

# Protecting the Right to an Education

School leaders play a critical role in preserving democratic society

BY MARK PAIGE

**A**s a school leader, you play an essential role in our democracy. While that might be something you know intuitively, it might not be top of mind when you go to work each day. But highlighting your role in this regard is especially important now.

To state the obvious, it's been a stressful two years. I don't need to go into specifics, but screaming matches at school board meetings, physical fights over masking policies, vaccine protests, and censorship efforts are just a few of the unfamiliar challenges educators have faced recently.

Principals are burned out. Understandably, many—maybe you—have considered leaving the profession. You might be asking yourself: “Why do I do this?”

The most evident answer is “for the kids.” The classes and services you oversee—sometimes down to the essentials of providing food and safe spaces for kids—provide a tangible, gratifying sense of purpose that keeps you coming back. But your work has value that goes well beyond the schoolhouse gate and those immediate needs.

Because of your leadership position in public schools—institutions that are so central to our democracy—you perform an essential role that contributes to the fundamental health of our republic.

## Public for the Republic

When something is mentioned in a constitution, it is of critical importance. And public education is so important that it is a governmental function embedded in all state constitutions. Each state constitution's “education clause” differs, but they all provide some guarantee of an education for their citizens.

According to New Jersey's state constitution, for example, the state must provide for a “thorough and efficient” system of schools that creates equal educational opportunity for all of the state's children. Massachusetts requires the maintenance of a school system that “cherishes” education. In short, education is a fundamental right—a right

to which every child is entitled and deserving of special protection.

Why do state constitutions place such emphasis on ensuring a system of free public education to all citizens? Because the nation's republican form of government and individual liberty are closely linked to the “diffusion of knowledge” among citizens.

Put another way, the authors of state constitutions understood that the future of the republic depends on a well-educated citizenry that is capable of engaging peacefully in the political process and critical thought. A well-educated student can become an active and engaged citizen, equipped with the skills to exercise their rights in a democracy.

But students who attend good public schools also know that with those rights come responsibilities to the greater community. We can't live in an organized society when one person exercises their rights in a way that infringes upon those of others.

## Expanding Educational Equity

This is not to whitewash the history of public education. Too many generations of children have been foreclosed educational opportunity. Some people's rights have been favored unjustly even in public schools.

Our progress toward educational equity is a constant march. For example, until the 1970s, public schools effectively excluded children with disabilities from participating in public education. At the same time, the law played an important role in remedying that injustice.

Federal court decisions mandated, and eventually Congress enacted, special education laws such as the Individuals with Disabilities Education Act (IDEA) to protect students with disabilities and ensure their right to an education.

But we still have a long way to go—the path to equity is not linear. Massive inequalities remain that, unless addressed, will undercut democracy. That's where you come in.

## Creating Active Citizens

Apart from the formal ABCs of schooling, your school is equipping children with the knowledge and skills to engage in thoughtful conversations, assess issues critically, and become active citizens in their community and government. This plays no small part in sustaining our democracy.

Of course, exercising rights in a democracy doesn't happen in a vacuum; my rights might interfere with your rights.

Your school is equipping children with the knowledge and skills to engage in thoughtful conversations, assess issues critically, and become active citizens.

For a nation to survive, there must be a balance. I might have the right to speak, but I can't yell "Fire!" in a crowded theater, as has been established.

Here, again, is where you come in. So many schools and classrooms model behavior that respects different views and ideas in a civil manner. That's a credit to the leaders in those schools—and a downpayment on a civil, democratic society.

This column probably hasn't passed along any information you don't already know. But my hope is that this might remind you of the connection between what you do every day and its significance to our republic.

Our democracy is an experiment, as U.S. Supreme Court Justice Stephen Breyer reminded us recently in announcing his retirement. While there are many variables in this experiment, there is one constant if it is to ultimately succeed: healthy public schools, led by effective school leaders. That's you. ●

**Mark Paige** is associate professor and department chair of public policy at the University of Massachusetts Dartmouth, a former school law attorney, and a board member of the Education Law Association.

# NAESP Partners

**President Partner**



**Diamond Partner**



The official photographer of the National Association of Elementary School Principals

**Platinum Partners**



**Gold Partners**



**Silver Partners**



For more information about the NAESP Partners program, contact Jackie McGrail at [jmcgrail@naesp.org](mailto:jmcgrail@naesp.org) or 703-518-6240.

## Advertiser Index

Advertiser	Page	Phone Number	Website
Corwin Press	57		corwin.com/equity-diversity, corwin.com/RestorativePractices
Crisis Prevention Center	31		crisisprevention.com/trauma2022
Forrest T. Jones & Company	C2	800-821-7303	ftj.com/naesp
Heinemann Publishing	3		Hein.pub/WeGotThis
Landscape Structures	C3		playlsi.com
Lysol	C4		lysol.com/here
Motivating Systems	43	844-458-7247	pbisrewards.com
Paths Program LLC	53	877-71-PATHS	pathsprogram.com/naesp fundraising.
Reading for Education LLC	45	800-929-2650	readingforeducation.com/naesp
School Outfitters	51	800-260-2776	SchoolOutfitters.com
Solution Tree	41, 55	855-880-4624	SolutionTree.com/Improving, SolutionTree.com/EventsNAESP
Uline	13	800-295-5510	uline.com