

The UN Human Rights Treaty System and Educational Choice for Racial and Ethnic Groups

By Promoting Freedom of Religion or Belief and Parental Choice in the Funding of Elementary and Secondary Education, the Committee on the Elimination of Racial Discrimination Can Help Catholic Schools Continue to Realize the Objectives of Articles 5 and 7 of the International Convention on the Elimination of All Forms of Racial Discrimination

An NGO Report

The Holy See

Sixteenth to Twenty-Third Periodic Reports on the Convention on the Elimination of All Forms of Racial Discrimination

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Submitted by:

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The following organizations have expressed to the Roman Catholic Archdiocese of Atlanta and Solidarity Center for Law and Justice, P.C. their agreement with the content of this report and their support for the filing of this report with the UN Committee on the Elimination of Racial Discrimination.

Citizen Go, Argentina, Austria, Brazil, Croatia, Ecuador, France, Germany, Hungary, Italy, Mexico, Poland, Romania, Russia, Slovakia, Spain (headquarters), Switzerland, The Netherlands, UK, and USA

Family & Life, Ireland

Family Watch International, USA

Femina Europa, France

HazteOir.org, Spain

Hnutí Pro život ČR, Czech Republic

Institute for Family Policy, Chile, Columbia, France, Mexico, Norway, Spain (headquarters) and USA

Novae Terrae Foundation, Italy

Office for Marriage and Family Life, Archdiocese of Westminster, UK

Res Claritatis, Czech Republic

The Couple to Couple League of the Czech Republic, Czech Republic

UN Family Rights Caucus, USA

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Forward

This report is being submitted by the Roman Catholic Archdiocese of Atlanta and Solidarity Center for Law and Justice, P.C.

The Roman Catholic Archdiocese of Atlanta is an archdiocese of the Catholic Church in the U.S. state of Georgia. Its ecclesiastical territory comprises Georgia's northern counties, including the capital of Atlanta. It is led by Archbishop Wilton D. Gregory. As of 2014, there were 100 parishes and missions in the Archdiocese. As of 2010, there were 900,000 registered Catholics in the Archdiocese. Metro Atlanta contains a large, and rapidly growing, Roman Catholic population. The number of Catholics grew from 30,840 members in 1960 to 292,300 members in 1998 and to 900,000 members in 2010, an increase of 207 percent. The increase is fueled by Catholics moving to Atlanta from other parts of the U.S. and the world, including a large influx of Latino and Asian immigrants. The Archdiocese operates eighteen elementary and secondary schools. Additionally, there are seven independent Catholic schools located in the Atlanta metropolitan area, which fall within the jurisdiction of the Archdiocese. In 2011-2012, the population of student enrollment in all of the Catholic schools in the Archdiocese was approximately 12,000.

Solidarity Center for Law and Justice, P.C. is a professional corporation organized under the laws of the State of Georgia, U.S.A. ("Solidarity Center") for the promotion of social welfare by defending human and civil rights secured by law, to wit: those individual liberties, freedoms, and privileges involving human dignity that are either specifically guaranteed by the U.S. Constitution or international human rights law. When permitted by court rules and practice, Solidarity Center files briefs as *amicus curiae* in litigation of importance to the protection of human and civil rights, particularly when the primary right of parents to direct the upbringing of their children in accordance with the dictates of their consciences is at issue. When permitted by human rights treaty body rules of procedure, Solidarity Center files reports to provide additional information for consideration by human rights treaty bodies in connection with their review of state party reports, including information regarding the relevant parties as well as the practices and procedures followed by the treaty bodies in conducting their reviews and in making their concluding observations and recommendations.

This report relates to the Holy See's Sixteenth to Twenty-Third Periodic Reports on the Convention on the Elimination of All Forms of Racial Discrimination, CERD/C/VAT/16-23.

The Archdiocese of Atlanta and Solidarity Center for Law and Justice welcome the opportunity to submit this report, which respectfully recommends that the the Committee on the Elimination of Racial Discrimination monitor whether States parties to the Convention are engaging in discriminatory elementary and secondary education funding practices that deny low- and middle-income parents the opportunity to send their children to the public or private schools of their choice, including Catholic and other religious schools. In cases where, to the detriment of racial and ethnic groups, States parties are engaging in such discriminatory education funding practices, the Committee should recommend that the States parties discontinue such practices and, to advance the principles of the Convention, adopt and implement voucher, tax credit scholarship, charter school, education savings account, or other school choice programs that provide parents with greater opportunities for access to learning.

The Declaration of Independence stated that all men and women are created equal, that they are endowed by their Creator with certain inalienable rights, and that governments exist to protect and defend those rights. Those ringing words continue to inspire us today, even as they have inspired peoples throughout the world to fight for the freedom to live in accordance with their dignity.

History also shows that these or any truths must constantly be reaffirmed, re-appropriated and defended. The history of this nation is also the tale of a constant effort, lasting to our own day, to embody those lofty principles in social and political life. We remember the great struggles which led to the abolition of slavery, the extension of voting rights, the growth of the labor movement, and the gradual effort to eliminate every kind of racism and prejudice directed at further waves of new Americans. This shows that, when a country is determined to remain true to its principles, those founding principles based on respect for human dignity, it is strengthened and renewed. When a country is mindful of its roots, it keeps growing, it is renewed and it continues to embrace newcomers, new individuals and new peoples.

Pope Francis
Religious Liberty Meeting, Speech
Independence National Park Mall
Philadelphia, Pennsylvania
25 September 2015

I. Overview

By encouraging States parties to the International Convention on the Elimination of All Forms of Racial Discrimination (the “Convention”) to eliminate discriminatory elementary and secondary education funding practices and promote parental choice in education, the Committee on the Elimination of Racial Discrimination (the “Committee”) can protect the freedom of religion or belief of parents and their children and protect the Catholic Church’s role in effectively educating children from low- and middle-income racial and ethnic families for economic, social, and democratic participation.

For centuries, consistent with Article 5 of the Convention, through Catholic elementary and secondary school education, the Catholic Church has advanced the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of the right to education and training. Likewise, consistent with Article 7 of the Convention, through Catholic school education, the Catholic Church has combatted prejudices which lead to racial discrimination; promoted understanding, tolerance and friendship among nations and racial or ethnic groups; and propagated the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and the Convention.

In the United States, the Catholic Church's promotion of equal access to the right to education, combatting prejudice, and promotion of understanding, tolerance and friendship has positively impacted society as a whole and, in particular, the lives of millions of racial and ethnic minority children, most of whom have resided, and still reside, in large cities.

Unfortunately, the long-term prospects of some of America's largest cities are beginning to appear bleak, with devastating consequences for the future of many racial and ethnic minority families. New development in urban centers has slowed to a trickle, and many projects completed during the real estate boom sit empty. Many American cities labor under the burden of crushing debt; increasing numbers are declaring bankruptcy. Faced with unprecedented fiscal woes, urban leaders have been forced to scale back city services, including police services, leading to concerns about rising crime. Despite the hopeful picture of urban health painted by demographic and crime statistics in the early years of the current century, the current fiscal crisis has unearthed deep structural impediments to long-term urban renewal that requires pervasive, multifaceted reform.¹

Also, many public school districts in major U.S. cities are failing to adequately educate the children of families who have remained in those cities, with African-American and Latino students being significantly impacted. Yet, because of discriminatory elementary and secondary education funding practices in America, Catholic schools, with their proven record of academic and character-building outcomes and stabilizing influence on urban communities, have been closing at an alarming rate.

¹ Margaret E. Brinig and Nicole Stelle Garnett, *Lost Classroom, Lost Community: Catholic Schools' Importance in Urban America* (Chicago, IL: The University of Chicago Press, 2014), 7-8.

Recently, researchers cited two implications of losing Catholic schools as educational institutions. First, the closing of Catholic schools in America's cities reduces the number of quality educational options available to students who need them the most-- disadvantaged urban residents. Decades of social science research suggests that Catholic schools excel at the task of educating disadvantaged children who do not, generally, fare well in public schools. Numerous scholars have found that Catholic school students-- especially poor minority students-- tend to outperform their public school counterparts. One recent study demonstrated that Catholic school attendance increased the likelihood that a minority student would graduate from high school from 62 percent to 88 percent and more than doubled the likelihood that a similar student would graduate from college.²

Second, the resulting reduction in educational options affects the residential choices of middle-class parents, who frequently opt to leave urban communities for suburban ones in search of good schools for their children. Retaining families with children is not important just for cities' long-term economic prospects, it is also important for the long-term stability of urban neighborhoods. Many families with the financial means to do so migrate away from cities to suburbs with high performing public schools. Thus, the urban education deficit seriously affects the future prospects not just of the disadvantaged; but, also of cities themselves. Simply stated, the dearth of affordable, high-quality schools in urban areas makes it difficult for cities to attract and retain residents who have the financial means to move elsewhere.³

Urban neighborhoods are better off with their Catholic schools than without them. Catholic schools have, for decades, helped generate the social capital needed to make urban neighborhoods work, and their disappearance raises serious concerns. Unfortunately, school choice opponents in the United States are using anti-Catholic provisions in state constitutions to prevent states from providing parents with funds to choose the best schools for their children, including Catholic and other religious schools. By promoting religious liberty and parental choice in the funding of elementary and secondary education, the Committee can protect the freedom of religion or belief of parents and their children and help Catholic schools continue to realize the objectives of Articles 5 and 7 of the Convention.

² *Ibid.*, 159, citing Derek Neal, "The Effect of Catholic Secondary Schooling on Educational Attainment," *Journal of Labor Economics* 15 (1997).

³ *Ibid.*, 160.

Very near here is a very important street named after a man who did a lot for other people. I want to talk a little bit about him. He was the Reverend Martin Luther King. One day he said, “I have a dream”. His dream was that many children, many people could have equal opportunities. His dream was that many children like you could get an education. He dreamed that many men and women, like yourselves, could lift their heads high, in dignity and self-sufficiency. It is beautiful to have dreams and to be able to fight for our dreams. Don’t ever forget this.

Pope Francis
Address
Meeting with Children and Immigrant Families
Our Lady, Queen of Angels School
Harlem, New York
25 September 2015

II. Undue State Interference that Erodes the Right of Racial or Ethnic Minority Parents to Educate Their Children in Catholic or other Religious Elementary and Secondary Schools is a Serious Problem and a Source of Grave Violations of Freedom of Religion or Belief

In his interim report transmitted to the UN General Assembly on 23 October 2015, Heiner Bielefeldt, the UN Special Rapporteur on freedom of religion or belief, explained that “there can be no doubt that the erosion of parental rights by undue State interference is a serious problem and a source of grave violations of freedom of religion or belief.”⁴ It is a problem that Special Rapporteur Bielefeldt believes “requires systematic attention.”⁵ By paying systematic attention to State party elementary and secondary education funding practices that discriminate against racial or ethnic minority parents who desire to send their children to Catholic or other religious schools, the Committee can prevent grave violations of freedom of religion or belief and help eliminate racial and ethnic discrimination.

“For many believers, religion represents an all-encompassing reality which permeates all spheres of life.”⁶ As a result, Article 18, paragraph 4, of the International Covenant on Civil and Political Rights provides that the States parties “undertake to have respect for the liberty of

⁴ Interim Report of the Special Rapporteur on freedom of religion or belief, 5 August 2015, A/70/286, 31.

⁵ *Ibid.*

⁶ *Ibid.*, 38.

parents and, when applicable, legal guardians, to ensure the religious and moral education of their children in conformity with their own convictions.”⁷ “Parents also have the right to have their children educated in private denominational schools which conform to such educational standards as may be laid down or approved by the State.”⁸ By implementing discriminatory elementary and secondary education funding practices that make it financial impossible or difficult for low- and middle-income parents to send their children to the private religious schools of their choice, States parties impermissibly oblige parents to remain religiously “neutral” when raising their children.⁹

Under article 2, paragraph 1, of the Convention on the Rights of the Child, States shall respect and ensure the rights laid down in the Convention to every child without discrimination, including on the ground of his or her religion or the religion of his or her parents or legal guardians.¹⁰ Article 2, paragraph 2, furthermore obliges States to take all appropriate measures in order to provide effective protection of the child against discrimination. Those provisions apply to all spheres of society, such as family laws, public and private schools, institutions of higher education, vocational training, accessibility of employment and health-care institutions. “Unfortunately, systematic violations of the principle of non-discrimination persist, often with far-reaching negative implications.”¹¹

In order to detect and combat direct forms of discrimination and concealed forms of discrimination, such as structural or indirect discrimination, “the State should develop comprehensive anti-discrimination legislation and policies, with a view to safeguarding the right of the child to be free from any kind of discrimination, including on the basis of religion or belief.”¹² By encouraging States parties to eliminate discriminatory elementary and secondary education funding practices, the Committee has the ability to implement the recommendation of

⁷ UN General Assembly, *International Covenant on Civil and Political Rights*, GA res. 2200A (XXI), 21 UN GAOR Supp. (No. 16) at 52, UN Doc. A/6316 (1966); 999 UNTS 171; 6 ILM 368 (1967).

⁸ Interim Report of the Special Rapporteur on freedom of religion or belief, 50.

⁹ *Ibid.*, 36-37.

¹⁰ UN General Assembly, *Convention on the Rights of the Child*, GA res. 44/25, annex, 44 UN GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989); 1577 UNTS 3; 28 ILM 1456 (1989).

¹¹ Interim Report of the Special Rapporteur on freedom of religion or belief, 56.

¹² *Ibid.*, 57.

the Special Rapporteur on freedom of religion or belief, prevent religious discrimination against low- and middle-income racial and ethnic groups, and help Catholic schools continue to realize the objectives of Articles 5 and 7 of the Convention.

Mr. President, together with their fellow citizens, American Catholics are committed to building a society which is truly tolerant and inclusive, to safeguarding the rights of individuals and communities, and to rejecting every form of unjust discrimination. With countless other people of good will, they are likewise concerned that efforts to build a just and wisely ordered society respect their deepest concerns and their right to religious liberty. That freedom remains one of America's most precious possessions. And, as my brothers, the United States Bishops, have reminded us, all are called to be vigilant, precisely as good citizens, to preserve and defend that freedom from everything that would threaten or compromise it.

Pope Francis
Welcoming Ceremony
The White House
Washington, D.C.
23 September 2015

III. Attempts in the Nineteenth Century to Secure Equal Access to Public Funds for Catholic School Elementary and Secondary Education in America Resulted in Anti-Catholic Infringements on Religious Liberty

In the years following the American Civil War, Catholic demands for public funding of their schools on equality grounds increased. The call for public funding, however, universally backfired-- fueling new waves of nativism and conspiracy theories that Catholics were engaged in a concerted effort to destroy American democracy. In fact, Catholic demands for equality of school funding, and the nativist reaction to them, prompted an effort to amend the United States Constitution to prohibit forever the funding of parochial schools. In 1875, James G. Blaine, then Speaker of the U.S. House of Representatives, proposed an amendment to the U.S. Constitution prohibiting any public funds from flowing to "sectarian" (i.e., Catholic) schools. Anti-Catholic animus fueled this effort. For instance, expressing support for the Blaine Amendment, President Ulysses Grant referred to the "Romish Church" as a source of "superstition, ambition and ignorance" and charged that it was seeking to overthrow the American public school system.¹³

¹³ Brinig and Garnett, *Lost Classroom, Lost Community*, 17

While the federal Blaine Amendment narrowly failed to secure approval in Congress, its defeat hardly spelled the end to efforts to enshrine the no-funding principle in American law. Thereafter, as a condition of statehood, Congress required new states to include similar language in their state constitutions. Other states voluntarily amended their own constitutions to prohibit the public funding of sectarian schools. Eventually, thirty-seven state constitutions would include "Baby Blaine" amendments that prohibited the funding of sectarian schools, provisions that continue to represent the most significant legal impediments to state education reforms extending public financial assistance to students attending religious schools.¹⁴

Hostility to Catholic schools generally, and to the public funding of Catholic schools in particular, influenced the course of Constitutional law throughout the twentieth century and, arguably, continues in education reform debates to this day. In almost every instance in which education reformers have been able to secure the passage of state legislation to provide funds to parents for the education of their children in the private schools of their choice, school choice opponents have relied on anti-Catholic state Blaine amendments to challenge those programs in court. When those challenges succeed, hundreds of thousands of children from low-income African-American and Latino families, who are compelled to remain in inadequate public schools, are denied educational justice. Meanwhile, in states without onerous Blaine amendments, direct or indirect financial aid for parents sending their children to Catholic and other religious schools is made available for tuition assistance, textbooks, technology, counselors, nurses, and, most critically for inner-city low-income minority families, transportation.

¹⁴ *Ibid.*, citing Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), 216.

This beautiful Cathedral of Saint Patrick, built up over many years through the sacrifices of many men and women, can serve as a symbol of the work of generations of American priests and religious, and lay faithful who helped build up the Church in the United States. In the field of education alone, how many priests and religious in this country played a central role, assisting parents in handing on to their children the food that nourishes them for life! Many did so at the cost of extraordinary sacrifice and with heroic charity. I think for example of Saint Elizabeth Ann Seton, who founded the first free Catholic school for girls in America, or Saint John Neumann, the founder of the first system of Catholic education in the United States.

This evening, my brothers and sisters, I have come to join you – priests and men and women of consecrated life – in praying that our vocations will continue to build up the great edifice of God’s Kingdom in this country.

Pope Francis
Vespers, Homily
Cathedral of Saint Patrick
New York, New York
24 September 2015

IV. The Catholic Church in America Has Played a Vital Role in Educating Children from Racial and Ethnic Groups for Economic, Social, and Democratic Participation

Between 1820 and 1870, over five million Irish and German immigrants arrived in the United States. It was the beginning of a century long phenomenon that shifted the population of many nations, particularly the populations of Europe, to the United States. Since the majority of these new arrivals were both poor and Catholic, the American church was a primary source of their support, both spiritual and material.¹⁵

Throughout the nineteenth century, tens of thousands of women religious staffed parish classrooms across America and devoted themselves to children of the church. They worked long hours, teaching classes with as many as a hundred students, all for subsistence wages. There is no doubt that, without these sisters-teachers, the parish school system could never have grown as large as it did. By the end of the nineteenth century, for example, there were more than forty

¹⁵ Timothy Walch, *Parish School: American Catholic Parochial Education from Colonial Times to the Present* (New York, NY: The Crossroads Publishing Company, 1996), 23.

thousand sisters working in dioceses in the United States, the majority in parish classrooms. Elizabeth Seton's Sisters of Charity accounted for close to sixteen hundred of these teachers. The School Sisters of Notre Dame had over twenty-seven hundred nuns in the classrooms of ethnic parishes across the country. The Sisters of Charity of the Blessed Virgin Mary, the School Sisters of St. Francis, and the Felician Sisters were among the 119 communities of women religious sending thousands of sisters into the parish schools of America by 1900.¹⁶

Throughout the twentieth century, the Catholic Church educated millions of children from diverse racial and ethnic groups. In 1949, Catholic elementary and secondary schools had a combined national enrollment of a little more than two million students. By the end of the 1950s, the enrollment had more than doubled to 4.2 million and was still rising.

As Catholic school enrollment in America grew, so did the professionalism and aspirations of Catholic school administrators. As the Vatican's Congregation for Catholic Education explained in a 2014 *Instrumentum Laboris* ("working instrument") titled, "Educating Today and Tomorrow: A Renewing Passion" ("Educating Today and Tomorrow"), although cultural contexts vary, as well as educational possibilities and influences, Catholic schools and universities are expected to ensure a number of quality hallmarks, including:

- respect for individual dignity and uniqueness (hence the rejection of mass education and teaching, which make human beings easier to manipulate by reducing them to a number);
- a wealth of opportunities that are offered to young people for them to grow and develop their abilities and talents;
- a balanced focus on cognitive, affective, social, professional, ethical and spiritual aspects;
- encouragement for every pupil to develop their talents, in a climate of cooperation and solidarity;
- the promotion of research as a rigorous commitment towards truth, being aware that human knowledge has its limits, but also with a great openness of mind and heart; and
- respect of ideas, openness to dialogue, the ability to interact and work together in a spirit of freedom and care.¹⁷

¹⁶ *Ibid.*, 134.

¹⁷ Congregation for Catholic Education, "Educating Today and Tomorrow: A Renewing Passion" (2014), http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20140407_educare-oggi-e-domani_en.html

In *Educating Today and Tomorrow*, the Congregation for Catholic Education posed questions that evidence the Catholic Church's commitment to promoting the Convention's Article 7 mandate for States parties to promote understanding, tolerance and friendship among nations and racial or ethnic groups:

The young people we are educating today will become the leaders of the 2050s. What will religion's contribution be to educating younger generations to peace, development, fraternity in the universal human community? How are we going to educate them to faith and in faith? How will we establish the preliminary conditions to accept this gift, to educate them to gratitude, to a sense of awe, to asking themselves questions, to develop a sense of justice and consistency? How will we educate them to prayer?¹⁸

Unfortunately, in spite of these worthy aspirations, in the latter half of the twentieth century, demographic changes and the effects of Catholic Church reforms significantly impacted the ability of Catholic schools to educate students from racial and ethnic groups, especially those residing in large American cities. If government officials do not take steps to eliminate discriminatory elementary and secondary education funding practices, the ability of the Catholic Church to advance the right of African-American and Latino children to equality before the law, notably in the enjoyment of the right to education and training, to combat prejudices, and to promote education for understanding, tolerance, and friendship among nations and racial or ethnic groups, will suffer.

¹⁸ *Ibid.*

Living in a big city is not always easy. A multicultural context presents many complex challenges. Yet big cities are a reminder of the hidden riches present in our world: in the diversity of its cultures, traditions and historical experiences. In the variety of its languages, costumes and cuisine. Big cities bring together all the different ways which we human beings have discovered to express the meaning of life, wherever we may be.

But big cities also conceal the faces of all those people who don't appear to belong, or are second-class citizens. In big cities, beneath the roar of traffic, beneath "the rapid pace of change", so many faces pass by unnoticed because they have no "right" to be there, no right to be part of the city. They are the foreigners, the children who go without schooling, those deprived of medical insurance, the homeless, the forgotten elderly. These people stand at the edges of our great avenues, in our streets, in deafening anonymity. They become part of an urban landscape which is more and more taken for granted, in our eyes, and especially in our hearts.

Pope Francis
Holy Mass, Homily
Madison Square Garden
New York, New York
25 September 2015

V. Demographic Shifts, Challenges Arising from Catholic Church Reforms, and Discriminatory Elementary and Secondary Education Funding Practices Have Resulted in the Closure of Many Catholic Schools Serving Racial and Ethnic Minority Students in America's Largest Cities

The demographic shifts experienced in urban neighborhoods during the second half of the twentieth century had profound implications for the Catholic Church in the United States and for urban Catholic schools in particular. Prior to the Second World War, most African-American Catholics worshipped in separate African-American parishes, and their children attended African-American parish schools, if they attended Catholic school at all. Although a handful of Catholic parishes and schools (both white and black) condemned segregation in Catholic parishes and schools as contrary to Catholic teaching, it remained firmly entrenched until well into the twentieth century. In the postwar period, however, as African-Americans began to move into white neighborhoods, pressure to accept black Catholic children in white parish schools

intensified. Gradually, beginning with the decision to desegregate New York City's Catholic schools in 1939, Catholic leaders demanded school integration. In 1958, the American bishops issued a pastoral letter condemning racial discrimination. Although many individual parishes resisted the import of these directives, African-American students-- first Catholic and then non-Catholic-- gradually began to enroll in previously all-white schools. Unfortunately, as the schools changed, the parishes and neighborhoods changed along with them, with many middle class families moving to the suburbs, leaving behind many urban Catholic schools that were financially unsustainable.¹⁹

Meanwhile, with Vatican II, the Catholic Church underwent a radical transformation, and the Catholic lay faithful were transformed with it. Beginning in the late 1960s, vocations to the priesthood and religious life began to decline dramatically. As a result, at the same time that urban Catholic school tuition revenues declined precipitously, parish schools experienced dramatic increases in teacher labor costs. In 1950, 90 percent of the teachers in Catholic schools were religious sisters; today, less than three percent are.²⁰

As a result of these developments, from 1960 to 2010, the number of Catholic schools in the United States fell from 13,000 schools to 7,000. Since 1965, the percentage of students being educated by Catholic schools in the United States has fallen by more than half-- from twelve percent to five percent. Also, student attrition rates in Catholic schools outpace school closure rates. Between 2000 and 2006, six hundred Catholic schools closed (nearly seven percent), but 290,000 students left the Catholic school system (nearly eleven percent). Elementary schools in the largest urban dioceses experienced the most dramatic rates of attrition, losing nearly 20 percent of their students. And, tellingly, only three percent of Latino students-- the group most likely to fill empty seats in urban schools-- attend Catholic schools.²¹

Despite these obstacles, many urban Catholic schools adapted to a new role of educating poor, predominantly racial and ethnic minority students. Over the past five decades, many hundreds of inner-city Catholic schools have provided a high-quality education for the most vulnerable students. Parents-- Catholic and non-Catholic-- cite a number of reasons for choosing these schools for their children, including a desire for systematic religious instruction, for the

¹⁹ Brinig and Garnett, *Lost Classroom, Lost Community*, 23.

²⁰ McDonald and Schultz, *U.S. Catholic Elementary and Secondary Schools, 2014-2015* (2015).

²¹ Brinig and Garnett, *Lost Classroom, Lost Community*, 31.

inculcation of “values,” for a “traditional” curriculum, and for a more structured, disciplined, learning environment.

Still, the mood in Catholic education circles is somber at best. Even the strongest supporters of Catholic schools recognize that, especially in inner cities, additional closures are inevitable.

The Church in the United States knows like few others the hopes present in the hearts of these “pilgrims.” From the beginning you have learned their languages, promoted their cause, made their contributions your own, defended their rights, helped them to prosper, and kept alive the flame of their faith. Even today, no American institution does more for immigrants than your Christian communities. Now you are facing this stream of Latin immigration which affects many of your dioceses. Not only as the Bishop of Rome, but also as a pastor from the South, I feel the need to thank and encourage you. Perhaps it will not be easy for you to look into their soul; perhaps you will be challenged by their diversity. But know that they also possess resources meant to be shared. So do not be afraid to welcome them. Offer them the warmth of the love of Christ and you will unlock the mystery of their heart. I am certain that, as so often in the past, these people will enrich America and its Church.

Pope Francis
Midday Prayer with U.S. Bishops, Homily
Cathedral of Saint Matthew
Washington, D.C.
23 September 2015

VI. The Increased Presence of Latino Immigrants in America Heightens the Importance of Eliminating Discriminatory Elementary and Secondary Education Funding Practices to Enable Parental Choice in Education

By 2000, Latinos had become the largest minority group in the United States.²² From fall 2002 through fall 2012, the number of Latino students enrolled in U.S. public schools increased from 8.6 million to 12.1 million, and their share of public school enrollment increased from 18 to 24 percent.²³ In the two largest school districts in the United States, New York and Los Angeles, Latinos account for the majority of students.²⁴ Many of these children live in segregated ethnic enclaves, where students are “clustered into under-resourced, high-poverty schools that too often

²² M.C. Waters and R. Ueda, *The New Americans: A Guide to Immigration Since 1965* (Cambridge, MA: Harvard University Press, 2007).

²³ National Center for Education Statistics, “Racial/Ethnic Enrollment in Public Schools” (Washington, DC: Institute for Education Sciences, U.S. Department of Education, 2015).

²⁴ National Center for Educational Statistics, *The Condition of Education 2009* (Washington, DC: Institute of Education Sciences, U.S. Department of Education, 2009)

have not met the expectations of residents.”²⁵ Latino students in particular find themselves in heavily segregated schools that “tend to be the most underfunded, with few advanced courses and most low-level technical courses.”²⁶

The U.S. Census Bureau projects that the Latino population in the United States will continue to grow rapidly, reaching 66.4 million by the year 2020, an 86 percent increase since 2000.²⁷ As the Latino population continues to grow, it is imperative that access to high-quality educational opportunities increase, not decrease. Latino families, particularly low-income families, currently have insufficient access to high-quality educational opportunities that can narrow the achievement gap and prepare Latino students for higher education, while schools proven to reduce the achievement gap, Catholic schools, are closing at rapid rates.²⁸ As explained in the 2009 report of the Notre Dame Task Force on the Participation of Latino Children and Families in Catholic Schools:

For decades, research has consistently shown that Catholic schools educate young people uncommonly well for the common good. There is overwhelming evidence that low-income minority students, more than any demographic group, benefit the most from access to a Catholic education-- in academic achievement, civic engagement, and the development of character. In many of our nation’s communities, Catholic schools have long been national treasures, institutions that have formed productive citizens and leaders.²⁹

²⁵ T. Ready and A. Brown-Gort, *The State of Latino Chicago: This is Home Now* (Notre Dame, IN: Institute for Latino Studies, University of Notre Dame, 2005), 15.

²⁶ E.E. Telles and V. Ortiz, “Finding America: Creating Educational Opportunity for Our Newest Citizens,” in B.D. Smedley and A. Jenkins, eds., *All Things Being Equal: Instigating Opportunity in an Inequitable Time* (New York: Free Press, 2007), 199.

²⁷ United States Census Bureau, *Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States: April 1, 2000 to July 1, 2008* (Washington, DC: U.S. Census Bureau, 2008), <http://www.census.gov/popest/national/asrh/NC-EST2008-srh.html>; *U.S. Census Bureau, Projections of the Population by Sex, Race, and Hispanic Origin*. <http://www.census.gov/population/projections/>

²⁸ The Notre Dame Task Force on the Participation of Latino Children and Families in Catholic Schools, *To Nurture the Soul of a Nation: Latino Families, Catholic Schools, and Educational Opportunity* (Notre Dame, IN: Alliance for Catholic Education Press, 2009), 20.

²⁹ *Ibid.*

The Roman Catholic Archdiocese of Atlanta, which consists roughly of the geographic territory comprising the northern half of the state of Georgia (including metro Atlanta), is instructive of the expected growth in Latino families, and of the opportunities Catholic schools have to provide them with greater opportunities for access to learning than those available in public schools. From 2000 to 2010, the general population in the Archdiocese of Atlanta increased from 5,558,015 individuals to 6,795,705 individuals, a growth rate of 22.3 percent. Meanwhile, the Latino population increased from 352,367 individuals (6.3 percent of the general population) to 701,118 individuals (10.3 percent of the general population), a growth rate of 99 percent.³⁰ Between 2000 and 2012, the number of Latino students enrolled in metro Atlanta public schools increased by 100,000, while the enrollment of white students declined by about 30,000. Latino students now comprise 16 percent of the student population.³¹

From an educational standpoint, Latino youth residing in the area served by the Archdiocese of Atlanta are at risk. In 2012, Georgia's four year high school graduation rate was 70 percent, with Latinos lagging behind at 60 percent.³² Meanwhile, the high school graduation rate of Latino youth speaking English as a second language was 44 percent.³³ Many of the Latino students that graduate from secondary school, do not enroll in post-secondary institutions. As of 2012, although the share of Latino students enrolled in grades 9-12 in Georgia was ten percent, only four percent of the students enrolled in the state's Technical College System and only five percent of the students enrolled in the University System of Georgia were Latino.³⁴ From 2009-2013, only nine percent of Latino youth in Georgia (ages 21-26) completed a college degree (at least at the Associate Level), compared with a completion rate of 31 percent for non-Latino youth.³⁵

³⁰ Archdiocese of Atlanta, 2015.

³¹ *Atlanta Journal Constitution*, "Hispanic enrollment surges in metro schools," May 29, 2013.

³² U.S. Department of Education, "Ed Data Express," <http://eddataexpress.ed.gov/state-tables-report.cfm>

³³ *Ibid.*

³⁴ Hooker, Sarah, Michael Fix, and Margie McHugh, *Education Reform in a Changing Georgia: Promoting High School and College Success for Immigrant Youth* (Washington, DC: Migration Policy Institute, 2014), 9, Figure 1.

³⁵ *Ibid.*, 10, Figure 2.

To keep up with employer demands, by 2020, Georgia will need an additional 250,000 college-educated workers.³⁶ At the same time, an increasing share of Georgia's population is aging out of the workforce, creating shortages in many critical industries. In skilled manufacturing, by 2020, the state will need to replace nearly half of its workforce due to retirement.³⁷ Georgia's Latino population, however, is significantly younger than other racial/ethnic groups, with an average age of 25, compared to 40 for whites.³⁸ The state's second-generation Latino population, comprised of the U.S.-born children of Latino immigrants, continues to grow rapidly. As Latino young adults increasingly replace older, white workers in the state's labor force, efforts to increase Latino college degree attainment become central to the state's economic recovery and future competitiveness.³⁹

Nevertheless, relying on a nineteenth century anti-Catholic Blaine amendment contained in the Georgia state constitution, groups who oppose providing Latino and other families with the opportunity to secure a better elementary or secondary education for their children at the Catholic or other private schools of their choice, have sued in court to block the implementation of a scholarship program in Georgia that is funded by private contributions that are eligible for a state income tax credit.

³⁶ The University System of Georgia and the Technical College System of Georgia, *Complete College Georgia: Georgia's Higher Education Completion Plan 2012* (Atlanta: University System of Georgia, November 2011). www.usg.edu/educational_access/documents/GaHigherEducationCompletionPlan2012.pdf

³⁷ State Workforce Investment Board, *Georgia Integrated State Plan*.

³⁸ Pew Research Hispanic Trends Project, "Demographic Profile of Hispanics in Georgia, 2011," www.pewhispanic.org/states/state/ga.

³⁹ *Education Reform in a Changing Georgia*, 15.

May the forthcoming Holy Year of Mercy, by drawing us into the fathomless depths of God’s heart in which no division dwells, be for all of you a privileged moment for strengthening communion, perfecting unity, reconciling differences, forgiving one another and healing every rift, that your light may shine forth like “*a city built on a hill*” (Mt 5:14).

This service to unity is particularly important for this nation, whose vast material and spiritual, cultural and political, historical and human, scientific and technological resources impose significant moral responsibilities in a world which is seeking, confusedly and laboriously, new balances of peace, prosperity and integration. It is an essential part of your mission to offer to the United States of America the humble yet powerful leaven of communion. May all mankind know that the presence in its midst of the “sacrament of unity” (*Lumen Gentium*, 1) is a guarantee that its fate is not decay and dispersion.

Pope Francis
Midday Prayer with U.S. Bishops, Homily
Cathedral of Saint Matthew
Washington, D.C.
23 September 2015

VII. Catholic Elementary and Secondary Schools Generate Social Capital That Helps to Overcome Neighborhood Structural Impediments to Learning

‘Social capital’ refers to features of social organization such as networks, norms, and social trust that facilitate coordination and cooperation for mutual benefit.⁴⁰

Sociologist James Coleman used schools to illustrate this conception of social capital, arguing that successful schools tended to be distinguished by parents’ connections to their children’s school and to the parents of their children’s peers.⁴¹ These connections, he reasoned, “closed the loop” among school, teachers, and parents, thus guaranteeing the enforcement of appropriate norms.⁴² Coleman further argued that these kinds of connections—and the norm

⁴⁰ Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York, NY: Touchstone, 2000), 67.

⁴¹ James S. Coleman, “Social Capital in the Creation of Human Capital,” *American Journal of Sociology* 94 (1988): S106-107.

⁴² *Ibid.*

enforcement authority that they enable—helped to explain Catholic high schools’ high graduation rates.⁴³

Coleman’s hypothesis was further explicated and tested in the influential book *Catholic Schools and the Common Good*. In the book, sociologists Anthony Bryk, Valerie Lee, and Peter Holland linked Catholic high schools’ educational successes to the fact that they are intentional communities, featuring high levels of trust among students, parents, teachers, and administrators. Bryk and his colleagues observed that Catholic school teachers and administrators saw their role as not just educational, but formative. These communitarian features, according to Bryk and his colleagues, are one of two important reasons why Catholic schools succeed as academic institutions.⁴⁴ The other reason explaining Catholic schools’ success at educating low-income minority students is the high academic expectations of Catholic schools for all students regardless of race or class background.⁴⁵

These findings about the role of social capital both within a school and in the school’s surrounding neighborhood take center stage in Charles Payne’s recent reflection on reform efforts in urban public schools, *So Much Reform, So Little Change*. Drawing upon both the academic literature on school improvement and his own extensive experience with reform efforts, especially in the Chicago public schools, Payne attributes the persistent failure of reform efforts to the dual realities that most urban public schools are characterized by a lack of trust and support among various school constituencies and by the fact that the schools draw students from communities with very low levels of social capital.⁴⁶ On the contrary, a Catholic school’s culture can positively impact the community in which it is located.

University of Notre Dame law professors Margaret Brinig and Nicole Stelle Garnett have explained how a Catholic school’s culture can positively impact the community in which it is located. If a central goal of Catholic school administrators is to build a “community among faculty, students, and parents” that endorses the academic and social goals of a school-- this

⁴³ *Ibid.*, S114-15.

⁴⁴ Anthony S. Bryk, Valerie E. Lee, and Peter B. Holland, *Catholic Schools and the Common Good* (Cambridge, MA: Harvard University Press 1993), 276.

⁴⁵ *Ibid.*, 305

⁴⁶ Charles M. Payne, *So Much Reform, So Little Change* (Cambridge, MA: Harvard Education Press, 2008).

commitment to civic engagement, service and tolerance is likely to generate positive community externalities. Students engaged in community service activities likely help generate social capital in a community. Teachers and parents who endorse the schools' communitarian goals and enable and encourage community service also may be more likely to engage in community-building activities themselves, especially if they live in the neighborhood themselves. Students engaged in community activities are probably also less likely to act in ways that undermine existing social capital-- such as, by engaging in antisocial or even criminal behavior. Catholic schools also might be more likely to sponsor community activities in after-school hours that draw adults into public spaces. Moreover, Catholic schools appear to do a good job at the citizen-formation function of education. That is, the available evidence suggests that Catholic school students exhibit a greater understanding of democratic principles, more civic knowledge, higher levels of community engagement, and a greater tolerance for diversity than their public school counterparts-- realities that, again, one would expect to generate positive community externalities.⁴⁷

As the Congregation for Catholic Education expressed in *Educating Today and Tomorrow*:

If we think about our societies' rampant individualism, we realize how important it is for Catholic schools to be true living communities that are animated by the Holy Spirit. The friendly and welcoming ambiance that is established by teachers who are believers-- who sometimes are the minority-- together with the common engagement of all those who have educational responsibilities, irrespective of their beliefs or convictions, might allow students to overcome moments of loss or discouragement and open new prospects of evangelical hope. The complex network of interpersonal relations in schools' real strength, when it expresses love of truth, and teachers who are also believers must be supported, so that they might provide the leaven and benevolent power to edify the community.⁴⁸

⁴⁷ Brinig and Garnett, *Lost Classroom, Lost Community*, 133-134.

⁴⁸ Congregation for Catholic Education, "Educating Today and Tomorrow."

Catholic schools' effects may not stop at the school house doors if for no other reason than that students, parents, and teachers embracing the communitarian aspirations of a Catholic school are likely to be good citizens. Good citizens are likely not only to avoid engaging in antisocial behavior, but they probably are also more likely to engage in prosocial behavior. As the literature on social norms suggests, communities where prosocial norms are frayed need individuals who are "norm entrepreneurs," who can shift the prevailing norms in a community and trigger a "norm cascade" that causes more community members to embrace prosocial norms.⁴⁹

In some communities, Catholic schools themselves may be norm entrepreneurs. That is, a Catholic school stands out as a model of success in the midst of failure, of order in the midst of chaos-- and therefore of the possibility that demographics need not dictate destiny. Catholic schools have long exhibited faith in the ability of all children to learn regardless of circumstances and apparently have also fostered community in neighborhoods where social ties are frayed by poverty, disorder and violence. In doing so, Catholic schools may serve an expressive function: the very fact that urban Catholic schools have weathered the norms of economic and social decay in a community-- and have continued to succeed in spite of these circumstances-- sends a symbolic message that success and order are possible.⁵⁰

Catholic schools that remain open in urban neighborhoods continue to serve the critical role of building social capital. Thus, shifts in education policy favoring school choice may help stabilize urban communities by maintaining the vitality of urban Catholic schools.

⁴⁹ Brinig and Garnett, *Lost Classroom, Lost Community*, 134-135, citing Robert C. Ellickson, *Order without Law: How Neighbors Settle Disputes* (Cambridge, MA: Harvard University Press 1991), 26-29; Richard H. McAdams, "The Origin, Development, and Regulation of Norms," *Michigan Law Review* 96 (1997): 365-72.

⁵⁰ *Ibid.*, 135.

This morning I learned something about the history of this beautiful Cathedral: the story behind its high walls and windows. I would like to think, though, that the history of the Church in this city and state is really a story not about building walls, but about breaking them down. It is a story about generation after generation of committed Catholics going out to the peripheries, and building communities of worship, education, charity and service to the larger society.

That story is seen in the many shrines which dot this city, and the many parish churches whose towers and steeples speak of God's presence in the midst of our communities. It is seen in the efforts of all those dedicated priests, religious and laity who for over two centuries have ministered to the spiritual needs of the poor, the immigrant, the sick and those in prison. And it is seen in the hundreds of schools where religious brothers and sisters trained children to read and write, to love God and neighbor, and to contribute as good citizens to the life of American society. All of this is a great legacy which you have received, and which you have been called to enrich and pass on.

Pope Francis
Holy Mass, Homily
Cathedral of Sts. Peter and Paul
Philadelphia, Pennsylvania
26 September 2015

VIII. To Advance Equality Before the Law, Notably in the Enjoyment of the Right to Education and Training, to Combat Prejudice, and to Promote Understanding, Tolerance, and Friendship among Nations and Racial and Ethnic Groups, the UN Human Rights Treaty System Should Promote Freedom of Religion or Belief and Parental Choice in the Funding of Elementary and Secondary Education

The OECD has recognized that countries should consider a number of incentives for schools to enroll disadvantaged students and to promote the exercise of choice by disadvantaged parents, including the provision of financial incentives that make low-performing or disadvantaged students more attractive to schools.⁵¹ The OECD acknowledges with approval that some countries have experimented with providing more funding for low-performing students to offset the additional costs to educate them and make them more attractive to popular schools

⁵¹ OECD (2012), *Equity and Quality in Education: Supporting Disadvantaged Students and Schools*, OECD Publishing, 69. <http://dx.doi.org/10.1787/9789264130852-en>

through progressive voucher programs or weighted student funding. These programs are based on two main elements: funding follows the students on a per-student basis and this amount depends on the educational needs of the children. Since the amount of the voucher is higher for children with the biggest needs, schools will have greater incentives to attract such students and to give them resources to address their needs, thereby contributing to reduced segregation.⁵² The OECD has explained that countries can implement a variety of school choice programs, including vouchers or tax credits to reduce the financial burden of tuition fees for low-income families, transportation options, funding arrangements for child care outside of normal classroom hours, additional lessons, uniforms, classroom materials, textbooks, school trips and voluntary contributions, all of which can influence parental choices.⁵³

As of 2013, in the United States, nine states, the District of Columbia, and Douglas County, Colorado, have scholarship or voucher programs that enable targeted groups of students to spend public funds to attend a private school. In addition, twelve states grant tax credits for charitable donations to nonprofit organizations that provide scholarships to attend private schools. During the 2012-13 school year, 97,252 children enrolled in private schools through school voucher programs and 148,300 received tax credit-financed scholarships at private schools. These school choice programs are enabling parents to choose a private school education for their children that, consistent with Article 7 of the Convention, effectively promotes the understanding, tolerance, and friendship among nations and racial and ethnic groups.

A number of social scientists have sought to measure how well private schools in general, and private schools participating in school choice programs in particular, perform as civic educators. For example, using data from the 1996 National Household Education Survey, which conducted a large nationwide survey of parents and adolescent children enrolled in five types of schools (assigned public, magnet, Catholic, religious but not Catholic, and private secular), David Campbell compared students enrolled in each educational setting along with four variables-- community service, civic skills (that is, the ability of students to engage in political activities), political knowledge, and political tolerance. Campbell found that private school students were significantly more likely to engage in community service than public school students, were more likely to learn civic skills in school, were better informed about the political

⁵² *Ibid.*

⁵³ *Ibid.*, 70.

process, and were, on average, more politically tolerant than students in public schools. Interestingly, however, Campbell also found that the distinction between public and private schools disappeared when Catholic schools were excluded from the analysis, leading him to conclude that “students in Catholic schools drive the private school effect.”⁵⁴

In 2007, Patrick Wolf examined twenty-one quantitative studies regarding the effects of school choice on several civic values-- political tolerance, volunteerism, political knowledge, political participation, social capital, civic skills, and patriotism-- and found that the effect of private schooling and school choice was almost always neutral or positive. Wolf noted that these studies found even more positive effects of school choice (that is, a move from public to private schools enabled by school choice): twenty-one found a school-choice advantage in promoting citizenship, thirteen found no effect, and two showed benefits from traditional public schools.⁵⁵

Indeed, there is strong evidence that Catholic schools actually outperform their public counterparts in inculcating basic democratic values.

To the extent that participation in school choice programs would stabilize urban Catholic schools, forestall school closures, and advance civic values, expanding school choice likely would increase neighborhood social capital where it is arguably needed most-- in poor urban neighborhoods. For instance, a school choice program in the state of Georgia is empowering parents to secure a better elementary and secondary education for their children, especially African-American and Latino parents. In 2008, Georgia lawmakers passed the Georgia Education Expense Credit scholarship program, which awards taxpayers with a state income tax credit for contributions to student scholarship organizations (“SSOs”) that award scholarships to low- and middle-income families to send their children to the private schools of their choice. Since 2008, GRACE Scholars, the SSO managed by the Archdiocese of Atlanta and the Diocese of Savannah, has awarded 4,305 annual scholarships totaling \$10,810,783, including 836 scholarships totaling \$3,628,961 being awarded to African-American, Latino, and other racial or ethnic minority students. Meanwhile, during the same period, the Georgia GOAL Scholarship Program has awarded 20,431 annual scholarships totaling \$75.6 million, including 7,424

⁵⁴ David E. Campbell, “*The Civic Side of School Choice: An Empirical Analysis of Civic Education in Public and Private Schools*,” *B.Y.U. Law Review* 2008 (2008): 501-10.

⁵⁵ Patrick J. Wolf, “Civics Exam,” *Education Next*, Summer 2007.

scholarships totaling \$32,520,818 being awarded to African-American, Latino, and other racial or ethnic minority students.

These school choice programs, and others like them in other states, are providing minority parents with greater opportunities for access to learning and are helping to generate social capital and social cohesion in America's urban and rural neighborhoods. Yet, in Georgia, as is the case in other states, relying on anti-Catholic Blaine amendments adopted in the nineteenth century, opponents of these opportunities have sued in court to block or overturn these critically important programs. In *Educating Today and Tomorrow*, the Congregation on Catholic Education highlighted the unfortunate discrimination against elementary and secondary education in which some governments engage:

Some governments are quite keen on marginalizing Catholic schools through a number of rules and laws that, sometimes, trample over Catholic schools' pedagogical freedom. In some cases, governments hide their animosity by using lack of resources as an excuse. In these situations, the existence of Catholic schools is not ensured.

Another threat that might emerge once again is related to rules to avoid discrimination. Under the guise of a questionable "secularism", there is hostility against an education that is openly based on religious values and which, therefore, has to be confined to the "private" sphere.⁵⁶

Ultimately, government officials must eliminate discriminatory elementary and secondary education funding practices and implement funding strategies that maximize the ability of parents to secure the best education possible for their children at the public or private schools of their choice, religious or otherwise.

⁵⁶ Congregation on Catholic Education, "Educating Today and Tomorrow."

The challenges facing us today call for a renewal of that spirit of cooperation, which has accomplished so much good throughout the history of the United States. The complexity, the gravity and the urgency of these challenges demand that we pool our resources and talents, and resolve to support one another, with respect for our differences and our convictions of conscience.

In this land, the various religious denominations have greatly contributed to building and strengthening society. It is important that today, as in the past, the voice of faith continue to be heard, for it is a voice of fraternity and love, which tries to bring out the best in each person and in each society. Such cooperation is a powerful resource in the battle to eliminate new global forms of slavery, born of grave injustices which can be overcome only through new policies and new forms of social consensus.

Pope Francis
Visit to the Joint Session of the United States Congress
United States Capitol
Washington, D.C.
24 September 2015

IX. Conclusion and Recommendations

For centuries, consistent with Article 5 of the Convention, through Catholic elementary and secondary school education, the Catholic Church in America and throughout the world has advanced the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law, notably in the enjoyment of the right to education and training. Likewise, consistent with Article 7 of the Convention, through Catholic education, the Catholic Church has combatted prejudices which lead to racial discrimination; promoted understanding, tolerance and friendship among nations and racial or ethnic groups; and propagated the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and the Convention. Accordingly, the Committee should monitor whether States parties to the Convention are engaging in discriminatory elementary and secondary education funding practices that deny low- and middle-income parents the opportunity to send their children to the public or private schools of their choice, including Catholic and other religious schools. In cases

where, to the detriment of racial or ethnic groups, States parties are engaging in such discriminatory education funding practices, the Committee should recommend that the States parties discontinue such practices and, to advance the principles of the Convention, adopt and implement voucher, tax credit scholarship, charter school, education savings account, or other school choice programs that provide parents with greater opportunities for access to learning.