1986

A Welcome Retreat from Government by Consent Decree

Neal Devins
William & Mary Law School, nedevi@wm.edu

Repository Citation
https://scholarship.law.wm.edu/popular_media/276

Copyright c 1986 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.
https://scholarship.law.wm.edu/popular_media
A Welcome Retreat From Government by Consent Decree

By Jeffrey Rosen and Noa Demski

President Obama's policy wonks have formulated and sold a strategy not in the management of public expectations. In the school desegregation and prison-reform cases, judges have appointed expert special masters to advise them on policy details and then proceeded to rule in their favor, ignoring the objections of the plaintiffs. The same pattern is repeated in other areas, such as the refusal of the courts to enjoin mass-warehouse unions, or the setting aside of their own chosen criteria. Federal judges in various cases have intervened in school districts and prison systems to alter the course of events. This is a strategy of control, not in the management of public expectations, but in the management of public policy.

Last month, Attorney General Eric Holder issued new guidelines directing the 93 Department of Justice civil rights divisions to stop using the National Assessment of Curriculum and Teaching Standards for the evaluation of school districts. The Attorney General's guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

Consistent agreements often do occur, even in the face of constraints. They can be a powerful tool in achieving the desired outcome. The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.

The guidelines are intended to reduce the misleading nature of the national assessment, which is used by the Department of Education to measure school performance. The guidelines will also require state education agencies to develop their own performance measures, which will be used to evaluate school districts.