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Growing Inequality and Children

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GROWING INEQUALITY AND CHILDREN

NAOMI CAHN AND JUNE CARBONE *

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With rising economic inequality, a new elite has remade the relationship between men and women, work and family, and reaped the rewards for its children—rewards that are increasingly beyond the reach of the rest of the population. The roughly one-third of Americans who graduate from college and/or enjoy substantial incomes have developed a new family model, becoming more likely to raise their children in committed two-parent families. They spend both more time and money on their children

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than their grandparents did and they are more likely to stay together than their parents were. In contrast, the marginalized bottom-third have largely given up on marriage, raising children in the context of single parent families and contingent, rather than committed, relationships with a second adult. While overall societal wealth and education have increased, their lot has stagnated for the last half-century. The middle group is in flux, as it remains more likely to marry than the bottom, more likely to divorce than the top, and more likely than either the top or the bottom to raise children within multiple, unstable cohabitations. Today, this middle group is at risk, as it increasingly can neither replicate the elite strategies for investment in children, nor hold its own in a rapidly changing and more competitive society.

The changing fortunes of American families contribute to the recreation of class differences that have a profound effect on the life chances of the next generation. Class-based differences that have grown substantially over the past half-century now eclipse racial differences in predicting the educational performance of the next generation, and further, class influences children's perception of membership in supportive communities. First, the sheer disparities in income are greater, and these disparities translate into greater differences in educational performance, than the income differences of a half-century ago. Second, better-off workers often tend to have greater access to paid family leave and greater flexibility in taking time off to drive a child to Little League. Third, the divergence in family patterns, with stable two-parent involvement is increasingly beyond the reach of all but the upper-third of the American public, compounds the class effect as only the well-off enjoy the benefits that come from two incomes and two involved parents' investments. As a result, the class gaps in children's cognitive achievements, college attendance, civic engagement, athletic participation, and feelings of isolation and loneliness have grown.

Changing family structure is a reflection of a wholesale economic reorganization. We are still near the dawn of a new information age that replaced the industrial age. This age has replaced male brawn with machines and female housework with appliances. It has changed the gender dynamic from female dependence to independence and the marital dynamic to interdependence. In the process, the elite have remade the terms of childrearing while the existing economic regime blocks the extension of the elite model to the rest of the population.

This article documents the results. It provides background to the growing class gap in how children are raised, and then suggests that the solution requires either greater equality that creates more accessible pathways into the economic opportunities of tomorrow or direct subsidization that allows all families access to the benefits of the new

model. The new model, if it is to promote stable parenting unions, first requires access to stable employment. Second, it depends on terms of employment that are remade either to make jobs more family friendly or to facilitate transition into and out of the workplace in accordance with children's needs. Parents' contributions to their children are likely to improve if they are stably employed at jobs that pay a living wage, find it easier to retrain and secure new jobs, receive regular raises, and enjoy uninterrupted access to health, retirement, and insurance benefits. Third, working parents depend on access to reliable high quality childcare, and social science evidence suggests that the programs with the highest payoffs are in early childhood education. Just as free secondary education transformed nineteenth century childhood,¹ so too can universal pre-school education in the twenty-first century.² The most comprehensive pre-school programs affect the parenting environment as well as the child's socialization and cognitive abilities. With women no longer confined to the home, the state cannot depend on a full-time stay at home parent. Yet, the class shift towards much greater investment in the cognitive development of young children requires more resources for them—and their parents. Such investment is part of the infrastructure of the new economy and necessary to systematizing the new model in a way that makes it accessible to everyone.³

What will ultimately benefit all children most is not just more opportunities for the children themselves, but also the adults' ability to develop stable partnership relationships, to combine work and childcare, to tend to the children's educational and medical needs, and to do so in ways that improve the children's sense of belonging in communities that value and care for them. Public support is, accordingly, critical for all parents and particularly for working-class and poor parents; it is also critical to ensure improved educational opportunities for children.⁴

1. See JUNE CARBONE, FROM PARTNERS TO PARENTS: THE SECOND REVOLUTION IN FAMILY LAW 220 (2000) (hereinafter "PARTNERS TO PARENTS"); Claudia Goldin & Lawrence F. Katz, The Race Between Education and Technology 1, 5, 12, 18 (2010) (hereinafter "RACE BETWEEN EDUCATION AND TECHNOLOGY"); MARTHA ERTMAN, LOVE AND CONTRACTS: THE HEART OF THE DEAL ___ (forthcoming 2015) (___ at ___).

2. See Nicholas Kristof, Op-Ed. *Pre-K, The Great Debate*, N.Y. TIMES (Jan. 29, 2014), http://www.nytimes.com/2014/01/30/opinion/kristof-pre-k-the-great-debate.html?hp&rrref=opinion&_r=1. (discussing how early education can significantly change a child's life in the future).

3. See, e.g., MAXINE EICHNER, THE SUPPORTIVE STATE 77 (2010) (detailing programs and ideas about the care-taking needs of individuals and children).

4. See *id.* at 123 (arguing that the state's responsibility to children is "best met through supporting families in the normal course of events"); see generally LINDA

I. HISTORY

Today's new gilded age eerily resonates with the late nineteenth century Gilded Age: both are times involving a transformation of the economy, great poverty, and great wealth—and radical changes in the family, leading to a new family structure adopted by the new upper-middle class. Nineteenth century industrialization produced class differences deeply intertwined with the organization of the family, often simultaneously with distinctions between the Protestant native-born and immigrants of different religions from Southern and Eastern Europe, and in different ways with Native Americans and African-Americans before and after slavery. While the colonies had been relatively egalitarian—any free [white] man who wanted to own land only needed to move further west—the Industrial Revolution produced much greater inequality with the creation of great fortunes beyond anything that existed at the time of independence from England.

A. Industrialization and True Womanhood

By the 1840s, industrialization and urbanization had changed the Northeast. The factories displaced the crafts that had been the mainstay of the middle class in colonial towns and more farmers were leaving the land for the cities. The cities provided new opportunities for professionals, managers, and entrepreneurs, but middle class standing depended more on formal education than it had in Colonial America. Starting a family life too early could derail a man's prospects then. The burden fell to prospective brides to fend off male advances and, inspired by popular morality stories, they did. At a time of growing urbanization, these stories instructed young women to beware of the "city slickers." They pictured naïve and trusting young maidens who fell under the spell of the suave and duplicitous stranger. These women, who in colonial times may have "bundled" under the covers with their teenage sweethearts from down the road, could no longer depend on the shotgun marriage to save them from financial instability or loss of virtue. They needed to safeguard their "virtue" or face ruin if they faltered. Inspired by these morality tales, the number of women who gave birth within eight-and-a-half months of their nuptials fell from thirty percent in 1800 to ten percent in 1860, falling earliest and most for the urban middle class. The creation of the American middle class, which by 1910 would be the best educated in the world, had begun.

The women's magazines of the nineteenth century embraced the same definition of women's roles as the morality tales that first became popular among the urban middle class. Barbara Welter called these traits the

McCLAIN, *THE PLACE OF FAMILIES* (2006).

attributes of “True Womanhood“ and divided them “into four cardinal virtues – piety, purity, submissiveness, and domesticity. Put them altogether and they spelled mother, daughter, sister, wife—woman.”⁵ What allure did these virtues hold for farm women who embraced them as thoroughly as Boston society matrons? They increased women’s status, gave them responsibility for the well-being of the home, and entrusted to them their family’s moral standing. Perception of women changed from the “weaker vessels” of the colonial era, which required a man’s supervision, to independent actors capable of superior moral standing, so long as they stayed within the appropriate confines of the domestic role.

While patriarchy continued to circumscribe women’s roles, women’s new responsibility fueled the expansion of the middle class. Historian Mary Ryan provided an account of the transformation of the family in Utica, New York in the 1840s and 1850s. As a historian, Ryan reminds us that the separation of the family into the gendered worlds of home and market is neither universal nor timeless. Instead, it is a product of nineteenth century industrialization. Ryan observed that the middle class in upstate New York in the early part of the nineteenth century consisted of shopkeepers and skilled artisans. Industrialization threatened their existence, and between 1845 and 1856, their numbers dropped by half.⁶ The old livelihood was gone, as factories staffed by newly arriving Catholic immigrants took over much of the productive work of the town. The new pathway into middle class lay with greater emphasis on education.⁷

Ryan explains that greater emphasis on education did not just require sending more children to school for longer periods. It also meant “inculcat[ing] values and traits of character deemed essential to middle class achievement and respectability.”⁸ This in turn meant greater parental supervision. With the dawn of the industrial era, native-born parents tended to keep their children at home for periods extending into the children’s twenties.⁹ The family took on a new mission and women, who

5. Barbara Welter, *The Cult of True Womanhood: 1820-1860*, 18 AM. Q. 151, 152 (1966).

6. MARY P. RYAN, *CRADLE OF THE MIDDLE CLASS: THE FAMILY IN ONEIDA COUNTY, NEW YORK, 1790-1865, 184-85* (1981).

7. *See id.* (“Prescient native-born couples began in the 1830s to limit their family size, thereby concentrating scarce financial and emotional resources on the care and education of fewer children.”).

8. *See id.* (describing traits associated with success).

9. *See id.* (stating, “[n]ext, native-born parents tended to keep their children within the households of their birth for extended periods, often until their sons were well over twenty years of age”).

in the preceding era had been viewed as their husband's helpmates—if not servants—took charge of it.¹⁰

Joan Williams identifies this new approach as the ideology of “domesticity.”¹¹ Angela Harris describes it as an “elaborately articulated” redefinition of the roles men and women were to occupy within different spheres of social life: “men were to participate in the market as wage laborers, and women to be leaders in family relations, performing unpaid work both to reproduce the next generation and to care for the declining older generation.”¹² The changes genuinely increased women's autonomy and status—at least in the home.¹³ By the end of the nineteenth century, the pundits of that era were grumbling that women's increased status was destabilizing the family, and had increased divorce rates from virtually none to some.

Ryan emphasizes that the key to understanding these developments requires more than an examination of the family or women's roles in isolation. Instead, she appreciates that the change in sensibilities must be tied to the reorganization of the economy. When nineteenth century urbanization and industrialization destabilized the Protestant middle class that had dominated colonial life, they also created new opportunities for the men who could seize them. These new opportunities came from the creation of a more influential role for the professions, the scientists, the accountants, and the managers of the new industrial era. Education provided the pathways into these professions. And the white Protestant middle class, which had the resources to keep its wives and children out of the factories

10. See Alice Ristroph & Melissa Murray, *Disestablishing the Family*, 119 YALE L.J. 1236, 1261-62 (2010) (“A critical component of this separate spheres ideology was the construction of the wife as the moral center of the household. The wife was responsible for making the home a haven from the vulgarities and immoralities of the public sphere, all while inculcating their children with the values and virtues necessary for citizenship.”); see also Mark E. Brandon, *Home on the Range: Family and Constitutionalism in American Continental Settlement*, 52 EMORY L.J. 645, 694 (2003) (“The wife, as mistress of the home, was perceived by society and herself as the moral superior of the husband, though his legal and social inferior.”) (internal quotations and citation omitted).

11. Joan Williams, *From Difference to Dominance to Domesticity: Care as Work, Gender as Tradition*, 76 CHI.-KENT L. REV. 1441, 1457 (2001).

12. Angela P. Harris, *Theorizing Class, Gender, and the Law: Three Approaches*, 72 L. & CONTEMP. PROBS. 37, 45 (2009).

13. LINDA R. HIRSHMAN & JANE E. LARSON, *HARD BARGAINS: THE POLITICS OF SEX* 91 (1999) (observing that within marriage, women gained greater control over sexuality and reproduction, the legal basis for husbands' authority to beat their wives was undermined, interest in women's education increased, and so did women's church activities); see also Welter, *supra* note 5, at 151-52 (discussing graduation rates of males and females overtime).

of the era, reorganized family life to ensure the requisite investment in children necessary to reap the gains the industrial era offered. Ryan's ovoid insight is that the creation of the sharply differentiated roles of husband and wife is a story about the creation of class. Ryan's account emphasizes that with the rise of the industrial era in both England and the United States; class differences increased with a marked rise in the age of marriage for the middle class, a class-based decrease in fertility rates, and an increase in the investment in middle class of children.

By 1860, it was almost as likely for a white girl to attend school as a white boy, even in farming regions of the country. When high school education spread after the Civil War, it did so for both boys and girls, even though they learned different things at school: girls were prepared for motherhood and female-dominated jobs, while boys were prepared for male-dominated occupations.¹⁴ But attend they did: from 1870 until the middle of the twentieth century, female high school graduates outnumbered male graduates.¹⁵ The American workforce became the best educated in the world, and it did so in large part because it educated its daughters as well as its sons and entrusted women with oversight of the next generation's educational (and moral) success.¹⁶ The change in women's roles expanded the American middle class from the cities to the farms – and over the course of the next century the United States would extend these principles to every new group of immigrants.

Moreover, laws enacted over the next century, ranging from child labor to public education, helped universalize the practices that made possible a growing middle class.¹⁷ By the end of World War II, the educational achievements of Italian-Americans, the least educated of the turn of the century European immigrants, caught up with African-Americans determined from the end of slavery to educate their children.¹⁸ The nineteenth century middle class family had become the norm to which other groups aspired.

14. See Jill Elaine Hasday, *The Principle and Practice of Women's "Full Citizenship": A Case Study of Sex-Segregated Public Education*, 101 MICH. L. REV. 755, 758 (2002).

15. Dorothy W. Hartman, *Women's Roles in the Late 19th Century*, CONNER PRAIRIE, <http://www.connerprairie.org/Learn-And-Do/Indiana-History/America-1860-1900/Lives-Of-Women.aspx> (last visited Apr. 2, 2014).

16. RACE BETWEEN EDUCATION AND TECHNOLOGY, *supra* note 1, at 5, 135, 152-55, 161, 196, 231.

17. See PARTNERS TO PARENTS, *supra* note 1, at 219-20.

18. *Id.* at 108-09.

B. The 1950s

Stanley Kowalski (to Stella): When we first met, me and you, you thought I was common. How right you was, baby. I was common as dirt. You showed me the snapshot of the place with the columns. I pulled you down off them columns and how you loved it, having them colored lights going! And wasn't we happy together, wasn't it all okay till she showed here?

Blanche DuBois (to Stella): Oh, I guess he's just not the type that goes for jasmine perfume, but maybe he's what we need to mix with our blood now that we've lost Belle Reve.¹⁹

The 1950s marked the high point of the middle class American dream—and the high point of working class male success. Economists look back on the period from the end of World War II to the Reagan presidency as the “Great Compression.”²⁰ In that era, income inequality fell, American prosperity grew, and working class men like Stanley Kowalski enjoyed a striking increase in the demand for their labor.²¹ The difference in the wages between management and labor, the North and the South, and one occupation versus another all shrank. Productivity and wages increased by over one hundred percent during the 1950s with the unskilled worker gaining ground more rapidly than the skilled.

The Great Compression also marked the beginning of a remarkable change in family patterns and a dismantling of the middle class practices of the industrial era. The 1950s, of course, are the years of the “baby boom,” the dramatic increase in the birth rate following World War II.²² Many Americans look back with nostalgia on the families of this decade, but Stephanie Coontz emphasizes that:

[T]he “traditional” family of the 1950s was a qualitatively new phenomenon. At the end of the 1940s, all the trends characterizing the rest of the twentieth century suddenly reversed themselves: For the first time in more than one hundred years, the age for marriage and motherhood fell, fertility increased, divorce rates declined, and women's degree of educational parity with men dropped sharply.²³

19. TENNESSEE WILLIAMS, *A STREETCAR NAMED DESIRE* 13, 44, 112 (1947).

20. See e.g., Claudia Goldin & Robert A. Margo, *The Great Compression: The Wage Structure in the United States at Mid-Century*, 107 Q. J. ECON. 1 (1992).

21. See *id.* at 1-2, 5.

22. See STEPHANIE COONTZ, *THE WAY WE NEVER WERE: AMERICAN FAMILIES AND THE NOSTALGIA TRAP* 17, 25 (1992).

23. See *id.* at 25.

C. The 1960s

In 1960, the number of brides who were pregnant at the altar equaled its all-time high—going back to levels last seen in 1800.²⁴ The stories of the young brides were the same, whether the women were college students, factory workers, or high school sweethearts. Dating was an exercise in sexual brinksmanship.²⁵ Contraception, if it existed at all, was used by married, middle class women finished with childbearing.²⁶ The inconvenient pregnancy overwhelmingly resulted in a shotgun marriage to a man who could support a family or adoption of the child if the wedding ring was not forthcoming. The average age of marriage fell to twenty-years-old for women and twenty-two for men, the lowest ages in a century.²⁷ And fertility rates, which had fallen steadily through most of the rest of the twentieth century, soared.²⁸ As a country, we went through this together. College graduates wanted the same number of children as high school dropouts and the college graduates left the labor market once their children were born; only underclass women and a relatively small number of the best educated women remained in the labor market.²⁹ Women’s educational parity with men—the hallmark of American commitment to education—fell.³⁰ And the high marriage rates of youthful marriage set the stage for the explosion in divorce in the 1970s.³¹

Underlying the sexual revolution of the 1960s and 1970s was dissatisfaction with the straightjacket imposed on women’s family roles. Betty Friedan’s “The Feminine Mystique” addressed the “problem with no name.”³² That “problem” involved the conviction that there must be more

24. *See id.* at 39; HIRSHMAN & LARSON, *supra* note 13, at 92.

25. CARBONE, FROM PARTNERS TO PARENTS, *supra* note 1, at 89.

26. *Id.* at 94. *See generally* Claudia Goldin & Lawrence F. Katz, *The Power of the Pill: Oral Contraceptives and Women’s Career and Marriage Decisions*, 110 J. POL. ECON. 730 (2002) (noting legal changes that extended availability of contraception to unmarried women and minors).

27. *See* JUNE CARBONE & NAOMI CAHN, MARRIAGE MARKETS: HOW INEQUALITY IS REMAKING THE AMERICAN FAMILY 62 (2014); *see also* June Carbone & Naomi Cahn, *Red v. Blue Marriage*, in MARRIAGE AT THE CROSSROADS: LAW, POLICY, AND THE BRAVE NEW WORLD OF TWENTY-FIRST CENTURY FAMILIES 37 (Marsha Garrison & Elizabeth Scott eds. 2013) (hereinafter *Red v. Blue Marriage*); COONTZ, *supra* note 22, at 18..

28. *See* COONTZ, *supra* note 22, at 18; CARBONE, FROM PARTNERS TO PARENTS, *supra* note 1, at 88-89.

29. *See* CARBONE & CAHN, *supra* note 27, at 13; *see also* *Red v. Blue Marriage*, *supra* note 27, at 81.

30. CARBONE, FROM PARTNERS TO PARENTS, *supra* note 1, at 88.

31. *Id.*

32. *See generally* BETTY FRIEDAN, THE FEMININE MYSTIQUE (1963).

to life for ambitious women than overseeing two or three children in the suburbs. Women's roles were about to change, and – as a sign of the times – Doonesbury's iconic Joanie Caucus escaped the “meaningless rules” that defined her life by going to law school in Berkeley.³³

For younger women, the changes began with an explosion in college enrollments. Enrollment doubled in the 1960s and increased another forty-two percent in the 1970s. An increasing number of young women were moving away from home-based supervision without the safety of marriage. And the egalitarian values of the 1950s—which included increased fertility and early family formation—were on a collision course with greater opportunities opening up for women if they could only delay pregnancy long enough to make it to the career track. There were only two ways to do it: bring back the scarlet letter and once again police virginity, or embrace the birth control pill. The 1970s completed the sexual revolution that began two decades earlier. By the late 1970s, the number of women who had sex before the age of twenty-one rose from forty percent to seventy percent.³⁴ The age of majority fell from twenty-one-years-old to eighteen and college campuses responded by opening family planning centers.³⁵ After the Supreme Court decided *Roe v. Wade*, the 1973 decision that legalized abortion, adoption rates, which peaked in 1970, had been cut in half by 1975.³⁶ The average age of marriage rose—and it did so most dramatically for college graduates.³⁷ While fifty percent of college graduate women were married by the age of twenty-three during the 1960s, only thirty percent would be married by that age in 1980.³⁸ If the 1950s produced the baby boom, the 1970s produced the baby bust: fertility plummeted, divorce rates skyrocketed, and women's educational achievements soared.³⁹ Taken together, these, developments marked the beginning of the re-creation of the middle class.

33. *Joanie Caucus*, Archive of Comic Strip Characters, WASH. POST., <http://doonesbury.washingtonpost.com/strip/cast/member/13>; see Gail Collins, *The Fugitive Housewife*, SLATE (Oct. 25, 2010, 1:18 PM), http://www.slate.com/articles/life/doonesbury_at_40/2010/10/the_fugitive_housewife.html.

34. See Goldin & Katz, *supra* note 26, at 753 (explaining the growing liberalization of female sexuality).

35. *Id.*; see also *Red v. Blue Marriage*, *supra* note 27, at 83.

36. See *Red v. Blue Marriage*, *supra* note 27 at 9, 13.

37. *Id.* at 84.

38. See Goldin & Katz, *supra* note 26, at 754-55.

39. See *Red v. Blue Marriage*, *supra* note 27 at 38, 84.

II. CHILDREN AND THE GROWING CLASS GAP

Jessica Schairer, a single mother who struggles to get by on an annual income of \$25,000, contrasts the lives of her children with those of her supervisor: “I see [them]—they’re in swimming and karate and baseball and Boy Scouts, and it seems like it’s always her or her husband who’s able to make it there,” Ms. Schairer said. “That’s something I wish I could do for my kids. But number one, that stuff costs a lot of money and, two, I just don’t have the time.”⁴⁰

Class differences in raising children have always existed, whether it is the governess-directed life of elite children or the work-focused life of poorer children. What has changed is the amount of parental involvement in raising children, with different contemporary patterns depending on class. First, the sheer disparities in income are greater, and elite families can spend dramatically more on their children than the elites of earlier eras. Moreover, families in the upper third are much more likely to benefit from two incomes, both of which may be higher than those of single mothers like Jessica Schairer.⁴¹ The rate of nonmarital childbearing varies by class, and is concentrated among those who are younger, low income, and with comparatively low levels of education; while fathers may be around at birth, they often become less involved over time.⁴² Second, better-off parents often tend to have greater access to paid family leave or greater flexibility in taking time off to drive a child to Little League practice or attend Scouting events. Schairer, in contrast, lost a day’s pay to take her children on a field trip with their school. Third, the extended families and supportive communities, often dependent on women’s unpaid labor, have eroded. If Jessica Schairer cannot pay Boy Scouts dues or drive her children to karate practice, the children do not go. As a result, the class gaps in children’s cognitive achievements, civic engagement, athletic participation, feelings of isolation, and loneliness have grown.⁴³

40. Jason DeParle, *Two Classes, Divided By ‘I Do’*, N.Y. TIMES (July 14, 2012), <http://www.nytimes.com/2012/07/15/us/two-classes-in-america-divided-by-i-do.html?ref=jasondeparle>.

41. See, e.g., JAMES J. HECKMAN, *THE ECONOMICS OF INEQUALITY: THE VALUE OF EARLY CHILDHOOD EDUCATION* (2011), available at <http://www.aft.org/pdfs/americaneducator/spring2011/Heckman.pdf> (showing that intact families provide more cognitive stimulation for young children than single mothers or even blended families).

42. See Clare Huntington, *Post Marital Family Law*, ___ STAN. L. REV. ___ (forthcoming 2015) (draft at Section II.B.); see, e.g., KATHRYN EDIN & TIMOTHY NELSON, *DOING THE BEST I CAN: FATHERHOOD IN THE INNER CITY* (2013) (discussing how disadvantaged fathers struggled with fatherhood in the early twenty-first century).

43. See CARBONE & CAHN, *supra* note 27, at 89 (examining how class-based differences exist).

A. Childhood Gaps

These childhood gaps are a function of the quality and quantity of resources available to children. In turn, resource availability has been profoundly affected by workplace patterns that reward middle income women's ability to adapt to the new economy as working class jobs for men disappear,⁴⁴ even as men at the top continue their domination.⁴⁵ The results affect children's stimulation and cognitive development in early childhood, their attachment to, and support from, the adults in their lives, their feelings of trust and isolation, their school achievement and community participation, and the stability of their families. A half century ago, society marginalized a small group at the bottom that included many African-Americans, the rural and urban poor, and other isolated communities. Today, the destruction of community and familial bonds affects a much larger portion of American society and increases the gaps between the top, middle, and bottom.⁴⁶ The result is the reproduction of class through its impact on children from their first days of life.

Let us look at the numbers. Poor children have access to fewer resources at home and at school, and the effects show. In 1960, the gap in reading and math test scores among Whites of different classes were comparatively small, although the gap between Blacks and Whites was considerable. That relationship has changed. Sean Reardon of Stanford University describes this as the "income achievement gap."⁴⁷ He looks at test scores from children in the ninetieth percentile of the income distribution and in the tenth percentile and measures the differences. These class-based differences have grown steadily since the late 1970s, increasing with each passing decade. In contrast, racial differences fell substantially between 1950 and the early 1980s. Today, Reardon's income achievement gap is nearly twice as large as the Black-White achievement gap, and thirty to forty percent higher than it was twenty-five years ago.⁴⁸ While racial

44. See HANNA ROSIN, *THE END OF MEN: AND THE RISE OF WOMEN* 87 (2012) (describing the increasing number of women in the workforce).

45. See *id.* at 86; CARBONE & CAHN, *supra* note 27, at 89.

46. See generally CARBONE & CAHN, *supra* note 27.

47. See Sean F. Reardon, *The Widening Academic Achievement Gap Between the Rich and the Poor:*

New Evidence and Possible Explanations, in *WHITHER OPPORTUNITY? RISING INEQUALITY, SCHOOLS, AND CHILDREN'S LIFE CHANCES* 91 (Greg J. Duncan & Richard J. Murnane eds., 2011), available at <http://cepa.stanford.edu/sites/default/files/reardon%20whither%20opportunity%20-%20chapter%205.pdf>.

48. Sabrina Tavernise, *Education Gap Grows between Rich and Poor*, *Studies Say*, N.Y. TIMES (Feb. 9, 2012), <http://www.nytimes.com/2012/02/10/education/education-gap-grows-between-rich-and-poor-studies-show.html>.

differences and racism persist,⁴⁹ class has become a big story in looking at differences in children's educational achievement.

Over the last decade, researchers have gained greater insight into the sources of some of these differences. A study published in 2013 indicated that differences in cognitive performance associated with socioeconomic class appear in children as early as eighteen months, and found a six-month gap in both vocabulary learning and language processing efficiency *at age two*.⁵⁰ Children sitting on their mothers' laps were asked to identify common images, such as a ball. While children from different socioeconomic classes could each identify the images, children from less advantaged classes were slower to name the object. The gap between the rich and children in the middle is now as large as the gap between the middle and the poor.⁵¹ Measured by test gap scores, the rich are pulling away from everyone else.⁵²

Researchers have long been aware of differences in vocabulary; by age three, for example, children from higher socioeconomic status (SES) families had twice the vocabularies of children from lower SES backgrounds.⁵³ The newest studies measure not just vocabulary, but processing speed—the amount of time it takes a child to recognize a familiar word. These studies find a similar correlation between parents' SES and children's speed, which predicts the rate of subsequent language acquisition. Both factors have long-term consequences that correlate with adult performance.⁵⁴

A major source of the differences is the quality of the children's early language environments. Wealthier and better-educated parents engaged in dramatically more child-directed speech, providing a more interactive and cognitively stimulating environment, though other factors such as adequate

49. See, e.g., Philip Cohen, *What They Say About Race When They Don't Say Anything About Race and Poverty*, FAM. INEQ. (Mar. 19, 2014, 6:00 AM), <http://familyinequality.wordpress.com/2014/03/19/what-they-say-about-race/>.

50. Anne Fernald, Virginia A. Marchman & Adriana Weisleder, *SES Differences in Language Processing Skill and Vocabulary are Evident at 18 Months*, 16 DEVELOPMENTAL SCI. 234, 242 (2013).

51. Sean Reardon, Op-Ed, *No Rich Child Left Behind*, N.Y. TIMES (Apr. 27, 2013), <http://opinionator.blogs.nytimes.com/2013/04/27/no-rich-child-left-behind/>.

52. Sarah Garland, *When Class Became More Important to a Child's Education Than Race*, THE ATLANTIC (Aug. 28, 2013), <http://www.theatlantic.com/national/archive/2013/08/when-class-became-more-important-to-a-childs-education-than-race/279064/>.

53. *Id.*; see Fernald, Marchman & Weisleder, *supra* note 50, at 235.

54. Fernald, Marchman & Weisleder, *supra* note 50, at 244.

nutrition, the presence of lead, or parental stress may contribute.⁵⁵ While bad schools can make the differences worse, good schools do not close the gap.

Reardon further acknowledges that parents' education makes a difference, but it cannot explain what has changed over the last half century. Both in 1960 and 2000, if one wanted to predict how children would do on math and reading tests, one could look at their parents' education. In every decade, the children of engineers do better than the children of carpenters. What has changed is the effect of income. In 1960, the children of a college graduate executive who made \$80,000 a year did not do much better than a college graduate teacher who made \$20,000 a year. Today, the gap has increased between the children of an executive now making \$200,000 a year and a teacher with the same education making \$50,000 a year.

Nor can the gaps be explained by greater income inequality between the bottom and the top in some abstract sense. While the income differences between the middle and the bottom increased during this period, these changes had little effect on children's test scores. The big changes came from the increased income inequality in the top half—the gap between the ninetieth and fiftieth percentiles. Poor families face numerous different kinds of stress that profoundly affects their parenting.⁵⁶ Ultra high-income parents are doing something different that affects how their children perform;⁵⁷ for example, self-identified “tiger mothers” like Yale Law professor Amy Chua, an admitted outlier even among high status parents, really have discovered secrets that allow their children to outperform everyone else.⁵⁸ Reardon suggests that high-income parents must somehow be changing how they invest in their children's cognitive development.⁵⁹

Reardon's description matches up with what we have described as the “new blue” family life. Upper middle class parents are more likely to raise

55. See *id.* at 243 (analyzing studies with twins that indicate that at higher SES levels, genetic variation accounts for a substantial portion of the difference in children's performance; for children raised in poverty, the genetic component drops to close to zero, but environmental factors explain sixty-percent of the variation).

56. See, e.g., Heather Tirado Gilligan, *Food Deserts Aren't the Problem*, SLATE (Feb. 10, 2014, 7:00 AM), http://www.slate.com/articles/life/food/2014/02/food_deserts_and_fresh_food_access_aren_t_the_problem_poverty_not_obesity.html; see also SENDHIL MULLAINATHAN & ELGAR SHAFIR, SCARCITY: WHY HAVING TOO LITTLE MEANS SO MUCH 136 (2013).

57. See generally ANNETTE LAREAU, UNEQUAL CHILDHOODS: CLASS, RACE, AND FAMILY LIFE (2d ed. 2011).

58. See generally AMY CHUA, THE BATTLE HYMN OF THE TIGER MOTHER (2011)(describing how “tiger mothers” raise their children).

59. See Reardon, *supra* note 51.

children within two parent families, and both mothers and fathers spend more time with their children than their own parents did with them.⁶⁰ These well-off parents, who spend substantial sums on cleaning crews and energy efficient washers and dryers, devote increasing amounts of their own time and hire carefully selected high quality nannies, preschool teachers, tutors, sports trainers, and camp counselors to provide activities that stimulate their children's cognitive environment. Well-off families have remade the use of parental energies to invest even more in children, even with two parents in the workforce.

Consider the results of studies that measure the amount of "developmental time" parents spend interacting with their children.⁶¹ They have tried to capture the change in the minutes per day parents spend reading to their children, playing with them, or taking them to sports practice, the library, and ballet lessons. In the 1960s and 1970s, these results did not vary much by class. Then, high school graduate mothers spent four minutes a day *more* than college graduate mothers in activities that contributed to their children's development.⁶² The college graduate fathers spent a bit more time than the high school graduate fathers, cancelling out the differences among the mothers. Starting in the 1980s, both groups began to spend much more time with their children, but the college graduates' increase was more dramatic. By 2010, the differences had grown from a few minutes to almost an hour a day.⁶³ While women spend substantially less time on housework than they once did, college graduate parents, irrespective of gender, interact with their children to a much greater degree than their parents did. The younger the child, the greater the differences in parenting time by parents' education had become.⁶⁴ College graduate parents have become much more likely than parents with only a high school education to play patty cake with their toddlers.⁶⁵ Perhaps reflecting these differences, a 2013 study found that parents who have attended college felt more confident about their parenting than those who have never attended college.⁶⁶

60. ROBERT D. PUTNAM, CARL B. FREDERICK & KAISA SNELLMAN, *GROWING CLASS GAPS IN SOCIAL CONNECTEDNESS AMONG AMERICAN YOUTH, 1975-2009* 7 (2012), *available at* http://www.hks.harvard.edu/saguaro/pdfs/SaguaroReport_DivergingSocialConnectedness.pdf.

61. *Id.*; LAREAU, *supra* note 57.

62. *See* PUTNAM, FREDERICK & SNELLMAN, *supra* note 60 at 10, fig.3.

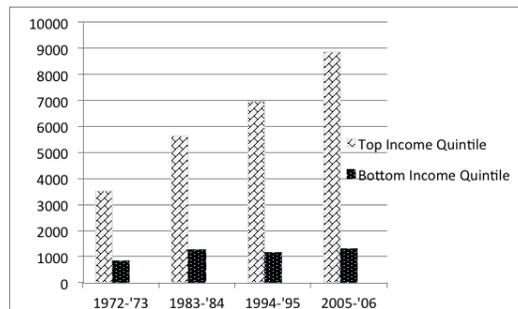
63. *See id.* at 9.

64. *Id.* at 11.

65. *See* CARBONE & CAHN, *supra* note 27, at 85.

66. KIM PARKER & WENDY WANG, PEW RESEARCH CTR., *MODERN PARENTHOOD:*

ENRICHMENT EXPENDITURES ON CHILDREN, 1972-2006 (2008 dollars)⁶⁷



ROLES OF MOMS AND DADS CONVERGE AS THEY BALANCE WORK AND FAMILY 24
(2013), *available at*
http://www.pewsocialtrends.org/files/2013/03/FINAL_modern_parenthood_03-2013.pdf.

67. WHITHER OPPORTUNITY? RISING INEQUALITY, SCHOOLS, AND CHILDREN'S LIFE CHANCES 11 (Greg J. Duncan & Richard J. Murnane eds., 2011).

The same thing is true with differences in spending on children. Differences in parental income have increased, and the parents do not just spend the money on themselves. The parents with the most money seek out camps that reinforce foreign language skills, personal trainers who work on Little League techniques, and vacations with their children that range from the Bahamas to the Himalayas. In the 1970s, the top income quintile spent about four times as much as the bottom income quintile on such activities for their children. By 2005-06, they spent six to seven times as much.⁶⁸ Indeed, the top ten percent spends almost ten times as much on their children as those in the lowest decile, and more than three times as much as those in the middle, even though the lowest decile spends the highest percentage of their income on their children.⁶⁹

These differences reflect the ability of the upper middle class to combine workforce participation, which increases the family's resources because of their high rate of marriage (and of staying married), with active parenting. These working mothers have increased the time they spend on their children, in part because they no longer also cook dinner, mop the floors, and do the laundry, and in part because they are older and more mature.⁷⁰

These advantages create feedback loops. The children of women who have a college degree wait to have children until they have assembled the resources that allow them to devote considerable time, money, and attention to their children. The mothers themselves are older and more mature. They are more likely to have jobs that make it easier to combine work and family.⁷¹ Their mature families are also more stable.⁷² Working class women, in contrast, who grow up with less parental supervision and fewer opportunities, are more likely to become pregnant in their late teens

68. *Id.*

69. Sabino Kornrich & Frank Furstenberg, *Investing in Children: Changes in Parental Spending on Children, 1972-2007*, 50 *DEMOGRAPHY* 1, 13 (2013).

70. See June Carbone, *Is Fertility the Unspoken Issue in the Debate Between Liberal and Conservative Family Values?*, 32 *LAW & SOC. INQUIRY* 809, 822 (2007) (reviewing LINDA C. McCLAIN, *THE PLACE OF FAMILIES: FOSTERING CAPACITY, EQUALITY, AND RESPONSIBILITY* (2006)); see also Sara McLanahan, *Diverging Destinies: How Children Are Faring Under the Second Demographic Transition*, 41 *DEMOGRAPHY* 607, 608 (2004).

71. See BARBARA GAULT, ET AL., INST. FOR WOMEN'S POL'Y RES., *PAID PARENTAL LEAVE IN THE UNITED STATES* 29-30 (2014).

72. E.g., Allison Aughinbaugh, Omar Robies & Huguette Sun, *Marriage and Divorce: Patterns by Gender, Race, and Educational Attainment*, BUREAU OF LAB. STAT. (2013), <http://www.bls.gov/opub/mlr/2013/article/marriage-and-divorce-patterns-by-gender-race-and-educational-attainment.html>

(reviewing studies); see CARBONE & CAHN, *MARRIAGE MARKETS*, *supra* note 27, at 18; ISABEL V. SAWHILL, *GENERATION UNBOUND: DRIFTING INTO SEX AND PARENTHOOD* 1-15 (2014).

or early twenties, less likely to give birth within marriage, and less likely to respond to an unplanned pregnancy with an abortion.⁷³ The result builds in greater parental stress from the child's birth.

Sociologists further find that greater income segregation and the community stress that occurs with economic decline affect children's performance. They have discovered, for example, that a higher percentage of children in poor communities have trouble focusing on schoolwork.⁷⁴ Other studies indicate that community level events, such as a plant closing or a regional economic downturn, reduce test scores and increase disciplinary problems for children attending public schools in those counties, and the effects emerge more rapidly for children from low SES families than for their more affluent peers.⁷⁵ The worsening problems affect even those children in the same communities whose parents remain employed. Economic decline itself further reduces the resources available for the public schools in these neighborhoods and often increases teacher turnover.

The consequence is not just a divergence in test scores and reduced social mobility. The results of these changes affect basic participation in society. Between 1992 and 2004, high school seniors from the bottom income quartile became significantly less likely to be on high school athletic teams, and much less likely to play a leadership role.⁷⁶ The highest income quartile increased their participation over the same period, snaring a higher percentage of sports team captainships.⁷⁷ The same thing happened to other after school activities. Wealthy tenth graders became more likely to participate; the participation of the bottom quarter of high school students dropped.⁷⁸ Even church attendance reflects the growing class disparities. In the 1970s and 1980s, church attendance dropped, and it did so in roughly the same proportions for all high school seniors.⁷⁹ But, beginning in the late 1980s, church attendance for parents with at least a college degree stabilized.⁸⁰ For the bottom third, on the other hand, the decline in

73. See Paula England, Elizabeth McClintock & Emily Fitzgibbons Shafer, *Birth Control Use and Early, Unintended Births: Evidence for a Class Gradient*, in *SOCIAL CLASS AND CHANGING FAMILIES IN AN UNEQUAL AMERICA* 21 (Marcia Carlson & Paula England eds., 2011).

74. Greg J. Duncan & Richard J. Murnane, *Introduction: The American Dream, Then and Now*, in *WHITHER OPPORTUNITY? RISING INEQUALITY, SCHOOLS, AND CHILDREN'S LIFE CHANCES* 7-8 (Greg J. Duncan & Richard J. Murnane eds., 2011), available at https://www.russellsage.org/sites/all/files/Duncan_Murnane_Chap1.pdf.

75. *Id.* at 7-8.

76. PUTNAM, FREDERICK & SNELLMAN, *supra* note 62, at 13-14.

77. *Id.* at 13.

78. *Id.* at 12-13.

79. *Id.* at 15.

attendance accelerated.⁸¹ In an era when the changes in employment have made the top group better off while depleting the jobs in the middle of the economy, the effects echo through the community engagement of the next generation.⁸²

Some of the class differences reflect long standing cultural divisions about the right way to raise children. In *Unequal Childhoods* and follow-up studies, Annette Lareau followed a dozen families for about a month, studying their parenting habits.⁸³ Affluent families, both Black and White, engage in what she labels “concerted cultivation,” whereby children are constantly busy with soccer practice, piano lessons, tutoring, and other activities.⁸⁴ By contrast, working-class and poor families rely on strategies that encourage “the accomplishment of natural growth,” in which a child’s development occurs spontaneously. Parents do not chauffeur their children to their carefully planned birthday parties, sports practices, or play dates. Instead, children are responsible for finding their own activities. The overscheduled middle class children may develop less independence.⁸⁵ The working class children are more independent and less entitled. Yet, they lack advocates who help them navigate complicated structures in institutions ranging from schools to the criminal justice system..

Similar patterns occur with respect to school attendance and completion. Too many cut classes in high school may mean no degree for the working class child, while the upper middle class parents negotiate make-up assignments directly with the principal.⁸⁶ Upper middle class parents today may hire college application counselors to help with selecting a school, writing applications, and making sure their child gets in. The counselors can help find SAT tutors, provide tips on making sure that harried high school teachers get in the required recommendations, and help craft effective college essays. Working class students may be largely on their own, and patterns of college attendance reflect this.⁸⁷

80. *Id.* at 17 (measuring church attendance for high school seniors born from, approximately, 1960-1992).

81. *Id.*

82. *Id.* at 17.

83. LAREAU, *supra* note 57.

84. *Id.* at 1.⁸⁷

85. Annette Lareau & Amanda Cox, *Social Class and the Transition to Adulthood: Differences in Parents’ Interactions with Institutions*, in *SOCIAL CLASS AND CHANGING FAMILIES IN AN UNEQUAL AMERICA* 134, 161 (Marcia Carlson & Paula England eds., 2011).

86. *See id.*

87. *See, e.g.*, Bryce Covert, *Well-Off Children are Six Times More Likely to Attend Elite Colleges*, THINK PROGRESS (Dec. 2. 2013, 11:08 AM), <http://thinkprogress.org/economy/2013/12/02/3007791/elite-colleges-inequality/>.

B. College

In late 2012, *New York Times* journalist Jason DeParle documented what happened to three women who graduated from the same high school, one of the few schools in Texas ranked “academically unacceptable.” The first woman, Angelica, enrolled in Emory University. Her mother, who had become a citizen after illegally emigrating from Mexico, acknowledged that Angelica had essentially raised herself. The second woman became a freshman at Texas State University, and the third began her studies at a community college. Four years later, none “ha[ve] a four-year degree. Only one is still studying full time, and two have crushing debts. Angelica, who left Emory owing more than \$60,000, is a clerk in a Galveston furniture store.”⁸⁸ It is no surprise that the article focused on women; low-income men are much less likely to attend college.⁸⁹

In contrast, most of our friends’ children, both male and female, enrolled in college and finished,⁹⁰ in accord with more general trends in which college serves to reinforce the already existing class differences of the students who attend.⁹¹ Students in the highest income quartile are twenty-three percent more likely than students in the lowest income quartile to graduate from high school. The desire to go to college does not differ by race or class, but attendance and graduation rates do.⁹² Two-thirds of those students in the upper quarter of the income distribution with at least one college graduate parent earned a university degree. In comparison, only nine percent of those in the bottom quarter who would have been the first in their families to do so finished college.⁹³ Among the top third income group, upon high school graduation, boys and girls attend college at roughly the same rates; this is not true for other socioeconomic groups.⁹⁴ And, among students who received the highest test scores, seventy-four

88. Jason DeParle, *For Poor, Leap to College Often Ends in a Hard Fall*, N.Y. TIMES (Dec. 22, 2012), http://www.nytimes.com/2012/12/23/education/poor-students-struggle-as-class-plays-a-greater-role-in-success.html?pagewanted=all&_r=0.

89. JACQUELINE E. KING, GENDER EQUITY IN HIGHER EDUCATION: 2006 7 (2006).

90. See ANTHONY P. CARNEVALE & JEFF STROHL, SEPARATE & UNEQUAL: HOW HIGHER EDUCATION REINFORCES THE INTERGENERATIONAL REPRODUCTION OF WHITE RACIAL PRIVILEGE 7 (2013), available at http://www.issuelab.org/resource/separate_and_unequal_how_higher_education_reinforces_the_intergenerational_reproduction_of_white_racial_privilege..

91. See ELIZABETH A. ARMSTRONG & LAURA T. HAMILTON, PAYING FOR THE PARTY: HOW COLLEGE MAINTAINS INEQUALITY xii (2013).

92. WILLIAM G. BOWEN, MATTHEW M. CHINGOS & MICHAEL S. MCPHERSON, CROSSING THE FINISH LINE: COMPLETING COLLEGE AT AMERICA’S PUBLIC UNIVERSITIES 6 (2009).

93. *Id.* at 8.

94. See KING, *supra* note 89, at 11.

percent of those from the highest income group graduated from college compared to fifty-one percent from middle-income families and thirty percent from low income families.⁹⁵

Moreover, low and middle-income students with low test scores were disproportionately less likely to finish college than their high income counterparts with similarly low scores.⁹⁶ Students from middle-income families are at higher risk for student debt than students at either end of the economic spectrum.⁹⁷

The class-based disparity in college education is reflected not just in the familial income of college students but also in the class-based disparities of college attendance. Unsurprisingly, SES correlates with both a student's choice of university and with college attendance. Students from working class backgrounds who qualify for admission at selective institutions are much more likely to enroll in less selective four-year colleges, two-year colleges, or to not attend at all than middle-class students admitted to the same schools.⁹⁸ It has become significantly harder to manage college applications and financing without parental involvement, and recent state budget cuts are rapidly pushing tuition at what had been affordable state universities beyond the reach of an increasingly large portion of the population.⁹⁹

These results magnify class differences. Two generations ago, these class-based differences in culture existed, and upper third male students were the most likely group to attend college.¹⁰⁰ But the differences in

95. SUZANNE METTLER, *DEGREES OF INEQUALITY: HOW THE POLITICS OF HIGHER EDUCATION SABOTAGED THE AMERICAN DREAM* 26 (2014).

96. *Id.*

97. Jason N. Houle, *Disparities in Debt: Parents' Socioeconomic Resources and Young Adult Student Loan Debt*, 87 *SOC. OF EDUC.* 53, 58 (2014), available at <http://soe.sagepub.com/content/87/1/53>.

98. See Martha J. Bailey & Susan M. Dynarski, *Gains and Gaps: Changing Inequality in U.S. College Entry and Completion 2* (Nat'l Bureau of Econ. Research, Working Paper No. 17633, 2011), available at <http://www.nber.org/papers/w17633>; see also THOMAS A. DiPRETE & CLAUDIA BUCHMAN, *THE RISE OF WOMEN: THE GROWING GENDER GAP IN EDUCATION AND WHAT IT MEANS FOR AMERICAN SCHOOLS* 175-79 (2013) (suggesting that part of the reason boys do worse than girls is that their performance depends more on reinforcement from both school and community; both boys and girls do better in better schools, but the impact of better schools on boys is greater).

99. JOAN C. WILLIAMS, *RESHAPING THE WORK-FAMILY DEBATE: WHY MEN AND CLASS MATTER* 162 (2010) (“[C]lass is expressed as cultural differences.”).

100. See Thomas Brock, *Young Adults and Higher Education: Barriers and Breakthroughs to Success*, 20 *FUTURE CHILD.* 109, 110-11 (2010), available at http://muse.jhu.edu/journals/future_of_children/v020/20.1.brock.pdf.

absolute terms were less, with less divergence between the wages for college and high school graduates, and they did not prevent the United States from becoming one of the superiorly educated and most prosperous societies in the world. Today, the interaction of cultural differences with family and economic changes *means that children are likely to face even greater inequality in the distribution of resources than their parents, lowering the overall human capital of the next generation.* The strength of the United States—and of democracies more generally—has long been associated with the strength of the middle class. The class-based nature of the recent changes in family structure, together with the lack of alternative ways to channel resources to children, threatens the well-being of the middle class in the United States and poses the risk of creating a large and unbridgeable gulf between those who can continue to realize the benefits of college education and well-paying, skilled positions, and those who may continue to see their living standards erode even if they graduate from high school, community college, or technical programs.

This analysis suggests a reinforcing cycle: greater inequality increases the class-based differences in family form, which in turn amplify class-based differences in the cognitive performance of the next generation, which in turn increase overall wage inequality. The result reduces the total, not just the relative, human capital investment in future Americans. Community well-being produces synergistically positive effects; with greater inequality and the disappearance of jobs, we are seeing the destruction of communities and the people within them. The next generation will not do as well as their parents.

III. REBUILDING FROM THE BOTTOM UP: ADDRESSING CHILDREN'S NEEDS

Making increased human capital investment in children universal, rather than a hallmark of class privilege, requires a commitment to provide for all of our children in ways that go beyond what many parents can afford.

The wholesale remaking of the pathways to success has a dramatic—and drastic—impact on how we channel support for children. This will require rebuilding the support for children from birth until entry into the workforce through adequate child care, family friendly workplaces, fallback assistance when children are sick, the ability to manage after school supervision and activities, and increased educational opportunities for lower income children both before the age of five and after the age of eighteen. In the past, solutions for these issues depended on women's unpaid labor, putting the benefits of domesticity beyond the reach of the working class. Today's society depends on dual income families who earn enough to pay others to provide childcare and "enrichment" activities, again putting the pathways to middle class life beyond those whose jobs do

not pay them enough to secure quality care. Jessica Schairer, ironically, works in a day care center, but not one flexible enough to allow her to devote more time to her own children.¹⁰¹

Caring for children involves providing a safe and stimulating environment, overseeing homework and troubleshooting school tensions, supplying nutritious foods and encouraging children to eat them, and establishing the bonding that allows children to feel valued and nurtured. Well-educated parents can bring more emotional and financial resources to their children's care. Low-income parenting is simply more difficult. The most effective interventions are intensive and early; they start with prenatal aid for the mother and continue with efforts to enmesh the family in a supportive community that, for example, allows all children to get to soccer and baseball practices.

The reintegration of women in the workforce requires rebuilding the infrastructure of support for early childhood. Even if greater inequality was not an issue, it would take community efforts to provide for universal pre-school just as it took coordinated public and private efforts to insure universal access to elementary and secondary education a century ago. The negative effects of increasing inequality on many communities, which have stretched families thin and increased poor families' isolation from their neighbors and extended kin,¹⁰² make the reconstruction project that much more critical.

A. Rebuilding Support for Children

Addressing the recreation of class from "the bottom up" means thinking about how we channel resources to children. In a country in which many mothers and fathers are likely to be in the workforce, and with an increasing number of children born to non-marital parents who have access to only one income (or who have at least one unemployed parent), we need to rebuild the networks that promote children's well-being from the time of their mothers' pregnancy forward and that manage employment, family gaps, and tensions. The policies are critical, regardless of whether the children are born into married, cohabiting, or single-parent households, in constructing the pathways that support children into adulthood.

1. Maternal Health and Newborn Assistance

New research indicates that a woman's malnutrition during pregnancy

101. See DeParle, *supra* note 40.

102. See CARBONE & CAHN, *supra* note 27, at 83 (discussing the increasing class-based differences in parental time spent with children and children's feelings of isolation from their communities).

contributes to adult hypertension, coronary artery disease, and diabetes.¹⁰³ Moreover, the mother's well-being immediately after birth has significant effects on newborn bonding, stimulation, nutrition, and physical and emotional health.¹⁰⁴ Generally, one of the predictors of later health problems is early poverty.¹⁰⁵ Risk factors in childhood such as poor nutrition, poverty, and less cognitively stimulating environments have lifelong negative consequences while parental bonding, good nutrition, and full access to health care may have positive effects that last a lifetime. Single-parenthood further complicates the risks, and increases the likelihood of isolation, lack of support, and depression.¹⁰⁶ Medicaid, which has expanded coverage under the Affordable Care Act, covers some prenatal services, supplies such as vitamins and some prenatal screening as well as delivery, and sixty days of postpartum care. When it comes to other services, however, ranging from counseling and education to support for breastfeeding, coverage varies significantly between states.¹⁰⁷

Based on these findings, it is clear there is a need for increased attention to pregnant and new mothers. Prenatal health care, counseling, and nutrition programs can help identify risk factors, such as inadequate nutrition or potential complications in the pregnancy at an early stage and design appropriate interventions. Evaluations of the supplemental food program for pregnant mothers, for example, indicate that the program has generally, though not uniformly, been effective for families at the greatest risk of poor nutrition.¹⁰⁸ Regular doctors' visits after the child's birth helps

103. John F. Irwin, *Invest Wisely in Early Childhood*, BALT. SUN (Mar. 15, 2013, 3:45 PM), <http://www.baltimoresun.com/news/opinion/readersrespond/bs-ed-child-health-letter-20130314,0,6670846.story>; see D.J.P. Barker, *The Developmental Origins of Adult Disease*, 18 EUR. J. EPIDEMIOLOGY 733, 733 (2003).

104. See Cheryl T. Beck, *The Effects of Postpartum Depression on Child Development: A Meta-analysis*, 12 ARCHIVES PSYCHIATRIC NURSING 12, 12 (1998) (discussing effects of postpartum depression on children's long-term cognitive and emotional development).

105. E.g., Katherine Magnuson & Elizabeth Votruba-Drzal, *Enduring Influences of Childhood Poverty*, 26 FOCUS 32, 34 (2009), available at <http://www.irp.wisc.edu/publications/focus/pdfs/foc262f.pdf>.

106. J. Cairney, M. Boyle, D. R. Offord & Y. Racine, *Stress, Social Support and Depression in Single and Married Mothers*, 38 SOC. PSYCHIATRY & PSYCHIATRIC EPIDEMIOLOGY 442, 442 (2003).

107. KAISER FAM. FOUND., *MEDICAID'S ROLE FOR WOMEN ACROSS THE LIFESPAN: CURRENT ISSUES AND THE IMPACT OF THE AFFORDABLE CARE ACT 3-4* (2012), available at <http://kaiserfamilyfoundation.files.wordpress.com/2013/01/7213-04.pdf>.

108. E.g., *Women, Infants and Children (WIC): About WIC—How WIC Helps*, USDA, <http://www.fns.usda.gov/wic/about-wic-how-wic-helps> (last modified Nov. 18, 2013); see Michael Martinez-Schiferl, *WIC Participants and their Growing Need for Coverage*, URBAN INST. 5 (2012), available at

provide instruction for new parents, identify health issues, and guide early interventions. Developmental delays, and other problems often benefit from intensive interventions at ages when the child's neurological and other systems are still developing.¹⁰⁹

Post-childbirth home visits can assist with support, education, and nutritional and educational information for new mothers. In New York State, for example, specially trained home visitors targeted at-risk families in an effort to: promote positive parenting skills and parent-child interaction; prevent child abuse and neglect; encourage prenatal care, child health, and development; and assist the parents in achieving self-sufficiency.¹¹⁰ The program produced positive results in terms of learning behaviors, and evaluators found that the single most critical component was the frequency of the visits, rather than their content or number.¹¹¹ These visits can provide the kind of on-going support for new mothers that might have come from extended families in another era.¹¹² Home visits appear to provide support to new mothers and encourage more positive environments for their children.¹¹³

2. Early Childhood

The quality of early care has a lasting effect on children's cognitive, social, and psychological development.¹¹⁴ Longitudinal studies find that

<http://www.urban.org/uploadedpdf/412549-wic-participants-and-their-growing-need-for-coverage.pdf>.

109. See, e.g., SARAH AVELLAR ET AL., OPRE, HOME VISITING EVIDENCE OF EFFECTIVENESS REVIEW: EXECUTIVE SUMMARY (2014), available at http://homvee.acf.hhs.gov/HomVEE_Executive_Summary_2013.pdf.

110. KRISTEN KIRKLAND & SUSAN MITCHELL-HERZFELD, N.Y. STATE OFFICE CHILD. & FAM. SERV., FINAL REPORT: EVALUATING THE EFFECTIVENESS OF HOME VISITING SERVICES IN PROMOTING CHILDREN'S ADJUSTMENT IN SCHOOL 1 (2012), available at <http://www.healthyfamiliesnewyork.org/Media/pdf/EvaluatingEffectivenessofHomeVisitingServicesinPromotingChildrensAdjustmenttoSchool.pdf>.

¹¹¹ *Id.* at 45.

112. See *id.* at 7 ("home visiting programs focus not just on the child and family, but on the community and societal contexts in which families are nested").

113. See Kathy S. Katz et al., *Effectiveness of a Combined Home Visiting and Group Intervention for Low Income African American Mothers: The Pride in Parenting Program*, 15 MATERNAL & CHILD HEALTH J. 75, 82 (2011).

114. INST. FOR COMPETITIVE WORKFORCE, WHY BUSINESS SHOULD SUPPORT EARLY CHILDHOOD EDUCATION 8-9, 22, 24 (2010) ("The research is clear. Early learning opportunities for children from birth to age five have great impact on a child's development and build a strong foundation for learning and success later in life."), available at http://www.smartbeginnings.org/Portals/5/PDFs/Research/ICW_EarlyChildhoodReport

children who receive quality childcare reap long term advantages in terms of educational attainment and earnings.¹¹⁵ Among other effects, at-risk children who do not receive early, high quality childhood education are more likely to become teen parents and more likely to be arrested for violent crimes.¹¹⁶

Society benefits from early childhood care as well. Economists have estimated that the rate of return on early childhood education in terms of reduced crime and enhanced productivity is sixteen percent.¹¹⁷ Women, who assume the major responsibility for childcare, also benefit enormously from reliable and affordable providers.

Nobel Prize-winning economist James Heckman has shown that early interventions focused on the first three-to-five years of life work, while increased spending on education and later efforts to compensate for early childhood poverty are dramatically less effective.¹¹⁸ We accordingly recommend the creation of, and subsidies for, high quality childcare. The most effective programs have better trained caregivers and low caregiver/child ratios emphasizing cognitive stimulation and attention to the child's emotional needs and skill development.¹¹⁹ Subsidization, however, is

_2010.pdf; Deborah L. Vandell et al., *Do Effects of Early Child Care Extend to Age 15 Years? Results from the NICHD Study of Early Child Care and Youth Development*, 81 CHILD DEV. 737, 753 (2010).

115. See, e.g., MADELEINE M. KUNIN, *THE NEW FEMINIST AGENDA: DEFINING THE NEXT REVOLUTION FOR WOMEN, WORK, AND FAMILY* 110-11 (2012).

116. DONNA COOPER & KRISTINA COSTA, CTR. FOR AM. PROGRESS, *INCREASING THE EFFECTIVENESS AND EFFICIENCY OF EXISTING PUBLIC INVESTMENTS IN EARLY CHILDHOOD EDUCATION: RECOMMENDATIONS TO BOOST PROGRAM OUTCOMES AND EFFICIENCY* 2 (2012), available at <http://www.americanprogress.org/issues/2012/06/pdf/earlychildhood.pdf> (noting that forty percent of at-risk children who do not receive high quality education become teen parents and seventy percent are arrested for violent crime).

117. James J. Heckman & Dimitriy V. Masterov, *The Productivity Argument for Investing in Young Children*, 29 REV. AGRIC. ECON. 446, 449 (2007), available at http://jenni.uchicago.edu/papers/Heckman_Masterov_RAE_2007_v29_n3.pdf; Arthur J. Reynolds et al., *School-Based Early Childhood Education and Age-28 Well-Being: Effects by Timing, Dosage, and Subgroups*, 333 SCI. 360, 363 (2011) (“[W]e found that the most consistent and enduring effects were for preschool participation, which started at ages 3 or 4. Its impact was broad, including education, SES, health behavior, and crime outcomes.”).

118. James J. Heckman, *The American Family in Black and White: A Post-Racial Strategy for Improving Skills to Promote Equality*, 140(2) DAEDALUS 70 (2011).

119. *Id.* at 130; see also HARV. U., CTR. ON DEVELOPING CHILD, *A SCIENCE-BASED FRAMEWORK FOR EARLY CHILDHOOD POLICY* (2007), available at http://developingchild.harvard.edu/index.php/resources/reports_and_working_papers/policy_framework/.

essential to insure that such programs are available to the most at-risk children. Even middle-class parents face problems paying for childcare.¹²⁰

Once children begin more formal schooling, programs must include multi-generational interventions. Early education programs provide the greatest benefits to the most at-risk children because their parents are less able to afford such programs on their own, the educational efforts compensate for less stimulating home environments, and the programs assist parents least able to afford high quality child care thereby insuring appropriate care for their children.¹²¹

This is even an initiative with widespread partisan support. While Democrats are overwhelmingly in favor of early childhood initiatives, so are a majority of Republicans.¹²² The major objection to such programs is based on studies that indicate that even programs that show large initial gains in student achievement do not necessarily result in lasting differences in test score results.¹²³ A second objection is cost. State-funded pre-school programs cost approximately \$5,000 per child.¹²⁴ The best studies, however, evaluate the effects across a number of measures, not just test scores, and distinguish between well-designed programs with trained staff and less effective efforts, finding an effect on social and cognitive development that justifies the cost. Among other benefits, the model programs enhance the individual's earnings and save costs in the criminal justice system.¹²⁵ Even if test scores are flat, Head Start graduates are somewhat more likely to graduate from high school and attend college.¹²⁶

120. See BRIDGET SCHULTE, *OVERWHELMED* 103 (2014) (reporting that child care costs more than a public university in nineteen states).

121. Travis Waldron, *How Investing in Pre-School Education Could Boost the Economy and Combat Income Inequality*, THINK PROGRESS (Feb. 7, 2013), <http://thinkprogress.org/economy/2013/02/07/1555401/universal-pre-k-plan/>.

122. Nicholas Kristof, *Do We Invest in Preschools or Prisons?*, N.Y. TIMES (Oct. 26, 2013), <http://www.nytimes.com/2013/10/27/opinion/sunday/kristof-do-we-invest-in-preschools-or-prisons.html>; see LORI WEIGEL & JAY CAMPBELL, *FIRST FIVE YEARS FUND: KEY FINDINGS FROM A NATIONAL SURVEY* 7 (2013), available at http://images.politico.com/global/2013/07/30/130730_hart.pdf.

123. Vincent Zafonte, *Why Universal Preschool Would Cost Taxpayers and Not Benefit Students*, HERITAGE FOUND. (Feb. 22, 2013), <http://www.myheritage.org/news/why-universal-preschool-would-cost-taxpayers-and-not-benefit-students/>.

124. See Lyndsey Layton, *Policymakers, Business Leaders Say Preschool Can Pay Big Dividends*, WASH. POST (Mar. 13, 2013), http://www.washingtonpost.com/postlive/policymakers-business-leaders-say-preschool-can-pay-big-dividends/2013/03/12/63108bc2-8a93-11e2-8d72-dc76641cb8d4_story.html.

125. HARV. U., *supra* note 119, at 18.

Moreover, a long-term analysis finds health benefits forty years later where the programs included nutrition and screening.¹²⁷ And benefits are not limited to Head Start programs: as researcher David Deming concludes, expanding access to almost any kind of intensive early childhood program results in a significant return on the investment.¹²⁸ Indeed, analyses of universal high quality pre-schools indicate that the benefits, especially for the least advantaged students, outweigh the costs.¹²⁹ They also facilitate parents' labor force participation.¹³⁰ Parents benefit because many programs encourage their involvement, and their children's more predictable schedule provides certainty for their work schedules.

3. *The School System*

Children do not stop growing at five-years-old, and parents still need—and want—to ensure that their children are cared for. Many low-income women, in particular, may lose their jobs as they struggle to find reliable before and after-school care, a difficulty that stems in part from the structure of the school day and the timing of the work week. The structure of the school day has not changed significantly from a time when women were at home waiting for their child's arrival, and indeed, the schedule still largely presumes that an adult, most commonly a woman, will be available by mid-afternoon to provide care and supervise a school-aged child.

Moreover, public schools provide an opportunity to maximize children's futures, to instill values and foster expectations about their future work and family lives. Smaller class sizes in elementary school and intensive college preparation interventions in high school appear to have some positive effects.¹³¹ As discussed earlier, the highest achieving students in low

126. See David Deming, *Early Childhood Intervention and Life-Cycle Skill Development: Evidence from Head Start*, 1 *Am. Econ. J.: Applied Econ.* 111, 126 (2009); NHTSA, *Research Bites* (2014), https://www.nhtsa.org/research/research_bites; see generally The Ounce, *Why Investments in Early Childhood Work* (n.d.), <http://www.ounceofprevention.org/about/why-early-childhood-investments-work.php> (“at-risk children who don't receive a high-quality early childhood education are . . . 60% more likely to never attend college”).

127. Frances Campbell et al., *Early Childhood Investments Substantially Boost Adult Health*, 343 *SCI.* 1478 (2014).

128. David Deming, *Expanding Access*, *BOS. REV.* (Sept. 1, 2012), <http://www.bostonreview.net/forum/promoting-social-mobility/expanding-access-david-deming>.

129. *Id.*

130. See, e.g., RAND LAB. & POPULATION, *THE COSTS AND BENEFITS OF UNIVERSAL PRESCHOOL IN CALIFORNIA 2* (2005), available at http://www.rand.org/content/dam/rand/pubs/research_briefs/2005/RAND_RB9118.pdf.

131. See SUSAN DYNARSKI, JOSHUA HYMAN, & DIANE WHITMORE SCHANZENBACH,

income communities act differently from students in high income communities, and are much less likely to apply to selective colleges. Instead, it is their class, rather than their academic accomplishments, which determines their choices of post-secondary education.¹³² While approximately one-third of high-achieving students in the lowest income quartile apply to selective colleges, almost eighty percent of those in the top income quartile apply. Some low income, high-achieving students do apply to selective colleges; what makes them different can, in part, be explained by their knowing more students who are also high-achieving and their residence in urban areas, where they often attend schools that admit students based on grades or exams.¹³³

Cultural experiences determine not only achievement, but educational aspirations.¹³⁴ Children and parents do not only interact with one another, but are also profoundly affected by surrounding social institutions.¹³⁵ Poor children experience less supportive institutions, which can then affect their future choices.¹³⁶ To offset these patterns, a variety of options can support lower income children and their parents.

To provide greater enrichment for at-risk children and greater support for working parents, children could spend more time in school. This might occur through lengthening the school day. If an earlier start and later ending of the school day is not feasible, then providing more publicly funded after and before school programs would similarly contribute to equalizing “enrichment” opportunities available to all children. Some states have already experimented with a longer school day.¹³⁷

EXPERIMENTAL EVIDENCE ON THE EFFECT OF CHILDHOOD INVESTMENTS ON POSTSECONDARY ATTAINMENT AND DEGREE COMPLETION 0-1 (2011), *available at* <http://www.classsizematters.org/wp-content/uploads/2012/10/dynarski-120426.pdf>.

132. See Caroline M. Hoxby & Christopher Avery, *The Missing “One-Offs”: The Hidden Supply of High-Achieving, Low Income Students* (Nat’l Bureau of Econ. Research, Working Paper No. 18586, 2012); David Leonhardt, *Better Colleges Failing to Lure Talented Poor*, NY TIMES (Mar. 16, 2013), <http://www.nytimes.com/2013/03/17/education/scholarly-poor-often-overlook-better-colleges.html>.

133. See Hoxby & Avery, *supra* note 132, at 2, 23-24.

134. See Stephen Vaisey, *What People Want: Rethinking Poverty, Culture, and Educational Attainment*, 629 ANNALS AM. ACAD. POL. & SOC. SCI. 75, 76 (2010).

135. Annette Lareau, *The Importance of Social Institutions*, BOS. REV. (Sept. 1, 2012), <http://www.bostonreview.net/forum/promoting-social-mobility/importance-social-institutions-annette-lareau>.

136. *Id.* .

137. See MICHELLE KELSO, NAOMI CAHN & BARBARA MILLER, GENDER EQUALITY IN EMPLOYMENT: POLICIES AND PRACTICES IN SWITZERLAND AND THE U.S. 40-42 (2012), *available at* <http://www.gwu.edu/~igis/assets/docs/report-gender-equality-switzerland-2012.pdf>.

Low-income high school students need better opportunities to obtain meaningful information about college choices. This means ensuring that college counselors in smaller, rural schools can provide relevant advising about college options, as well as that colleges change some of their recruitment techniques, perhaps by relying on alumni to visit more diverse schools.¹³⁸ Some existing organizations already focus on providing low-income students with information,¹³⁹ and their efforts could be expanded.

We are still not entirely sure of what will help encourage higher education, so this is an area that needs further study. Low-income students pursue a variety of different strategies in making choices about the future, and researchers are analyzing why this occurs. Certainly, student financial aid programs at colleges make a concrete difference, but not all low-income students have the requisite information and access to take full advantage of these sources.

4. Post-secondary education

Even as more people enroll in college, attendance is skewed towards students from higher income families.¹⁴⁰ Getting that degree is an important step for economic advancement in a new economy (although this new economy must have jobs that matter).¹⁴¹ The tools to implement improved support already exist. Consider, for example, community colleges, which enroll approximately eight million students.¹⁴² Community colleges are a much more affordable alternative to four-year institutions, they have open admission programs, and they are usually geographically accessible. More than half of all Latino and Native American college students, and more than forty percent of all African-American students, are

138. See, e.g., Lareau, *supra* note 135.

139. David Leonhardt, *A Nudge to Poorer Students to Aim High on Colleges*, N.Y. TIMES (Sept. 25, 2013), <http://www.nytimes.com/2013/09/26/education/for-low-income-students-considering-college-a-nudge-to-aim-high.html>; Lareau, *supra* note 135.

140. Drew DeSilver, *College Enrollment Among Low-Income Students Still Trails Richer Groups*, PEW RES. CENTER (Jan. 15, 2014), <http://www.pewresearch.org/fact-tank/2014/01/15/college-enrollment-among-low-income-students-still-trails-richer-groups/>.

141. JACOB HACKER, *THE GREAT RISK SHIFT: THE NEW ECONOMIC INSECURITY AND THE DECLINE OF THE AMERICAN DREAM* 173 (2008).

142. AM. ASS'N. OF Cmty. Colls., *RECLAIMING THE AMERICAN DREAM: COMMUNITY COLLEGES AND THE NATION'S FUTURE* 12 (2012); Jason Koebler, *Report: Community College Attendance Up, But Graduation Rates Remain Low*, U.S. NEWS (Apr. 21, 2012), <http://www.usnews.com/education/best-colleges/articles/2012/04/21/report-community-college-attendance-up-but-graduation-rates-remain-low>.

enrolled in community colleges, although Blacks, Latinos, and low-income students are less likely to graduate than are their White, higher-income counterparts.¹⁴³ Many community colleges are developing programs that help all students stay in school as well as programs focused on young mothers. Childcare centers in the educational institutions themselves provide an important service for parents. Some community colleges offer classes to help students think through their reproductive health.

Improving opportunities means attention to the affordability and flexibility of higher education, in ways that affect both men's and women's distinctive needs and life patterns. This means developing policies that focus on the cost of higher education, especially for those who have families to support. Calculation of university expenses for financial aid purposes should include, for example, the cost of childcare and medical insurance. Once students enter college, they need ongoing and personalized counseling to ensure that they can meet their financial and family obligations. Students need access to more flexible programs, including community college classes that can be scheduled either to correspond to elementary and high school schedules, or access to on-site day care to allow mothers to complete their education. Some developments that may encourage more student enrollment and retention are the expansion of online courses and degree programs that make it easier to tailor individual schedules around child care needs.¹⁴⁴ Community college and apprenticeship programs can allow less-skilled workers to return to school to retool their skills or to obtain the education they need to switch jobs or receive promotions. Community college programs tied directly to internships or job placements can help in finding permanent employment.¹⁴⁵

B. Providing Workplace Support for Parents: Work-Family Balance

Supporting the next generation means supporting parents at all levels of the economic spectrum. Women in the top third of the economy and poor women have received the most sustained attention,¹⁴⁶ but all men and

143. AM. ASS'N. OF CMTY. COLLS., *supra* note 142, at 14.

144. *White House Summit on Community Colleges: Conference Papers*, U.S. DEPT. OF EDUC. (2010), <http://www.ed.gov/college-completion/community-college-summit> (last visited Nov. 13, 2014) (providing examples of useful initiatives).

145. *See generally* HANS JOHNSON & MARISOL CUELLAR MEJIA, ONLINE LEARNING AND STUDENT OUTCOMES IN CALIFORNIA'S COMMUNITY COLLEGES, PUB. POL'Y INST. OF CAL. (2014), *available at* http://www.ppic.org/content/pubs/report/R_514HJR.pdf; *Building American Skills Through Community College*, WHITE HOUSE, <http://www.whitehouse.gov/issues/education/higher-education/building-american-skills-through-community-colleges> (last visited Nov. 13, 2014).'';

146. *Contra* JOAN C. WILLIAMS & HEATHER BOUSHEY, CTR. FOR AM. PROGRESS,

women need more supportive workplaces.

Complementing “flexicurity,”¹⁴⁷ that is, providing mechanisms to facilitate worker reentry into the workplace after layoffs caused by plant closings, changing employer needs, and other factors external to the family, should be greater workforce flexibility designed to encourage parents’ ability to care for their children while remaining employed. Employees, particularly low-wage ones, may face unpredictable shifts and rigid time requirements. Approximately half of them work standard workweeks, but the other half do not.¹⁴⁸

Seventy percent of children live in households where all adults are in the labor force, which means these parents will necessarily be juggling work and family.¹⁴⁹ Caring for the elderly is another stress, with just less than one in five employees providing elder care each year.¹⁵⁰ Half of employees miss work because of the need to care for the elderly. High income workers are the most likely to have flexible hours – with high work demands. Low income workers are the most likely to enjoy some subsidies, for child care, pre-school or other benefits, though many of these benefits have been cut during tough budget times. In between, however, are many workers who enjoy neither.¹⁵¹ Hourly workers in most offices, for example, have fixed hours, and take time off at their own expense. They have no access to subsidized childcare and often no fallback if a child gets sick or needs emergency attention. Some experience pressure to work extra hours; others, like Jessica Schairer, often face agonizing choices about the ability to afford attending a child’s field trip or soccer game, and the money they need to feed their families. Others still have no choices; they are fired if they attend to their children’s needs, or if a babysitter fails to show up.

THE THREE FACES OF WORK-FAMILY CONFLICT: THE POOR, THE PROFESSIONALS, AND THE MISSING MIDDLE (2010), available at <http://www.americanprogress.org/issues/2010/01/pdf/threefaces.pdf>.

147. See CARBONE & CAHN, *supra* note 27, at 183-85.

148. LIZ WATSON & JENNIFER E. SWANBERG, WORKPLACE FLEXIBILITY 2010, FLEXIBLE WORKPLACE SOLUTIONS FOR LOW-WAGE HOURLY WORKERS: A FRAMEWORK FOR A NATIONAL CONVERSATION 5 (2011), available at <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>.

149. Karen Kornbluh, *The Parent Trap*, ATLANTIC MONTHLY Jan./Feb. 2003, available at <http://www.theatlantic.com/issues/2003/01/kornbluh.htm>.

150. LYNN FEINBERG ET AL., AARP, VALUING THE INVALUABLE: 2011 UPDATE, THE GROWING CONTRIBUTIONS AND COSTS OF FAMILY CAREGIVING (2011), available at <http://assets.aarp.org/rgcenter/ppi/ltc/i51-caregiving.pdf>.

151. WILLIAMS & BOUSHEY, *supra* note 146, at 50.

Some states fund paid leave through an insurance program financed by employee contributions. California and New Jersey have a paid leave insurance program, financed by employee contributions, that provides most workers with six weeks of partial salary during leaves to care for a new child, sick family member, or domestic partner.¹⁵² Several other states have programs that allow women to use temporary disability insurance to cover a portion of lost wages for leave during and immediately after pregnancy. A few states permit workers to use a portion of their own sick days to care for sick children, parents, spouses, or domestic partners. These leave provisions yield multiple benefits. Women who take leave are more likely to return to work and less likely to rely on public assistance than those who do not.¹⁵³ Workers with paid parental leave are also more likely to return to their employer than those who lack such leave.¹⁵⁴ When men take advantage of leave policies they contribute more of their fair share of housework.¹⁵⁵ The benefits are not, of course, just for employees. Employers would save time and resources with reduced turnover rates, and after experience with a paid leave program in California, employers overwhelmingly reported either positive or no noticeable impact.¹⁵⁶

If workforce participation is to be combined with adequate care for children, collective efforts need to insure that all parents have access to family friendly workplaces. After all, individuals can rarely bargain on

152. CAL. UNEMP. INS. CODE § 2626 (West 2011).

153. HEATHER BOUSHEY & SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, THE EFFECTS OF PAID FAMILY AND MEDICAL LEAVE ON EMPLOYMENT STABILITY AND ECONOMIC SECURITY 8 (2012), *available at* <http://www.americanprogress.org/wp-content/uploads/issues/2012/04/pdf/BousheyEmploymentLeave1.pdf>; LINDA HOUSER & THOMAS P. VARTANIAN, CTR. FOR WOMEN & WORK, PAY MATTERS: THE POSITIVE ECONOMIC IMPACTS OF PAID FAMILY LEAVE FOR FAMILIES, BUSINESSES AND THE PUBLIC 8 (2012), *available at* smlr.rutgers.edu/paymatters-cwwreport-january2012.

154. JOINT ECON. COMM., 111TH CONG., INVEST IN WOMEN, INVEST IN AMERICA: A COMPREHENSIVE REVIEW OF WOMEN IN THE U.S. ECONOMY 12 (Comm. Print 2010).

155. Sarah Beth Estes, Mary C. Noonan & David J. Maume, *Is Work-Family Policy Use Related to the Gendered Division of Housework?*, 28 J. FAM. & ECON. ISSUES 527, 538 (2007); Ellen Ernst Kossek & Brian Distelberg, *Work and Family Employment Policy for a Transformed Labor Force: Current Trends and Themes* 29, in *WORK-LIFE POLICIES 1* (Ann C. Crouter & Alan Booth eds., 2009).

156. EILEEN APPELBAUM & RUTH MILKMAN, LEAVES THAT PAY: EMPLOYER AND WORKER EXPERIENCES WITH PAID FAMILY LEAVE IN CALIFORNIA, CENTER FOR ECON. & POL. RESEARCH 8 (2011), *available at* <http://www.cepr.net/documents/publications/paid-family-leave-1-2011.pdf>;

NAT'L P'SHIP FOR WOMEN & FAMILIES, THE CASE FOR A NATIONAL FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM (THE FAMILY ACT) 2, 3 (2013), *available at* http://www.nationalpartnership.org/site/DocServer/FAMILY_Act_Fact_Sheet.pdf?docID=11821.

their own to change workplace practices, and in times of high unemployment, individuals often need to take whatever jobs are available. The ability to bargain for flexible hours or working conditions is itself a marker of class. But even if they do seek time off, then they may face a “flexibility stigma,” in which they are viewed as less serious workers because of their need to leave work for child-related reasons.¹⁵⁷

Accordingly, the authors of this article advocate a series of different reforms that others have similarly advocated, with a goal of supporting children, fostering women’s autonomy, and strengthening families.¹⁵⁸ The college-educated have built a new infrastructure that prepares their children for the challenges of tomorrow. As a nation, we face a choice between assisting the rest of society to catch up, or excluding a substantial portion of the next generation from the productive economy of the twenty-first century.

IV. CONCLUSION

The change from the industrial era to the information age has disrupted work *and* family. The remade elite has solidified its class standing by creating a new model for the information age. The two of us have argued elsewhere that this new model marshals the resources for greater investment in children by delaying family formation until the parents have achieved the financial security and emotional maturity they need to afford high quality day care, juggle two careers and the necessary job changes, negotiate paid leave and more flexible hours, and provide cognitively stimulating and stable homes for the children.¹⁵⁹ This new model is beyond the reach of the rest of the population. Stable adult relationships depend on stable economic life, and employment instability undermines both intimate relationships and workforce attachment. Delaying marriage and childrearing makes sense for those still on their way up the economic ladder, but much less for those without the resources to establish a toehold in the first place. Parents in low paying jobs who struggle to feed their families can afford neither time away from work nor high quality day care. And financially distressed communities provide less support for all of their children.¹⁶⁰

The time has come to rebuild society from the bottom up, starting with

157. See Joan Williams, Mary Blair-Loy, & Jennifer Berdahl, *The Flexibility Stigma: Work Devotion vs. Family Devotion*, ROTMAN MAG., Winter 2013 at 3, available at <http://worklifelaw.org/wp-content/uploads/2012/12/TheFlexibilityStigma.pdf>.

158. See CARBONE & CAHN, *supra* note 27, at 183.

159. *E.g.*, CARBONE & CAHN, *supra* note 27.

160. PUTNAM, FREDERICK & SNELLMAN, *supra* note 61, at 19.

the youngest and most vulnerable. This project requires examining the relationships between work and family, recognizing that most parents will spend most of their adulthoods in paid employment, and that the connections between family and employment responsibilities need to be better coordinated. Investing more in children through early childhood education, redesign of the school day, better connections between public education and employer needs, and better coordination of employer support for parenting will benefit the adults as well as the children. The needs of the information age for a well-educated and adaptive citizenry have raised the stakes; yet, the reconstruction of the family and society to meet those needs has only just begun. In the interim, children's needs should not suffer.