

A Human Rights Framework for Education and Discipline

All people have a basic human right to a quality education.

The right to education is deeply rooted in the fabric of U.S. society and is protected in almost every state constitution. Human rights treaties and declarations also recognize the right to education:

- Universal Declaration of Human Rights
- Convention on the Rights of the Child
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Elimination of All Forms of Racial Discrimination

The DSC believes that human rights offer a framework based on 4 fundamental principles that can shift our approach to education and school discipline:

<p>Full development of the child: Education must be aimed at the development of each child’s personality, talents, mental and physical abilities to their fullest potential. School discipline should be part of this educational process to teach social skills and support students’ academic, social and emotional development.</p>	<p>“Education must also be aimed at ensuring that essential life skills are learnt by every child...such as the ability to make well-balanced decisions; to resolve conflicts in a non-violent manner; and to develop a healthy lifestyle, good social relationships and responsibility.” <i>- UN Committee on the Rights of the Child, General Comment (GC) 1</i></p>
<p>Protection of human dignity: Schools must create an environment of respect and tolerance, preventing practices and disciplinary policies that cause harm or humiliation, and promoting self-confidence and self-expression.</p>	<p>“States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity.” <i>- Convention on the Rights of the Child, Article 28</i></p>
<p>Freedom from discrimination: There can be no discrimination in the way students are treated, in the access they have to educational opportunities, in the quality of educational services they receive, or in the outcomes of their education. Resources must be distributed <i>equitably</i> across communities based on where they are needed most.</p>	<p>Governments must ensure the right to education “without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.” <i>- Article 2, Convention on the Rights of the Child</i></p>
<p>Right to Participation : Students, parents, and educators have the right to participate in decisions that affect their schools and their right to education.</p>	<p>“Peer education and peer counseling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realization of rights.” <i>- UN Committee on the Rights of the Child, GC 1</i></p>