

## The Right to Participation

The universal vision of human rights can only be realized when communities become an integral part of fulfilling that vision. For this reason, the right to participation is an essential aspect of the human rights framework and a critical component for ensuring government accountability. The right to participation is guaranteed by the International Covenant on Civil and Political Rights, which was the first major human rights convention ratified by the United States.<sup>1</sup>

*“Every citizen shall have the right and the opportunity...to take part in the conduct of public affairs \*\*\* [including] all aspects of public administration, and the formulation and implementation of policy.”*

*- Article 25 of and General Comment 25 on the International Covenant on Civil and Political Rights*

### What does the Right to Participation in Education Mean?

Under international law, governments are obligated to ensure the meaningful participation of key stakeholders, particularly parents, students and communities, in the education system. Because partnerships between communities and schools are essential tools for ensuring a quality education, fulfilling this obligation is essential to human rights objectives. Specifically, governments must:

- Facilitate participation in the full range of educational decision-making, including management and evaluation of the education system, budgets and financing, curricula and teaching methods;
- Ensure adequate access for all stakeholders across communities to mechanisms for participation;
- Guarantee transparency in and access to all relevant information about the education system; and
- Ensure that key stakeholders have the capacity for informed participation.

### New York City Fails to Ensure the Right to Participation in Education

Despite existing mechanisms meant to facilitate parent involvement, parents and advocates consistently report a failure by New York City and State government to ensure effective participation in the administration of schools, especially in districts serving low-income neighborhoods and communities of color.<sup>2</sup> Specifically, parents and community groups report that: participation structures either do not function or are ineffective; schools refuse to provide critical educational information in accessible language; and administrators create an environment in which parents are routinely dismissed, mistreated and excluded.

Schools and administrators rarely seem to consider involving parents and the broader community in governance as a central obligation of their work, and in some cases take an adversarial stance towards them. Overall, the New York City school system faces a profound failure to respect and value the contribution parents and communities would like to make collectively and individually to their children’s education.

<sup>1</sup> The International Covenant on Civil and Political Rights was ratified by the US in 1992, and thus is part of federal law.

<sup>2</sup> CESR conducted interviews with a wide range of parents, advocates and community organizations documenting failures in the NYC school system to ensure effective participation. See, *Civil Society and Accountability: Adopting a Human Rights Framework in NYC Schools*, May 2003. See also Mediratta, Kavitha and Norm Fruchter, *From Governance to Accountability: Building relationships that make schools work*, NYU Institute for Education and Social Policy, Drum Major Institute for Public Policy, January 2003.

# How can New York City Guarantee the Right to Participation in Education?

## 1. Build Structures for Meaningful Participation

New York City and State must create structures at the school, district and citywide levels that facilitate the meaningful participation of parents and other stakeholders in decision-making processes. These structures should have clearly defined roles and responsibilities that empower them to impact decision-making, and adequate resources to successfully carry out their functions.

Equal access to and adequate representation on these structures should be guaranteed for all communities – particularly the poor, immigrants and minorities – and public fora or other mechanisms should be organized to ensure broad input by the school and neighborhood community.

## 2. Create Welcoming and Accessible Mechanisms for Participation

New York City and State should commit to creating a school system that welcomes the participation of stakeholders and guarantees access across communities. Principals, teachers, and other appropriate staff should be trained “to listen and give credit to the views and needs of others, ...[be] tolerant of conflict, dissent, and compromise...; [and] see knowledge as residing in both professionals and beneficiaries.”<sup>3</sup> Staff should also be held accountable for creating a welcoming environment and engaging parents and communities that are disenfranchised.

To ensure greater access, all mechanisms for participation, such as PA/PTA meetings and public hearings, as well as the offices of parent engagement staff and high-level administrators, should be publicized and accessible to the parents and communities they are meant to serve.

## 3. Guarantee Transparency and Adequate Access to Information

New York City and State must ensure transparency in and access to all relevant information, such as budgets, Comprehensive Education Plans (CEPs), data on school and student performance, curricula, and class syllabi. Information should be easily available, simple to understand, and translated at a minimum into primary languages spoken by the community. Key types of information, as identified by parents and other stakeholders, should be disseminated to all parents in a timely manner.



## 4. Build the Capacity for Informed Participation

New York City and State should provide workshops and materials to students, parents, community organizations and other stakeholders to build their capacity for informed participation. Topics for trainings, such as how to interpret CEPs or review school budgets, should be identified with the participation of stakeholders.

Trainings should be held at accessible times and locations and interpreters should be available. Trainings should also be conducted by people that are knowledgeable about the subject matter and can effectively communicate the information to parents and communities. This may be done by working with experienced community and parents’ organizations and advocates. Finally, training materials should be available in the primary languages spoken by the community.

<sup>3</sup> Shaffer, Sheldon, *Participation for Educational Change: A Synthesis of Experience*, Paris, 1994, UNESCO.