

Statement by the Special Rapporteur on the right to education, Ms. Farida Shaheed on her visit to the United States of America, 29 April – 10 May 2024

Washington, D.C., 10 May 2024

It has been my honour as the United Nations Special Rapporteur on the right to education, to conduct an official visit to the United States of America from 29 April to 10 May 2024. The objective was to understand the way the federal and state governments work together to ensure non-discriminatory access to quality education for all, especially for the most marginalised segments of society. I also focused on academic freedoms in educational institutions at all levels and on the issue of safety in schools.

I would like to thank the Government for facilitating the visit, which was conducted everywhere in a strong spirit of cooperation. I have met a wide range of officials of the US Federal Government, including the Department of State, the Department of Education and its Office for Civil Rights, the Department of Justice, the White House Domestic Policy Council and a staff member of the US Senate Committee on Health, Education, Labor and Pensions.

I had the pleasure of visiting two States. In **Indiana**, I met with the State Secretary of Education, the Indianapolis Mayor's Office of Education Innovation and the Chair of Education Committee of Indianapolis City Council. In **Colorado**, I held meetings with the State Governor, State Commissioner for Education and representatives of Colorado Department of Education, Colorado Office of School Safety and Colorado Association of School Boards.

In both states, I visited public schools, including public charter schools, providing education at the diverse levels from kindergarten and elementary, to middle and high school. I spoke with students, parents, teachers and staff, school principals, school district superintendents and school board members.

It was unfortunate that I was expressly not allowed to visit any traditional public school run by Indianapolis Public Schools (IPS). This is contrary to the principle of freedom of inquiry of special rapporteurs during country visits and the spirit of cooperation with human rights mechanisms that the USA has otherwise extended.

I had very informative and fruitful discussions with academics, university students and faculty, youth associations, librarians' and teachers' unions and a host of other civil society actors. These meetings, some of them held online, provided first-hand insights on the realization of the right to education in a number of states in addition to those visited in person, including Alabama, California, Connecticut, Florida, Idaho, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New York, Ohio, South Carolina, Texas and Washington.

I would like to share my preliminary reflections on some key issues, noting that the full report on this country visit will be presented to the Human Rights Council in June 2025.

As my visit coincided with the turmoil in universities across the country, I would like to start addressing issues of academic freedom and unequal treatment of students and faculty voicing political opinion.

Academic freedom and unequal treatment of students and faculty voicing political opinions

One of my biggest concerns during this visit, as well as of the majority of international human rights mechanisms, is the increasing attacks on peaceful student protests across the country. Just yesterday, the Inter-American Commission on Human Rights expressed concern over the acts of violence, mass arrests and sanctions against members of the educational community who are mobilizing on issues of public interest in the United States. In this regard, it called on the US to respect and guarantee the

rights to freedom of expression and peaceful assembly, and academic freedom, and to provide opportunities for dialogue to address the concerns of the demonstrators.

I have been informed that since October 7, 2023, students have established mass encampments at nearly 40 universities in more than 25 states across the country calling for an end to the financial ties of these educational institutions to corporations linked to the Israel's military operation in Gaza and calling for an immediate ceasefire. More than 2,000 people have been detained as a result of raids by fully armed police on university campuses, including students and professors. Police interventions have been requested or authorized by the institutions themselves, to disperse demonstrators and dismantle encampments.

My interlocutors from several private and public universities reported that most people were detained on charges of trespassing, failure to disperse or refusal to comply with a police order and in some instances criminal charges were brought. Riot units reportedly used tear gas and rubber bullets in clashes with demonstrators, there are reports of violent arrests leading to injuries, including concussions and broken bones requiring hospital treatment, as well as harassment of the protesters. Some police forces continue to guard the surroundings of several universities as a preventive measure. In addition, universities have reportedly taken disciplinary measures against those who participated or plan to participate in the protests, including surveillance of students and staff through high-resolution cameras, university email addresses and other high-and low-tech means, suspensions (leading to an inability to graduate, for example), expulsions, evictions from university housing, cancellation of food support programs and even deportations of international students. All these measures have inevitably created a chilling effect on the whole academic community and a climate of intimidation.

The most appalling factor is the unequal treatment of protesters depending on their political position. Pro-Palestinian protesters are disproportionately affected by the harsh response, allegedly for their antisemitic views, paradoxically, even if they self-identify as belonging to the Jewish community or represent Jewish student associations. The definition of antisemitism used in these accusations is based on the one proposed by the International Holocaust Remembrance Alliance conflating criticism of the state of Israel with antisemitism. While all states must prohibit advocacy of national, racial or religious hatred that constitutes incitement to violence, hostility or discrimination, the expression of a critical political opinion is not, and will never be a legitimate ground to restrict freedom of expression. Expressing support for, or opposition to, a specific government, is fully guaranteed by the rights to freedom of expression, association and peaceful assembly and shall not be equal to harassment.

Naturally, any hate speech, including antisemitic and anti-Islamic or anti-Palestinian expression is unacceptable. However, each such individual allegation needs to follow a due process and carefully balance accusations of offensive expression with freedom of speech which is afforded the highest protection in the US Constitution and international human right law. In fact, it is one of the cornerstones of the United States as a country, which has always been proud of its robust tradition of academic freedom. Today, this foundation is crumbling.

Freedom of peaceful assembly must also be respected, and the limits established must be content-neutral, reasonable, necessary and proportionate.

I would like to specifically highlight the responsibility of the State to respect and protect academic freedom, including the autonomy of academic institutions by virtue of their special role in society, which is underpinned by a range of human rights, including the rights to freedom of opinion, expression, association and peaceful assembly. In this context, I am concerned at the political pressure exerted on university administrators and academics to take certain positions and actions regarding the student protests on campuses on the the situation in Gaza. I fear that such pressure and public attacks on the scholars and institutions can result in the repression of free speech and self-censorship, thus damaging academic freedom and the autonomy of universities.

Finally, I underscore that the right to express views peacefully on a campus inside or outside of class is at the heart of academic freedom, which is a key part of the right to education. This right is also recognised in the Principles for Implementing the Right to Academic Freedom which are annexed to my upcoming report to the Human Rights Council in June 2024.

General assessment

Education in the United States of America presents a complex landscape of cascading authority with decision-making powers exercised in a devolved, often hyper-local, manner. The Federal Government has limited jurisdiction in the area of education with most functions concentrated at the level of the state government and cascading further down to school districts governed by school boards, most elected by people in their community, and appointed or hired superintendents for education. School principals also have a degree of decision-making autonomy in specific schools.

The Federal Constitution does not specify a right to education per se. As noted in the leading Supreme Court case *Brown v. Board of Education* (1954), education exists as a “function of state and local governments”, administered through the public school system. At the federal level, a number of federal civil rights laws establish mandatory non-discrimination standards for all programs or activities that receive federal funding, including:

- Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin;
- Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex and, since April 2024 it also protects against discrimination on the basis of sexual orientation and gender identity;
- The Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability;
- The Age Discrimination Act of 1975 prohibits age-based discrimination.

The Department of Education’s Office for Civil Rights enforces these laws by issuing regulations as well as guidelines and letters reminding local authorities of their legal obligations; as well as receiving, considering and carrying out investigations either emanating from complaints or proactively initiated. Currently, the Office receives approximately 19,000 communications each year which may result in Resolution Agreements with school districts. The Department of Justice can initiate lawsuits to hold entities that seem to be violating federal non-discrimination laws to account. The possible result of this procedure is a Consent Decree monitored by a judge.

Although no state law can contravene federal statutes, there are discrepancies, as well as a lack of clarity on the application of federal legislation and its enforceability. The primary responsibility for the maintenance and operation of public schools lies with the states. Each state is required by its state constitution to provide **a school system** whereby children may receive **an education**. All fifty states have compulsory attendance laws requiring children to be educated. Nonetheless, the information I have received throughout the visit indicates that, in practice, an intricate web of interrelated discrimination continues to affect the most marginalized and vulnerable communities, perpetuating harmful cycles of inequalities.

I therefore encourage the federal government and all States to consider education as a fundamental human right to which everyone is entitled regardless of their background or identity, level of income, place of residence or other personal circumstances. This is implicit in the prohibitions of non-discrimination but not given as a positive entitlement. Ratification of the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights would provide the necessary legal framework, as well as technical assistance for its recognition and progressive implementation, through the work of the respective committees.

School models and choice

An array of elementary and secondary school options is available to students and their families in 32 states, often referred to as “school choice” and even public schools come in various types. Parents can send their children to the public schools designated for their home address or they may opt for other choices in the public school system, that includes charter, innovation and magnet schools, for example. In some states with open enrolment, parents may apply to enroll their children in other public schools within or across a school district. Parents also can choose to send their children to private schools, which may be religious or nonsectarian, as well as choose to homeschool their children in lieu of enrolling them in school.

There are 80 diverse educational choice programs across the United States. Nevertheless, according to the National Centre for Education Statistics, 91% of K-12 students study in public schools,¹ of which 7.4% study in public charter schools.² The traditional public schools are also the institutions that cater to children who are homeless – this a commendable practice to ensure educational access for all children. Traditional public schools also have a higher percentage of learners requiring special education, or English language instruction.

The 1982 Supreme Court case *Plyer v. Doe* establishes that undocumented children must be educated like any other children. Although it referred to undocumented migrant children, similar problems with access to education arise for children experiencing homelessness. The federal McKinney-Vento Act provides rights and services to children and youth experiencing homelessness, which includes those who due to loss of housing, economic hardship, or a similar reason, find temporary accommodation in other people’s housing, or stay in motels, trailer parks, or camping grounds due to the lack of an adequate alternative. Federal law allows children to enroll in public schools without a permanent address, however, in practice, districts require extensive paperwork and even conduct investigations to make sure the child lives in the district. Such investigation may include surveillance of parents, contacting landlords, home visits which can delay enrolment. Investigation adds to the stigma of being homeless and the bullying of such children already experiencing hardship.

Charter schools are considered public schools although they are privately managed. Charter schools operate on the basis of a charter agreement with a local school district or another authorizer. Although they are bound by federal non-discrimination civil laws, Charter schools can apply for certain waivers, for example, enrolment application forms and lotteries, no collective bargaining for teachers, less public transparency, less robust requirements for catering to special education children. Of particular concern is the apparent lack of financial accountability. It has been brought to my attention that charter schools may receive starter grants but that a significant number close within a few years with no apparent accountability for the public money spent, 40% of them close by the end of 10 years according to some studies. The challenge is to ensure that charter schools do not end up “hollowing out” the traditional public schools which continue to provide education to the most marginalized.

In addition, there is no uniformity when it comes to the authorization of charter schools, that can be authorized by the state, by district school boards, and sometimes by universities providing 4 years programmes. In Indiana, for example, there are 9 different authorizers for public charter schools. This lack of consistent standards creates ‘forum shopping’ for the easiest option that may result in deteriorating quality and accountability. My recommendation in this respect is that states should

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<https://nces.ed.gov/fastfacts/display.asp?id=55#:~:text=Private%20School%20Enrollment&text=Over%2C%2053.9%20million%20K%E2%80%9312,were%20enrolled%20in%20public%20schools.>

2 <https://data.publiccharters.org/digest/charter-school-data-digest/how-many-charter-schools-and-students-are-there/#:~:text=During%20the%202021%2D22%20school,enrollment%20has%20more%20than%20triple.>

legislate high-quality authorizer standards. The federal government could provide guidelines and tools for this.

The extension of public funding for private schools through vouchers is the subject of a complex debate. While some argue that providing vouchers to parents allows for greater choice and autonomy in their children's education, others raise concerns about accountability and equity. Private schools, often with selective admissions criteria, may receive public money in the form of vouchers, but are not subject to the same requirements of transparency and oversight of public schools. Moreover, the threshold for qualifying for vouchers has been lowered in some cases, potentially allowing families with higher incomes to access public funds for private education, despite their ability to afford tuition independently. The question that arises is whether public money is truly serving the public interest in the best way possible when directed towards private institutions.

Patterns of discrimination and exclusion

I am particularly concerned about the recent trend of introducing educational gag orders or legislative restrictions on the freedom to learn and teach. Since January 2021, 45 out of 50 US state legislatures have introduced 307 educational gag order bills or policies. Forty of these bills have become law in twenty-two states.

These policies have taken the form of book bans, public scrutiny of curricula and syllabi silencing the free expression of ideas that has resulted in a “chilling factor” – an expression repeatedly used by students, teachers and parents as well as librarians. The alarming trend of book bans has raised grave concerns about censorship, freedom of expression, and the very essence of education itself. These bans, often targeting books that address topics such as sexual orientation, gender identity, race and history, pose a significant threat to the intellectual and emotional growth of students. They result in the exclusion and silencing of the lived experience of certain groups in the educational environment. Of concern is that (a) too often the new bills and state laws are characterized by a vagueness of what exactly is being prohibited and (b) they enable complaints to be lodged by anyone whether part of the educational institution or district in the case of libraries. The net result of uncertainty and fear is an unmistakable chilling effect on both teachers and students as well as librarians.

It is worth mentioning too that the Human Rights Committee, in its concluding observations following the consideration of the US 2023 report, also expressed deep concern about the increase in the number of laws and regulations at the state level that ban educational materials and books dealing with certain topics, such as sexual orientation and gender identity, race and the history of slavery (arts. 2, 19, 24 and 26 of ICCPR, ratified by the US). These bans not only violate fundamental human rights principles enshrined in international treaties ratified by the US but also stifle critical thinking and discourse within educational settings.

It is crucial to recognize that students tend to engage more deeply with books they can relate to, books that reflect their lived experiences and expand their understanding of the world. However, with the increasing number of state laws banning books in school and public libraries, access to diverse perspectives and narratives is increasingly restricted. In particular, it is leading to a further marginalization, exclusion and silencing of the same demographics: Black and Brown people, LGBT+ and gender diverse people.

It is therefore of concern that efforts to address this issue at the federal level, such as the “Fight Book Bans Act” and the “Right to Read Act,” have faced challenges in garnering bipartisan support in Congress. Similarly, state-level initiatives, like the bill in Colorado aimed at safeguarding library collections, appear to have faltered, leaving the issue unresolved. However, it is possible for victims of alleged violations to file complaints with the Office of Civil Rights of the Department of Education.

The lack of clear procedures for book challenges further complicates matters, with complaints often stemming from subjective interpretations of obscenity or sexually explicit content. Librarians, who

play a crucial role in curating library collections, are unfairly targeted and harassed for simply doing their jobs.

Moreover, attempts to criminalize librarians for providing access to certain materials and relegating banned books to inaccessible “book jails” or adult sections undermine the principles of intellectual freedom and democracy. The surveillance of teachers and librarians by parents as well as some students, with the intent of submitting complaints, further erodes trust and autonomy within educational institutions.

Ultimately, book bans represent not only an assault on freedom of speech but also an attack on democracy itself. Education serves as a cornerstone of democracy, fostering critical thinking, empathy and informed citizenship. By stifling access to diverse ideas and perspectives, the very essence of democracy is undermined. It is imperative that the United States uphold the principles of intellectual freedom and ensure that every student has the right to access a wide range of ideas and perspectives, free from censorship and restriction.

Funding

Many of the issues raised by my interlocutors stressed the chronic underfunding of education systems in the US. Federal funding accounts for 8-10% of education budget, unless there are specific grant-based projects. Most of the public funding for schools comes from the state and in the majority of states – from local property taxes. As a result, more affluent school districts are funded better than poorer neighborhoods which often need more financial support to address performance rates, special education needs and mental health support. The reliance on local property taxes to finance schools exacerbates inequalities, perpetuating a cycle of deprivation that disproportionately affects predominantly low-income neighbourhoods, that have higher proportion of Black, Brown and immigrant communities. Efforts to address these disparities have been taken, such as Colorado's attempts to distribute funds more equitably among school districts, however such efforts are also facing opposition.

In this context, I would recommend the federal government to address disparities in educational funding at the federal level, while welcoming the recent initiative aimed at addressing teacher shortages and mental health support programmes.

In particular, the federal government's commitment to funding special education falls short of what is needed, leaving states and local districts to grapple with chronic shortages. The federal government pledged to fund 40% of the excess cost to education children under IDEA (Individuals with Disabilities Education Act), but in practice, only around 15% is provided by the federal government to serve the targeted population. I call on the federal government to fully fund IDEA.

Safety in schools

The issue of school safety within the K-12 school system is fraught with complexities and concerns that demand immediate attention and action. This is exacerbated by persistent absenteeism and increasing mental anxiety amongst students. Despite considerable efforts being made to ensure the well-being of students, there are several troubling trends and practices that continue to undermine safety and security.

One significant issue is the presence of School Resource Officers (SROs). According to the report of the International Independent Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement following its visit to the US in 2023, there are approximately 24,900 sworn and 3,100 nonsworn law enforcement officers responsible for safety and crime in schools, 96% of them are authorized to carry a firearm in schools. They can issue criminal citations, make arrests,

patrol school facilities and respond to incidents in the classroom. With such a wide mandate, the training and conduct of these officers often come into question. It is also unclear who has the authority to initiate actions for reported infractions of discipline - the school authorities or security officers.

Reports of inappropriate arrests, handcuffing of children as young as 5 years old, excessive use of force against children, including in response to non-violent infringements of school codes of conduct, and even involuntary psychiatric confinement of children with special needs or socio-emotional issues raise serious concerns about the role of law enforcement within schools. Furthermore, SROs have been implicated in the criminalization of minor misbehavior, particularly among Black and Brown students, leading to a disproportionate impact on marginalized communities. This was often referred to as the school-to-prison - and sometimes deportation - pipeline, a notion of education and public security policies pushing children and young people into the criminal justice system. Many of these youth are Black or Brown, have disabilities, or histories of poverty, abuse, or neglect, and would benefit from additional supports and resources. Instead, they are isolated, punished, and pushed out. This is highly problematic and has negative long-term impact on society as a whole.

While some initiatives, such as comprehensive training programs in states like Colorado, show promise, the divided opinions among students underscore the complexity of this issue. Additionally, the introduction of online case management systems for threat assessment and suicide prevention is a positive step forward, but it remains to be seen how effective these measures will be in practice.

Although some students felt reassured by the presence of such officers, even they were scared by their carrying of weapons, many students from marginalized communities and backgrounds were vehemently opposed to the presence of SROs or police officers, pointing out that there is no evidence of their presence being able to prevent violence or address the most serious security issues in school. Alternative approaches, such as School Safety Officers and anonymous reporting hotlines (such as Safe to Tell), provide some recourse for students but are limited by insufficient staffing and lack of transparency regarding police or SRO functions and authority.

The criminalization of misbehavior in schools, coupled with stricter disciplinary actions for students of color, LGBTQ+ individuals, and students with disabilities, perpetuates a harmful cycle of exclusion and marginalization. Restorative justice approaches offer a promising alternative to punitive discipline, emphasizing accountability, empathy and healing.

Furthermore, the prevalence of sexual harassment by SROs and the ongoing debate over gun safety highlight the multifaceted nature of school safety concerns. While the law to increase background checks and raise the age at which a person may carry arms are commendable and appreciated, the efforts to improve regulation for gun storage lag behind.

Ultimately, the focus should be on funding mental health support rather than policing, recognizing that the lack of safety, chronic absenteeism and mental health issues are often interconnected.

In this connection, I would like to echo the recommendations of the Expert Mechanism, as well as the Special Rapporteur on racism, to remove police presence in schools and implement alternatives, including investing in sufficient qualified personnel such as counsellors, social workers, nurses and mental health professionals. Law enforcement officers should not be responsible for the implementation of school discipline – this is a matter of pedagogy and wellbeing support oriented on creating positive school environment.

Students need holistic support systems that address their socio-emotional needs and foster a safe and nurturing learning environment. It is imperative that policymakers, educators and communities come together to prioritize the well-being of all students and ensure that every child feels safe, supported, and valued in their school environment.

Mental health and wellbeing of students

The mental health of students is a pressing concern that demands immediate attention and action. Despite efforts to address social and emotional learning, there remains a significant gap in adequately supporting the well-being of K-12 learners in particular.

Recent data from the National Center for Education Statistics reveals that 69% of public schools in the United States offer programs for social and emotional learning. However, the effectiveness of these programmes is not obvious, as students report facing significant barriers in accessing mental health support.

The impact of COVID-19 cannot be overstated, with social isolation, trauma and violence in the community exacerbating existing mental health challenges. Social media, while ostensibly a tool for connectivity, often amplifies feelings of inadequacy and loneliness among students. The omnipresence of mobile phones as a source of anxiety further compound students' mental health struggles. The pressure of constant testing, which students rate as an 8 out of 10 on the stress scale, only adds to their emotional burden, leaving them feeling overwhelmed and anxious. In parallel, the new tendency to encourage students to pursue dual degrees, or obtain college credits, although potentially beneficial for future careers, adds to the high school students' anxiety.

Students I engaged with in traditional public schools, charter or magnet schools, reported that breaks and recess during the day are too short, depriving children of much-needed opportunities for rest, play and even eating properly. The provision of free breakfasts and lunches is a good practice but in practice, healthy, nourishing lunches may be overlooked, with some students reporting being offered half-frozen or moldy food, or being left without lunch when the queues are too long or when the cafeteria runs out of food. It is important to ensure that all children are provided sufficient breaks during the day and that food supplies are of quality.

Many students expressed a desire for someone to talk to, someone they can trust and confide in, without fear of judgment or breach of confidentiality. Schools which struggle financially are often unable to increase the availability of mental health support. For example, a typical ratio of social workers and counsellors in schools may be a team of 8 professionals serving 2,000 students (1 per 250 students). Reportedly, each student is allocated 20 min per month and even that is often not available due to overbooking of mental health professionals.

Students emphasized the need for many more psychologists and personnel trained in handling trauma than increasing the presence of enforcers. There is a glaring shortage of psychologists in schools, often lacking language or culturally appropriate understanding, further exacerbating mental health issues among students.

It is heartbreaking to consider that children are studying hungry, navigating highly regimented schedules, with some feeling as though they are confined within the walls of a prison. Students need comprehensive, holistic support that addresses their emotional, social and psychological needs, creating environments that nurture their growth, resilience and happiness in order to truly fulfill the promise of education and empower every child to reach their full potential.

Assessment

Both students and teachers have expressed their concern regarding the assessment practices within the US school system. While assessments are intended to gauge learning and progress, it seems that their original purpose is tainted by a system that prioritizes certain limited competencies and numbers achieved over genuine growth and development of children.

One of the most glaring issues is the reduction of children to mere statistics. Instead of celebrating individual progress and the efforts made by students, there is a strong fixation on standardized test

scores. This not only diminishes the value of hard work but also instills in children the belief that their worth is solely determined by a test score in certain areas.

Furthermore, this emphasis on test scores has created a punitive environment for both schools and teachers. It is a vicious cycle where lower performance at the school level leads to decreased enrollment rates, resulting in less funding and a decline in the quality of education. As noted by teachers, since schools are rated according to student performances on standardized tests, teachers are obliged to reorient their efforts away from teaching to focus on test preparation.

While charter schools are intended to provide alternatives, a number seem to exacerbate existing inequalities by cherry-picking high-performing students through selection or retention processes, neglecting or intentionally pushing out those who require additional support. This perpetuates the cycle of inequality, as the highest-ranking schools tend to be located in affluent areas, further widening the gap between the haves and have-nots.

The quality of teaching is often unfairly judged based on student grades, leading to undue pressure and blame. It is essential to recognize that students come from diverse backgrounds and have varying levels of readiness, making it unfair to hold teachers solely responsible for their academic outcomes. Standardized testing fails to account for the diverse needs of students, particularly English language learners and those with different learning styles. This puts non-native English speakers and those with different cognitive learning at a disadvantage.

While standardized testing may have its merits, the overreliance on such assessments is concerning. Testing every student every year from elementary to high school puts undue stress on both students and teachers and detracts from actual learning experiences. Moreover, the emphasis on test participation rates has led to a narrow focus on exam preparation at the expense of a well-rounded education as it overlooks crucial aspects of education such as art, music and social skills, as well as creativity and socio-emotional side of learning. Not all aspects of education can be measured by standardized tests. I appreciate the initiatives by the federal Department of Education to support investments in well-rounded education.

There is a need to shift the narrative surrounding education and recognize the inherent potential of every child. Rather than focusing solely on test scores, priority should be given to a curriculum that fosters holistic growth and social interaction skills, recognizing that a certain degree of learning happens within the community, and equips students with the skills they need to navigate the complexities of adulthood.

My recommendation would be to rethink the assessment practices and prioritize genuine learning and individual growth over standardized testing and to involve educationists in the process. Only then it would be possible to ensure that every child receives the quality education they deserve, regardless of their background or circumstances.

Teachers

The state of teachers within the school system is another matter of grave concern, marked by several pressing issues that demand urgent attention.

First and foremost, there is a severe shortage of teachers, particularly in critical subject areas such as languages, sciences, special education and dual language instruction. In some districts, the situation has become so dire that they have resorted to recruiting teachers from abroad, highlighting the need for expediting visa and work permit processes to facilitate their employment.

Teachers report being undervalued and underpaid, with many obliged to juggle multiple jobs to make ends meet. Salaries are negotiated between school districts and teachers' unions in the traditional public schools, and there is no nation-wide or state-wide guarantee of minimum salary for public school teachers. This disparity in compensation not only reflects a lack of appreciation for the

invaluable role teachers play but also is symptomatic of broader systemic issues, including overregulation, lack of autonomy and lack of professional support and thoughtful management of the teaching workforce. For example, often the least experienced new teachers start off in the lowest performing schools and have to handle the most challenging situations. While public school teachers are required to complete professional training for license renewal (in Colorado, for example, the requirement is 90 hours in 7 years preceding the renewal request)³ it is difficult to avail of this provision given the shortage of substitute teachers, which affects the ability of teachers to participate in professional development without disrupting the continuity of education. All these factors are among many contributing to high attrition rates with nearly 45% of teachers leaving the profession within the first five years.

Compounding matters is the lack of diversity among teachers, which fails to reflect the diverse demographics of the student body. This lack of representation not only deprives students of relatable role models but also undermines the richness of perspectives within the classroom. The absence of scholarships and support mechanisms for aspiring teachers from underrepresented backgrounds serves to reinforce existing disparities and further perpetuates inequalities within the teaching profession.

In light of these challenges, it is imperative to shift the narrative surrounding teachers and prioritize their well-being and professional development. Treating teachers with the respect and empathy they deserve, while addressing systemic issues such as inadequate compensation and lack of diversity, is essential to ensuring the success and sustainability of the education system.

I will further develop my conclusions and recommendations in my visit report. I would like to once again express my gratitude to the Government of the United States for inviting me and for facilitating this visit. I am also grateful to every person, big and small, who interacted with me in person or online and shared their story, their aspirations and concerns. I believe that this visit is just the beginning of the conversation. I remain available to all stakeholders to offer my expertise and advice to work together towards the full realization of the right to education for all.

³ <https://www.cde.state.co.us/educatortalent/educatorpdrequirements>