative (NESRI) and Community Asset Development Re-defining Education (CADRE). The manual includes three training curricula:

**“Know Your Human Rights”** introduces participants to basic human rights principles and the Universal Declaration of Human Rights. Participants learn about the basic elements of the right to education, which include the obligation of the public school system to develop children’s full potential as individuals, to guarantee dignity and non-discrimination in education, and to ensure the right of parents and students to participate in the school system.

**“Using Human Rights for Social Change”** introduces participants to strategies for using the language and principles of human rights in their campaigns and messaging, including documenting human rights violations as an organizing strategy, organizing human rights tribunals to publicize findings, and grounding policy recommendations in human rights standards.

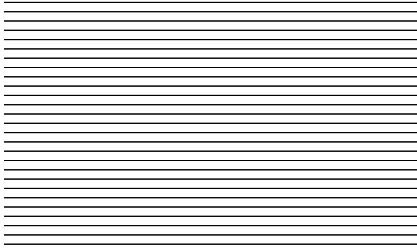
**“Taking Action by Documenting Human Rights Abuses”** introduces participants to research methods for documenting rights violations in schools, including tips for developing questions and conducting interviews, categorizing findings as rights violations, and using documentation in campaigns for change.

The **Appendices** include handouts, case studies and exercises for use throughout the training curricula, a glossary of human rights terms, excerpts from human rights treaties and declarations, and a list of web resources for more information.

Facilitators can use the full manual or use different sections of the manual to customize trainings for their needs.

We hope that this manual will introduce organizations working to improve public education to methods for using human rights as a tool for their work, and serve as a reference for organizers and advocates already using human rights in their campaigns.





**Training Part 1**

# Know Your Human Rights

## SECTION 1

# Human Rights: The Basics

## 1.1 Introductions and Sharing Stories (30 minutes)

→ ASK PARTICIPANTS to introduce themselves and say why they have come to the training.

Participants can share a story about their experience with the school system. It can be about a particular problem they have had at their child's school, about a policy in their school district, or about a change that they would like to see (for example, it might involve issues like overcrowded classrooms, lack of Independent Education Plans for students with special needs, or lack of access for parents to information). Throughout the training, participants will connect these personal experiences to human rights standards and violations.

## 1.2 What are Human Rights? (20 minutes)

**DISCUSS WITH PARTICIPANTS WHAT 'HUMAN RIGHTS' MEAN TO THEM.**

→ ASK PARTICIPANTS: What do you think of when you hear the words "human rights"?  
What does it mean to have a right to something? How are rights different from privileges?

Human rights are necessary for people to live life in freedom, dignity and equality, and to have their basic needs met. There are several categories of rights including, civil, political, economic, social, cultural, and environmental. *Human* rights apply to every person equally no matter where they come from, what race they are, whether they have immigration papers, whether they are married or not, what kind of family situation they have, or whether they are poor or rich.

→ ASK PARTICIPANTS to brainstorm examples of the following rights:

- **What are your civil and political rights?** What rights do we need to participate in government, express ourselves, and be treated fairly under the law?
- **What are your economic and social rights?** What rights do we need to have our basic needs met and develop fully as human beings?



*Human rights apply to all people equally no matter where they come from simply because they are human beings.*

## 1.3 Where Did Human Rights Come From? (20 minutes)

**DISTRIBUTE HANDOUT 1 TO PARTICIPANTS AND DISCUSS THE HISTORY OF HUMAN RIGHTS.**

The first human rights documents were written after World War II and the horrors of the holocaust when millions of Jews, Gypsies, Poles, gays, lesbians and others were killed because of their religion, race or sexual orientation. Under German law, the holocaust was legal, and— except for prohibitions on slavery— there was no international law at the time to address what governments did to their own people. Countries around the world agreed that there needed to be basic human rights laws that would prohibit government abuses. These countries formed the United Nations (UN) and created an international human rights system.

But the concept of human rights existed long before the formation of the UN and was developed throughout history because of people’s struggles all over the world to claim their rights. Even after the UN was founded, the concept of human rights has continued to develop through people’s struggles.

➔ ASK PARTICIPANTS: *What are some examples of people’s struggles to claim rights throughout history?*

- Before the UN was created, in the U.S., the struggles to end slavery, to guarantee equal rights for women and people of color, and many other struggles contributed to the human rights movement.
- In the period after the UN was founded, the civil rights movement in the 1960s is what most people in the U.S. think of when they talk about rights. All the rights that were fought for during the civil rights movement are human rights. Those rights are still being fought for today, in particular economic and social rights. Dr. Martin Luther King said that civil rights laws were empty without “human rights,” and for people too poor to eat at a restaurant or afford a decent home, anti-discrimination laws were hollow.
- Internationally, movements to end colonialism and guarantee the rights of oppressed communities, like the struggle to end Apartheid in South Africa, have also contributed to the development of human rights.

Today human rights are part of international law, and governments around the world, including the U.S. government, have made international legal agreements to guarantee the human rights of all people, regardless of their race, nationality, language, age, sex, religion or political beliefs.

## 1.4 Where Are Human Rights Standards Written Down?

(20 minutes)

**INTRODUCE AND DISTRIBUTE THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR) TO PARTICIPANTS.**

The *Universal Declaration of Human Rights (UDHR)* was the first and most widely accepted statement on human rights that was adopted by governments at the UN in 1948. The UDHR recognizes:

- Civil and political rights (right to free speech, freedom of religion, right to vote, etc.)
- Economic, social and cultural rights (rights to housing, food, health care, social security, to safe work conditions and a living wage, to education, etc.)

## The Role of the U.S. and Civil Rights Leaders in the History of the UDHR and the UN

The UN Human Rights Commission wrote the UDHR in 1948, with the U.S. government playing a leading role. Former First Lady, Eleanor Roosevelt was the U.S. representative (or delegate) to the Human Rights Commission and was one of the greatest supporters of the UDHR. President Franklin D. Roosevelt's "Four Freedoms Speech"<sup>1</sup> helped to shape the UDHR. That speech captured the importance of civil and political rights – through the concepts of freedom of speech and expression, freedom of religion and freedom from fear – as well as economic and social rights – through the concept of freedom from want.

At the same time, African American leaders from the NAACP and other civil rights organizations were also calling for the recognition of fundamental human rights at the UN to support their domestic struggles to end segregation and discrimination in the U.S. For example, in 1947 the NAACP submitted a petition to the UN calling on the international body to investigate patterns of racial discrimination in the U.S. In response to these efforts, White politicians in the Southern U.S., in order to protect U.S. segregation laws, lobbied to weaken UN mechanisms for protecting human rights and succeeded in distancing U.S. domestic policy from accountability to the UN. Despite her support for international human rights, Eleanor Roosevelt also failed to support the efforts of civil rights leaders to apply the UDHR to African-Americans in the U.S.<sup>2</sup>

In the following decades, the civil rights movement moved away from using the international human rights system in their struggle, but civil rights leaders—like Martin Luther King Jr.—continued to recognize the importance of fighting for human rights within the U.S. He believed that civil rights laws that protect against discrimination were incomplete without a human rights movement that recognized not only civil and political rights, but also economic and social rights to quality education, healthcare, housing and employment.

The U.S. government also distanced itself from international human rights by failing for decades to sign and ratify human rights treaties. However, in the late 1980s and early 1990s the U.S. government did ratify three major human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Domestic civil society organizations have also increasingly begun to connect domestic issues to international human rights protections. For example, in 2001, many U.S. organizations participated in the UN World Conference Against Racism in South Africa. Today, more and more communities and organizations are coming together to build a U.S. human rights movement and calling on local, state and federal government to guarantee human rights for all people in this country.<sup>3</sup>

<sup>1</sup> President Franklin D. Roosevelt. State of the Union Address, January 6, 1941.

<sup>2</sup> MacDougall, Gay, "Shame in Our Own House," *The American Prospect* (October 2004). For more information also see: Anderson, Carol, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights 1944-1955*, Cambridge University Press (2003).

<sup>3</sup> To learn more about the growing human rights movement in the U.S. visit the US Human Rights Network on-line at [www.ushrnetwork.org](http://www.ushrnetwork.org).





*The United Nations Human Rights Commission wrote the UDHR in 1948, with the U.S. government playing a leading role.*

Since the drafting of the UDHR, there have been many international agreements, called treaties and covenants, created to protect the rights named in the Declaration. The Convention on the Rights of the Child is an example of one of these treaties that recognizes the right to education.

➔ *ASK PARTICIPANTS to look at the rights protected in the UDHR and the U.S. Bill of Rights (you can use the summary in **Appendix II** of the manual or print the full text of the UDHR at [www.un.org](http://www.un.org)) and answer the following questions:*

- **Which human rights in the UDHR are also protected in the U.S. constitution? Which are not?** Many of the civil and political rights in the UDHR are protected in the U.S. Bill of Rights, but the economic and social rights, such as the right to work and an adequate standard of living are not. Additionally, the constitution only requires the government not to interfere with civil and political rights, while human rights standards require governments to take positive steps, such as implementing laws and policies, to enable people to exercise those rights.
- **Do you think the right to education is protected in the U.S. constitution?** It is *not* protected directly, except for protection against race and gender discrimination in education and protection against absolute denial of an education through group based exclusion (such as denying undocumented immigrant children access to schools).

- **Do you think it matters that the right to education is not directly protected in the constitution?**
- **Do you think the right to education is protected in state constitutions?** In addition to our national constitution, every state in the U.S. also has a constitution which applies to the local laws within each state. The right to education is protected in almost every state constitution, although there are still fights in the courts as to what this means.<sup>4</sup> Even though states recognize that people have the right to education and to attend public schools, there are debates and legal actions about what a “quality education” is supposed to look like and about how much funding states should be required to provide for public schools.

By calling on our government to guarantee the human right to education as recognized by the international human rights framework, we are calling on our schools to provide a human rights vision of what a quality education should look like, based on principles of equity in resources and educational outcomes, non-discrimination, dignity and community participation.

<sup>4</sup>Reed, Roni, “Education and the State Constitution: Alternatives for Suspended and Expelled Students,” *Cornell Law Review*, Volume 81 (1996).

## 1.5 What Are Basic Human Rights Principles? (20 minutes)

There are central human rights principles recognized in the UDHR and other human rights treaties that are fundamental to all human rights, including the right to education.

**REVIEW THE BASIC HUMAN RIGHTS PRINCIPLES DESCRIBED ON THE FIRST PAGE OF HANDOUT 1 AND WORK THROUGH THE EXAMPLES BELOW WITH PARTICIPANTS.**



*All human rights are connected, one human right cannot be fulfilled without the others.*

- **Universality:** human rights apply to all people in the world equally simply because they are human. Since human rights are universal, every person is entitled to them regardless of which country they live in, whether their government recognizes human rights standards or not.

- **Indivisibility:** all human rights are connected, one human right cannot be fulfilled without the others.

*For example, the right to participate in government (including the right to vote) cannot be fulfilled without fulfilling the right to education because people have to be informed and empowered to participate.*

→ ASK PARTICIPANTS to look at the list of rights on Page 1 of **Handout 1** and give examples of how those rights are interconnected.

- **Non-discrimination:** all human rights must be guaranteed without discrimination on the basis of race, gender, language,

class, belief, nationality, or other status. Human rights prohibit both laws and practices that intentionally cause discrimination, as well as those with a discriminatory impact.

*This goes beyond the protection against discrimination that we have under U.S. domestic law. Under the U.S. Constitution, the government cannot intentionally discriminate against people. Under international human rights law, the government must also prevent and take action to reverse policies that have a discriminatory impact, even if the discrimination was not intentional.*

- **Participation:** everyone has the right to participate in fulfilling their human rights, including participation in all aspects of public administration and the development and implementation of policies. This means people have a right to participate in how government institutions, such as schools, are run.

→ ASK PARTICIPANTS Why is it important for people to have the right to participate in decision-making about how their rights are guaranteed?

- **Accountability:** Governments must create mechanisms that enable people to hold them accountable if rights are violated.

→ ASK PARTICIPANTS to think of examples of mechanisms that exist to hold school systems accountable in the U.S. For example, some school officials are elected which provides some accountability. Are these mechanisms enough? Do you feel like your schools are accountable to your community?

- **Transparency:** Governments must ensure transparency and access to all relevant information.

*This means people must have access to understandable information about how government decisions are made (the process) and on what basis government decisions are made (the factual information).*

## SECTION 2

# A Human Right to Education in U.S. Public Schools

## 2.1 Standards for the Right to Education (30 minutes)

→ ASK PARTICIPANTS to break up into four groups and assign each group one of the questions below. Ask each group to brainstorm answers to their question. Participants should draw from their own experiences and should also look at the UDHR. Participants should look at Article 26 on the right to education, as well as other rights that impact education and the school environment.

- Why is it important to get an education? What should the purpose of education be?
- What should students learn in school?
- What physical and social environment do children need in school?
- What conditions outside of school impact the right to education?

→ ASK PARTICIPANTS from each small group to report back on their brainstorming.



*Everyone has the right to education... Education shall be directed to the full development of the human personality.*  
– Article 26, UDHR

## 2.2 Human Rights Treaties Recognizing the Right to Education (20 minutes)

In addition to the UDHR, there are several UN treaties that create additional human rights standards for the right to education. The UDHR is a statement made by governments around the world identifying the fundamental human rights that must be protected for all people, but it is not a treaty. Human rights treaties are the legal agreements made by governments to enforce the rights protected in the UDHR.

**REVIEW THE LIST OF HUMAN RIGHTS TREATIES ON PAGE 2 OF HANDOUT 1. THE FULL TEXT OF THE ARTICLES PROTECTING THE RIGHT TO EDUCATION CAN BE FOUND IN APPENDIX II.**

The first two treaties listed in Handout 1 were drafted by the Human Rights Commission to enforce and define the full range of rights in the UDHR. Both include protections for the right to education. The other treaties listed were written to emphasize and protect the rights of particular populations, such as children and women, or to protect against certain rights violations, such as torture and discrimination. Some of these treaties provide additional protections for the right to education.

### Human Rights Treaties and Education-Related Articles

- International Covenant on Economic, Social and Cultural Rights (ICESCR)  
Article 13 recognizes the right to education.
- International Covenant on Civil and Political Rights (ICCPR)  
Article 25 recognizes the right to participation in all aspects of government, which includes public education.  
Article 2 and 24 protect against discrimination in education and provide for special protection for children.
- Convention on the Rights of the Child (CRC)  
Articles 28 and 29 recognize the right to education.
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)  
Article 5 protects against racial discrimination in education.
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)  
Article 10 protects against discrimination in education for women and girls.

## 2.3 Human Rights Standards Applied to U.S. Schools

(30 minutes)

**DISCUSS THE STANDARDS FOR THE RIGHT TO EDUCATION ON PAGE 3 OF HANDOUT 1.**

On Page 3 of **Handout 1**, we have identified five of the standards recognized in these human rights treaties that are particularly relevant to the issues that concern communities in the U.S. Parents, students and organizers are fighting every day to hold their local school systems, as well as their state and federal government, accountable for meeting these human rights standards.

➔ *ASK PARTICIPANTS* to break up into the four groups they formed earlier in Section 2.1. Go over each standard on Page 3 with participants, giving an example to explain its relevance. Then ask each group to identify how those human rights standards relate to the answers they brainstormed in the previous exercise in Section 2.1. Then ask each small group to report back.

- **The individual right to a quality education** for every child must be ensured through curricula, teaching methods and services that adapt to meet each child's needs.

*Examples for facilitator:*

*Schools should focus on the needs of individual children, not only aggregate test scores. The right to education is not about how well a school is scoring, but about whether each student is receiving a quality education. Quality education*

means qualified teachers and quality materials that are relevant to children's lives.

Education has to change to meet the needs of every child. So, special education students need special services, English as a Second Language (ESL) students need language classes and/or bilingual education, etc.

Schools cannot try to get rid of students perceived as "problem students" to make it easier on the rest of the student body. It is not acceptable to argue that to better guarantee the rights of most children, some children, who have been failed by our schools and are severely far behind, will simply be pushed into low quality alternative schools, GED programs or out of school altogether.



*The aims of education must be to help children reach their full potential, to participate in society, and to continue learning.*

- **The aims of education** must be to help children reach their full potential, to prepare them to participate in society, to do rewarding work for a living wage, and to continue learning. Education must develop each child's respect for his or her family, language and culture.

*Examples for facilitator:*

*Schools that "teach to the test" focusing only on what students need to know to score better on standardized tests, rather than taking into account the diverse needs and talents of the students (including in the arts and athletics), are not designing education to fulfill students' full potential.*

*If some high schools, particularly those serving low-income students of color, do not provide adequate courses that give students the opportunity to qualify to get into college, explore their interests and talents, and reach their potential, then they are not fulfilling the aims of education.*

- **The dignity of every child** must be guaranteed by creating an environment of respect and tolerance in schools, preventing practices and disciplinary policies that cause harm or humiliation to children, and promoting self-confidence and self-expression.

*Examples for facilitator:*

*If children are told they are stupid by teachers, if they are suspended from school for minor infractions and demotivated from learning, if they are made to feel like criminals, then their rights to dignity and to education are being undermined.*

- **Non-discrimination and equity.** There should be no discrimination in the way students are treated, in the access they have to opportunities, or in the outcomes of their education. Resources must be distributed equally across communities based on where they are needed.

*Examples for facilitator:*

*Non-discrimination: As mentioned earlier, human rights prohibit not only intentional discrimination, but also policies that have a discriminatory impact. This addresses issues of structural racism in our society that contribute to discriminatory outcomes in education. For example, many public schools in low-income communities of color are systemically under-funded. In some communities this is because local property taxes in low-income areas do not provide adequate funding, and in other communities it is because state and local governments fail to provide adequate resources to meet the needs of these schools. This funding gap is often related to housing patterns that have segregated low-income communities, as well as the marginalization of those communities within the political process. Although the federal government does provide some additional funds through Title 1, it is not enough to make up for the funding gap. The impact is that the low-income students of color who attend those schools do not receive the resources necessary for a quality education. For those students, the right to freedom from discrimination*

is violated because the **government has failed to remedy a structural situation** leading to unequal outcomes in education.

*Equity: This means more than just equal (or the same) resources for everyone. Resources must be matched with needs. Therefore if some children need additional support due to any factor, including language, disability, having received poor education in the past, or simply having significant difficulties in particular subject areas, they must be provided with more resources to meet their needs.*

- **The meaningful participation of students, parents and communities** must be guaranteed in decisions that affect their schools and their right to education.

*Examples for facilitator:*

*If parents and students are not given the information to understand their rights and opportunities within the school system, and if they are not given the structures and power to meaningfully impact decision-making in education, their human rights are not being guaranteed.*

*To guarantee the right to participation, schools must provide:*

- *Appropriate governance structures and policies that allow parents and students to impact decision-making around important issues affecting education.*
- *Access to district and school staff, and teachers. Offices and schools must be welcoming and helpful places for parents and students.*
- *Transparency and access to all important information.*
- *Trainings and information so that parents and students have the capacity and knowledge to participate.*

## SECTION 3

# Holding Governments Accountable to Human Rights

## 3.1 Enforcing Human Rights Treaties (30 minutes)

**NOTE:** In this training the main emphasis is on how to use human rights standards to frame education issues, mobilize communities, document violations and shape recommendations for change, not to take legal action. So it is not necessary to understand all the legal details of human rights treaty enforcement. The facilitator can decide how much time he or she wants to spend on this section on Enforcing Human Rights Treaties.

**DISCUSS LEGAL ENFORCEMENT OF HUMAN RIGHTS TREATIES. THE GLOSSARY IN APPENDIX II CAN SERVE AS A USEFUL HANDOUT.**

## Governments Sign and Ratify Human Rights Treaties

Treaties create human rights standards, but they also create ways in which those standards are enforced. In order for there to be treaty enforcement, governments have to **sign and ratify** a treaty. For ratification



*To ratify a treaty, the U.S. President signs the treaty and the Senate passes a resolution consenting to make the treaty part of U.S. law.*

to take place in the U.S., the President signs a treaty, and the U.S. Senate passes a resolution consenting to making the treaty part of U.S. law. The U.S. has “ratified” only four of the major human rights treaties. The first two treaties listed protect against discrimination in education.

- International Covenant on Civil and Political Rights (ICCPR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention on the Prevention and Punishment of the Crime of Genocide

The U.S. President has also “signed” the other major human rights treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which each guarantee the right to education. When the president signs these treaties, it means that the government has agreed not to violate the “object and purpose” of the treaties, but they have not yet been formally ratified.

The U.S. is also legally bound to the American Declaration on the Rights and Duties of Man, a human rights declaration that applies to all countries that are members of the Organization of American States (OAS). The right to education is protected in Article 12 of the Declaration.

*Even though governments make these legal and moral commitments, they often ignore their human rights obligations.* Indeed, in practice, the U.S. has actually not complied with these treaties.

## Monitoring Governments at the UN

There are committees at the UN that can be used to monitor whether the U.S. is meeting its human rights obligations, but they have no real enforcement power. Each human rights treaty has a committee that is responsible for monitoring governments that have ratified each treaty. For example, the Human Rights Committee is responsible for monitoring government compliance with the ICCPR. When a committee reviews a country, it issues findings identifying violations of human rights that are occurring. These findings, called **Concluding Observations**, can be used by communities, foreign governments and the media to put pressure on government officials. However, these committees have no power to force governments to change their policies.

These UN committees also write guidelines called **General Comments** that provide details about human rights standards and government obligations related to specific rights contained in the human rights treaties, including the right to education. These guidelines can also be useful for communities in their efforts to hold governments accountable.

Some treaties have **protocols** that countries may also ratify. Some of these protocols which are like supplements to the treaty, allow victims of violations to bring a specific complaint against their government, and an international body decides on a remedy, which is supposed to be enforceable. However, the U.S. has not ratified any of these protocols. Additionally, ICERD (the race convention) has an article, which allows one government to bring a complaint against another government for violations. The U.S. has also not agreed to be bound by that provision, which is optional.

When the U.S. ratifies human rights treaties, it also makes what are called “reservations,” “understandings” and “declarations” (RUDs). RUDs are statements by a government that limit some of the obligations the government makes under a treaty. In the case of the U.S., RUDs prevent an individual person from using the domestic court system to enforce the rights protected in the treaty.

*The best way to hold the U.S. government accountable for human rights standards, is to organize communities in the U.S. to demand that their rights are protected.* It is important for communities to hold the U.S. government accountable because in some cases, human rights treaties offer a higher standard of rights protections than our domestic laws. For example, the right to health care is not protected in the U.S. constitution, but human rights require that the government provide access to quality healthcare for all people. Furthermore, international legal and moral obligations can help to strengthen and legitimize the claims of communities and push governments to action. In part 2 and 3 of this manual, we will explore how communities can take action to better hold the U.S. government accountable to human rights.



*Each human rights treaty has a UN Committee that is responsible for monitoring governments that have ratified each treaty.*

## **3.2 What is the Government Required to do to Protect Human Rights?** (30 minutes)

**REVIEW THE DIFFERENT GOVERNMENT OBLIGATIONS FOR GUARANTEEING HUMAN RIGHTS ON PAGE 4 OF HANDOUT 1.**

When people have a right to something, governments have corresponding obligations to make sure the right is being fulfilled in practice. Because public schools and districts are representatives of the government, they must fulfill these obligations. These obligations apply not only to the right to education, but all human rights.



➔ *ASK PARTICIPANTS to break up into groups again (with each group assigned one of the five human rights standards on Page 3 of **Handout 1** – individual rights, aims of education, dignity, non-discrimination and participation). Go over each of the obligations below with participants. Ask each group to come up with a recommendation for each obligation for what the school system should do differently to guarantee the human rights standard they have been assigned.*

To meet their human rights obligations, governments must:

- **Respect the right to education** by avoiding any policies or practices that deny people their right to education (for example, schools should not have suspension policies that remove students from the classroom without providing continued access to quality education).
- **Protect the right to education** by preventing other individuals or institutions (like private companies) from denying people an education (for example, the government must make textbooks and other materials produced by private companies affordable or available for free).
- **Fulfill the right to education** by taking action so that individuals and communities receive a quality education (for example, provide professional development and training to improve teaching).
- **Engage in progressive implementation** of human rights obligations. The human rights framework accepts that governments cannot fully guarantee all human rights at once, but school administrators, politicians and policy-makers must continuously be working to improve education.
- **Guarantee equity and non-discrimination** in education so that there are no communities that have inferior opportunities or outcomes in education based on class, race, gender, sexual orientation, language, immigration status, disability or other factors.
- **Use the maximum amount of resources** that are available to provide children with an education based on the resources that we have in our society as a whole, not only the resources in the current budget.
- **Monitoring and information:** Governments have to come up with ways to monitor how well our schools are doing at providing our children with an education, and they have to make the information transparent and available to the public.
- **Remedy:** When a child or a parent suffers a violation of their human rights, schools and government offices have to do something to stop the violation, address the problem and prevent it from happening again. There has to be a structure in place where parents and students can report the violation and ask for a timely remedy.

## SECTION 4

# Exercise: “CADRE Standards of Dignity and Respect for Parents”

## 4.1 CADRE Standards Exercise (45 minutes)

**DISTRIBUTE THE CADRE STANDARDS EXERCISE. FOLLOW THE INSTRUCTIONS AND ASK PARTICIPANTS TO IDENTIFY WHICH HUMAN RIGHTS THAT HAVE BEEN DISCUSSED TODAY CORRESPOND TO EACH OF CADRE’S STANDARDS.**



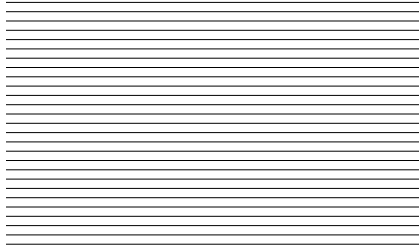
*CADRE parents attend Los Angeles Unified School District Board meeting.*

Community Asset Development Re-defining Education (CADRE) is a community-based, grassroots organization created by low-income parents of color in South Los Angeles in 2001. CADRE’s mission is to solidify and advance parent leadership to ensure that all children are rightfully educated regardless of where they live. CADRE has developed a list of standards for what schools must do to guarantee parents’ right to participation in education.

## 4.2 Wrap-up and Evaluation

(30 minutes)

→ ASK PARTICIPANTS to reflect on the training in a group discussion and to fill out an evaluation survey (see Sample Evaluation Survey in **Appendix II**).



**Training Part 2**

**Using Human Rights  
for Social Change**

## SECTION 1

# Introduction to Strategies for Change

## 1.1 Concept of Social Change (45 minutes)

(Taken and adapted from: Power Tools, 2003. Strategic Concepts in Organizing and Policy Education [SCOPE]).

**DISCUSS THE ROOT CAUSES OF SOCIAL PROBLEMS AND THE CONCEPT OF SOCIAL CHANGE.**

### Outcomes of this Exercise:

- Understanding that “social change” is change that addresses the root causes of the problems we face.
- Beginning to understand the potential for connection between human rights in education and social change.

➔ *ASK PARTICIPANTS to introduce themselves and say why they have come to the training today. Then ask participants to brainstorm answers to the following questions.*

- What are the most important problems that our communities face?
- What are the root causes of the problems we identified?
- What keeps the problems from being solved in a real way? (permanently, while protecting human dignity, and involving those affected)



*Students rally with CADRE to change discipline policies in South Los Angeles.*

### Discussion

- Review and discuss the major factors and trends affecting our fight for justice.
- **Factor #1:** Over the past 30 – 40 years, we have been losing ground on most issues and problems that affect people who are poor, working poor, and of color.

*What are some examples?*

*What are some of the reasons this has happened?*

- **Factor #2:** We are also losing the “battle of ideas.” Our arguments about what our communities deserve are being challenged by the notions of “individual responsibility” and “less government.”

*What are some examples we know about?*

*What are some of the reasons that these ideas have taken hold in people's belief systems?*

- **Factor #3:** The organizations and movements that currently work for social, economic, and environmental justice agendas are often: (1) ISOLATED in narrow issue areas; (2) FRAGMENTED from one another instead of united; and (3) MARGINALIZED from the mainstream political debate.

*What are some examples we know about?*

*What are some of the reasons this has been happening?*

- What makes social change in education different than “reform”?
- What can using human rights for social change do to help us make real change in education in our community?

## 1.2 Case Study 1: The Independent Commission on Public Education (ICOPE) (30 minutes)

**READ CASE STUDY 1 WITH PARTICIPANTS AND HAVE THEM ANSWER THE DISCUSSION QUESTIONS.**

The case study will describe how ICOPE is using international human rights standards to bring a diverse range of community members and parents from across New York City (each working on their own issue areas) together to create a new vision for what the public schools should look like. In particular, ICOPE focuses on making the school system more transparent and participatory for parents and community members.

(You can contact NESRI to request a video of interview clips with ICOPE members to share with participants.)



*ICOPE press conference on the steps of City Hall in New York City launching the Education is a Human Right Campaign.*

## SECTION 2

# Human Rights as a Tool for Social Change

## 2.1 Human Rights Tools and Strategies (1 – 2 hours)

Human rights standards are recognized by countries all over the world and can be used as a tool to hold schools accountable for meeting the needs of children. Human rights violations can be recorded and used to expose problems in our schools. Human rights standards found in the Convention on the Rights of the Child and other treaties can be used to form policy demands for schools. Human rights messages about dignity and equality can mobilize communities.

Human rights can also bring people from diverse communities, fighting to address many different issues, together under one common framework. Human rights are universal so they apply to everyone, and all human rights are interdependent so that one right cannot be guaranteed, such as the right to education, without other rights, such as the right to health care. This has the potential to unite groups together to call for a unified human rights vision. There are several specific tools and strategies for using human rights to achieve social change.



*Human rights trainings or workshops can help organizers inform their communities about their rights and empower them to take action.*

**PARTICIPANTS SHOULD USE HANDOUT 2. DESCRIBE EACH OF THE HUMAN RIGHTS TOOLS TO PARTICIPANTS AND WORK THROUGH THE EXERCISES AND EXAMPLES BELOW.**

- **Documentation and research:** People can use human rights to document the problems they see in their communities and report on patterns of human rights violations. Documentation can be used to educate the public, to make the voices of parents, students and communities heard, and to pressure governments to make change.

→ *ASK PARTICIPANTS to read the **NESRI Documentation Exercise Handout**. They should read the findings and identify the human rights issues at stake and the government obligations that have not been met (participants can use the UDHR and Pages 3 and 4 of Handout 1 for a list human rights standards and government obligations).*

- **Recommendations for Policy Change:** Human rights treaties and other documents have detailed standards that can be used to measure the impact of government policies and to create

recommendations. Government officials may also be encouraged to include human rights standards in their city and state laws.

→ **ASK PARTICIPANTS** to break up into groups and choose one of the human rights violations that were identified in the documentation exercise above. Then look back at the government obligations identified on Page 4 of **Handout 1**. Give examples of what recommendations could be made to meet each government obligation to end the violation chosen by participants.

Visit [www.wildforhumanrights.org](http://www.wildforhumanrights.org) to learn about how the city of San Francisco passed an ordinance to adopt the international human rights treaty – Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

- **Organizing and Messaging:** Human rights speak to the inherent dignity of every person and can be used to mobilize people and develop leadership in the community. The human right to participation recognizes that people have a right to be heard by the government and to have a voice in community decisions. Human rights trainings or workshops can help organizers inform their communities about their rights and empower them to take action. Many organizers take advantage of international human rights days of action, like Human Rights Day on December 10, to mobilize people and present their recommendations for change. Organizers can use mock human rights tribunals or hearings to present testimonies from community members to the public.

*For example, a human rights tribunal, people’s hearing or truth commission is an event that can be held for communities to tell their stories and mobilize support for their campaigns. People who are affected by human rights violations present testimonies to a panel or jury who are invited to the event. The panel members may speak in response to the testimony and may release a public statement acknowledging the human rights violations that were reported and calling on the government to take action to address violations. Often politicians and other prominent members of the community will serve on the panel, helping to bring media and public attention to the issue.*

Visit [www.nesri.org](http://www.nesri.org) for information on human rights tribunals held by CADRE, ICOPE and by Just Associates on education in U.S. public schools. Also visit [www.economichumanrights.org](http://www.economichumanrights.org) to learn about truth commissions organized by the Poor People’s Economic Human Rights Campaign (PPEHRC).



*CADRE holds South LA People’s Hearing to present human rights testimonies of parents and students.*

- **Shaming:** Individuals and community groups can use human rights in protests, letter-writing and media campaigns in order to pressure governments to stop violations and change policies.

*For example, human rights can be a powerful hook to use in marches and rallies for gaining media attention to pressure government agencies and other institutions (like corporations) to stop violations and change policies. By calling something a human rights violation, people can be shocked into action and governments can be shamed into action by the negative attention and image they receive.*

- **Coalition building:** Human rights provide a common basis to connect the agendas of different groups and give them consistency in their messaging.

*For example, there might be two separate community organizations, one advocating for cleaner bathroom and cafeteria conditions in schools, and one advocating for better guidance counseling services to support students who have experienced disciplinary actions. Using the language and message of human rights, these two organizations*

could work together on a campaign for the human right to health and dignity in public schools. Both campaigns impact students' right to physical and mental health, and their right to be treated with dignity in schools. By using human rights as a common platform, communities can see the links between the issues they care about and work together.

- **International connections:** Human rights allow communities in the U.S. to connect their struggles to international social justice movements and to bring their campaigns to international legal institutions, such as the UN and the Organization of American States (OAS).

*For example, in 2001 the UN Special Rapporteur on the Right to Education, Katarina Tomacevski, came to the U.S. to report on violations of the right to education. She came to New York City where she visited local high schools, spoke to students, and attended a meeting where parents and organizers testified about the conditions and human rights violations in schools. The Special Rapporteur then issued a report about the failures of the NYC school system to guarantee the right to education. To read the Special Rapporteur's report and to learn about how to submit human rights reports to the UN visit the Right to Education Program page at [www.nesri.org](http://www.nesri.org).*

*Also visit the Legal Program page at [www.nesri.org](http://www.nesri.org) to learn about how the Coalition of Immokalee Workers (CIW) has used the Inter-American Commission on Human Rights at the OAS in their fight for the rights of farm workers in Florida.*

## SECTION 3

# Putting it All Together

## 3.1 Case Study 2: The Border Network for Human Rights (45 minutes)

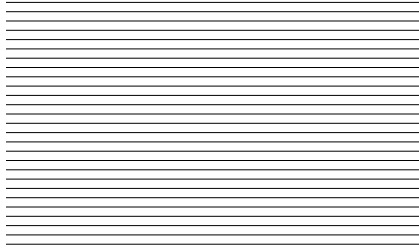
**READ CASE STUDY 2 WITH PARTICIPANTS AND HAVE THEM ANSWER THE DISCUSSION QUESTIONS.**

This case study will explore how the Border Network for Human Rights (BNHR) has used the different human rights strategies that we discussed above to fight for the rights of immigrants on the U.S.-Mexico Border. As participants read about the work of BNHR, they will be asked to consider how they would use those same strategies to fight for the rights of parents and students in public education.

## 3.2 Wrap-up and Evaluation (30 minutes)

→ *ASK PARTICIPANTS to reflect on the training in a group discussion and to fill out an evaluation survey (see Sample Evaluation Survey in **Appendix II**).*





**Training Part 3**

**Taking Action By Documenting  
Human Rights Abuses**

## SECTION 1

# Discussion about Organizational Vision and Goals

## 1.1 Relating Your Vision and Goals to Documentation

(1 hour)

Discuss the vision, goals, and strategy for change of your organization and how it might relate to the human rights standards and strategies that have been described so far in the training.

→ *ASK PARTICIPANTS to introduce themselves and say why they have come to the training today. Then, through interactive Q&A, ask about what rights they believe children should have in school related to issues your organization is working on. What strategies is your organization currently using to protect these rights for children? How could research into the conditions in schools contribute to your vision and goals?*

## SECTION 2

# Goals of Human Rights Documentation

## 2.1 Introduction to Documentation (30 minutes)

**INTRODUCE PARTICIPANTS TO THE BASIC CONCEPT OF DOCUMENTATION.**

The purpose of documentation is to record the experiences of people in school or in any other setting in order to prove or disprove a theory that we have, or to better understand what goes on. Maybe we don't know what the impact of a school policy is and we want to document students' stories to find out. Or maybe we have heard that students are being mistreated, and we want to find out if it's true and how often it is



*Documentation can create evidence and raise public awareness of violations of human rights in U.S. public school systems.*

happening. Documentation is a way of proving things, making things concrete, visual, and strengthening arguments. People use it in everyday life. Many of the changes we have seen in society over the years were brought about in part because of documentation.

In human rights documentation, researchers want to find out whether people's human rights are being protected or violated. A lot of the time, researchers use interviews or surveys to gather human rights testimonies about the violations that people have experienced. Interviews and surveys can provide more information than numbers and statistics alone because you can learn about how people's lives have been affected.

### Goals of Documentation

The first step in developing a human rights documentation project is figuring out what your goals are. This helps you figure out who you want to interview or survey and what information you need to get.

➔ **ASK PARTICIPANTS** the following questions and write their answers on flipcharts.

- 1) What do you want to find out by gathering interviews or surveys from parents and students?
- 2) What do you want to use the information for? What do you hope to accomplish?
- 3) Why would it be important for parents or students to be the ones doing the interviews or carrying out the surveys?

**DISTRIBUTE HANDOUT 3 TO PARTICIPANTS. GO OVER THE DIFFERENT GOALS FOR HUMAN RIGHTS RESEARCH.**

- Create evidence for violations of human rights.
- Tell the stories of people whose rights have been violated.
- Raise awareness among the public about violations.
- Advocate for a change in policy.
- Change attitudes about an issue.

When the people who are affected by violations gather the research themselves, instead of an outside person, it is called participatory research. Participatory research can have all the same goals as human rights research, but there are usually other goals as well. You can:

- Empower members of the community to take action.
- Build the skills of participant researchers.
- Present stories from the point of view of those affected by human rights violations.



*Participatory research documents human rights violations from the point of view of those most affected by the violations.*

## SECTION 3

# Starting a Documentation Project

**NOTE:** The following sections of this training are meant to take participants through the necessary steps to carry out a human rights documentation project, but it is not a complete guide. We encourage you to do additional research before starting your project (see **Appendix II** for some suggested resources).

## 3.1 Focusing Your Documentation Project (20 minutes)

**DISCUSS THE IMPORTANCE OF IDENTIFYING TARGET ISSUES AND AUDIENCES FOR DOCUMENTATION.**

Once you know what your goals are, identify what rights you want to research, for what population, and in what setting to help focus your project.

➔ ASK PARTICIPANTS to brainstorm answers to the following questions:

- What are the rights issues at stake related to your organizational goals? (For example: education, dignity, discrimination.)
- What is the population being affected? (For example: elementary and high school students, our local community, students of color, immigrant students.)
- What is the setting? (For example: school level, district level, citywide.)

It is also important to take into account your constituency and target audience.

➔ ASK PARTICIPANTS to brainstorm answers to the following questions:

- Who is your constituency? What are the rights that matter to them?
- Who is your target audience for the research? What rights issues will they respond to most?

It is important that you narrow the focus of your documentation so that the project is manageable. The focus may change as the project continues, but it is good to start out with a plan.



*It is important to take into account the human rights issues that matter to your constituency and your target audience when planning your documentation.*

## 3.2 How Do You Identify Violations of Human Rights?

(20 minutes)

**REFER BACK TO PAGES 3 AND 4 OF HANDOUT 1 TO DISCUSS HOW TO IDENTIFY SYSTEMIC VIOLATIONS AND GOVERNMENT RESPONSIBILITIES.**

When you gather information for your documentation project, look for instances when government action or inaction violates or undermines human rights standards, as well as patterns of violations that occur throughout the community, society or system you are studying. Identifying patterns is important to expose the systemic failure of the government in protecting human rights.

➔ *ASK PARTICIPANTS to think of an example of a systemic violation they have experienced or witnessed within the school system related to the dimensions below.*

Patterns of violations can occur across several different dimensions:

1. Identity of the victims – patterns based on demographic characteristics.
2. Location of the violation – patterns in the classroom, detention room, schoolyard, etc.
3. Methods of the violation – patterns of practices which lead to violations.
4. Circumstances or context – patterns of behavior by students which evoke a certain response, or other conditions such as classroom size or teacher inexperience that impact interactions between students and staff.

It is also important to identify how the policies and practices of government institutions actually cause, through action or inaction, human rights violations. Look back at the government obligations described on page 4 of **Handout 1** to explore the different ways that governments contribute to human rights violations by failing to:

- Respect - Government policies that directly interfere with a person's human rights.
- Protect - Lack of standards/policies in place to safeguard against abusive practices by others.
- Fulfill - Lack of standards/policies/resources that enable people to fulfill their rights and address the root causes of violations.
- Monitor - Lack of monitoring in order to have knowledge of violations, why they occur, and mechanisms that use the data to resolve the situation.
- Remedy - Lack of remedy for victims.
- Accountability - Lack of accountability structure to hold government staff accountable.

### 3.3 How Will You Gather Information for Your Documentation? (20 minutes)

**GIVE BRIEF DESCRIPTIONS FOR PARTICIPANTS OF DIFFERENT RESEARCH METHODS.**

There are many different research methods you can use to document human rights abuses:

- Interviews
- Focus groups
- Surveys
- Observations
- Analyzing existing data

When deciding which methods you want to use, think about your resources and your capacity, as well as which methods are most useful for meeting your goals. In many cases researchers will combine more than one method. For example, interviews are useful for providing more details about individual people's stories, but surveys can provide researchers with statistics that apply to larger segments of the population. It might be useful to use both methods to make the strongest argument with your documentation. When documenting human rights violations in particular, many people use interviews.

➔ *ASK PARTICIPANTS why interviews will help meet the goals discussed earlier. Why, in particular, is participatory research benefited by interviews?*

- Interviews give victims the opportunity to tell their story in their own voice.
- Interviews help tell a more detailed story of people's experiences and to uncover the complete history of treatment the person has faced, how it has affected their lives, and what rights were violated.

### 3.4 Who Are You Going to Interview or Survey and How Do You Access Them? (20 minutes)

**DIRECT PARTICIPANTS TO THE BOTTOM OF PAGE 1 OF HANDOUT 3 ON CHOOSING A SAMPLE.**

#### Choosing a Sample

Since it is impossible in most situations to talk to everyone that is affected by an issue, you have to choose a sample of people to interview or survey.

- **A Probability Sample (or Random Sample)** is a representative group of people chosen randomly from the population. In this case, 'random' does not mean picking any person that you can find. It means, for example, that to choose a random sample of 500 high school students in the Los Angeles Unified School District, you would first have to obtain a list of all students enrolled in high school in the whole city, put all their names into a computer, and randomly pick 500 students to interview or survey. If the students

are chosen randomly, their demographics should roughly match those of all the students in Los Angeles high schools – there should be the same percent of African American and Latino students, students that study English as a Second Language, and so on.

This sample is a mini version of the whole population to study. It is useful because it allows you to make statements about the population as a whole. For example, if 50% of the random sample feels unsafe in schools, then 50% of the whole population also feels that way.

**Note:** Without a lot of resources it can be difficult to do this, especially with interviews. It requires obtaining an accurate list of all the students attending school, being able to gain access to these students or their parents (getting all of their phone numbers, being able to get their permission, traveling to where they live), and interviewing a large number of students. If you choose to do this, you should contact a professional researcher (university professor, etc.) to help you choose the people randomly and decide how many people need to be interviewed or surveyed to make the sample representative of the whole population.



*Target people to interview who represent all the different perspectives you need to effectively show the patterns and impact of the violations you are documenting.*

- **A Convenience Sample** is based on choosing a sample of the population that you can gain access to. A convenience sample is the most common method used when doing research as part of an advocacy effort or when conducting interviews. When using a convenience sample, the best strategy is to interview or survey as many people as you can who are members of the population you wish to study. When deciding how you will find people to interview or survey, you should purposefully target people who represent all the perspectives you think you need to effectively study the issue. For example, if you want to study an issue affecting all parents of children in Los Angeles high schools, you might want to target parents from different high schools distributed around the city and parents from different racial and economic backgrounds to make sure that you get different perspectives.

This type of sampling does not allow you to say that based on our interviews, 20% of all parents in the school system feel this way. What you can say is that 20% of the parents we interviewed feel this way, and because we tried to cover most perspectives, we believe it is likely true for the whole population.

**NOTE:** When deciding how many people to interview or survey, it is often best to interview or survey as many people as possible given your capacity as an organization (how many people you have to carry out interviews or surveys, how much time you have to finish the project, etc.). If you can only interview or survey a small number of people, you can choose to focus your study on a certain sub-group of people like parents of high school students attending schools in a particular geographical area and exclude the other neighborhoods. This will give you more in depth information about schools in that area, but will make it harder to talk about how the issues affect students in other neighborhoods. Making these decisions relates back to the goals of the research and your organizational capacity.

➔ **ASK PARTICIPANTS** to brainstorm a list of different stakeholders and demographic groups they might target when developing a convenience sample to study issues in a school. The list could include:

- Students, parents or teachers to represent a range of stakeholders.

- *Distribution across racial groups.*
- *Distribution between male and female, and across ages.*
- *A certain percentage of students for which English is a second language.*
- *A certain number from each sub-district, from each neighborhood, or from each school.*

## **Gaining Access to People**

The next step is to figure out how to gain access to the people you want to interview or survey.

➔ *ASK PARTICIPANTS what strategies they can think of for recruiting parents, students and others to interview or survey about issues in public schools.*

- You can reach out to parent organizing groups to interview their membership.
- You can reach out to Parent-Teacher Associations (PTA) to get lists of parents in that school.
- You can ask the principals for lists of parents or students.
- You can wait outside of the school as parents pick their children up and tell them about your project.
- You can go door to door in target neighborhoods.

There are many different ways that you can gain access to the people you want to interview or survey but you need to think carefully about how to do it.

- It is important to remember that you have to be careful not to put the people you interview in jeopardy. For example, it may not be a good idea to use the PTA to recruit parents if that would expose the identity of the parents who participate (there is more information about confidentiality later in this manual).
- Also, it may not be a good idea to go through the principal of the school (or other institutions) if you think that the principal will then expect to approve of the research.



## SECTION 4

# Conducting and Analyzing Interviews

**NOTE:** The rest of this training focuses on how to use interviews as the primary method for documenting human rights abuses, but it is not the only way. There are other resources available to learn about using surveys and other methods (see **Appendix II**).

## 4.1 Developing Your Interview Questions (30 minutes)

**DIRECT PARTICIPANTS TO PAGE 2 OF HANDOUT 3 AND REVIEW THE FOLLOWING TIPS FOR DEVELOPING QUESTIONS AND CARRYING OUT INTERVIEWS.**

In preparation for your interviews, you should develop a list of questions that will be used in all of your interviews. First, identify what human rights issues you want to address and then develop questions to get at the answers you need. Here are some tips:



*Ask the people you interview to describe their own experiences. Ask them how an incident made them feel, how it affected their day, their attitude.*

- It is a good idea to organize your questions into thematic groups or in chronological order so that the interview will flow well.
    - *ASK PARTICIPANTS to brainstorm some possible themes related to the goals discussed earlier (for example themes could be questions about parents' access to school buildings, parental notification of discipline problems, or the treatment of parents by school personnel).*
  - Ask interviewees to describe their own experiences – what they have seen or experienced themselves, not what they have heard about. First ask about experiences, then, ask for their opinion at the end.
  - Ask follow-up questions to get the specifics of what happened.
  - Ask interviewees how an incident made them feel, how it affected their day, their attitude.
  - Ask how often something happened – you want to try to get at systematic treatment or incidents that happen every day.
- Ask about the opposite of what happened as well – for example, if a student tells you that she felt unsafe around police officers, ask her if there was a time she did feel safe with them around.

→ ASK PARTICIPANTS to brainstorm two questions for each of the themes they identified above using the dos and don'ts for **General Rules for Writing Interview Questions** found on Page 2 of **Handout 3**.

## 4.2 Tips for Carrying Out Your Interviews (30 minutes)

**DISCUSS TIPS IN HANDOUT 3 FOR HOW TO CONDUCT AN INTERVIEW, ENSURE CONSENT AND PRIVACY, AND RECORD INFORMATION.**

Once you have developed your interview questions, it is important to train your participant researchers in how to carry out the interviews. It is important to make the interviewee feel comfortable and to avoid biasing the interview because of body language or statements made by the interviewer.

→ ASK PARTICIPANTS to read aloud and discuss the dos and don'ts for **What to do in an Interview** described on Page 2 of **Handout 3**.

As a researcher, there are also important steps that you must take to ensure that your interview subjects give their consent, understand the purpose of the interview, and have their identity protected in the process. Recording and keeping track of the information you gather in interviews is also essential for making sure that you accurately represent the stories of people you interview.

→ ASK PARTICIPANTS to discuss the following tips for ensuring **Consent and Protecting Identity** in your interviews, and for **Keeping Track of Information**. The information below is provided in greater detail on Page 3 and 4 of **Handout 3**, so your discussion can be tailored to address the interests and questions of participants.

- **Consent:** You should decide whether you want to get written consent from the people you interview. If you are interviewing people under 18 you may also want to get consent from parents. This will help to protect you, and to make sure that interviewees understand that information is confidential.
- **Protecting Identity:** You must decide in advance what information about the interviewee you will make public. You should not use their name, but you may want to list what schools you interviewed parents or students from or what their race or age is.
- **Privacy:** Interviews should be conducted in private and with one individual at a time.
- **Identify Yourself:** Explain to the person that you are conducting this interview as a volunteer for a community organization to gather information to document issues related to education in schools.



*You must ensure that the people you interview give their consent, understand the purpose of the interview, and have their identity protected.*

- **Recording:** Unless it is absolutely impossible, tape record the interviews, in addition to taking detailed notes.
- **Note Taking:** It is very important to take notes during your interviews even though you are recording them on tape.
- **Using Interpreters:** Use an interpreter who can translate what the non-English speaker said word for word, after the speaker has said no more than a few sentences, and using the first person.
- **Tracking Interviews:** It is important that you keep track of who you are interviewing and how you came into contact with them (for example, through which particular organization, community group or neighborhood).

## 4.3 Analyzing Your Research (30 minutes)

**REVIEW THE TIPS FOR ANALYZING YOUR RESEARCH ON PAGE 5 OF HANDOUT 3.**

Once you have completed your research it is time to analyze the information you have gathered.

- **Break down all the information into specific categories.**

Go back through your interview transcripts and break down people’s comments by specific categories. You should identify a set of common categories or codes that you will use for all the interviews. It is important to be specific first so that you can identify incidents that people described independently of what your broader theories are. This makes your analysis less biased and helps to make sure that you don’t overlook important categories because they do not fit into your theories.

*For example, if you asked parents about school incidents involving police and several parents said that “police used mace” and “police yelled at students,” these should be different categories even though they are both related to a broader theory about police behavior.*

- **You do not have to wait until all the information is collected.**

Once you have completed a handful of interviews, start looking back through your transcripts and start to identify the categories based on what people are saying. By identifying common categories and codes early, they can help you pay attention to similar information in your upcoming interviews, or to modify your questions slightly to obtain the information you need (if you are conducting a survey rather than interviews, you should not change your questions because if questions are different, you cannot analyze the responses together). \*BUT be careful not to let this bias the questions you ask from your other interviewees. You need to keep an open mind because everyone has a different experience.

- **Code your interview transcripts.**

There are many ways that you can code or mark your categories. One way is to divide the typed interview notes/transcript into two columns – on the left side are the words of the interviewee and on the right side are the categories. Then you can print out each marked interview and compare them to find out where the categories are the same.

- **Identify your theories and human rights violations.**

Once you have marked up all the interviews with categories, figure out what broader theories apply.

When doing human rights research, group these categories by rights or violations of rights.

*For example, you may want to connect all the categories that relate to the right to freedom from discrimination, such as: “students judged by clothing,” “degrading teacher comment about race,” “negative teacher comment about neighborhood,” and so on. It was important to use separate categories for each of these because they draw our attention to different aspects of discrimination – based on race, neighborhood, appearance. But now we can re-group them under the set of violations of the right to freedom from discrimination.*

- **Develop recommendations.**

Once you have identified the human rights violations you are going to report, develop recommendations for how the schools can better guarantee human rights. You can identify some of your recommendations by building in questions for your interviewees about what they think can be done to improve the situation. You can also do research into alternative models that exist within your school system or other school systems that successfully guarantee the rights of students and parents. You can also talk to other organizers, advocates and researchers about what they know works well in schools.

## SECTION 5

# Strategy for Your Organization

## 5.1 Case Study 3: Battered Mother’s Testimony Project

(45 minutes)

**READ CASE STUDY 3 WITH PARTICIPANTS AND HAVE THEM ANSWER THE DISCUSSION QUESTIONS.**

This case study will explore how the Battered Mother’s Testimony Project (BMTP) used human rights documentation to fight for the rights of battered women and their children in Massachusetts. As participants read about the work of BMTP, they will be asked to consider how they would use those same strategies to guarantee the right to education.

## 5.2 Strategy Discussion for Your Organization (45 minutes)

**DISTRIBUTE HANDOUT 4 TO PARTICIPANTS TO HELP GUIDE YOUR STRATEGY DISCUSSION. THE HANDOUT INCLUDES SUGGESTIONS FOR ASSESSING YOUR CAPACITY AS AN ORGANIZATION AND THINKING STRATEGICALLY ABOUT FORMING PARTNERSHIPS.**



*When planning your documentation, start by assessing your resources and capacity as an organization to carry out the project.*

Building off of the answers from the BMTP case study exercise, facilitate a group discussion about the role that you think human rights documentation could play in your organizational or campaign strategy.

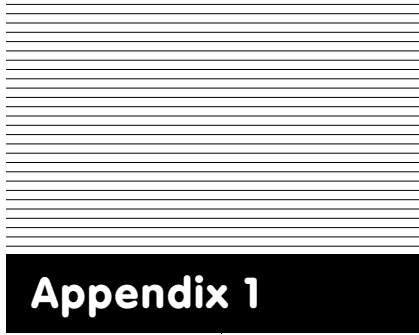
### **Example for relating human rights documentation to your organization or campaign:**

For example, CADRE wants to use human rights documentation to tell the true story of how young people in South LA are being pushed out of school and into prison. Students are being pushed out by the lack of resources and quality learning environment in schools, by the extreme use of suspensions and other disciplinary actions that accumulate over time and keep students out of the classroom, and by the criminalization of adolescent behavior through police actions in school and excessive referrals of youth to the juvenile justice system. In order to apply human rights to

their campaign around this “school-to-prison train”, CADRE can explore the following questions: What information do we need to gather about the school-to-prison train through documentation? What will the documentation of our stories do to bring attention to the need to change school discipline policies, especially to reduce the use of suspensions? What kind of power do we think it can build for individual parents and South LA parents at-large to make change in our schools? What impact might a human rights tribunal or public people’s hearing with the school principal or district officials have?

## 5.3 Wrap-up and Evaluation (30 minutes)

→ *ASK PARTICIPANTS to reflect on the training in a group discussion and to fill out an evaluation survey (see Sample Evaluation Survey in **Appendix II**).*



## Training Materials

- Training Handouts 1-4
- CADRE Standards Exercise
- NESRI Documentation Exercise
- Case Studies 1-3

# TRAINING HANDOUT 1

## What are Human Rights?

We need human rights in order to live life in freedom and dignity and to have our basic needs met. The concept of human rights developed throughout history because of people's struggles all over the world to claim their rights. In the United States, the struggles to end slavery, to guarantee equal rights for women, the disabled and people of color contributed to the human rights movement.

As a result of these struggles, human rights are part of international law. Governments around the world, including the U.S. government, have made international agreements to guarantee the human rights of all people, regardless of their race, language, sexuality, beliefs or other factors.

**The Universal Declaration of Human Rights (UDHR)** was the first and most widely accepted statement on human rights adopted in 1948 by governments at the United Nations. The UDHR is the basic standard for what all governments must do to guarantee human rights, including:



| <i>Civil and Political Rights</i>                        | <i>Economic, Social and Cultural Rights</i> |
|--|---|
| Right to freedom from discrimination                     | Right to health                             |
| Right to life  | Right to food                               |
| Right to free speech and belief                          | Right to water                              |
| Right to assembly and association                        | Right to housing                            |
| Right to due process of law                              | Right to work                               |
| Right to participate in government and in free elections | Right to education                          |
| Right to freedom from torture                            | Right to social security                    |
|  | Right to participate in cultural life       |

## Basic Human Rights Principles

There are certain human rights principles that apply to all of these human rights:

- **Universality:** Human rights apply to all people in the world.
- **Indivisibility:** Human rights are connected, one human right cannot be fulfilled without the others.
- **Non-discrimination:** All human rights must be guaranteed without discrimination on the basis of race, gender, language, class, belief, nationality, or other status. Human rights prohibit both laws and practices that intentionally cause discrimination, as well as those with a discriminatory impact.
- **Participation:** Everyone has the right to participate in fulfilling their human rights, including participation in all aspects of public administration and the development and implementation of policies.
- **Accountability:** Governments must create mechanisms that enable people to hold them accountable if rights are violated.
- **Transparency:** Governments must ensure transparency in and access to all relevant information.

## Human Rights Terms and International Treaties

- **Articles** – Articles are found in human rights declarations and treaties. Articles describe one or more rights.
- **Rights** – Rights are something that every person has because they are human. People have rights, and governments have obligations to ensure that rights are guaranteed.
- **Standards** – Standards are provided to measure whether a person's rights are being guaranteed. Standards are described in treaties, declarations, and UN guidelines.

### Human Rights Treaties and Education Related Articles

The human right to education is recognized in Article 26 of the UDHR. But the UDHR it is not a legal treaty. There are human rights treaties that have been adopted by the United Nations. When a country signs and “ratifies” one of these treaties, it becomes part of the law of that country. The following treaties recognize the human right to education:

- International Covenant on Economic, Social and Cultural Rights (ICESCR)  
Article 13, Right to education
- International Covenant on Civil and Political Rights (ICCPR)  
Article 25, Right to participation  
Articles 2 and 24, Freedom from discrimination in education
- Convention on the Rights of the Child (CRC)  
Article 28 and 29, Right to education
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)  
Article 5, Freedom from racial discrimination in education
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)  
Article 10, Freedom from discrimination for women and girls in education



## Holding the U.S. Accountable

The U.S. has “ratified” and is legally bound by four human rights treaties:

- International Covenant on Civil and Political Rights (ICCPR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment (CAT)
- Convention on the Prevention and Punishment of the Crime of Genocide



The U.S. has also “signed” the CRC, ICESCR and CEDAW, which means that the government cannot violate the “object and purpose” of those treaties. The U.S. is also legally bound to the American Declaration on the Rights and Duties of Man because it is a member of the Organization of American States (OAS - a regional body made up of North and South American governments). The right to education is protected in Article 12 of the American Declaration.

Even though governments make these legal and moral commitments, they often ignore their human rights obligations. So it is up to communities to be well organized and to demand that their human rights are protected.



## Applying Human Rights Standards to Public Education in the U.S.

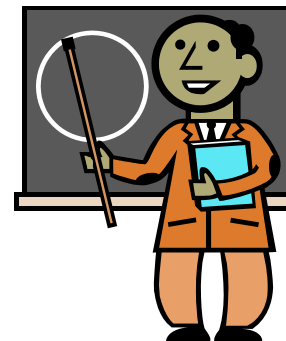
In the U.S., communities are fighting every day to hold their local school systems, state and federal government accountable for guaranteeing the right to education. There are several human rights standards for the right to education that are particularly relevant to the issues that concern communities in the U.S.

|   |   |
|---|---|
| <p><b><u>The individual right to a quality education</u></b> for every child must be promoted through curricula, teaching methods and services that adapt to meet each child's needs.</p>   | <p><i>UN Committee on Economic, Social and Cultural Rights</i><br/>         "Education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality)...and respond to the needs of students within their diverse social and cultural settings." (General Comment 13)</p>   |
| <p><b><u>The aims of education</u></b> must be to help children reach their full potential, to prepare them to participate in society, to do rewarding work for a living wage, and to continue learning. Education must develop each child's respect for his or her family, language and culture.</p> | <p><i>Convention on the Rights of the Child</i><br/>         "The education of the child shall be directed to the development of the child's personality, talents and mental and physical abilities,...the development of respect for the child's parents, his or her own cultural identity, language and values...[and] preparation of the child for responsible life in a free society." (Article 29)</p> <div style="text-align: right;">  </div> <p>Governments must "make higher education accessible to all." (Article 28)</p> |
| <p><b><u>The dignity of every child</u></b> must be guaranteed by creating an environment of respect and tolerance in schools, preventing practices and disciplinary policies that cause harm or humiliation to children, and promoting self-confidence and self-expression.</p>                      | <p><i>UN Committee on the Rights of the Child</i><br/>         The goal of education "is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence." (General Comment 1)</p> <p><i>Convention on the Rights of the Child</i><br/>         "States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity." (Article 28)</p>   |
| <p><b><u>Non-discrimination</u></b> There can be no discrimination in the way students are treated, in the access they have to opportunities, or in the outcomes of their education. Resources must be distributed equitably across communities based on where they are needed.</p>                   | <p><i>International Covenant on Civil and Political Rights</i><br/>         Governments must respect and ensure the rights of all individuals "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." (Article 2)</p> <div style="text-align: right;">  </div>  |
| <p><b><u>The meaningful participation</u></b> of students, parents and communities must be guaranteed in decisions that affect their schools and their right to education.</p>  | <p><i>International Covenant on Civil and Political Rights</i><br/>         "Every citizen shall have the right...to take part in the conduct of public affairs." (Article 25)</p> <p><i>Dakar Framework for Action: Education for All</i><br/>         "At all levels of decision-making, governments must put in place regular mechanisms for dialogue enabling citizens and civil society organizations to contribute to the planning, implementation, monitoring and evaluation of basic education."</p>  |

## What Governments and School Systems Must Do to Ensure the Right to Education

Human rights standards say that governments and school systems must:

- **Respect the right to education** by avoiding any policies or practices that deny people their right to education (for example, schools should not have suspension policies that remove students from the classroom without providing continued access to quality education).
- **Protect the right to education** by preventing other individuals or institutions (like private companies) from denying people an education (for example, the government must make quality textbooks and other materials produced by private companies affordable or available for free).
- **Fulfill the right to education** by taking action so that individuals and communities receive a quality education (for example, provide professional development and training to improve teaching).
- **Engage in progressive implementation** of human rights obligations. The human rights framework accepts that governments cannot fully guarantee all human rights at once, but school administrators, politicians and policy-makers must continuously be working to improve education.
- **Guarantee equity and non-discrimination** in education so that there are no communities that have inferior opportunities or outcomes in education based on class, race, gender, sexual orientation, language, immigration status, disability or other factors.
- **Use the maximum amount of resources** that are available to provide children with an education based on the resources that we have in our society as a whole, not only the resources in the current budget.



- **Monitoring and information:** governments must monitor the enforcement of human rights and make information about rights available to the public.
- **Remedy:** when a child or a parent suffers a violation of their human rights, schools and government offices have to do something to stop the violation, address the problem and prevent it from happening again. There has to be a structure in place where parents and students can report the violation and ask for a timely remedy.

# TRAINING HANDOUT 2

## How Can We Use Human Rights in the U.S.?

**Documentation and Research:** People can use human rights to document the problems they see in their communities and report on patterns of human rights violations. Documentation can be used to educate the public, to make the voices of parents, students and communities heard, and to pressure governments to make change.

**Recommendations for Policy Change:** Human rights treaties and other documents have detailed standards that can be used to measure the impact of government policies and to create recommendations. Government officials may also be encouraged to include human rights standards in their city and state laws.

**Organizing and Messaging:** Human rights speak to the inherent dignity of every person and can be used to mobilize people and develop leadership in the community. The human right to participation recognizes that people have a right to be heard by the government and to have a voice in community decisions. Human rights trainings or workshops can help organizers inform their communities about their rights and empower them to take action. Many organizers take advantage of international human rights days of action, like Human Rights Day on December 10, to mobilize people and present their recommendations for change. Organizers can use mock human rights tribunals or hearings to present testimonies from community members to the public.



Independent Commission on Public Education, [www.icope.org](http://www.icope.org), Rally at City Hall in New York, NY.

**Shaming:** Individuals and community groups can use human rights in protests, letter-writing and media campaigns in order to pressure governments to stop violations and change policies.

**Coalition Building:** Human rights provide a common basis to connect the agendas of different groups and give them consistency in their message.

**International Connections:** Human rights allow communities in the U.S. to connect their struggles to international social justice movements and to bring their campaigns to international legal institutions, such as the UN and the Organization of American States.

# TRAINING HANDOUT 3

## Human Rights Documentation

### Goals of Human Rights Documentation

- Create evidence for violations of human rights.
- Tell the stories of people who's rights have been violated.
- Raise awareness among the public about violations.
- Advocate for a change in policy.
- Change attitudes about an issue.

### Goals for Participatory Research

- Empower members of the community to take action.
- Build the skills of participant researchers.
- Present stories from the point of view of those affected by human rights violations.

### Focusing Your Documentation

- What are the rights issues at stake?
- What population is being affected?
- What is the setting?
- Who is your constituency? What are the rights that matter to them?
- Who is your target audience for the research? What rights issues will they respond to?

### Research Methods

- Interviews
- Focus Groups
- Surveys
- Observations
- Analyzing Existing Data

### Identifying Your Sample Population

A Probability Sample (or Random Sample) is a representative group of people chosen randomly from the population. For example, in order to choose a *random sample* of 500 high school students in Los Angeles, you would first have to obtain a list of all students enrolled in high school in the city, put all their names into a computer, and *randomly* pick 500 students. This sample is a mini version of the whole population to study. This allows you to say that if 50% of our random sample feels a certain way, then 50% of the whole population feels that way. **\*\*Without a lot of resources it can be difficult to do this, especially through interviews.**

A Convenience Sample is based on choosing a sample of the population that you can gain access to. This is the most common method used when doing research as part of advocacy. When using a convenience sample, the best strategy is to interview or survey as many people as you can. When deciding how you will find people to interview, you should purposefully target people who represent all the perspectives you think you need to effectively study the issue:

- Stakeholders - students, parents and teachers
- Locations - Districts, neighborhood, schools
- Demographics - Race, age, sex
- Students in Special Ed, ESL, etc.

This type of sampling does not allow you to say that based on our interviews, 20% of the whole population feels a certain way. What you can say is that 20% of those we interviewed feel this way, and since we tried to cover most perspectives, we believe it is likely true for the whole population.

## Tips for Developing Questions and Interviewing

- It is a good idea to organize your questions by theme or chronology so that the interview will flow well.
- Ask interviewees to describe their own experiences – what they have seen or experienced themselves, not what they have heard about. First ask about experiences, then ask for their opinion at the end.
- Ask follow-up questions to get the specifics of what happened.
- Ask interviewees how an incident made them feel, how it affected their day, their attitude.
- Ask how often something happened – you want to try to get at systematic treatment or incidents that happen every day.
- Ask about the opposite of what happened as well – for example, if a student tells you that she felt unsafe around police officers, ask her if there was a time she did feel safe with them around.

### General Rules for Writing Interview Questions

#### Do Not

- Do not ask leading questions. (For example, “Aren’t you enraged that your child’s school is unsafe?” Instead, “Is your child’s school safe?” and “How does that make you feel?”)
- Do not ask “yes/no” and “either/or” questions that give you little information. (For example, instead of asking “Do you participate in your child’s school?” ask “How do you participate in your child’s school?”)
- Do not ask more than one question at a time.
- Do not ask the interviewee for anything or attempt to induce a particular response.

#### Do

- Ask short, open-ended questions – beginning with things like who, what, when, where, why, how, what do you mean by, etc. (for example, “How was your child treated when she was suspended?”) – and follow open-ended questions with more specific questions (such as “How many times did you speak with school staff about the suspension?”).
- Ask the interviewee to explain and elaborate in his/her own words.
- Get as many dates, facts and specific details as possible, verifying them, where possible, with any accompanying documents that the interviewee may have.

### What to do in the Interview

#### Do Not

- Do not critique the interviewee or question their credibility.
- Do not give your own opinion.
- Do not make assumptions or interpret what the person is saying.

#### Do

- Be polite to the interviewee.
- Allow him or her to finish the sentence or explanation.
- Listen to the answer and be ready to follow up.
- Ask the interviewee to clarify or define words that are unfamiliar to you or ideas that are unfamiliar.
- Be an attentive listener and, where appropriate, express empathy with the interviewee.
- Remember to thank the interviewee for their time and effort.

## **Consent and Protecting Identity**

### Consent

You should decide whether you want to get written consent from the people you interview. If you are interviewing people under 18 you may also want to get consent from parents. This will help to protect you, and to make sure that interviewees understand that information is confidential. In most cases, it is good to tell interviewees that if they decide during or after the interview that they no longer want to participate, you will not use their information. This is important when you want to build trust, especially with parents and students. However, you may not want to make that promise to public officials, for example, because they are in public positions of power, some researchers argue that their statements should be public even if they change their mind. It is up to you what rules you will use, but be clear about them with interviewees beforehand.

### Protecting Identity

You must decide in advance what information about the interviewee you will make public. You should not use their name, but you may want to list what schools you interviewed parents or students from or what their race or age is. If you want to list the names of schools or other potentially identifying information, make sure that interviewees know in advance and that it is ok with them. It is also important to think about what types of incidents you want to report. If a parent or student tells you about an incident they had that is so specific it would be recognized by the principal or teachers at their school, you may not want to include it in your public report. Parents and students can face retaliation for being involved in projects like this and it is important that you do everything you can to protect them.

### Privacy

Interviews should be conducted in private and with one individual at a time. This should be understood before the interview begins. The person may not speak freely with others around or she or he may be tempted to grandstand. However, when interviewing a young person under the age of 18, especially with smaller children, you may wish to have an adult present. It is important to talk to parents, teachers or other adults responsible for the young person to determine whether or not it is appropriate to conduct the interview alone. Arrange to meet in a setting where the person feels comfortable and can talk. Explain that the interview is confidential and that nothing identifying the person will appear in the public. Never tell one interviewee what another has said. This only shows you cannot keep your promise of confidentiality. Take down their contact information but make it clear that this is only so that they can be contacted to verify information.

### Identify Yourself

Explain to the person that you are conducting this interview as a volunteer for a community organization to gather information to document issues related to education in schools. Be clear that you do not work for the school system or any particular interest group. Make it clear that this information is not being used for a lawsuit or other legal action. The purpose of gathering the information is to tell the stories of parents and students and make recommendations for the schools on how to improve their policies. You may give some brief background on your personal experience (ie. I am a parent and have children in the school system.), but keep it very short because the interviewee should do the talking and you do not want to bias what they tell you. Allow the interviewee to ask questions about the interview process. If they have questions about the organization you work with, answer what you can and put them in touch with the staff.

## **Keeping Track of Information**

### Recording

Unless it is absolutely impossible, tape record the interviews, in addition to taking detailed notes. Allow the person to narrate his or her own story and be as true to their own wording and language as possible. Always ask permission before tape recording.

### Note Taking

It is very important to take notes during your interviews even though you are recording them on tape. It is very time consuming and difficult to listen to all the tape recordings and write down what people said. If you take good notes you can type up your notes first and then listen to the tapes to fill in missing information. It is a good idea to type up your notes from your interview as soon as possible afterwards when your memory is still fresh.

### Using Interpreters

Use an interpreter who can translate what the non-English speaker said word for word, after the speaker has said no more than a few sentences, and using the first person. If it seems appropriate, ask the interpreter to help you by signaling anything brought up by the interviewee which might be worth following up if you do not do so. Sometimes the interpreter and the interviewee appear to get into a discussion and the translation ceases. In this situation, simply interrupt and ask to have a translation. It may be possible to avoid this situation by asking the interpreter beforehand to tell you when he or she is going to ask a question of clarification. Even though all verbal communication is going through the interpreter, eye contact with the interviewee and body language are of course very important. Do not make any remarks to the translator about the interviewee, assuming that the person does not understand any English.

### Tracking Interviews

It is important that you keep track of who you are interviewing and how you came into contact with them (for example, through which particular organization or community group). This helps in describing the methodology of the documentation and classifying the interviews into specific sample groups.

## Analyzing Your Research

Once you have completed the research, analyze the information you have gathered. Here are some tips:

### Break down all the information into specific categories

Go back through the interview transcripts and break down people's comments by specific categories. Identify a set of common categories or codes that you will use for all the interviews. The categories should be specific. It is important to be specific first so that you can identify incidents that people described independently of what your broader theories are. This makes your analysis less biased and helps to ensure that you do not overlook important categories because they do not fit in to your theories.

### You do not have to wait until all the information is collected

Once you have done a handful of interviews, you can start looking back through your transcripts and start to identify categories of what people are saying. By identifying common categories early, they can help you pay attention for similar information in your upcoming interviews, or to modify your questions slightly to get at the information you need (if you are conducting a survey rather than interviews, you should not change your questions because if questions are different, you cannot analyze the responses together).

\*BUT be careful not to let this bias the questions you ask from your other interviewees. You need to keep an open mind because everyone has a different experience.

### Code your interview transcripts

There are many ways that you can code or mark your categories. One way is to divide the typed interview notes/transcript into two columns – on the left side are the words of the interviewee and on the right side are the codes. Then you can print out each marked interview and compare them to find out where the codes are the same.

### Identify your theories and human rights violations

Once you have marked up all the interviews with categories, start to figure out what broader theories they relate to. When doing human rights research, group the categories by rights or violations of rights. For example, you may want to connect all the categories that relate to the right to freedom from discrimination.

### Develop recommendations

Once you have identified the human rights violations you are going to report, develop recommendations for how the schools can better guarantee human rights. You can identify some of your recommendations by building in questions for your interviewees about what they think can be done to improve the situation. You can also do research into alternative models that exist within your school system or other school systems that successfully guarantee the rights of students and parents. You can also talk to other organizers, advocates and researchers about what they know works well in schools.



# TRAINING HANDOUT 4

## Tips for Planning Your Documentation Project

### 1. Have a Plan for How to Use Your Documentation

Before you decide to start a documentation project, make sure that you have a plan for how to use your documentation. Too often organizations put time and effort into research that ends up printed in a report that sits on a shelf. Make sure that you have a plan for how to disseminate your findings to policy-makers or the public that will support your organizational or campaign goals. Publishing a report is one way to disseminate your findings, but there are also other creative and interactive ways of letting people know about your findings - holding a public hearing, making a documentary video or an artistic display. The type of documentation project you carry out will be determined in part by how you plan to disseminate your findings.

### 2. Assess Your Capacity as an Organization

When planning your documentation, start by assessing your resources and capacity as an organization to carry out the project. Resources and capacity include not only funding, but staff time, how many volunteers or members you have that can contribute to the project, and whether you have allies or potential partner organizations that could help with the project. Capacity also includes the skills and experience that staff, volunteers or allies might have in research methods, organizing, writing and advocacy. Assessing your capacity can help you to determine the scope and reach of your documentation – how many people you can survey or interview, what kind of follow-up activities and dissemination you can do, etc.

### 3. Develop a Realistic Timeline for Your Project

It can take longer than you think to carry out your documentation project. Build in time to determine the topic of research, identify your sample population, draft your survey or interview questions, train your interviewers, carry-out the surveys or interviews, enter the survey data or transcribe the interviews, analyze the results and prepare the findings for public dissemination.

### 4. Think Strategically About Your Partnerships

In many cases, community organizations interested in carrying out documentation look for partner organizations to support their documentation and analysis. These organizations might be universities, research or policy non-profits, or other social justice or human rights organizations with experience in doing participatory research. If you choose to work with one of these institutions, here are some things to keep in mind when choosing and establishing your partnerships:

- (a) When choosing your partners, make sure that they have a commitment to doing and using research as a tool for social change. Universities and research institutions with expertise in research methods can help make your project more rigorous and credible. But, it is important for these institutions to understand that this research is not being carried out in an academic vacuum. They have to be prepared to work within the resource and time constraints of the community organization they are working with, and be willing to shape the project to meet the needs and priorities of community members.
- (b) Make sure that your partners commit to dedicate adequate staff time and other resources if necessary to contribute to the project over the long run.

- (c) Ensure that there is at least one staff person at your organization and at the partner organization who has committed significant time to help coordinate the project and will serve as the primary contact person for communication between the two organizations.
- (d) Designate roles and responsibilities for each partner from the beginning. Determine how responsibility will be shared and/or divided up for shaping the research questions, writing the surveys and interview guides, carrying out and analyzing the research, providing funds for project costs, and approving final decisions. For each of these questions, it is important to consider how community members can stay central to this process. If you are carrying out a participatory research project, it is essential that community members maintain control over the direction and outcome of the project.
- (e) When your project is complete, remember to evaluate your partnerships. You can learn important lessons for the next time you collaborate with other organizations.

### **5. Respect Your Participant Researchers**

If you are carrying out a participatory research project, in which community members lead and carry-out the documentation themselves, it is important to remember to respect and support the people who are doing the interviews. Make sure that you are aware of their schedules, their childcare and transportation needs, and that you thank them for the work they are doing. Throughout the process of carrying out interviews or surveys, you should also check in with your participant researchers to make sure that you answer any questions they have about problems or challenges they have encountered in interviews. It can be very emotional for researchers if they hear about stories that remind them of difficult things that have happened in their own lives. It may be a good idea to have regular de-brief sessions with interviewers throughout the project to share questions and concerns.

# CADRE STANDARDS EXERCISE

Read through each CADRE Standard and identify the human rights and government obligations that are related to that standard. There are questions related to each standard to help you think about what human rights issues are at stake. You can look at Handout 1 or at the UDHR for a list of human rights standards and government obligations.

## CADRE Standards of Dignity and Respect for Parents

### Standard 1 -

***Open and clear communication to parents about their right to visit schools and classrooms.***

Do parents currently know about their right to visit schools?

What barriers are there to communication?

Human rights issues:

### Standard 2 -

***Structured opportunities for parents to give input, have information, and help make decisions.***

What are some of the issues that parents should give input on?

Human rights issues:

### Standard 3 -

***Informing parents in a timely and clear fashion as to when and how to participate, with policies that ensure that all parents have equal access to and information on engagement opportunities.***

What barriers are there for parents to get the information they need?

Human rights issues:

### Standard 4 -

***Teachers and staff adhering to an “early warning” system that identifies challenges as soon as possible.***

What are the challenges that children face?

What do teachers and staff need to identify those challenges?

What do schools need to create solutions to those challenges?

Human rights issues:

**Standard 5 -**

***Parents having concrete opportunities to make recommendations to schools about parent engagement.***

Do parents feel comfortable speaking up about parent participation? Why or why not?

Human rights issues:

**Standard 6 -**

***Regular, parent-led school forums at which school staff must listen and respond to parent assessments.***

Do schools listen to what parents have to say? Why or why not?

Human rights issues:

**Standard 7 -**

***Policies that protect parents' right to monitor the schools' implementation of programs without retaliation.***

Why is it important for parents to monitor implementation?

In what situations do parents face retaliation?

What is needed to protect against retaliation?

Human rights issues:

**Standard 8 -**

***Trainings for parents on effectively holding schools accountable.***

What do schools need to provide effective trainings?

What knowledge should parents get from the trainings?

Human rights issues:

**Standard 9 -**

***Parent-led assessments of schools to identify areas that need more accountability.***

What are some areas of education policy that currently lack accountability?

Human rights issues:

**Standard 10 -**

***Policies that outline clear grievance procedures parents can use to file complaints, with due process, and establishing a clear process of recourse if parents' grievances are not resolved with due process.***

What are some of the issues that you would file grievances about?

Human rights issues:

# NESRI DOCUMENTATION EXERCISE

The National Economic and Social Rights Initiative (NESRI) held interviews and focus groups with parents and high school students in Los Angeles and New York City to document violations of students' right to dignity and education. The documentation focused on the degrading treatment that students face in schools and the impact of zero-tolerance discipline policies and law enforcement in schools. NESRI has used those interviews to write a human rights report to publicize the stories of students and parents that are impacted by school policies, and to identify the failures of the LA and NYC school systems to guarantee students' rights to education and dignity.

Read the findings of the documentation below and identify which rights are violated in each case.

- 1) In the classroom, students are told that they are incapable of learning and are denied the academic and emotional support they need to thrive. Students are targeted for disparagement based on racial and socio-economic stereotypes, and are ignored when they ask for help. Teachers are themselves frustrated by overcrowded classrooms and a lack of resources to help them manage student behavior and respond to student needs.

"My new math teacher, if I say hi, he walks right past me like I'm not there. He gets mad if I ask a question that's too easy. He said to me 'Are you stupid or something?'...It makes me angry." - High school student, New York City

- 2) School discipline policies focus on zero tolerance responses to student behavior that aim to punish and control, rather than promote the social and emotional development of youth. The excessive use of suspensions, reduced class schedules and other forms of exclusion, in particular for minor misbehavior, remove students from the learning environment without providing counseling or other services. As a result students become disengaged and alienated and feel that they are not wanted in school.

"I was super late heading to school, the security said to me "you're too late!" I argued and said to just let me go to class. They took me to the Dean and he gave me a five day suspension." - High school student, Los Angeles

- 3) In response to concerns about violence and safety, schools have turned to security guards, police officers and metal detectors, not only to address criminal behavior, but to intervene in day to day disciplinary matters. Police officers enter classrooms to remove students for questioning, they use intimidation to clear hallways between classes, and handcuff students to break up school fights. Students are treated like criminals and schools feel like prisons.

"The police make students feel threatened, scared, intimidated, confused, they don't feel protected. How can you feel protected from someone who you need to protect yourself against?" - High school student, Los Angeles

- 4) Finally a lack of basic resources leads to inadequate school facilities, overcrowded classrooms, unqualified teachers and substandard materials that contribute to discipline and safety problems and send a clear message to students that they are not valued.

# CASE STUDY 1

## Independent Commission on Public Education (ICOPE)

(www.icope.org)

ICOPE is a volunteer organization made up of parents, education activists and community members committed to promoting the right to a quality education for every child in New York City public schools. After decades of struggling to reform the school system, these advocates believe that for any real change to take place a new system of education must be created. ICOPE believes this new system should be based on human rights standards because:



- Human rights provide a positive vision for the public school system that focuses on developing children to reach their full capacities, ending discrimination and ensuring the meaningful participation of parents, students and communities in decision-making.
  - ➔ How do human rights contribute to your vision of what the public school system in your community should look like?
- Human rights can bring together the diverse groups of organizers and activists fighting for individual issues, ranging from smaller class sizes to ending standardized testing, under one common framework.
  - ➔ What is an example of how human rights could bring people together in your community?
- The problems facing our educational systems are interconnected and can only be solved when they are addressed together. Human rights can help show they are linked.
  - ➔ What different issues affecting your schools can be linked through human rights?

ICOPE has launched a campaign to create an Independent Task Force made up of parents, community members, students, teachers, principals, policy-makers, and scholars to design a new vision for the NYC public school system. ICOPE will mobilize communities to contribute to the Task Force and build support for the recommendations of the Task Force leading up to 2009 when the state legislature must decide whether to renew or end mayoral control of the school system.

## Excerpts from ICOPE's Education Action Platform

### Why We Are Calling for Whole System Change Based on Human Rights

The current educational system in NYC was designed over a century ago. In its early years, the goal of the system was to "sort out" only a small percentage of children for high school. Now it is expected that most students will graduate from high school, but the level of skills and knowledge that many achieve is still expected to be quite low, limiting them to work in low-wage jobs and the military. Built into the system is an expectation that not all children will reach their full potential or fully participate in society.

The basic hallmarks of this system include:

- 1) primary decision-makers far removed from actual teaching and learning;
- 2) racial and class-based segregation and discrimination;
- 3) narrow educational goals which exclude the emotional and social development of the child (such as building leadership and character, social skills, ethics, etc.); and
- 4) the lack of authentic implementation of existing standards for the content of curricula

Piecemeal reform efforts cannot change the beliefs, relationships, and organizational structures reflected in the current system. Instead reform struggles are needed that draw people into the larger, ongoing struggle for total system change.

In order to create a school system that guarantees universal, high-quality education for all children, the current distribution of educational resources and aims of education must be fundamentally altered. The human rights framework demands that educational resources must be distributed across communities according to need to ensure that children from different socio-economic backgrounds and with different economic, social and emotional capabilities are all able to receive a quality education.

Whole system reform must also address the challenge that educators face when children are denied other fundamental rights which impact the right to education, such as the right to food and healthcare. Without addressing these rights, school systems will not adequately educate children. Yet schools by themselves cannot bear the weight created by failures of other social institutions, such as the healthcare system. Whole system reform in education must be combined with efforts to improve quality and access in other social services affecting children and their families.

➡ What are the root causes of the problems facing the NYC school system that ICOPE has identified? Do these apply to your community?

ICOPE argues that only whole system change can address these root causes. Do you agree? Can they be addressed through other approaches to social change?

Information for this case was gathered from:

- ICOPE's Education Action Summit Platform and website at [www.icope.org](http://www.icope.org)

## CASE STUDY 2

### Border Network for Human Rights (BNHR)

(www.bnhr.org)

BNHR facilitates the education, organizing and participation of marginalized immigrant communities on the U.S.-Mexico border to defend and promote human rights, equality and dignity.

#### The Human Rights Framework

Human rights are at the center of BNHR's mission and organizing. BNHR uses human rights standards from three sources. The most important source is the needs and experiences of the immigrant communities themselves. Building off of these experiences, BNHR uses the Universal Declaration of Human Rights and the U.S. Bill of Rights as a framework for education and organizing. BNHR members have developed 13 community priorities defined as "basic human rights:"

1. Permanent Residency (legalization)
2. Civil and Constitutional Rights
3. Labor Rights
4. Dignified Housing
5. Access to Education
6. Healthy Communities
7. Nutrition
8. Public Service
9. Culture and Language
10. Community Participation
11. Human Mobility
12. Dignity and Respect
13. Peace and Justice

➡ What sources can we use to identify the human rights that we fight for? What rights do we prioritize?

#### Training and Documentation

BNHR trains local community members to become human rights educators and promoters by learning about their rights and what to do if their rights are violated. They are shown how to train and organize others to become active in defense of their rights. Community members apply what they learn by documenting human rights violations. These "Human Rights Promoters" collect testimonies in public places like churches and schools and go door to door. They document:

- Reports of direct abuses by border patrol authorities, as well as the broader conditions immigrants face which violate their rights. For example, some children are denied access to schools because they do not have immigration papers.
- Violations experienced by the entire community along the U.S.-Mexico border. Both documented and undocumented immigrants face abuse.

➡ Who else in our community could we train about what we have learned? What would be important to show them?

➡ What conditions do we want to document? How are different issues related? Whose stories do we want to gather?

#### Organizing and Shaming

BNHR members have organized themselves into more than 20 Committees for Human Rights based in local neighborhoods in West Texas and Southern New Mexico which carry out trainings, documentation and organizing campaigns within immigrant communities. The BNHR has also organized marches, public meetings and other actions to



raise public awareness, bring media attention to important issues, and present their message to officials. For example:

- In October 2004, BNHR organized a march with over 200 men, women, and children in El Paso, Texas. The march took place on Columbus Day which they “took back” and renamed the “National Day of Immigrants.” The marchers held colorful banners with the BNHR’s 13 basic human rights priorities.
- Before the march, a group of immigrants gave testimonies about the living conditions in their communities. A panel of people including a representative from the Mexican consulate, a civil rights lawyer, and a representative of a local congressman were there to listen to the testimonies.

➡ What actions could we organize to tell our stories? How would we use human rights?

➡ Who would we want to come listen to our stories?

### Dialogue, Advocacy and Impact

BNHR uses their documentation and organizing to create dialogues with those in power. For example, in December 2003, the BNHR organized a forum for people to speak directly with Border Patrol officials in Anthony, New Mexico and to report violations of their human rights. After the dialogue, the regional coordinator for BNHR in Southern New Mexico, Martina Morales, reported that raids by the Border Patrol in her region were reduced (Communication Initiative).

As the commitment to fight for human rights has strengthened in the community, the community has developed more power. BNHR Director Fernando Garcia said of the Border Patrol, “They used to see us as a bunch of crazy lunatics. But when they saw the transformation of the community, their attitude began to change” (Close to Home, Ford Foundation).

The BNHR has also won important resolutions from the El Paso City Council regarding national immigration reform:

- In August 2005, a resolution passed opposing the establishment of Minutemen installments or other civilian attempts to enforce immigration law along the border.
- In April 2006, a resolution passed opposing the construction of a fence or other militarization along the border, and calling for a solution to allow the undocumented workers a means to obtain legal immigrant status.
- In May 2006, a resolution from the City Council, as well as letters from two U.S. Congressman, were written opposing the proposal by President Bush to send 10,000 National Guard troops to improve security at the border, and calling instead for comprehensive immigration reform including a guest worker program and earned legalization.

BNHR travels to Washington, DC and Mexico to present their findings and ask members of congress in both countries to promote more humane immigration policies. In June 2006, the BNHR also submitted a report to the United Nations Human Rights Committee regarding the United States’ compliance with the International Covenant on Civil and Political Rights. The report documents migrant deaths, human smuggling, excessive force by border authorities, wrongful searches and detentions, and racial profiling.

➡ Who would we want to create dialogues with? How could we generate power in those dialogues?

➡ Are there places beyond our local community where we want to take our demands?

Information for this case study was gathered from the BNHR website and materials and other sources including:  
- Communication Initiative Article ([www.bnhr.org/english/about.php](http://www.bnhr.org/english/about.php))  
- “Close to Home: Case Studies of Human Rights Work in the U.S.” published by the Ford Foundation ([www.fordfound.org/publications/recent\\_articles/close\\_to\\_home.cfm](http://www.fordfound.org/publications/recent_articles/close_to_home.cfm))

# CASE STUDY 3

## Battered Mothers Testimony Project Case

A Project of the Wellesley Centers for Women (www.wcwoonline.org)

In 1999, the BMTP was created in Massachusetts to investigate, document and publicize the failure of the family court system to protect the rights of battered women and their children.

### The Human Rights Framework

The BMTP uses the human rights framework because international standards raise the bar for what the U.S. government must do to protect the rights of battered women and children:

- Human rights standards require governments to take positive steps to prevent abuses of women and children, and to promote their rights to safety and security.
- Human rights link issues of safety and security to the economic and social rights of women. Governments should not only protect women and children from abuse, but make sure that they have access to housing, food, a secure job with an adequate income, healthcare, etc.
- Human rights draw attention to domestic violence and child custody in a new and dramatic way. “We thought [it] would shock people into looking anew at the issue,” said Carrie Cuthbert, co-founder of the project (Close to Home, Ford Foundation).

➔ What benefits are there to using human rights to fight for the right to education and for parents’ rights to participate in schools?

Do human rights raise the bar for what we expect from our schools?

Do human rights link different issues of concern together?

Can human rights generate more attention for these issues?

### Documentation and Reporting

In order to investigate whether the human rights of abused mothers and their children were being violated, the BMTP decided to take on a participatory documentation project to:

- Record not only the official actions of the family court system but the personal experiences of the women affected by those actions.
- Empower battered women by making them leaders in developing the project and carrying out the interviews with other battered mothers.
- Produce a report on the findings of their recommendations, including extensive recommendations for change, that placed the voices of survivors at its center.
- Make credible, informed policy change recommendations to state actors and non-governmental organizations.

➔ What issues could we document? How could it empower parents and students?

### Organizing and Shaming

In order to mobilize support for the rights of battered women and to generate media attention and public pressure on the court system, the BMTP:

- Held the Human Rights Tribunal on Domestic Violence and Child Custody at the Massachusetts State House on Mothers Day 2002. The Tribunal focused on the public testimonies of five battered mothers and four invited

speakers including a community organizer, a representative of Amnesty International and a member of the Boston City Council. The tribunal generated significant media attention around the issue of the court system's treatment of battered mothers, including several articles and editorials in Boston newspapers and radio stations.

- Released the human rights report Battered Mothers Speak Out on November 25, 2002 the International Day Against Violence Against Women

➡ How could we present our documentation? How could we use human rights strategies?

### Advocacy and Policy Recommendations

Before the BMTP published its human rights report, the project organizers conducted outreach to the court system to inform them about their research. Despite this outreach, when the report was released publicly, there was a negative response from the court system which attempted to discredit the report by saying that the documentation was insufficient and too one-sided, and that the use of human rights standards is not necessary in a first-world country. However, advocates working on the project felt that the outreach they had done in advance paid off in the long-run. Ongoing exposure to the project's aims via participation in government forums and continuing outreach to state actors has gradually resulted in giving the project the credibility that is necessary to mobilize change in a slow-moving, skeptical bureaucracy.

Human rights language can be very strong and has the potential to backfire when a system feels attacked. But in this case, the BMTP organizers were able to say that they had talked to the courts in advance about the content of their report and had asked to work with them in crafting solutions ahead of time. That outreach helped to clear the way for action:

- Despite the negative response that courts gave publicly, the courts paid attention. The Chief Justice distributed the report to every family court judge in the State.
- Since the report was released in 2002, the court system has begun to change its attitude. The courts have conducted their own research on how they handle domestic violence, and many of their conclusions mirror conclusions made in the BMTP report.
- In 2005, Monica Driggers, an advocate who has worked on the BMTP project, gave a presentation to the Governors Commission on Sexual and Domestic Violence in Massachusetts about the recommendations in the report. A representative of the family court system supported many of those same recommendations before the Commission.

➡ What response do we think we would receive from the school system?  
What could we do to make it positive and to promote action by the school system?

### Coalition Building

The BMTP spent time doing outreach to other organizers and community members fighting for the rights of women. Community meetings were held throughout the state of Massachusetts and important dialogues took place that raised awareness of the violations faced by battered women and empowered people to support efforts to make change. The survivors who carried out the documentation also formed support groups as a result of the project. "Because it was framed as a human rights issue, I felt less isolated. I was part of a larger group. If I couldn't get custody of my kids, at least I can be part of a process that can help other women," said Dawn Faucher, a support group member (Close to Home, Ford Foundation).

➡ How could we reach out to the community and empower parents and students?

Information for this case was gathered from:

- The Battered Mothers Testimony Project description on the Wellesley Centers of Women website ([www.wcwoonline.org/wrn/](http://www.wcwoonline.org/wrn/)) and interviews with project organizers conducted by NESRI.
- "Close to Home: Case Studies of Human Rights Work in the U.S." published by the Ford Foundation ([www.fordfound.org/publications/recent\\_articles/close\\_to\\_home.cfm](http://www.fordfound.org/publications/recent_articles/close_to_home.cfm))



## **Appendix 2**

# **Glossary and Human Rights Resources**

- **Glossary of Human Rights Terms and Treaties**
- **Summary of the UDHR**
- **Articles on the Right to Education Found in  
Declarations and Treaties**
- **Resources on Human Rights and  
Documentation**
- **Sample Evaluation Survey**

## Human Rights Terms and Treaties

**Convention / Covenant / Treaty:** Human rights conventions or treaties are international legal agreements that governments make (conventions, covenants and treaties are the same thing). At the UN, governments work together to write human rights treaties which are adopted by the General Assembly. Then individual countries can ratify each treaty. When a government signs and ratifies a convention or treaty, it becomes law in that country and the government legally must guarantee all the rights in that treaty.

**Declaration:** Declarations describe human rights standards and guidelines that governments have agreed on, but they are not legal human rights treaties between governments. The Universal Declaration of Human Rights is the most universally recognized declaration.

**Enforcing Treaties in U.S. Courts:** When the U.S. ratifies human rights treaties, it makes what are called “reservations,” “understandings” and “declarations” (RUDs). RUDs are statements by a government that limit some of the obligations the government makes under a treaty. In the case of the U.S., RUDs prevent an individual person from using the domestic court system to enforce the rights protected in the treaty.

**General Comments:** General comments are written by UN Committees that are in charge of monitoring how well a government is doing at protecting the rights described in particular treaties. General Comments give more specific detail about how the rights included in the treaties should be implemented by governments. For example, the UN Committee on Economic, Social and Cultural Rights was created to monitor enforcement of the International Covenant on Economic, Social and Cultural Rights (ICESCR). The Committee wrote “General Comment 13” on the right to education describing in more detail the standards for the right to education. General comments are not legally binding documents, but they do provide moral accountability and practical guidance for governments on how to guarantee human rights.

**Member State:** A country that is a member of the UN.

**Optional Protocol:** Some human rights treaties have “protocols” that countries may ratify. Some of these “protocols” which are like supplements to the treaty, allow victims of violations to bring a specific complaint against their government, and an international body decides on a remedy, which is supposed to be enforceable. However, the U.S. has not ratified any of these protocols.

**Organization of American States (OAS):** The OAS is an international organization made up of 35 independent countries in North and South America and the Caribbean. The Inter-American Commission on Human Rights is part of the OAS and monitors human rights conditions in member countries, including the U.S.

**Ratify a Treaty:** When a government ratifies a human rights treaty, it becomes part of the law of that country. For ratification to take place, governments have to sign and ratify the treaty. In the U.S., the President signs a treaty, and the Senate passes a resolution consenting to making the treaty part of U.S. law. The U.S. has “ratified” only four of the major human rights treaties: International Covenant on Civil and Political Rights (ICCPR); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); and Convention on the Prevention and Punishment of the Crime of Genocide.

**Sign a Treaty:** When a government signs a human rights treaty, it is the first step towards ratifying that treaty and making it law. In the U.S., the President signs human rights treaties. Once the President has signed a treaty, it means that the government has agreed not to violate the “object and purpose” of that treaty, but it has not yet been formally ratified.

**State Constitution:** Every state in the U.S. has a constitution which applies to the local laws within that state. Almost every state constitution protects the right to education.

**State Parties:** State parties to a convention or treaty are the countries that have signed and ratified the treaty.

**Treaty:** See **Convention** above.

**United Nations (UN):** The UN was established on October 24, 1945 by 51 countries to preserve peace through international cooperation. Today, there are 192 countries that belong to the UN, nearly every country in the world. When countries become members of the UN, they agree to the obligations of the UN Charter, an international treaty that sets out basic principles of international relations. According to the Charter, the UN has four purposes: to maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international problems and in promoting respect for human rights; and to be a centre for harmonizing the actions of nations.

**United Nations Committee / Treaty Body:** There are committees at the UN that can be used to monitor whether the U.S. is meeting its human rights obligations, but they have no real enforcement power. Each human rights treaty has a committee at the UN that is responsible for monitoring governments that have ratified each treaty. For example, the Human Rights Committee monitors whether governments are meeting their obligations under the International Covenant on Civil and Political Rights (ICCPR). The Human Rights Committee monitors the U.S. government because it has ratified the ICCPR. When the committees review a country, they issue findings identifying violations of human rights that are occurring. These findings called “Concluding Observations” can be used by communities, other governments and the media to put pressure on government officials. However, these committees have no power to force governments to change their policies.

**United Nations General Assembly:** One of the main bodies of the UN, the General Assembly consists of representatives of all member countries. The General Assembly issues declarations and adopts conventions on human rights issues, debates relevant issues, and censures states that violate human rights.

## Human Rights Declarations and Treaties

**American Declaration on the Rights and Duties of Man, 1948:** The American Declaration is a human rights declaration adopted by countries in North and South America and the Caribbean which describes civil, political, economic, social and cultural rights. All members of the Organization of American States (OAS), including the U.S., are legally bound to the declaration. Article 12 recognizes the right to education.

**Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979:** CEDAW is a legally binding human rights treaty that obligates governments to eliminate discrimination against women in the protection of civil, political, economic, social and cultural rights. The U.S. President signed CEDAW in 1980, but the U.S. has not yet ratified

the treaty. Because the U.S. has signed the treaty, the government is obligated to refrain from violating the “object and purpose” of the treaty. 185 countries have ratified CEDAW. Article 10 protects against discrimination against women and girls in education. The UN Committee on the Elimination of Discrimination Against Women monitors whether governments are meeting their obligations under CEDAW.

***Convention on the Rights of the Child (CRC), 1989:*** The CRC is a legally binding human rights treaty that obligates governments to guarantee special protections for the full range of human rights for children and young people under the age of 18. The U.S. President signed the CRC in 1995, but the U.S. has not yet ratified the treaty. Because the U.S. has signed the treaty, the government is obligated to refrain from violating the “object and purpose” of the treaty. The U.S. and Somalia are the only countries in the world that have not ratified the CRC. 192 countries have ratified the CRC. Articles 28 and 29 recognize the right to education. The UN Committee on the Rights of the Child monitors whether governments are meeting their obligations under the CRC.

***International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965:*** ICERD is a legally binding human rights treaty that obligates governments to eliminate racial discrimination in the protection of civil, political, economic, social and cultural rights. The U.S. signed and ratified ICERD in 1994, which means that the U.S. is bound by law to the treaty. 170 countries have ratified ICERD. Article 5 protects against racial discrimination in education. The UN Committee on the Elimination of Racial Discrimination monitors whether governments are meeting their obligations under ICERD.

***International Covenant on Civil and Political Rights (ICCPR), 1966:*** The ICCPR is a legally binding human rights treaty that obligates governments to guarantee the full range of civil and political rights, such as the right to freedom of expression and to participate in government. The U.S. signed and ratified the ICCPR in 1992, which means that the U.S. is bound by law to the treaty. 156 countries have ratified the ICCPR. Articles 2 and 24 of the ICCPR protect against discrimination in education. The UN Human Rights Committee monitors whether governments are meeting their obligations under the ICCPR.

***International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966:*** The ICESCR is a legally binding human rights treaty that obligates governments to guarantee the full range of economic, social and cultural rights, including education, housing, health, work and social security. The U.S. President signed the ICESCR in 1977, but the U.S. has not yet ratified the treaty. Because the U.S. has signed the treaty, the government is obligated to refrain from violating the “object and purpose” of the treaty. 153 countries have ratified the ICESCR. Article 13 recognizes the right to education. The UN Committee on Economic, Social and Cultural Rights monitors whether governments are meeting their obligations under the ICESCR.

***Universal Declaration of Human Rights (UDHR), 1948:*** The UDHR was the first document written by countries all over the world to describe the full range of human rights. It was written by the UN Commission on Human Rights and adopted by the UN General Assembly in 1948. The UDHR is not a legally binding treaty. However, because the UDHR is so widely accepted by countries all over the world, many legal scholars consider it to have become international law that governments must follow. Article 26 of the UDHR recognizes the right to education.

## Summary of the Universal Declaration of Human Rights (UDHR)

Summary:

“The General Assembly proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among peoples of territories under their jurisdiction.”

|            |   |
|------------|---|
| Article 1  | Right to Equality   |
| Article 2  | Freedom from Discrimination   |
| Article 3  | Right to Life, Liberty, Personal Security                               |
| Article 4  | Freedom from Slavery  |
| Article 5  | Freedom from Torture and Degrading Treatment                            |
| Article 6  | Right to Recognition as a Person before the Law                         |
| Article 7  | Right to Equality before the Law  |
| Article 8  | Right to Remedy by Competent Tribunal                                   |
| Article 9  | Freedom from Arbitrary Arrest and Exile                                 |
| Article 10 | Right to Fair Public Hearing  |
| Article 11 | Right to be Considered Innocent until Proven Guilty                     |
| Article 12 | Freedom from Interference with Privacy, Family, Home and Correspondence |
| Article 13 | Right to free movement in and out of the country                        |
| Article 14 | Right to asylum in other countries from Persecution                     |
| Article 15 | Right to a Nationality and the Freedom to Change it                     |
| Article 16 | Right to Marriage and Family  |
| Article 17 | Right to Own Property   |
| Article 18 | Freedom of Belief and Religion  |
| Article 19 | Freedom of Opinion and Information                                      |
| Article 20 | Right of Peaceful Assembly and Association                              |
| Article 21 | Right to Participate in Government and in Free Elections                |
| Article 22 | Right to Social Security  |
| Article 23 | Right to Desirable Work and to Join Trade Unions                        |
| Article 24 | Right to Rest and Leisure   |
| Article 25 | Right to Adequate Living Standard                                       |
| Article 26 | Right to Education  |
| Article 27 | Right to Participate in the Cultural Life of Community                  |
| Article 28 | Right to Social Order that Articulates this Document                    |
| Article 29 | Community Duties Essential to Free and Full Development                 |
| Article 30 | Freedom from State or Personal Interference in the above Rights         |

For full text of the UDHR visit [www.un.org/Overview/rights.html](http://www.un.org/Overview/rights.html).



# Articles on the Right to Education Found in Declarations and Treaties

## **Universal Declaration of Human Rights (UDHR)**

### **Article 26**

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.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

*(Paragraph 3 of Article 26 above refers to the rights of parents to send their children to private, religious or other schools outside of the public system.)*

## **Convention on the Rights of the Child (CRC)**

### **Article 28**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

## **Article 29**

1. States Parties agree that the education of the child shall be directed to:
  - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
  - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
  - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
  - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
  - (e) The development of respect for the natural environment.
  
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

## **International Covenant on Economic, Social and Cultural Rights (ICESCR)**

### **Article 13**

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
  
2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
  - (a) Primary education shall be compulsory and available free to all;
  - (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
  - (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
  - (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
  - (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved...

## **General Comment on Article 13, UN Committee on Economic, Social and Cultural Rights**

...6. (a) Availability - functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends on numerous factors, including the developmental

context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;

(b) Accessibility - educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. Accessibility has three overlapping dimensions:

- Non-discrimination-education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds
- Physical accessibility-education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location or via modern technology
- Economic accessibility-education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13(2) in relation to primary, secondary and higher education: whereas primary education shall be available "free to all", State parties are required to introduce free secondary and higher education;

(c) Acceptability - the form and substance of education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents; this is subject to the educational objectives required by article 13 (1) and such minimum educational standards as may be approved by the State (see art. 13 (3) and (4));

(d) Adaptability - education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings...

## **International Covenant on Civil and Political Rights (ICCPR)**

### **Article 2**

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status...

### **Article 24**

1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State...

## **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)**

### **Article 5**

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:...

(v.) The right to education and training;...

## **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**

### **Article 10**

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:...

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;...

### **Other Declarations and Conventions Recognizing the Right to Education**

- Convention Against Discrimination in Education  
[www.ohchr.org/english/law/education.htm](http://www.ohchr.org/english/law/education.htm)
- World Declaration on Education for All  
[www.unesco.org/education/efa/ed\\_for\\_all/background/jomtien\\_declaration.shtml](http://www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml)
- Dakar Framework for Action  
[www.unesco.org/education/efa/ed\\_for\\_all/dakfram\\_eng.shtml](http://www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml)
- General Comment 1 on Article 29, The aims of education  
UN Committee on the Rights of the Child  
[www.ohchr.org/english/bodies/crc/comments.htm](http://www.ohchr.org/english/bodies/crc/comments.htm)
- General Comment 8 on Articles 19, 28 and 37, The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment  
UN Committee on the Rights of the Child  
[www.ohchr.org/english/bodies/crc/comments.html](http://www.ohchr.org/english/bodies/crc/comments.html)
- UN Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)  
[www.ohchr.org/english/law/juvenile.htm](http://www.ohchr.org/english/law/juvenile.htm)

# Resources on Human Rights and Documentation

## Full text of human rights treaties and declarations:

- UN Office of the High Commissioner for Human Rights  
[www.ohchr.org](http://www.ohchr.org)
- University of Minnesota Human Rights Center  
[www.unm1.edu](http://www.unm1.edu)
- National Economic and Social Rights Initiative (NESRI)  
[www.nesri.org/economic\\_social\\_rights/index.html](http://www.nesri.org/economic_social_rights/index.html)

## Examples of organizations using human rights in education advocacy:

- Community Asset Development Re-defining Education (CADRE)  
[www.cadre-la.org](http://www.cadre-la.org)
- Global Rights  
[www.globalrights.org](http://www.globalrights.org)
- Independent Commission on Public Education (ICOPE)  
[www.icope.org](http://www.icope.org)
- National Economic and Social Rights Initiative (NESRI)  
[www.nesri.org/programs/education.html](http://www.nesri.org/programs/education.html)
- U.S. Human Rights Network  
[www.ushrnetowrk.org](http://www.ushrnetowrk.org)

## Other sources for training materials:

- Amnesty International-U.S.A.  
[www.amnestyusa.org/education/index.html](http://www.amnestyusa.org/education/index.html)
- Human Rights Education Associates  
[www.hrea.org](http://www.hrea.org)
- National Center for Human Rights Education  
[www.nchre.org](http://www.nchre.org)
- People's Decade for Human Rights Education  
[www.pdhre.org](http://www.pdhre.org)
- University of the Poor  
[www.universityofthepoor.org](http://www.universityofthepoor.org)

## More information on human rights documentation and research methods:

- Battered Mothers Testimony Project: Replication Supplement - Project Research and Organizing Materials  
[www.wcwonline.org/wrn](http://www.wcwonline.org/wrn)
- Ripple in Still Water: Reflections by Activists on Local and National Level Work on Economic, Social and Cultural Rights  
[www1.umn.edu/humanrts/edumat/IHRIP/ripple/toc.html](http://www1.umn.edu/humanrts/edumat/IHRIP/ripple/toc.html)
- Learning from Strangers: The Art and Method of Qualitative Interview Studies, by Robert S. Weiss, The Free Press, 1995.





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