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When Education Ceases to be Public: The Privatization of the New Orleans School System After Hurricane Katrina

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When Education Ceases to be Public: The Privatization of the New Orleans School System After
Hurricane Katrina

A Thesis

Submitted to the Graduate Faculty of the
University of New Orleans
in partial fulfillment of the
requirements for the degree of

Master of Science
in
Urban Studies

by

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Abstract

This study examines the privatization movement in the post-Katrina New Orleans education system. Less than a month after Katrina, a well-financed charter school movement was moving swiftly through the ravaged city. Nationally, a network of right-wing think tanks and school choice advocates descended on New Orleans shortly after the storm. Locally, state legislators and local leaders pushed from the inside for reform in the way of charter schools. Aided by a state takeover of schools and federal and corporate financing, the “great experiment” had begun. This study strives to cut through the façade of the charter school movement, and to investigate and explain the real motivations of the expected outcomes of the privatizers. Finally, the current injustices caused by the experiment being conducted in New Orleans are reviewed as an extension of the historical racial inequities of the school system.

Keywords: Urban school reform, politics and public education, charter schools, Critical Race Theory, privatization, neoliberalism, New Orleans public schools, schools and disasters

Chapter 1

The Perfect Storm: Race, Education, and Neoliberalism

Introduction

Advocates of public education continue to fight the profound inequities that plague public schools. Segregation, whether *de jure* or *de facto*, has provided historically unequal funding and resources. African Americans have consequently been denied access to quality public education. Today's approach to discrimination is of a different brand in the form of privatization. It is hidden in nature and framed in deceptive words such as school choice and diversity. The end result, however, is the same. The privatization movement in the field of education, as demonstrated in the post-Katrina New Orleans school system reform efforts, reproduces existing hierarchies and exacerbates already present inequities.

Tulane University's takeover of the Alcee Fortier High School building in New Orleans is just one example of powerful individuals and institutions advancing at the expense of a vulnerable population. On September 15, 2005, just two weeks after Hurricane Katrina, Lusher School's charter was approved by the Orleans Parish School Board. On October 28, 2005, before most residents could even return to New Orleans, the School Board, by a 4-1 vote, approved the use of the Alcee Fortier High School building to house Lusher School (Orleans Parish School Board, October 28, 2005). Although operating in the same building, Lusher is a new breed of "public" school with stringent admissions requirements, which made it extremely difficult for returning Alcee Fortier High School students to gain entrance.

It is important to understand *why* New Orleans is being used as a breeding ground for the transformation of an urban school system. Yes, Hurricane Katrina provided what legislators and school choice advocates are calling a “clean slate” for the advancement of charter schools and privatization. It appears, however, that the real reason is the same as it is across the United States in urban areas: it was a vulnerable system made up of a majority of African Americans (Ladson-Billing, 2006).

Just like cities all across America, New Orleans consists of a mobile, white middle class population, and a segregated African American population. Long ago moving into suburbia, these middle and upper class whites took their money with them, which funded higher quality schools through property taxes and bought better education through private schools. The lack of jobs, affordable living space, and access to health care and community services left the African American population vulnerable and less able to act on what was being done to their school system (Kozol, 1991). Rather than a shocking aberration, this callous disregard exposed what in fact was reality in the United States for all too many people. As one storm victim proclaimed on national news after being asked for her reaction to such neglect right here in America after Katrina, “*This is America*” (Lipman, 2005). We cannot understand education policy and its implications outside of this context.

The Study

The purpose of this study is to understand and track the forces at work today in the movement towards privatization in the field of education, especially in New Orleans. This movement is not something new, but can be viewed as a rather enduring injustice. The movement towards

privatization, therefore, exacerbates existing inequities found in the urban communities such as New Orleans. Specifically, I am researching the events leading up to the takeover of New Orleans Schools, the re-creation of a two-tier educational system, and the results of this education “experiment.”

Methodology

I use a case study approach to examine the privatization of New Orleans public schools. Further, this African American majority school system serves to represent other urban school systems all across the United States. Some systems, such as those in Chicago and Philadelphia, are slowly being consumed by the charter school movement. A study of New Orleans provides an accelerated view of the charter school movement, as it has a 55% market share, the highest in the country (National Alliance for Public Charter Schools, 2008).

The research for this study consists of a review of literature on the subjects of Critical Race Theory, the politics of education, colorblind racism, neoliberalism and the privatization movement especially in the field of education, charter schools, and the history of desegregation in New Orleans. I review journal articles on the subject of race, education reform, and the charter school movement in New Orleans, and examine relevant Orleans Parish School Board minutes. I assess newspaper articles from the vantage point of both *The Times Picayune* and *The Louisiana Weekly* regarding the post-Katrina charter school movement, the partnership between Tulane University and Lusher School, and the loss of the Alcee Fortier High School building. I also review individual school websites and the Louisiana Board of Secondary Education's website to investigate admissions requirements, school populations, and curriculum

opportunities. Finally, I conduct interviews with parents of children attending New Orleans public schools, a former Alcee Fortier student, and community public school advocates and experts.

Background, Context and Theory

I will begin with a background section in order to contextualize my argument. Each subsection contains either a history, definition of a concept, or theory which guides my research. Specifically, I will describe Critical Race Theory, modern racism, the history of the politics of public education in the United States, the “whiteness as property” construct, neoliberalism, and charter schools.

Critical Race Theory

While examining the privatization movement in public education today, especially in New Orleans, I choose to use a racial lens. Specifically, I draw on Critical Race Theory¹ while analyzing the evolution of public education and the resulting disparities in New Orleans and the rest of the country.

Critical Race Theory begins with the insight that racism is an ingrained feature of our landscape and looks quite ordinary and natural. Formal equal opportunity rules and laws that insist on treating blacks and whites alike can remedy only the more explicit forms of racism. They can do little about the business-as-usual forms of racism that people of color confront every day and that account for much misery, alienation, and despair (Delgado and Stefancic, 2000).

¹ Critical Race Theory sprang up in the mid-1970s with the early work of Derrick Bell and Alan Freeman, both of whom were profoundly troubled over the slow pace of racial reform in the United States. It seemed to them, and they were quickly joined by others, that the civil rights movement of the 1960s had stalled, and indeed that many of its gains were being rolled back. New approaches were needed to understand and come to grips with the more subtle, but just as deeply entrenched, varieties of racism that characterize our times (Delgado and Stefancic, 2000).

It was upon this framework outlined in legal studies that Gloria Ladson-Billings and William Tate (1995) wrote their article, “Toward a Critical Race Theory of Education.” In this article, the authors assert that race remains a significant factor in society in general and education in particular. Yet, according to Ladson-Billings and Tate, race remained, at that time, under-theorized as a topic of scholarly inquiry in education. For much of its history, education research and scholarship was fastened to psychology. Only that scholarship that was neutral and objective was considered valid and valuable. Thus, the experience of racism was seen as purely subjective because it could not be measured or quantified. As a means to begin to address this theoretical void, they proposed that Critical Race Theory could be employed to examine the role of race and racism in education² (Dixson and Rousseau, 2006).

The vast inequities between the schooling experiences of white middle-class students and poor African American and Latino students prompt many public school advocates to wonder why we allow such injustices. Critical Race Theory scholars, conversely, suggest that they are a logical and predictable result of a racialized society in which discussions of race and racism continue to be muted and marginalized. These scholars also suggest to do research in the name of social justice. Human knowledge and human freedom should be at the core of research with a Critical Race Theory rubric (Ladson-Billings and Tate, 2006).

² In particular, they detailed the intersection of race and property rights and how this construct could be used to understand inequity in schools and schooling (Dixson and Rousseau, 2006).

Modern Racism

If society is built upon racial ideology as Critical Race Theory suggests, how is race able to be hidden? For the answer, I look to the concept of post-civil rights racism.

Eduardo Bonilla-Silva (2002) argues that the dominant racial ideology of the post-civil rights period has a style characterized by ambivalence and nonracialism. This ideology surfaced as part of the racial transformation that emerged in the late sixties and early seventies in the United States. As Jim Crow overt methods of securing white supremacy were replaced with more subtle, non-racial, and institutionalized practices, colorblind ideology appeared to match the era (Bonilla-Silva and Lewis, 1999).

Most people who outwardly oppose racism today believe that it is a psychological condition which warps a racist person's thinking. This kind of logic is dangerous because it locates the problem with the individual, which places the solution with the individual as well. It ignores the existence of the social structure of racism, which is alive and well today (Guinier and Torres, 2002).

Whites accept the colorblind perspective because it provides them the comfort of imagining that race has no bearing on an individual's or group's place in the socioeconomic hierarchy. Whites are then able to enjoy their greater success relative to racial minorities while attributing their achievements to hard work and determination (Gallagher, 2003). This becomes a slippery slope as whites are tempted to explain the ill position of people of color as resulting from the behavior of the victims themselves (Guinier and Torres, 2002).

Efforts to be colorblind are undesirable in such a color-conscious world because they obscure the racial forces and conditions of social life. Colorblindness normalizes relationships of

privilege and provides those who have little power in our society no method of understanding and challenging the root of their oppression (Guinier and Torres, 2002).

Critical Race Theorists note that colorblindness has become the official norm of racial enlightenment. Critical Legal Studies seek to problematize this construction of colorblindness. Crenshaw et al. (1995) say that the colorblind ideal in the law serves to maintain racial subordination. “The appeal to colorblindness can thus be said to serve as part of an ideological strategy by which the current Court obscures its active role in sustaining hierarchies of racial power” (Crenshaw et al., 1995, p. xxviii).

The critique of colorblindness can be view as part of a larger critique of liberalism that is characteristic of Critical Race Theory. According to Ladson-Billings (1999b), “the liberal discourse is deeply invested in the current system. It relies on the law and the structure of the system to provide equal opportunity for all” (p. 231). For example, the efficacy of multicultural education is questioned as a means of obtaining justice for students of color. “The multicultural paradigm is mired in liberal ideology that offers no radical change in the current order” (Ladson-Billings, 2006, p. 4). This critique of multiculturalism is similar to the critique of incremental civil rights law. It is important to note, however, that critiques such as this one should be seen as a call to action rather than a dismissal of the need for more inclusive schooling (Dixson and Rousseau, 2006).

Politics of Education in the United States

There is a gap between the pronouncement that education serves all people and the *reality* of what schools actually do to and for children of the poor. Despite the existence of free, universal, and compulsory schooling, most poor children become poor adults. Schools are not great democratic engines for identifying talent and matching it with opportunity. The children of the affluent by and large receive greater opportunities and obtain the best jobs. This fact is the historic result of the combination of the purpose and structure that has characterized American education for over the last hundred years. The purpose has been the instilling of attitudes that reflect dominant social and industrial values. The result has been school systems that treat children as units to be processed into particular shapes and dropped into slots roughly congruent to the status of their parents (Katz, 1971).

To appreciate the interweaving of structure and purpose in education, it is necessary to study its origin and development. Today's educational structures are historical products. They represent patterns that have become deeply embedded in American society and are resistant to change. According to Michael Katz (1971), the basic structure of American education had been fixed by about 1880 and has not altered fundamentally since that time. Certain characteristics of American education today were also characteristic nearly a century ago: it is, and was, universal, tax-supported, free, compulsory, and bureaucratic.

While there have been introductions of important innovations, such as kindergarten, testing, various new curricula, and now charter schools, which I will address later, the structural features have not been touched or altered. This structure has remained impermeable to reformists

because it serves powerful interests in government and business. For those who control the system, there has been no point in making fundamental structural alterations (Kliebard, 2004).

For over a century, progressives and conservatives have opposed one another over these educational structures and goals. In the early 1900s, David Snedden and John Dewey quarreled over whether education was primarily preparation for work or for democratic citizenship.

Snedden perceived the task of education as aiding the the economy to function as efficiently as possible, basically stating that what was good for the industry was good for America (Miller, 2002). Dewey responded to Snedden by arguing that he was not “interested in preparing workers for the existing industrial regime” (Dewey, 1915, pg 42).

Snedden's views reflected those of the social efficiency movement, sparked by Frederick Winslow Taylor, whose publications on “scientific management” promoted standardization, accountability, and reward and punishment in the workplace. Observing our schools today, it is not hard to figure out whose ideas prevailed. While progressive ideas have sometimes influenced education, such as African American Freedom Schools and Deweyan alternative schools in the 1960s, policies exacerbating inequality and promoting cultural assimilation and social efficiency have prevailed (Miller, 2002).

Sociologist and education critic Stanley Aronowitz (2004) states that the common school is charged with the task of preparing children for their dual responsibilities to the social order: citizenship and learning to labor. There are requisite changes to be made, however, that would transform schools from mills and institutions of control to sites of education that prepare young people to see themselves as active participants in the world. Such things as the elimination of high-stakes tests that dominate the curriculum and subordinate teachers, the severance of ties to

corporate interests, and the reconstruction of the curriculum along the lines of genuine intellectual endeavors would transform schools into real democratic institutions and students into critical thinkers (Aronowitz, 2004).

The Intersection of Race and Property

While American schools were being formed to create better workers and continue class and racial stratification, the funding of those schools was tied to property values. This leads us to a discussion on property ownership and race in this country.

Traditional civil rights approaches to solving inequality have depended on the rightness of democracy while ignoring the structural inequality of capitalism (Marble 1983). Democracy in the United States, however, was built on capitalism. In the early years of the republic, *only* capitalists enjoyed the franchise. Two hundred years later, when civil rights leaders of the 1950s and 1960s built their pleas for social justice on an appeal to civil and human rights, they were ignoring that fact that the society was *based* on property rights (Bell, 1987).

Derrick Bell (1987) examined the events leading up to the Constitution's development and concluded that there existed a tension between property rights and human rights. This tension was exacerbated by the presence of African people as slaves in America. The purpose of the government was to protect the main object of society — property. The slave status of most African Americans resulted in their being objectified as property. A government built to protect the rights of property owners lacked the incentive to secure human rights for the African American. According to Bell “the concept of individual rights, unconnected to property rights, was totally foreign to these men of property; and thus, despite two decades of civil rights gains, most blacks remain disadvantaged and deprived because of their race” (1987, p. 239).

Bell's rich analysis of property rights is taken even further by the work of legal scholar Cheryl Harris (1995) and her construct of “whiteness as property.” According to Harris, although the popular conception of property is in terms of land or some tangible object, historically within American society, property is a right rather than a physical object. Conceived of in this way, it is possible to examine the property value (in terms of rights) of whiteness. Harris proposes that the core characteristic of whiteness as property is “the legal legitimation of expectations of power and control that enshrine the status quo as a neutral baseline, while masking the maintenance of white privilege and domination.”³ An example of this “whiteness as property” construct, therefore, may be the right to a quality public education (Harris, 1995).

Neoliberalism

Neoliberalism brings together economic, political, and cultural policy doctrine. Robert McChesney (1999) says neoliberal initiatives are characterized as free market policies that encourage private enterprise and consumer choice and reward personal responsibility and entrepreneurial initiative.

Neoliberalism transforms our very idea of democracy, making it an economic concept, not a political one. To be effective, democracy requires that people feel a connection to their fellow citizens, and that this connection manifests itself through a variety of nonmarket organizations and institutions. A vibrant political culture needs community groups, libraries, public schools, neighborhood organizations, and public meeting places to provide ways for citizens to meet,

³ Beyond this general definition, Harris also contends that whiteness meets the more specific functional criteria of property. According to Harris, the law has accorded “holders” of whiteness the same privileges and benefits accorded holders of other types of property. Harris defines what she terms the “property functions of whiteness,” which include: (1) rights of disposition; (2) rights to use and enjoyment; (3) reputation and status property; and (4) the absolute right to exclude (1995).

communicate, and interact with each other. Neoliberal democracy takes aim at this sector (Saltman, 2007).

In its ideal form, neoliberalism demands privatization of public goods and services, removal of regulation on trade, loosening of capital and labor controls by the states, and the allowance of foreign direct investment. For neoliberalism, public control over public resources should be taken from the necessarily bureaucratic state and placed with the necessarily efficient private sector. This agenda favors efficiency and individual responsibility over equity and negates public responsibility to redress historical inequities (Saltman, 2007).

The rise of neoliberal policies and globalized economies has produced changes in the educational system of the United States (Hursh, 2004). These neoliberals or privatizers of the public sector see the \$700 billion education sector in the United States as ripe for transformation. It is seen as the “next health care”—that is, as a sphere that can be mined for huge profits. The goal is to transform large portions of publicly controlled nonprofit educational institutions into a “consolidated, professionally managed, money-making set of businesses that include all levels of education” (Wyatt, 1999, A1).

Charter Schools

Charter schools are the vehicle of the privatization and school choice movement. Most United States charter schools are public, nonsectarian schools created through a contract or charter with a state-approved granting agency such as a school district, a state entity, city council or a university. Charter schools transfer public funds to private organizations. They are a form of public-private partnership that opens up public education as a source of direct capital accumulation. Charter schools are part of a larger discourse of school choice that includes

selective magnet schools and public schools that mirror elite private schools for a few students alongside greater standardization and centralized regulation for the majority of schools (Lipman, 2005).

As of spring 2005, the more than 3300 charter schools in the United States varied considerably based on state laws and local policies and politics: in contract renewal period (between 3 and 15 years); in employees' relationship to the school district; and in the degree to which they are fiscally autonomous from their districts or states and managed by for-profit or not-for-profit firms. They are sponsored by a designated organization, which may or may not be the public school district (Stambach and Crow Becker, 2006).

Some charter schools may simply be governed by a board made up of community and school-affiliated representatives. More often, however, charters are run directly by for-profit companies or secondarily by for-profit Education Management Organizations (EMOs) that work with a board. All charter schools are organized around a particular philosophy, or "charter," that theoretically distinguishes them from regular public schools. Some offer special curricular programming; others work to improve achievement among groups of at-risk students (Stambach and Crow Becker, 2006).

Technically, charter schools are held accountable for how well they meet student achievement goals established by their charter; however, there is some research indicating that charter schools are not uniformly evaluated on the basis of student achievement, but rather are evaluated for how well they manage fiscal and operational responsibilities and comply with state health and safety regulations—concerns that relate obliquely to their educational mission or charter (Stambach and Crow Becker, 2006).

Since their inception in the United States more than a decade ago, charter schools have been touted as innovative institutions that can do many things for many people. For instance, observers have remarked that charter schools provide new opportunities for local governance, that they highlight contested meanings of democracy, freedom and competition, that they create more educational options for students, parents, teachers and administrators, and that they provide examples of how a market-oriented system of education can operate in a more efficient manner. At the same time, there is a growing body of research suggesting that, while charter schools in some instances can accomplish these goals, they also do little or nothing to overcome existing socio-economic stratification within the public school system, and that they may actually, in many settings, exacerbate it (Stambach and Crow Becker, 2006).

The post Katrina New Orleans public school system is an example of what colorblind racism looks like in the context of privatization. Who receives the “property” or quality education is determined by who holds the power and resources, which largely leaves out low-income African Americans. Katrina reminds us that race still matters, and the intersection of race and property creates a tool through which we can understand this inequality (Ladson-Billings, 2006).

Chapter 2

Race and the New Orleans School System

Although New Orleans has always been perceived as a culturally unique, easygoing metropolis, it actually has a history of perpetuating white supremacist laws in Louisiana (Baker, 1996). Historian Livia Baker stated, “New Orleans over the years had devised segregation codes every bit as harsh as Birmingham during the Jim Crow era” (1996, p.4). For that reason, I begin by framing the historical, preexisting educational inadequacies and inequities that characterized the Orleans Parish schools before Katrina.

An historical examination of the context clarifies why the pre-Katrina African American public school students were, for the most part, academically disadvantaged in New Orleans schools. The assessment is also telling of how the vulnerability of African American students and their schools made them susceptible to the takeover. Beginning in the antebellum period, the historical racial divisions that existed in New Orleans created lasting and unequal learning opportunities that continue to negatively affect the educational experiences of African Americans. The lingering legacy of slavery followed by decades of *de jure* segregation in New Orleans was one of the major sources of educational inequality in the pre-Katrina schools (Johnson, 2008).

Antebellum Era

Enslaved Africans were brought to the French colony in the early 1700s and in the early 1800s, when Louisiana became part of the United States, to work on the plantations growing sugar, tobacco, and indigo. White slave owners sought to mold enslaved Africans to accept

white superiority and black inferiority for the purpose of making the enslaved docile, submissive, and obedient (Harding, 1981). To ensure the success of compliance among the enslaved, Louisiana enacted a slave law that imprisoned people for teaching enslaved blacks to read and write. Conversely, free blacks⁴ were educated in small private schools that had existed in New Orleans since 1822 at home, in parochial schools, or in separate classes that were offered by the French Ursuline and Carmelite Catholic Order. When New Orleans established public schools for its citizenry in 1841, enslaved and free blacks were prohibited from attending (Crouch, 2000).

Civil War/Reconstruction Era

In the course of the United States Civil War, New Orleans surrendered to the federal Union military forces in 1862, and the enslaved were set free from their bondage. The ex-enslaved joined free blacks the Radical Republican party, which sought political, racial, civil, and educational justice. Free blacks were elected to political leadership with the support of the federal government, making their engagement in government about one third of Louisiana's governmental leaders.

According to Devore (1989), the most successful black newspaper in the 1860s, the New Orleans *Tribune*, strongly favored integrated schools. A typical editorial supporting mixed schools explained that separation is not equality. The article further stated that the very assignment of schools to certain children on the ground of color is a distinct violation of the first principles of equality. Political developments soon demonstrated that many in the black community agreed.

⁴ Free blacks, largely French, Spanish, or French Caribbean origins, formed an important and unique segment of the New Orleans population (Hirsch and Logsdon, 1992).

By 1867, African Americans won their fight to be included in New Orleans public schools, though in a segregated arrangement. In 1867, therefore, African American civic leaders pushed for a state constitution that prohibited the formation of separate schools. By 1870, Louisiana state law required the establishment of racially integrated public schools, and required those schools to admit students without regard to race or color (Bankston & Caldas, 2002).

Although the New Orleans school authorities were required to admit black and white children whenever they applied, schools remained segregated by violence and social pressure. Segregated black schools experienced inequitable distributions of schools funds. In 1868, out of a \$396,900 budget, only \$65,000 (16%) was allocated to black schools. White schools were then deemed better quality due to the abundant resources, while black schools remained inferior and experienced a lack of facilities, furniture, and textbooks (Harlan, 317).

Jim Crow Era

The quest for equality and justice ended by the mid to late 1870s when federal troops withdrew from Louisiana, and black politicians lost their political power. As the nation began building an industrialized north, the importance of protecting the civil rights of blacks fell back in importance. To many black New Orleanians, desegregated schools represented the promise of black enfranchisement and civil equality. To whites, they illustrated its perils. Some whites even turned to mob violence to accomplish what they could not as yet do legally (Devore, 1989).

Within this climate of racial hostility, a restructured school board began to resegregate schools in 1877, irrespective of the above-mentioned 1868 constitution. The new school board and constitutional amendments came from the leadership of Robert Mills Lusher, who took office as the State Superintendent of Education in 1877. With the Democrats in power, Lusher

expressed confidence that the new legislature would not delay in replacing the articles with more acceptable provisions for the mental instruction and moral training of the two races in separate schools (Devore, 1989).

Between 1877 and 1898, in Louisiana, laws were written inhibiting and segregating African Americans in ways such as voting restrictions, under-financed segregated schools, limited access to public facilities, and other political and social limitations. Racial hostility grew, and African Americans were subjected to intimidation and physical violence as a measure to sustain their subordinate position (Devore, 1989).

By 1896, the federally sanctioned Supreme Court decision in *Plessy v. Ferguson*, a New Orleans case, implemented the “separate but equal” dictum concerning public facilities used by African Americans. The sanctioning of legal racial segregation by the Supreme Court gave rise to numerous public policies that articulated the importance of maintaining a caste system catering to the political and economic interests of the white ruling class while oppressing and exploiting blacks (Devore, 1989).

During the 1890's, many southern states began to put into practice a variety of policies that would bar African American men from voting, such as poll taxes, literacy tests, and property qualifications. Louisiana also implemented the grandfather clause, which specified that only men who had been qualified to vote prior to 1867 or in earlier years would be eligible to vote. This policy effectively disenfranchised many African American men because antebellum laws prevented black men from voting (Hine et al, 2004).

As a result of disenfranchisement, the Louisiana legislature ratified and implemented its first policies for segregated African American and white public schools. Consequently, at the close

of the 19th century, the African American legal struggle to integrate the schools and secure adequate funding and resources in New Orleans had come to an end (Johnson, 2008).

At the dawn of the 20th century, New Orleans school officials implemented a policy that provided African American students a rudimentary education in manual training and restricted their schooling experiences to grades first through fifth. From the early 1900s until the mid-1900s, New Orleans black schools continued to receive limited resources and financial support from school officials. The textbooks and other school supplies were very often used materials that were no longer useful to the white schools. Black students were forced to attend deteriorating school facilities and suffered from overcrowding. As a result of African Americans' racially subordinate status and inadequate schooling opportunities in Louisiana, and in New Orleans in particular, many African American children were raised in poverty-stricken households by the middle of the 20th century (Bankston & Caldas, 2002).

Civil Rights Era

Like other African Americans in other parts of the south, blacks in New Orleans believed that possessing an education would eventually remove the vestiges of enslavement, illiteracy, joblessness, poverty, and political and economic powerlessness. Thus, New Orleans black leaders such as A.P. Tureaud and Ernest “Dutch” Morial continued to engage in a prolonged fight for black rights, including the right to an education. In 1952, African Americans embarked on a second battle to integrate the New Orleans public schools with the *Bush v. Orleans Parish School Board* case (Devore, 1989). Federally, the *Brown v. Board of Education of Topeka* decision overturned earlier rulings going back to *Plessy v. Ferguson*. *De jure* racial segregation

was ruled a violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution (Hursh, 2006).

As a result, the 1950s saw the rise of white citizens' councils, with New Orleans accounting for over half of Louisiana's total membership. The state legislature later passed ninety-two measures to delay and prevent the desegregation of New Orleans public schools (Hirsch, 1992). Finally, on November 14, 1960, four African American girls acquired admission to two formerly all-white elementary schools, John McDonogh and William Frantz. The triumph in the desegregation school case represented the ongoing crusade for educational parity and human and civil rights that was part of the larger black struggle for equality in America (Devore, 1989).

The fight to desegregate New Orleans schools during the civil rights era ultimately led to white flight from the school system and to the surrounding predominately white suburban parishes. Middle-class African Americans also moved to suburban areas, but municipal ordinances or deed covenants restricted them to predominantly black middle-class areas within the parish, such as Pontchartrain Park, Gentilly, and New Orleans East (Johnson, 2008).

Post Civil Rights/Pre-Katrina Era

By the second half of the twentieth century, therefore, New Orleans had become predominately African American and poor (Johnson, 2008). In sum, the history of slavery and *de jure* segregation produced a legacy of institutionalized racial oppression. As a result, separate black and white school systems remained a product of this legacy (Bankston and Caldas, 2002). “Separate schools helped to maintain the subjugation of African Americans to whites,” explained Bankston and Caldas, “and these schools helped to keep black Louisianians in economic and social positions that were systematically disadvantaged” (2002, p. 15).

Before Katrina, Orleans Parish statistics painted a grim picture of life for many of its citizens. According to the U.S. Census Bureau (2004), New Orleans had an estimated population of 462,269 before the hurricane with a racial composite of 65% African American and 35% non African American. More than 40,000 New Orleans residents had less than a ninth-grade education, over 56,000 residents had between ninth-and twelfth-grade educations without diplomas, and 40% of children lived below the poverty line.

Schools were divided along racial and socioeconomic lines prior to Hurricane Katrina. The New Orleans Public Schools served 63,000 students, 94% of whom were African American. White families with school-age children, however, largely sent their children to private and parochial schools. New Orleans public schools consisted of only a 6% non-African American population, roughly 3,780 children out of 63,000. Private and parochial schools, however, were made up of a 55% non-African American population (Louisiana Department of Education, 2004).

Like many urban school districts, Orleans was faced with a declining tax base and a dwindling student enrollment (Ladson-Billings, 2006). The physical condition of the schools was poor, the spending per pupil was significantly less than the national average and the pupil–teacher ratio was above the national average. The district was also assailed for its financial corruption and academic failure (United Teachers of New Orleans, 2007).

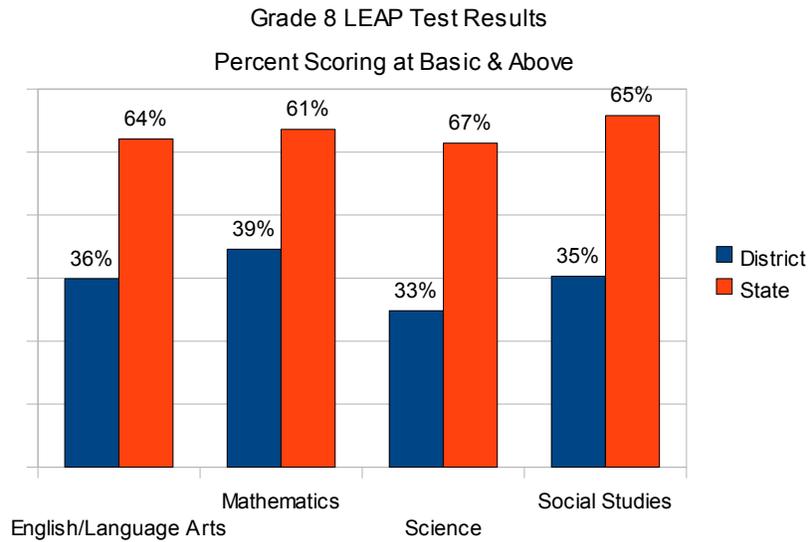
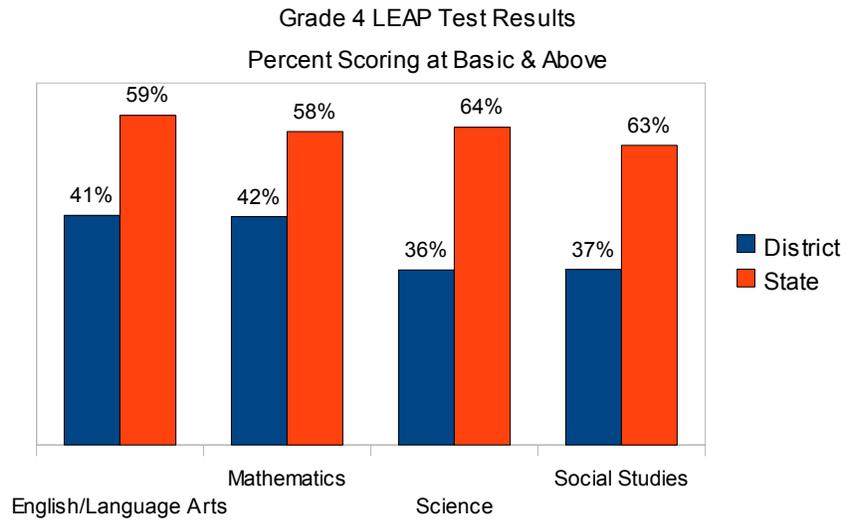
Similar to New Orleans black schools in the 19th century, the infrastructure of the pre-Katrina schools was of grave concern. A significant number of the school buildings were more than 50 years old, and some were 100 years old and certainly in need of demolition prior to Katrina. As the inspections of the Strategic Support Team from the Council of the Great City Schools

revealed, many of the schools had fire code violations, missing or broken exit signs, boarded up or broken windows, and peeling paint. Also, many of the old schools did not have proper ventilation, such as air conditioning, which surely made conditions nearly unbearable in the late spring and early fall. In addition, it was common in most of the pre-Katrina schools to have inoperative toilets, electrical problems, and leaking plumbing (Council of the Great City Schools, 2005).

Compounded with these structural deficiencies, there were inadequacies such as insufficient numbers of desks, textbooks, and other supplies. While 79% of schools in Louisiana improved their student performance scores on the 2004-2005 LEAP⁵ test, the vast majority of New Orleans Parish schools performed below state average as seen in figure 1 (Louisiana Dept of Education, 2004-2004).

⁵ The Louisiana Educational Assessment Program (LEAP) is a high-stakes test that measures how well a student has mastered the state content standards (LA Dept of Education)

Figure 1. Orleans Parish School District Student Achievement Results, 2004-2005.



The Orleans Parish school district leadership was extremely unstable. From 1996 to 2005, the district had nine interim or “permanent” superintendents. This constant turnover undermined the ability of educators to develop and sustain school improvement strategies (United Teachers of New Orleans, 2007). The district had defaulted on paying its bills, teachers, and other employees, and had already been taken over financially by the state before Hurricane Katrina (Perry, 2006).

Like the schools during the *de jure* segregation era, the pre-Katrina *de facto* segregated schools also suffered from benign neglect when it came to educating large numbers of black and poor students (Devore and Logsdon, 1991). The sum of the physical, academic, financial, and organizational conditions of the pre-Katrina public schools made the system ripe for takeover. This could have been an incredible opportunity if change would have come to town for all and not just a few.

Chapter 3

Privatization Movement

Remaining true to Critical Race Theory guidelines, not only is it a goal to research and write about the inequities in the New Orleans public school system, but it is a goal to *change* those same inequities. In order to transform policies and practices that undermine urban communities and schools, we need to understand the evolution of national economic policies over the last 30 years (Anyon, 2006). In this chapter, I will also review charter schools in greater detail within the privatization movement and look at an example of the movement in Chicago.

Some education analysts credit the progressive and equity-minded educational policies enacted in the 1960s and 1970s for the educational progress of minorities and the poor in the decade that followed. They argue that the distributive justice of educational programs put in place following desegregation of public schools and the Civil Rights Movement were, in fact, improving educational attainment for minorities (Petrovich, 2005).

Others, however, argue that since the 1980s, education reform has moved away from a focus on equity to a focus on standards, accountability, and market mechanisms to improve schools. The “excellence” oriented policies of today argue for lower taxes and less government regulation, for more choices and competition to improve quality, and for rewards to those who succeed and clear consequences for those who do not. In the public discourse, the balance has shifted from concerns for group access to individual merit, from equity to quality, and from entitlement to choice (Petrovich, 2005). These policies are part of a neoliberal and conservative global economic and social agenda to maximize profits by promoting the primacy of the market,

reduce the cost of labor, prepare students for a globalized workforce, and privatize all spheres of economic and social life (Saltman, 2000).

As discussed earlier, the fact that education exists largely to develop productive workers is not new. Throughout most of the twentieth century, compulsory education in the United States was designed to efficiently prepare students for the workplace. Beginning in the early 1900s, many education administrators promoted scientific and business management as a means of improving education efficiency. Schools were both metaphorically and literally modeled after factories as administrative and curricular leaders calculated how to increase the productivity of what they often referred to as the school plant. Students were to become productive members of the Fordist economy, producing consumer and other goods. This became one of the hallmarks of the Keynesian⁶ welfare state that dominated most of the latter half of the twentieth century (Hursh, 2006).

Over the last several decades, neoliberal policies have replaced Keynesian economic policies while, at the same time, economies have become increasingly globalized through decrease of space and time, and the expansion of multinational corporations (Harvey, 2007). These changes have produced significant modifications in the educational system of the United States (Hursh, 2004).

I will discuss two presidential administrations in the last three decades in which sizable changes in educational policy took place: the administrations of Ronald Reagan and George W. Bush. I do not go into the detail of the administrations of George H.W. Bush or Bill Clinton, as

⁶ Keynesian economics is a macroeconomic theory based on the ideas of 20th-century British economist John Maynard Keynes. Keynesian economics argues that private sector decisions sometimes lead to inefficient macroeconomic outcomes, and therefore advocates active policy responses by the public sector, including monetary policy actions by the central bank and fiscal policy actions by the government, to stabilize output over the business cycle (Hursh, 2006).

many of the policies of the Reagan administration set the tone of educational policy for these two presidents.

Reagan Administration

Against the background of the ever-increasing importance of the market and the reduction of government support, education started to change shape in the 1980s. Ronald Reagan included education in what he termed “big government.” Upon election, the Reagan administration, including William J. Bennett, first proposed a series of radical changes which included the dismantling of the U.S. Department of Education and the implementation of vouchers to use public money to pay for private and parochial schools. Bennett, who served as the Secretary of Education from 1985-1988, also suggested competency testing for teachers, opening the teaching profession to knowledgeable individuals who had not graduated from schools of education, performance-based pay, and parental choice of schools. The administration’s plans were sharply contested by Democrats and even Republicans who were still largely faithful to the idea that public schools should serve the common good. Unions clearly perceived the voucher proposal as an attack on labor, while liberals and conservatives were wary of what was an overt privatization scheme. In the early 1980s, private profit from the use of public funds had yet to be redefined as a public good. Instead, it was seen as a form of corruption. The Reagan administration, facing fierce opposition, retreated on all fronts, only to return with a different strategy (Saltman, 2000).

Instead of trying to abolish the Department of Education, the Reagan administration began championing school choice. Rather than advocating the private use of public money, such as vouchers to pay for private and parochial schools, it shifted tactics and advocated the use of

public money for public school choice. The administration first did this by unlinking magnet schools from race and equity and tying them to the market as proof of the success of a market-based approach to education and the model for a school choice movement. In reality, magnet schools were nothing of the sort, traditionally developed out of the civil rights struggles to counter racial segregation (Hursh, 2006).

Further, the Reagan administration then unearthed vouchers from their racist past. Although formulated in contemporary times by Milton Friedman, they were first enacted in the southern states as a racist strategy to resist federal desegregation efforts. The first publicly funded school vouchers in the United States were established in Virginia. Their purpose was to circumvent the Brown decision and to help white people attend private schools so they wouldn't have to go to public schools with African Americans. The Virginia vouchers and other "freedom of choice" plans passed by southern legislatures expressly sought to maintain segregated school systems. Changing demographics left half of the national population who had been five years old or younger when *Brown v. Board of Education* forged an unbreakable association between vouchers and bigotry. Finally, the last step in the Reagan administration's plan would be an attack on the existing public educational system (Saltman, 2000).

The release of *A Nation at Risk*, a government-sponsored report that blamed education for the negative consequences of the recession and decline in the global economy in 1983 by the National Commission on Excellence in Education,⁷ set the direction for education reform. This report was followed by a spate of documents and initiatives decrying the terrible state of the nation's educational system. The response to the alarm that education was failing on all fronts

⁷ Commission was chaired by David P. Gardner and included prominent members representing education and business (U.S. Department of Education, 1983).

was to raise the bar and depend primarily on standardized assessments to measure academic progress (Ladson-Billings, 2006). After the publication, corporate and government leaders began to call for standards, assessment and efficiency in public education. Soon thereafter, states increasingly began implementing standardized testing requirements as a way not only to assess students, teachers, and schools, but in some states as a requirement for students' promotion from particular grades or graduation from high school (Hursh, 2006).

George W. Bush Administration

The Bush administration continued to claim that public schools were failing and also made it a reality. Not only did the administration mandate massive testing and accountability, but they also introduced markets and privatization as a central means of reforming education. By designating large numbers of public schools as failing, the administration hoped for the public to demand that public education be replaced by private (Hursh, 2004).

With the passage of No Child Left Behind (NCLB) in 2001, the federal government initiated its own testing requirements and increased the high-stakes ante. Not only has the federal government required all states to implement an assessment system with standardized tests in multiple subjects and grades, it uses the tests to divert funding *away* from public education and *toward* for-profit and nonprofit corporations to tutor students, administer schools, or convert public schools to charter schools.

NCLB's testing requirements result in a large number of failing districts and schools. It calls for every student to achieve proficiency on every test. If a school's scores are improving, overall

failure results in possible takeovers. Even schools with English language learners (ELL) are expected to reach 100% proficiency with the ELL students forced to take the test in English.

It is likely that the real aim of neoliberal supporters of NCLB is not to improve public education, but to replace public schools with publicly funded charter schools and voucher programs (Hursh, 2006). In fact, the Bush administration policies and public statements provide evidence that this is the goal. Early drafts of NCLB provided vouchers to attend private schools. President Bush also authorized federal funds for a \$50 million experimental voucher program in Washington D.C. and for organizations that promote voucher and charter school programs. Also, former secretary of education Rodney Paige would often use public meetings to promote charter schools (Hursh, 2006).

The testing has also been combined with a clever marketing campaign which blankets the airwaves with the message that public schools are failing and that bloated bureaucracy, uncaring teachers, and selfish unions are to blame. This built up the “common sense” that public education as it stands in the United States is an absolute failure (Saltman, 2007).

In Louisiana, local accountability requirements came in the form of the Louisiana Educational Assessment Program (LEAP) and the Graduation Exit Examination (GEE), high-stakes tests that measure how well a student has mastered the state content standards. LEAP is administered at grades 4 and 8 and the GEE at grades 10 and 11 (Louisiana Department of Education).

Leslie Jacobs, appointed to three terms on the State Board of Elementary and Secondary Education (BESE) by former governors Mike Foster and Kathleen Blanco, has been called the chief architect of the state wide accountability plan. When schools in New Orleans failed to show meaningful improvement on the test for many years, Jacobs worked with former governor

Mike Foster, former state school superintendent Cecil Picard, and legislators to create the Recovery School District (RSD) in 2003. The RSD was formed as special state school district administered by the Louisiana Department of Education with the goal of turning under performing schools into successful schools (Simon, April 15, 2008).

Careful Framing

The framing of the privatization movement in education takes on the deceptive appearance of increasing individual control of school choice while actually removing individuals from collective control such as neighborhood schools and school boards (Saltman, 2007). The way in which the issue has been framed helps to explain where we find ourselves. The construction of choice and individual control conceals the ways in which public goods and services are different from markets. Show me a person who does not want choice and high standards for our schools, or who does not think the relevant people ought to be held accountable for their performance (Saltman, 2007).

Implicit Objectives

While participating in the multi billion-dollar education market⁸ and reducing the public sector remain explicit objectives of conservative and neoliberal agendas, other goals are generally hidden. Republican strategists also use the debate over education for political reasons such as the weakening of teacher unions, a key base of support for the Democratic Party, and the enticement of African American and Latino voters to the Republican Party.

⁸ By 2000, business publications were eyeing public education as the next big score, ripe for privatization and commodification, likening it to the medical and military industries and suggesting that it might yield \$600 billion a year in possible takings (Lipman, 2004).

During the last thirty years, as private sector unionism has declined, the American Federation of Teachers (AFT) and National Education Association (NEA) have grown in strength. Today, the 2.7 million-member NEA is the country's largest union. The AFT has one million members, mostly in education but also in health care and the public sector. While both teacher unions overwhelmingly support the Democratic Party, many conservatives especially dislike the NEA. It is larger, more geographically diverse, with members in every Congressional district in the country, and more likely to push a liberal agenda that includes social issues such as gay rights. The NEA and AFT have a lot of money for campaign contributions and for lobbying. They also have a lot of electoral clout because they have many activists out in the trenches in every political district. They are everywhere, and no other group can claim this kind of geographically uniform political activity. School vouchers and charter schools are a way to diminish that power. “School choice allows children and money to leave the system, and that means there will be fewer public teacher jobs, lower union membership, and lower dues, explained Terry Moe, senior fellow at the conservative Hoover Institution.” (Miner, 2002, p.2)

Privatization rhetoric can also be used to achieve the discrete agenda of luring African American and Latino voters to the Republican Party. Euphemisms such as “choice” are used to provide the illusion of empowerment to those traditionally disregarded. In the 2000 Presidential election, Bush garnered only 8 percent of the African American vote and about 35 percent of the Latino vote. (Overall, less than 10 percent of Bush's votes came from minorities.) The following year, Republican strategist Matthew Dowd outlined a plan to boost African American support to 13-15 percent and Latino support to 38-40 percent for the 2004 election (Miner, 2002).

While universal vouchers remain the goal, for tactical reasons conservatives have wrapped vouchers and charter schools in the mantle of concern for poor African Americans and Latinos. Indeed, voucher and charter supporters are fond of calling school choice the new civil rights movement. This plays well not only with voters of color but also with liberal suburban whites who may be leery of allowing significant numbers of minorities into their schools, but who nonetheless support the concept of equal rights for all. Even if Republicans fail to woo African Americans and Latinos to the Republican Party, they may dampen African American and Latino voter turnout, a neutralization strategy, as it were. The goal is to discredit Democrats and breed cynicism, according to David Sheridan, an analyst for the NEA (Miner, 2002).

“Unchartered” Territory

“In a school system based on free market principles, schools become individual contestants - for the best teachers, for the best students, for the most resources, and of course...for the best test scores. They can only do this because they are not required to provide access to every student within their community.”

-Danatus King
President, New Orleans NAACP

School choice is touted by so many because of the alleged level playing field of the market. Choice becomes the clarion call, and parents supposedly have an abundance of it regarding where to send their kids to school. The problem with this market-based theory is that it is a façade. The flaw in that thinking is that not every consumer is equally well-placed psychologically, educationally, culturally, and certainly financially, to approach the market on an equal footing. There is no level playing field, but rather an education system that is

circumscribed by highly unequal economic, social, and political conditions. This decentralized and deregulated uphill battle of an education system exacerbates inequalities within the system.

In a colorblind society, non-dominant groups are excluded from institutions that favor dominant groups, and dominant groups are taught that their institutions are universally inclusive (Bonilla-Silva, 2002). Hence, not only are nonwhites, the poor, and other subjugated groups prevented from participation in school choice, due to a society structured in inequality, but moreover, the denial of privilege on the part of privileged people then stigmatizes those groups that have been actively excluded. This stigmatization of the oppressed then functions to justify their continued exclusion and simultaneously allows the privileged to deny their privileged status based on the alleged inadequacies of the oppressed (Saltman, 2000).

With a colorblind environment in mind, therefore, I will take a detailed look at charter schools within the school choice movement. Specifically, I will review the subjects of finance and access.

Charter School Finances

Charter school reform provides the policy space to create community-based schools that respond to the needs and desires of children who often have not been well-served in regular schools. Yet, at the same time, most state charter school laws offer little support or reward for groups creating such schools. In fact, in most instances, charter schools receive less public funding than regular public schools because they must pay for their facilities out of their per-pupil money. Meanwhile, the greatest demand for such charter schools is often in those communities where the public, per-pupil funding is low compared with more affluent suburban communities. In some states, charter schools receive a state-wide average per-pupil amount,

which is lower than the average for the wealthiest districts. In other states the per-pupil funding is tied to local, district per-pupil expenditures, which vary a great deal across district lines (Wells, et al., 2005).

This means that while charter schools may have the potential to meet the cultural and curricular need of low-income students and students of color in ways that reforms of the 1960s and 1970s often failed to do, they frequently lack the resources that the prior policies provided. In a system based on competition, there's no premium on sharing successful models. There's no profit in transparency. The principle of competition is antithetical to the concept of a public school system. In such a decentralized system, charter schools find themselves constantly reinventing the wheel and lacking resources. Such resources needed are generally more plentiful in wealthy as opposed to low-income communities. As the history of education has taught us, this lack of material support too often undermines the pedagogical promise of schools (Wells, et al., 2005).

In addition to these issues of operating costs, charter schools in most states do not receive capital funding or building space from their district or state. Instead, most are required to borrow or raise money to purchase or lease buildings and space (Dingerson, 2007). Obviously, well-connected charter schools and those serving more affluent communities will be in a better position to raise these private resources. For instance, some charter schools actually may have buildings and equipment donated by wealthy people or corporations (Wells, et al., 2005). Thus, even as low-income communities can gain more community control, it may, in some instances, may be a pyrrhic victory as these schools are forced to survive with inadequate funds or rely on benefactors and management companies from outside their communities for necessary resources.

The processes charter schools use to garner private resources are circumscribed by the social status and the social networks of their local school communities. The high-status networks, such as the personal and professional connections to people with money and political power, are even more critical to private resource accumulation than the particular strategies used to acquire resources. The understanding of the social context of schools is critical to understanding why the same processes or strategies of gaining private resources net such disparate results for different charter schools. More specifically, disturbing inequities are emerging within and across charter school reform-inequities that mirror the wealth and poverty of the communities that house these schools (Wells, et al., 2005).

Charter School Access

In addition to the problems associated with resources, there are important equity issues related to student access. Charter schools, for instance, generally have a great deal of autonomy in terms of admitting students. Most state charter school laws stipulate that charter schools must be nonsectarian, may not charge tuition, and may not discriminate on the basis of race, ethnicity, national origin, religion, or gender. Still, most states do not specifically prohibit charter schools from instituting admissions requirements based on such criteria as students' prior achievement, behavior records, or parental involvement requirements. This means that because charter schools have more autonomy to create their own communities through admissions criteria and selective recruitment, even when they serve low-income students, they tend to exclude those who have the least access to financial and in-kind resources and the least involved parents (Wells, et al., 2005).

Also, because individual charter schools in most states and districts are allowed to run their own independent recruitment process, they are free to send out information and applications to whatever target audience they choose. Unlike magnet schools, which usually are advertised and applied to through a centralized district office where some effort is made to balance schools along racial/ethnic lines, charter schools make their own decisions about who receives information about admission and who will be allowed to attend (Adamo, 2007).

While charter advocates insist that their schools are open to all, many charter schools engage in practices that have raised concerns in other states about "creaming." One example is the "KIPP Commitment to Excellence Form" which prospective parents and students at all KIPP schools must sign. The commitment outlines KIPP's expectations, including extended days, Saturday school twice a month, and summer sessions. It commits parents to reading to their child nightly, and being available to the school when called upon. The contracts also include a strict student behavior code. Failure to adhere to the commitments by either the parents or students may result in dismissal (Dingerson, 2007). In a 2006 study of charter schools, researchers in Maryland expressed concern that such contracts might deter or preclude many families from enrolling in a KIPP school. They also found that KIPP schools were not hesitant to ask students to leave—not just if they stepped off the path, but also if the parents did not live up to expectations. Public schools rarely have that luxury (Dingerson, 2007).

Even charters that claim to have open admission or admit students by lottery may have selection mechanisms that informally exclude by race, ethnicity, class immigrant status, and so on. These include attracting students most likely to fit the school's ethos, parents who have the knowledge of school options, and those with the means to afford transportation. In a high-stakes

testing environment, there is greater likelihood that attractive charter schools will find ways to exclude low-scoring students and/or students more expensive to educate. These include students who require special education services or have special needs (Lipman, 2005).

In other words, charter schools are making as many or more choices about which students and parents will attend as parents and students are making choices about which charter schools they would like to attend. Though charter schools provide some families with new educational opportunities, they frequently add another layer of selectivity to an already highly stratified public education system. Indeed, even in cases where charter schools are located in predominantly low-income communities, they tend to recruit, attract, and retain families who are already relatively privileged, with greater resources compared with other families in these communities (Wells, et al., 2005).

Emerging evidence suggests a two-tiered education system that results from the current charter school movement. This two-tier system is different from the self-selecting public school system of the past.. As charter schools become *the* public school system, the pool of schools that have truly open admission is shrinking. The highly resourced top half of this two-tiered system will usually receive a challenging and enriching curriculum. Those students most in need of an invigorating curriculum that builds on their culture, however, receive an impoverished curriculum focused on raising the students' test scores (Hursh, 2006). Cheryl Harris' "whiteness as property" construct explains the firm hold on access and curriculum that exists in the top tier of education. The "holders" of adequate education allow in some and lock out the rest from receiving the "property" (Harris, 1995).

Example in Chicago

In Chicago, new elite magnet high schools and new Montessori elementary schools have been created at the same time that the majority of the schools are driven by accountability mandates. The result is an increasingly dual education system that parallels and reinforces a dual labor force and expands the private sphere at the expense of the public (Lipman, 2005).

Pauline Lipman, in *High Stakes Education Inequity, Globalization, and Urban School Reform*, describes how the Chicago public schools (CPS) have come under the increasing control of corporate and governmental interests that make educational decisions based not on what will promote educational quality, but what will enable Chicago to compete internationally in the tourism and financial markets when local industries close or move away. Consequently, those in power are developing a two-tier educational system. The upper tier is reserved for the children of the professional and managerial class and prepares them for higher education. The lower tier is available the children of the poor and prepares them for jobs in the retail and service industry (Lipman, 2004).

Lipman shows how the mayoral-appointed head of trustees Gery Chico and his budget director Paul Vallas, as chief executive officer, installed a corporate, regulatory regime centered on high stakes tests, standards, and remediation. Since 1995, she writes, “the CPS had initiated a variety of differentiated programs, schools, and instructional approaches with significant implications in Chicago’s current economic contest” (p. 52). Over the last decade the CPS has implicitly created two sets of schools: one for the children of the professional and managerial class and a second for the working poor (Lipman, 2004).

Chicago's Renaissance 2010 plan promises to exacerbate an already unequal system. Lipman details how the plan essentially privatizes the public schools and turns control over to the corporate and political elite. She writes that Renaissance 2010 calls for closing 60 public schools and opening 100 small schools, two-thirds of which will be charter or contract schools run by private organizations and staffed by non-union teachers and school employees. Renaissance 2010 is only part of the ongoing effort by Chicago's elite to reshape education to the needs of the market by creating school choice, privatizing schools, weakening unions, and eliminating democratic participation in school decision making. Schools will not be governed by the local school councils, to which teachers, parents, and community members are elected, but rather by New Schools for Chicago, a board comprised of corporate and CPS leaders chosen by the Commercial Club for Chicago, an organization representing the city's corporate and political elite. New Schools for Chicago will use current corporate models to evaluate the schools by developing "performance contracts" that focus on student test scores. By undermining democratic control of schools, further deprofessionalizing teachers, and transferring public funds to private for-profit corporations, Renaissance 2010 is a renaissance only for some. Lipman concludes her analysis of Chicago schools:

The policy regime that I have described is producing stratified knowledge, skills, dispositions, and identities for a deeply stratified society. Under the rubric of standards, the policies impose standardization and enforce language and cultural assimilation to mold the children of the increasingly linguistically and culturally diverse workforce into a most malleable and governable source of future labor.

This is a system that treats people as a means to an end. The economizing of education and the discourse of accounting reduce people to potential sources of capital accumulation, manipulators of knowledge for global economic expansion, or providers of the services, and accessories of leisure and pleasure for the rich. Students are reduced to test scores, future slots in the labor market, prison numbers, and possible cannon fodder in military conquests. Teachers are reduced to technicians and supervisors in the education assembly line-objects rather than subjects of history. (p. 32)

Chapter 4

In Our Own Backyard

New Orleans is a municipality where people are *systematically* excluded from social benefits such as housing, health, employment, and education. The history of New Orleans school desegregation is a part of a larger history of not just educational access denied but also of citizenship denied (Devore, 1989). Limiting education is but one of the ways to create second-class citizenship. It is one of the more effective ways, however, because once a people are miseducated and/or undereducated, a society can claim the need to use “merit” as the standard according to which postsecondary decisions such as college admission and job placement will be made (Ladson-Billings, 2006). In this chapter, I will discuss Hurricane Katrina and the opportunities it provided for those with resources and power in New Orleans and beyond.

Katrina

Hurricane Katrina revealed the horror that had existed in New Orleans for more than a century: the unjust reality and legacy of the interlocking matrix of race, economic oppression, and educational disparities that systematically barred many black New Orleanians from the rights and privileges to which they were entitled. In fact, the definitive eye-opener of Hurricane Katrina was how African Americans have seemingly been betrayed by every level of government (Johnson, 2008).

Devastating Hurricane Katrina caused the displacement of 53,000 New Orleans primary and secondary school students. Because of the mandatory evacuation called after the storm, all

students, educators, and other personnel were forced to leave New Orleans. In fact, the combined storms of Hurricanes Katrina and Rita caused the largest displacement of students in this nation's history. According to research conducted by the RAND Gulf Coast Institute, the storms displaced approximately 200,000 of Louisiana's public school pre-K to twelfth grade students (Johnson, 2008).

First Responders

While the inertia of the federal response to the disaster sparked anger and frustration across the country, one sector moved through the wreckage with stunning efficiency: conservative education reformers. To them, Katrina was a gift. "In the case of post-hurricane New Orleans, American school planners will be as close as they have ever come to a 'green field' opportunity," said Paul T. Hill of the Center for Reinventing Public Education on Sept. 21, 2005 (Dingerson, 2007, p. 17).

Days after the disaster, *The Washington Times* quoted longstanding national advocate of school vouchers, Clint Bolick, of the Alliance for School Choice. Bolick used the tragedy to propose wide-scale privatization of the New Orleans public schools in the form of a massive voucher scheme. He said, "If there could be a silver lining to this tragedy, it would be that children who previously had few prospects for a high quality education, now would have expanded options. Even with the children scattered to the winds, that prospect can now be a reality—if the parents are given power over their children's education funds" (p. A21). Calling for the privatization of public schools, Bolick's metaphor of the silver lining would be repeated over and over in the popular press immediately after the storm (Saltman, 2007).

Karla Dial in the *Heartland News* wrote, “emergency vouchers could be the silver lining in the storm clouds that brought Hurricane Katrina to the Gulf Coast on August 29” (2005). Reuters quoted Louisiana State Superintendent of Education Cecil Picard as saying, “We think this is a once-in-a-lifetime opportunity. I call it the silver lining in the storm cloud.” Jack Kemp, who served in the Reagan administration, a long-time proponent of business approaches to urban poverty, took poetic license but stayed with the theme of precious metal, “. . . with the effort to rebuild after Katrina just getting underway, the Right sees a golden opportunity to use a portion of the billions of federal reconstruction funds to implement a voucher experiment that, until now, it has been unable to get through Congress”(Saltman, 2007, p. 138).

Even Milton Friedman, guru of the movement for unfettered capitalism, wrote an op-ed piece for *The Wall Street Journal* three months after the levees failed despite his failing health (Klein, 2007). “Most New Orleans schools are in ruins, as are the homes of the children who have attended them,” wrote Friedman. “The children are scattered all over the country. This is a tragedy. It is also an opportunity to radically reform the educational system” (p. 2).

Help from Above

Many of those who saw green in New Orleans were members of the Education Industry Association, the trade organization representing corporations that market services to schools and school districts. Others included conservative think tanks like the Center for Education Reform, the Thomas B. Fordham Foundation, the Heritage Foundation, and the University of Washington’s Center for Reinventing Education. For years, these well funded and well-connected institutions and interests have argued that public schools and school districts ought to

join the free market economy. Taking advantage of disarray and inertia by local officials, and the willingness of the federal government to heavily bankroll its alternative vision, the powerful interests in education reform took the reins in New Orleans to recreate "public" education under a market model. Lance Hill of the Southern Institute of Education and Research agrees that privatizers hijacked the charter school movement. "They don't want to say that they are privatizing education." (Lance Hill interview, 2009)

The decisions by state officials to rapidly transfer the city's public schools to the control of the RSD and waive previous requirements for conversion to charter school status were hastened by this well-organized and well-financed national network of charter school advocates. These individuals seized the opportunity to initiate a massive takeover experiment with the children of New Orleans at a time when most parents and students, a majority of them African American, were widely dispersed in other parishes and states (United Teachers of New Orleans, 2007). With the African American population out of the city, privatizers and legislators may have assumed that the remaining school system would become a white-majority system, full of already highly resourced and high scoring students (Lance Hill interview, 2009).

Hurricane Katrina in New Orleans typifies the new form of educational privatization. The disaster has been used to enrich a predominantly white business and political elite while achieving educational privatization goals that the right has been unable to achieve before (Saltman, 2007). During the year following the storm, conservative activists from outside the city paved the way for a new type of public school system. It positions schools as competitors, and families and students as consumers. And, rather than bringing communities together to work

for the reform of *all* schools, for *all* children, it creates a system where winners and losers are inevitable. In fact, that is part of the design (Dingerson, 2007).

Opportunity Floods

Locally, business leaders from New Orleans and the surrounding areas used their power to mold the rebuilding efforts. Many of this business elite sat on mayor Ray Nagin's much criticized Bring New Orleans Back Commission. Joseph Canizaro, a builder, Boysie Bollinger, of Bollinger shipyards, and Scott Cowen, of Tulane University secured positions on the commission and were said to be advising mayor Nagin on early rebuilding decisions. Canizaro and Bollinger both call former president George W. Bush a friend (Rivlin, September 29, 2005).

It did not take long, therefore, for word to spread of possible national, state, and local plans for the New Orleans school system. Brenda Mitchell, former United Teachers of New Orleans president states, "I wasn't quite sure about what was going on. But what I found out was that there was some federal money that was set aside for charter schools, which was under the state and from the work of Senator Mary Landrieu." "I began to hear about the money at the state superintendent's office. And I began to have the American Federation of Teachers (AFT) look into it. The only way schools could open, we were told, was because there was going to be some money for our charter schools. And we would have to use that money to operate schools since the state wasn't going to have any money" (Perry, 2006, p. 17).

The rumblings Brenda Mitchell heard were true. Within two weeks of the hurricane, U.S. Secretary of Education Margaret Spellings referred to charter schools as "uniquely equipped" to serve students displaced by Katrina. Two weeks later, on September 30, Spellings announced

the first of two \$20 million grants to Louisiana, solely for the establishment and opening of charter schools. The grant, funded by President Bush's No Child Left Behind Act, covers costs of supplies and salaries but cannot be used to repair buildings. FEMA money could be available for those repairs if the grant money could not (Ritea, October 6, 2005). The federal government offered no comparable funding to reestablish traditional neighborhood or district schools (Dingerson, 2007).

Cecil Picard, then state Superintendent of Education, advised that New Orleans should not open any public schools for the 2005-2006 academic year unless they became charter schools. Picard also warned that national education associations and philanthropic groups willing to offer money and time to rebuild the district could shrink if the district's power struggles continued. He reported calls coming in from Walter Isaacson⁹ of the Aspen Institute and the Bill and Melinda Gates Foundation. These groups, Picard noted, wanted to come into a clean system. In a letter written to Governor Kathleen Blanco, Picard requested the charter schools he had been asking for (Ritea, October 25, 2005).

On October 7, 2005, Governor Blanco issued an executive order which waived key portions of the state's charter school law to make conversion and creation of charters easier. One of the provisions that was waived is a requirement that the conversion of a traditional public school to a charter be conditioned on the approval of a school's faculty and parents. The Orleans Parish School Board then voted 4-2, using this waiver to convert all 13 schools in the less-flooded Algiers community of New Orleans to charter schools without parent or teacher approval (United Teachers of New Orleans, 2007).

⁹ Walter Isaacson is also on the board of Tulane University (Tulane University website).

Parts of the flooded city were still closed off to residents when, in November 2005, the Louisiana legislature cleared the way for the state to assume control of 107 schools in the Orleans district. From Governor Blanco's recommendation, the Louisiana legislature approved Act 35¹⁰, which required lawmakers to (1) expand the state's authority to take over failing schools in Orleans Parish School District, (2) redefine failing to include many New Orleans public schools that previously had not met the definition of failing, and (3) expand the state-run RSD in New Orleans and allow it to operate alongside the the Orleans Parish School Board as a dual state-run and city-run school system (United Teachers of New Orleans 2007).

Before 2005 was over, the Orleans Parish School Board voted to fire all teachers and other employees of the New Orleans Public Schools, a number that exceeded 7,000. In June of 2006, the school board let the teachers union contract expire with little comment and no fanfare. Those rehired at charter schools returned without their union, AFT Local 257, The United Teachers of New Orleans (UTNO). The union has a long history of progressive activism and political action. For many in New Orleans, the union represented an important black-led political base advocating for justice with the education system. "Elites of the city may prefer the teachers don't come back because they represent an educated class of black New Orleans, with steady income, seniority, and job protection," reports Jacques Morial, community advocate (Perry, 2006, p.17).

¹⁰ Act 35 expanded the takeover powers of the RSD only in New Orleans by skillfully crafting an easier takeover standard. Act 35 limits the expanded definition of "failure" to districts with more that 30 schools rated Academically Unacceptable (AU) or more than half of their students enrolled in schools rated AU. Orleans parish was the only district meeting those criteria when the law was written. In addition, Louisiana Act 35 authorized the state takeover of New Orleans schools which performed at or below the state average in 2004-2005. The school passing performance score was changed from 60 to 87 allowing the state to label 107 of the city's 117 schools failing. (United Teachers of New Orleans, 2007).

As fall turned to winter, both the Orleans Parish School Board and the Louisiana Board of Elementary and Secondary Education (BESE) authorized more charter schools. The following table outlines the current decentralized school system:

Figure 2. Chart of New Orleans Public Schools

Chart of New Orleans Public Schools
Board of Elementary of Secondary Education (BESE)

Independent BESE Charter Schools		
International School of Louisiana (K-8)		
Milestone/SABIS Charter (K-8)		
Orleans Parish School Board (OPSB) New Orleans Public Schools (NOPS)	Louisiana Department of Education Recovery School District (RSD)	
NOPS-Operated Schools:	RSD Charter Schools	RSD-Operated Schools
Mary Bethune Elementary (PK-6)	Abramson Science and Technology Charter (K-11)	Benjamin Banneker Elementary (PK-8)
Benjamin Franklin Elementary Math & Science (PK-6)	Akili Academy (K-2)	Agnes Bauduit Elementary (PK-8)
McDonogh 35 High (7-12)	Arthur Ashe Charter (K-2 & 4-8)	George W. Carver Elementary (PK-8)
Eleanor McMain High (7-12)	Martin Behrman Elementary (K-8)	Mary Coghill Elementary (PK-8)
Orleans Parish PM School (7-12)	Pierre A. Capdau-UNO Charter (PK-8)	Joseph A. Craig Elementary (PK-8)
	Crocker Arts and Technology School (PK-3)	John Dibert Elementary (PK-8)
	Dwight Eisenhower Elementary (K-8)	Dr. Charles Drew Elementary (PK-8)
NOPS Charters	Esperanza Charter (K-8)	Francis Gregory Elementary (K-8)
Audubon Charter (PK-8)	William J. Fischer Elementary (PK-8)	Gentilly Terrace Elementary (PK-8)
Einstein Charter (PK-8)	S.J. Green Charter (K-8)	Paul Habans Elementary (PK-8)
Alice Harte Elementary (K-8)	Langston Hughes Charter (K-7)	Edgar R. Harney Elementary (PK-8)
Edward Hynes Charter (K-8)	Intercultural Charter (K-5)	Murray Henderson Elementary (PK-8)
Lake Forest Elementary (K-8)	Dr. Martin Luther King, Jr. Charter (PK-8)	James Johnson Elementary (PK-8)
Lusher Charter (K-5)	KIPP Central City Primary (K-1)	Laurel Elementary (PK-8)
Lusher Charter (6-12)	KIPP McDonogh 15 (PK-8)	Live Oak Elementary (PK-8)
Robert Moton Charter (PK-7)	Lafayette Academy (PK-7)	Livingston Elementary (6-8)
Warren Easton High (9-12)	McDonogh 32 Elementary (K-8)	Sarah T. Reed Elementary (PK-8)
Ben Franklin High (9-12)	McDonogh 42 Elementary Charter (PK-8)	Henry Schaumburg Elem. (PK-8)
Edna Karr High School (9-12)	McDonogh City Park Academy (K-8)	St. Julian Elementary (PK-8)
New Orleans Charter Science & Mathematics High (9-12)	Medard Nelson-UNO Charter (PK-8)	A.P. Tureaud Elementary (PK-6)
Priestly Charter (9-12)	New Orleans City Park Academy (K-8)	Albert Wicker Elementary (K-8)
	New Orleans College Prep (K-2 & 6-8)	Fannie C. Williams Elem (PK-7)
	New Orleans Free Academy (K-8)	Sylvania Williams Elem (PK-5)
	James M. Singleton Charter (PK-8)	Thurgood Marshall Middle (7-8)
	Harriet Tubman Elementary (PK-8)	George W. Carver High (9-12)
	Andrew Wilson Charter (K-7)	Joseph T. Clark High (9-12)
	KIPP Believe College Prep (5-8)	Walter Cohen Senior High (9-12)
	KIPP Central City Academy (5-7)	Frederick Douglass High (9-12)
	Sophie B. Wright Charter (4-8)	John McDonogh High (9-12)
	Miller-McCoy Academy (6-7 & 9-10)	L.E. Rabouin High (11-12)
	Algiers Technology Academy (9-12)	Sarah T. Reed High (9-12)
	Thurgood Marshall Early College High (9-12)	Greater Gentilly High School (9)
	New Orleans Charter Science and Math Academy (9-10)	International High School (9)
	Sojourner Truth Academy (9-10)	
	O. Perry Walker High (9-12)	
	ARISE Academy (PK-2)	
	Benjamin Mays Prep (PK-2)	
	Pride College Preparatory Academy (PK-2)	
	Success Preparatory Academy (PK-3)	

(Parents Guide to New Orleans Schools, 2009)

Charter school applicants were local non-profits, many of them created for the sole purpose of applying for a charter, and several of them wasted no time in sub-contracting with national for-profit entities to manage the schools. Contracts were extended to some of the industry's biggest players including The Leona Group, SABIS, and the nonprofit Knowledge is Power Program (KIPP) (Dingerson, 2007). Across the river, the Algiers Charter School Association initiative is heavily underwritten by Baptist Community Ministries, the state's largest private foundation. On the strength of private support like this, Algiers reported in July 2006 that it had a \$12 million reserve fund (Dingerson 2007).

Controlled Experiment

National charter school advocacy groups pointed to New Orleans as the experiment that will demonstrate that publicly funded charter schools are superior to public schools. Tracie Washington, a civil rights and education attorney and head of the Louisiana Justice Institute says, "They say this is an experiment. Tuskegee was an experiment. We have reason to be suspicious of experiments." This experiment has resulted in a clearly defined two-tier public school system (Quigley, 2007, p.2).

The top tier, made up of the best public and charter schools, is the point of this experiment and could not operate without the bottom tier. If the schools in the top tier had to accept the students assigned to the second tier schools, the results of the experiment would obviously turn out quite differently. The second tier of schools is for the rest of the children. As BESE member Glenn Lee Buquet stated in an email, "We wanted charter schools to open and take the majority

of the students. That didn't happen, and now we have the responsibility of educating the leftover children” (Quigley, 2007, p. 3).

The inevitable flaw in New Orleans' experiment with free market schools is in the distinction between "competition" and "collaboration." Collaboration lifts all boats. Competition determines winners. Some kids, returning late, or without their parents, or with parents who couldn't navigate the right channels, were sunk (Dingerson, 2007). Inherent in the concept of "choice" is the need for a parallel set of universal access schools for those who fail to choose, those who are "un-chosen," and for those who choose to stay with their community-based or fully public school (Dingerson, 2007). In a decentralized system, who is responsible for the neediest students? The answer is likely to be no one. This is not a fair experiment when the top controls the resources, controls the charter, and controls the results. The bottom doesn't control anything. It is an invitation to re-create a system deeply segregated by race and class (Delpit and Payne, 2007). Its emphasis on a market-based privatization ideology does not engender hope for a new and improved system that will produce a socially just and equitable schooling experience for its predominately African American and poor students (Johnson, 2008).

Limited Access

Parents struggling to return to the city have had to negotiate a complex landscape to get their child into school. Some parents and students were shocked to learn that the familiar school down the street is closed to their children because it is now a charter school filled to capacity with children from across the city (Rontell Jamal interview, 2009). As is to be expected, there were also numerous problems, such as confusion on the part of the parents as to which school to

register their children. The state did not provide a central location where parents could ascertain school registration procedures. This problem created much chaos and confusion for parents attempting to enroll their children in schools. Registration is handled at each individual charter school, so parents must crisscross the city to research schools and register their children. There are no neighborhood schools that students are entitled to attend. It is a challenge, even for the savviest parents with ample time on their hands (Dingerson, 2007).

True to free market practice, the charter school movement is anything but transparent. Even those charter schools with “open” admissions are exclusive. The contractual right of charter schools to limit access is a key distinction between charter schools and traditional public schools. Audubon Charter school, which offers French and Montessori education, is a prime example of the hidden agenda of privatization. On the surface, the school advertises to have open admission. Upon further inspection, however, certain requirements become clear. To be admitted to kindergarten at the Audubon Charter school, a child must have attended one of a few French or Montessori private pre-kindergarten schools. To gain admission, therefore, parents must be prepared at least one year in advance, and must have the funds to pay for a private pre-kindergarten education (Audubon Charter website).

Without *collective* responsibility for educating *all* children in the system, charter schools in New Orleans have been permitted to cap their enrollment to maintain an optimal student-to-teacher ratio of 20:1. Unlike traditional public schools, which must provide access to all children within their defined geographic boundaries, the flood of students returning to New Orleans from spring 2006 through early fall often found themselves shut out of the most promising schools. Particularly hard hit had been the city’s very large population of children with special needs or

disabilities (Dingerson, 2007). This dual system of schools that frees charters and other discretionary admissions schools from the responsibilities of accommodating mid-year enrollment growth hurts students in the regular RSD schools and tends to reinforce the disparities that existed in the pre-Katrina system. Class sizes have increased to 30,35, and even 40 students in the RSD schools. Because RSD teachers are overworked, they are more likely to quit (United Teachers of New Orleans, 15).

Pushing out students who don't fit the behavioral or academic norms of the school is also easier for charters. In March 2007, the first anecdotes of this practice began to emerge from New Orleans. At one RSD school, the principal complained that a number of students had arrived mid-year with strikingly similar stories. Each had been at a charter school. Each was having learning or behavioral difficulties. In each case, the parent had been called in and told that their child would be expelled from the charter, and consequently would be unable to enroll in any New Orleans school until the fall. However, the parent was told, if you "voluntarily withdraw" your child, a Recovery District school will be obligated to accept them this school year. Not coincidentally, the principal speculated, the students arrived just one week before the state's standardized assessment was to be given (Dingerson, 2007).

I turn again to Audubon Charter school as a specific example to highlight the pushing out of undesirable students. Students face the standardized Louisiana Education Assessment Program (LEAP) test starting in the 4th grade throughout Louisiana. Audubon Charter, however, gives a mock 4th grade level LEAP test to its students in the 3rd grade. Student who fail the test are kicked out of the charter school. This is essentially a self-fulfilling prophecy, and now a common practice.

The Algiers Charter School Association, which includes nine schools in total, is also using crafty control methods within its subset of schools. The Association has a centralized admissions process, which on the surface is a great aid to the parents. Some see evidence of this centralized admissions process being used to funnel high achieving students to one or two schools, however. This gives the Algiers Charter Schools Association the clout of having one or two high scoring schools under its jurisdiction (Lance Hill interview, 2009).

In essence, the reformers are segregating by academic achievements on standardized tests and past performance, not ability. They are not creating quality schools, but high achieving groups of students, an excellent marketing strategy for the free market (Lance Hill interview, 2009).

Resources Rule

One fundamental concern of the RSD has been about the lack of basic human and tangible resources essential for success in any educational environment let alone one formed after one of the worst natural disaster in United States history as far as expense and displacement. These resources include: textbooks; desks for students; a sufficient number of experienced and well-trained teachers; an effective plan to deliver services to children with special learning needs; counseling services to help children cope with trauma and grief; and extra-curricular activities. There were also the problems the private firm Sodexho had providing warm (much less hot) meals to the 22 schools, many of which in nine months never saw a single hot food delivery. Frequently, Sodexho's cold food offerings arrived still frozen (Adamo, 2007). Without many of these basics, RSD school buildings function more like warehouses for children than centers of learning (Tuzzolo, 2007). RSD's superintendent, Robin Jarvis, who helped write the legislation

that produced the state takeovers, was assuring the media that her teachers were learning how to teach "creatively" despite the lack of textbooks (Dingerson, 2007).

One the other hand, there was the \$20 million the RSD managed to spend on security for its 22 campuses, altering the ratio of students to security guards from a pre-Katrina 333-to-one to a post-Katrina 37-to-one, while employing the services of out-of-state security firms (Guidry Group) with no background in school security and a tendency to hire inappropriately young and inexperienced personnel (Tuzzolo, 2007). RSD schools exhibit what students have referred to as a prison-like atmosphere while their discipline policies penalize and remove students instead of providing support and facilitating positive growth. This specific concern has been voiced in press conferences, community meetings, legislative hearings, meetings with RSD staff, forums with BESE, New Orleans City Council's Education Committee meetings, as well as reported in local and national media (Tuzzolo, 2007).

After these tremendous problems and much scrutiny, RSD superintendent Robin Jarvis announced her resignation in May of 2007. Her replacement was none other than Paul Vallas, mentioned above. A maverick among urban superintendents who did stints in both Philadelphia and Chicago public school systems, Vallas was said to be a project of Mary Landrieu for years. "I tried to get him down here before," Landrieu said "I'd call him every two years and ask if he'd come to Louisiana" (Ritea, May 26, 2007).

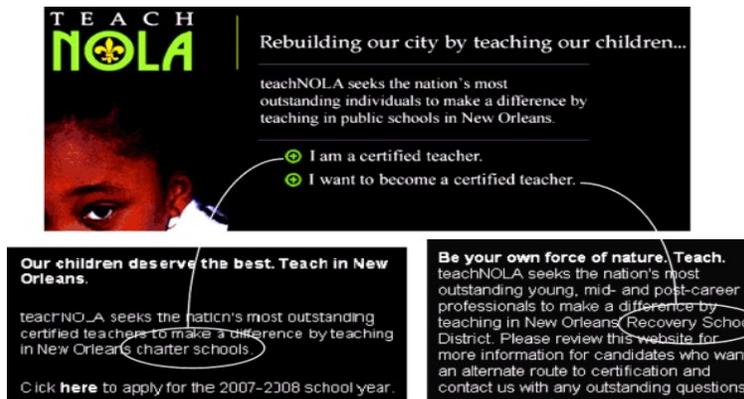
Other administrative changes, such as the replacement of deceased state superintendent of education Cecil Picard with Paul Pastorek, took place. Pastorek, a lawyer, brought a lengthy track record of working on education issues but was a rarity among Louisiana school chiefs in

that he had no experience as a classroom teacher or school administrator (Moller and Simon, March 2, 2007).

The change in top administrators did not immediately solve some of the problems in the school system. One problem that endured was the lack of certified teachers for *all* schools. If the state officials believe (most educators would agree) that student to teacher ratios around 20:1 are optimal for student learning, as they apparently do when it comes to charter schools, then the system must aggressively drive to ensure that all students are in such classrooms. If the state officials believe that students in charter schools deserve the most highly qualified teachers, then the students in the traditional public schools must have those teachers as well (Dingerson, 2007). Teachers have left RSD schools mid-semester to take another position at a charter school for higher pay. Members of charter schools even enter RSD schools to recruit (Tisserand, 2007).

New School for New Orleans head Sarah Usdin has worked alongside union officials on previous projects in New Orleans schools. “My bottom line is that unionized or not, we need the best teachers to get the best results with kids,” Usdin says (Tisserand, 2007, p. 21). Yet some charter critics argue that new teacher-recruiting groups such as New Schools for New Orleans and teach NOLA are steering the most qualified educators only into the charter school system, further deepening the quality gap between RSD schools and charters. For much of 2007, a teach NOLA website offered visitors a chance to identify themselves as certified or uncertified teachers. Those who identified themselves as certified were sent to a site for charter schools; those who were uncertified were sent to a site for RSD schools. Usdin says that the distinction was an unintended result of contract structuring. The site no longer divides the potential teaching pool in the same manner (Tisserand, 2007).

Figure 3 Teach Nola Ad (United Teachers of New Orleans, 2007).



This Web ad seeking teachers steered certified teachers to New Orleans' non-RSD charter schools. The ad was modified in spring 2007 and is no longer posted on the Internet.

I'm Here, Hear Me

“This just shouldn't be,” says Tracie Washington, a civil rights and education attorney and head of the Louisiana Justice Institute. “If you ask people to return, there need to be schools.” In late January of 2007, Washington filed a class action suit against the Orleans Parish School Board, the state of Louisiana and all of New Orleans charter schools. According to Lance Hill, in 2006, 2,000 special-needs students were completely locked out of the RSD and charter schools. At the beginning of this school year, there was only one person on the RSD staff to supervise the placement of 4,000-6,000 special-needs students. “To Washington, the current problems in school enrollment are inherent to charters, which foster competition for places in preferred schools. She also fears the remaining public schools in the Orleans Parish School System will fall into further neglect in the new hierarchy of charter schools. “You cannot have a city where you decide you're going to have a caste system and allow the schools run by the Orleans Parish School System to be the dumping grounds for students that nobody else will take,” she says (Quigley, 2007, p.6). Washington says,

Think about the fact that we had parents who had the misfortune of sending their children to schools in two different systems - RSD and a charter. Now if your daughter attended Lusher charter or Audubon charter, they always had hot meals, clean toilets, books, library, certified teachers, after school activities, *and no armed guards at the school site*. Your son had the misfortune of attending RSD schools like Raboin High School, or Clark, or John McDonogh. No books, cold food, essentially an armed encampment. Same family - same mom and dad, same home environment; but the daughter is treated like a student and the son is treated like an inmate at the State Penitentiary at Angola. Actually, they are treated better at Angola because there's a library and hot food is served! (Quigley, 2007, p.7)

Danatus King of the New Orleans NAACP says many think the public education system is intentionally designed by those with economic power to keep other people's children under-educated.

If you keep them uneducated, you can control them easier. There is a power structure in New Orleans that has existed for hundreds of years. They don't want to see it changed because if it's changed then it is going to hit them in their pockets. It is going to be hard to keep those hotel and restaurant workers from unionizing and demanding more money and better working conditions. It is going to be more difficult to attract folks to that industry when they are well educated and have other opportunities. If you keep them uneducated, you can control them easier. (Quigley, 2007)

Brenda Mitchell, former president of United Teachers of New Orleans, says she is not a conspiracy theorist, but when she considers the new charter system, she is not sure how else to think. “It's all part of the privatization and social engineering of the city, limiting the return of poor people and African-Americans,” she says.

If you're not providing housing for them, if you don't want to provide schools to educate them, how are they going to come back to rebuild the city. I believe that, when they designed all of this away from the people that are most affected by it, they intentionally disenfranchised us. You don't rush to redesign a system, excluding the very people from the table who are impacted by it the most. And that includes parents. And it includes teachers and school support staff. I think that we had an opportunity, and we've missed it. (Perry, 2006, p. 20)

The African American community fought and continues to fight intensely to find schools for their children *and* make those places safe learning environments. Julie Andrews, a Ninth Ward resident who had five children go through Orleans Parish Public Schools, goes to every school board and community meeting to make her voice heard. New Orleans is filled with Julies.

Even African American students have come together in response to the post-Katrina school takeover. The Fyre Youth Squad is a group of self-determined youth ages 14-24 living in the greater New Orleans area who want to effect positive educational change and create a world-class learning environment in all New Orleans public schools. This group meets twice a week after school to discuss pertinent issues plaguing that New Orleans educational institutions. They have held press conferences to raise awareness at schools and met with Recovery District officials (Julie Andrews, interview, 2009).

Unfortunately, there are children left behind, by virtue of their still condemned houses, their under-resourced parents, or their individual needs, and they will continue to suffer because the market requires some to succeed and others to fail. Edmund Lewis, editor of African American newspaper, *Louisiana Weekly*, says, “Education may be the great equalizer, but in a situation where one group determines who gets a quality education, it has become the great unequalizer” (Lewis, May 4, 2004). The real vision, the real new paradigm, must be the old one: that a system of public schools, supported and embraced by the public, is the best way to provide all our young people with a quality education, at the same time that we build quality citizens and a common bond that transcends race and class and serves to unite a nation. Market-based schools will never do that (Dingerson, 2007).

Chapter 5

Lusher

“All-white schools should be properly preserved as a bastion of white supremacy”

-Robert Mills Lusher, 1876

“We have an opportunity of a lifetime: Out of adversity to create a school system that would be the envy of people around the country.”

-Scott Cowen, president of Tulane University, 2005

While forces were at work prior to Katrina to take control of schools and improve already highly functioning schools, interest to improve black majority schools did not seem to exist. Katrina made the task even easier. Following the devastating storm and breach of levees, the first to respond to the call for proposals were those with pre-existing resources and expertise. In this chapter, I will focus on Lusher school, a prime example of resourced individuals and businesses coming together to succeed no matter the cost.

The takeover by Lusher school is just another chapter in the school's controversial history. Interestingly enough, the school, which opened its doors in 1913, retains the title of its namesake, Robert Mills Lusher. As previously mentioned, Lusher, who took office as the Superintendent of Louisiana schools in 1877, had a clearly articulated philosophy against educating African American children.

Lusher leveled attacks on such ideas as spending African American tax revenues in schools for black children. Calling such efforts futile, mental training for an inferior race, Lusher said

that any money spent on the education of black people, even their own tax money, would cause unwelcome neglect of the education for poor white children (Devore, 1989).

Kathy Riedlinger, who has been principle of Lusher for 25 years, and her staff had just filed for charter status as a kindergarten through 8th grade school the Saturday before the hurricane hit the city. After the storm, the Orleans Parish School Board announced that it anticipated opening no schools in the district, including Lusher, for the entire school year. In addition to the overwhelming damage to its facilities, the school system faced another major obstacle: It had no funding because there was no local tax base. There was no money to charter Lusher. Reidlinger set to work immediately, lobbying Cecil Picard for help in saving Lusher's program. "It has a spirit to it that needed to be preserved," she said (Ritea, November 3, 2005).

Meanwhile, Scott Cowen, president of Tulane, was stranded in Houston with the university's top administrators, worrying about how to get Tulane faculty and staff back to New Orleans without schools in which to enroll their children. After reaching out to Riedlinger, Cowen and Tulane University immediately partnered with Lusher Elementary and Middle School through the creation of the nonprofit Advocates of Arts-based Education. Together, they appealed to the Orleans Parish School Board, meeting for the first time since Katrina in Baton Rouge on September 15, 2005, to approve its application to establish itself as a charter school, for permission to extend their school through 12th grade, and to prioritize enrollment for the children of returning faculty members at nearby Tulane University. The proposal was approved by a 5-1 vote, with one abstention. Ultimately, Cowen offered enough money to the Orleans Parish School Board to make up the missing local tax revenue that normally helps support Lusher for one semester. In exchange, Lusher would open in January and children of staff and faculty of

Tulane (and Dillard, Loyola and Xavier universities) would be admitted even if they hadn't previously attended-for the spring 2006 semester (Dingerson, 2007).

There was one more piece to attend to. Because Lusher was expanding to a K-12 charter school, additional space was needed. On October 28, 2005 The Alcee Fortier High School building, which housed virtually all-black, low-performing students before Katrina, was awarded to Lusher by the school board by a 4-1 vote so that it could expand to a K-12 charter. Then School Board Vice President Lourdes Moran, a Lusher parent, said that as a failing school, Fortier was on the brink of being taken over by the state. "The issue here is do we want to lose a property that could best accommodate a population we know is determined to come back?" she said. "I would prefer to keep it in the district." (Ritea, November 3, 2005)

Although School Board member Heidi Daniels abstained from the vote because she is married to Flozell Daniels, Tulane's executive director of state and local affairs, she said she nonetheless had concerns about the move. "I felt like the students at Fortier as well as a charter organization should have an opportunity to reconstruct a better Fortier in that building," she said. "I don't feel like that was seriously taken into consideration." "I think we could have afforded to wait," reported School Board President, Torin Sanders, the lone dissenting vote (Ritea, Nov. 3, 2005). So, why didn't they wait?

Flozell Daniels reported that Tulane University was retaining its 7,000 full-time employees through the storm recovery, at an operational loss of \$42,000 a day, to make sure that New Orleans' largest private employer stays in business. According to Daniels, ensuring that those workers can send their children to a quality public school goes hand in hand with that effort (Finch, Sept. 17, 2005).

When Lusher Charter School was handed the Alcee Fortier High School building for the expansion of their program, the building, like many other New Orleans public school buildings, was in disrepair. Of the \$52 million in FEMA money available for all schools in New Orleans, \$16 million was used to renovate Fortier. Tulane also provided \$1.5 million to Lusher. Lusher, because of their unfair advantage and accelerated progress of reconstructing and expanding their program, became the face of the school renewal effort. Donations, therefore, started rolling in from near and far, with funds arriving from as far as Germany¹¹, according to Lusher's 2005-2007 IRS form 990s¹² (Guidestar.org, 2009).

Lusher, a type 3¹³ charter with limited admission, is required to maintain only the demographic profile it had in the year before it becomes a charter. The most recent state statistics show Lusher's student body last year was about 40 percent African-American, 50 percent white, and the rest a mix of other races. That compares with a school system that serves a 95 percent African-American enrollment with about 77 percent of students in low-income families. Of the 900 students at Lusher in the spring of 2006, 400 have an affiliation with Tulane (Save Our Schools, 2009). Tulane-affiliated students are admitted regardless of the residence of their parents, which means that they may reside anywhere in the state and still be admitted to the New Orleans school. Moreover, Tulane affiliates are "grandfathered" in so that if a faculty or staff person quits Tulane, their children can remain enrolled in the school (Tulane University).

11 Atlantik-Bruecke, a foundation based in Germany, committed \$1.1 million to renovate the gymnasium on the Alcee Fortier High School campus. Atlantik-Bruecke is a collaboration of German industrialists and representatives of business who came together after World War II to support cooperation with the United States during the country's recovery (United Teachers of New Orleans, 2007).

12 Lusher's chartering organization, Advocates for Arts-Based Education Corporation, must file a Form 990 with the IRS every year as a 501 (c) (3) organization.

13 A Louisiana Type 3 charter is a preexisting school with local school board conversion. Funding flows through the local school board. Type 3 charter schools are not forced to enroll within a certain attendance zone (Louisiana Department Education, 2009).

What benefits are really to be had to getting into a school like Lusher? When the first Lusher Charter School senior class graduated in 2008, nearly half the students had already completed a full semester of college. Thanks to a dual enrollment program, 40 percent of Lusher seniors are also enrolled in classes at Tulane University and graduated with up to 15 hours of fully transferable college credit hours (Maloney, 2008).

Karen Harper-Royal finds herself conflicted between her roles as a Lusher student's parent and as an advocate for disadvantaged students across the system. "As a parent, hell yeah, I'd like my children not to be connected with the chaos that is New Orleans public schools," she said. "As an advocate, I have a different view. So, I'm really stuck." "The school, while racially diverse, could help more truly disadvantaged students than the small percentage it serves," Harper-Royal said. "If it means just saving the 'haves,' that's not sufficient. We're part of a larger community" (Thevenot, August 17, 2005).

Julie Andrews sums up the criticism of Lusher and Tulane. "They are essentially stocking Lusher with high-achieving kids. The kids don't make the school. The teachers, administration, curriculum, and resources make the school. Why didn't they give Alcee Fortier students a chance at a good school"? Andrews says, "The Lusher takeover reminds me of a carton of eggs. Some eggs are taken out and made into a nice omelet, and the rest are left to rot. The rotten eggs were never given a chance, but are used in comparison to the omelet, which is made to look even better because of the rotten eggs." (Julie Andrews interview, 2009)

Rontrell Jamall, an Alcee Fortier High School student who returned to find his school with a new name and qualifications to enter, sums up the feelings of fellow students who essentially had their school stolen from them. He says that he and his friends loved Alcee Fortier.

The fact that they can even take my school without anyone putting up a fight hurt me and my friends. We had teachers who cared for us. My favorite thing about Fortier was the football team. I loved my teammates. They were my second family away from home. Yeah, we had our differences at practice, but at the end of the day, we were one big family, win or lose. But, I can't lie. We didn't have books in every class and the building wasn't the best, but we made the best out of it (Rontrell Jamall interview, 2009).

Chapter 6

Conclusion

Public education is inherently political in that public schools are places where citizens are made and particular visions of democracy are propagated. The questions that educators and other cultural workers need to ask are, What kind of citizens do we want to make? What kind of democracy do we want to have? The history of public schooling in America is rife with highly undemocratic traditions such as racism, sexism, and classism. The continuing inequities structured into public education, such as the funding system, form the basis for many advocates of privatization to claim that it is time the public give up on public schooling.

In fact, the question of public support for public education gets to the heart of contemporary struggles over the meaning of democracy. Are we to go along with the current trend to privatize public services and to annihilate the public sphere? Will democracy become merely a synonym for capitalism? Such a vision poses danger not only for America's public schools but for American society more generally: the concentration of power, control, agenda setting, and decision-making in the hands of a ruling economic elite; the dangerous deepening of an apartheid-like state, pitting white against nonwhite and urban against suburban.

The historical failures of public schooling and crisis of democracy do not form the basis for retreating from public education, turning our backs on it, or handing it over to deep pockets. On the contrary, the current crisis of public education and democracy itself demand now, more than ever, a recognition of the power public schools have as a site of struggle for public education as a route to a deeper and more meaningful democracy. It is imperative that past failures of public

education, such as the failure to properly invest in it, form the basis for a renewed effort to transform a cynical politics of containment in the urban space, and transform the increasingly lottery-like politics of upward social mobility into a democratic politics that invests in youth as shapers of a more just, equal, and fair future in all social spheres.

The families that survived Katrina have had to amass immense internal reserves to bring themselves back to their beloved city and to rebuild their lives. The lack of an official way for them to have a voice in the rebuilding of their city has left them feeling frustrated and ignored. Even today, “disrespected” is one word you hear a lot in black New Orleans when you ask about the process that created the new school systems (Andrews and Jamall interviews, 2009). Every step of the way, from the early weeks after the storm to this very day, many African American teachers, parents, and students have been shut out, not just of the process, but of the schools themselves. Imagine the spirit that might have emerged if a truly organic process of community planning and input had been established. Imagine New Orleanians coming together as they returned to their city, working neighbor with neighbor, community by community to forge a new city out of the ruins of Katrina. Imagine parents, students and teachers given real power to create the blueprints of a new school system that would be community based and owned. Finally, imagine Rontrell Jamall and his friends given respect, resources, and a real future within the walls of *their* school, Alcee Fortier High School.

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